

SENATE JOURNAL

Fifty-ninth Legislature—First Called Session

AUSTIN, TEXAS, MONDAY, FEBRUARY 14, 1966

PROCEEDINGS

FIRST DAY

(Monday, February 14, 1966)

In obedience to the proclamation of the Honorable John Connally, Governor of the State of Texas, the Senate met in the Senate Chamber at the City of Austin, on the fourteenth day of February, 1966, at 12:00 o'clock M., and was called to order by the President.

Quorum Present

The President directed the Secretary to call the roll of the Senate.

The roll was called and the following Senators were present:

Aikin	Kazen
Bates	Kennard
Blanchard	Krueger
Calhoun	Moore
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Rogers
Hall	Schwartz
Hardeman	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Hightower	Word

Absent

District 19 (Vacant)

The President announced a quorum of the Senate present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

Letter of Former Senator Richter

November 30, 1965

The Honorable John Connally
Governor of Texas
Austin, Texas

Dear Governor:

Having been advised that, on clos-

er examination of the Constitutional language regarding State employment, the Attorney General will rule that it is not legal for me to serve as State Senator and also as Director of the Texas Office of Economic Opportunity, I herewith tender my resignation as State Senator, effective at the end of this day.

I regret that this action is necessary, and I sincerely hope that it will not cause anyone any serious inconvenience or hardship.

Respectfully submitted,
WALTER RICHTER,
State Senator, Dist. 19

Proclamation by Governor Calling Special Session

The President laid before the Senate and directed the Secretary to read the Proclamation from the Governor as follows:

PROCLAMATION

by the
Governor of the State of Texas

To All To Whom These Presents
Shall Come:

I, John Connally, Governor of the State of Texas, do by virtue of authority vested in me by the Constitution of Texas, hereby call a special session, 59th Legislature, to be convened in the City of Austin, commencing at 12 Noon, Monday, the 14th day of February, A.D., 1966, for the following purposes:

1. To enact legislation to provide for voter registration for the 1966 primary, general and special elections in the event the poll tax as a prerequisite for voting is finally declared unconstitutional effective in 1966; and which will establish procedures for voter registration in subsequent elections in lieu of the poll tax if the poll tax is finally declared unconstitutional or is repealed.

2. To consider and act on such other subjects and questions as the Governor may submit from time to time.

The Secretary of State will take notice of this action and will notify the members of the Legislature.

Done at Austin, Texas, this 10th day of February, A.D., 1966, under the Seal of this State properly attested by the Secretary of State.

JOHN CONNALLY
Governor

[Seal]

ATTEST:

Crawford C. Martin
Secretary of State

Senate Resolution 1
(Caucus Report)

Senator Aikin offered the following resolution:

Honorable Preston Smith
Lieutenant Governor
Senate of Texas
Austin, Texas

Sir: At a caucus held in the office of the Senate attended by — Members of the Senate, the following recommendations were made, to-wit:

The following officers were elected to serve for the 59th Legislature, First Called Session, and at the salaries set opposite their names:

Secretary of the Senate, Charles Schnabel, \$900.00 per month.

Two Assistant Secretaries of the Senate, which shall be appointed by the Secretary of the Senate, \$16.00 per day.

Journal Clerk, Minnie Meier, \$20.00 per day; Assistant Journal Clerk, \$16.00 per day.

Sergeant-at-Arms, for the duration of the First Called Session, R. B. Pate, \$625.00 per month.

Doorkeeper, Charles Jones, \$15.00 per day.

Chaplain, Rev. W. H. Townsend, \$14.00 per day.

Calendar Clerk, Arline Morse, \$17.50 per day.

Engrossing and Enrolling Clerk, Essie McGinnis, \$20.00 per day.

Mailing Clerk, Mrs. John Draper, \$18.00 per day.

Parliamentarian, named by the Lieutenant Governor, Richard Criss, \$25.00 per day.

It is recommended that the Lieutenant Governor and the Secretary of the Senate each be permitted to name one secretary, the secretary of the Lieutenant Governor to receive \$20.00 per day and the secretary of the Secretary of the Senate to receive \$16.00 per day. The salaries of other employees of the Senate may be supplemented at the discretion of the Contingent Expense Committee. All officers and employees elected by this caucus shall hold their office or employment for the duration of the First Called Session of the 59th Legislature.

It is further recommended that each Senator shall be permitted to employ a secretary and other office help at a maximum payroll of \$65.00 per day for each such Senator's secretary and employees with the maximum of \$16.00 per day for any such secretary or other office employee. The names of such employees as are not employed directly in a Senator's office shall be referred to an assignment committee hereinafter provided for and such committee shall be authorized to select employees from such list. Salaries of other employees, unless otherwise fixed by the Senator, shall be \$12.00 per day.

It is further recommended that the Lieutenant Governor be authorized to name a committee of five, such committee shall be designated as an Assignment Committee for the purpose of assigning employees as herein authorized and the committee be authorized to select sufficient additional employees to be assigned by it when and where needed.

It is further recommended that the employees and the porters who were selected to prepare the Senate Chamber in advance of the meeting be allowed pay for their services.

It is further recommended that the several appointments of employees heretofore made by the Lieutenant Governor and announced in the Senate and considered by the caucus are confirmed.

The salaries of the day and night elevator operators shall be \$8.00 per day each, and the salaries of the porters shall be \$9.00 per day each,

except the head porter whose salary shall be \$14.00 per day and the porter carrying the mail shall receive \$9.00 per day, and the salaries of the pages shall be \$7.50 per day, and the salaries of the messengers shall be \$5.50 per day.

The Lieutenant Governor, Senators and the Secretary of the Senate are hereby fully authorized and empowered to use any assistant Sergeant-at-Arms and all other necessary employees for any and all services needed in and about the Senate.

It is further recommended that no employee of the Senate shall, during the time he or she is employed, furnish to any person, firm or corporation any information other than general information furnished the public pertaining to the Senate, and they shall not receive any compensation from any person, firm or corporation during their employment by the Senate, and any employee found guilty of violating this provision shall be immediately discharged.

All employees, except those responsible directly to the Lieutenant Governor, Members of the Senate, Secretary of the Senate, committee, or to the head of a department, shall report for duty at eight o'clock a.m., and one o'clock p.m., each day to the Sergeant-at-Arms of the Senate, except part-time employees, who shall report at the place and time directed by the Sergeant-at-Arms, and none of such employees shall be paid for the days they are absent from the Senate, unless excused by the Sergeant-at-Arms.

It is further recommended that the Lieutenant Governor, each Senator and the Secretary of the Senate, be allowed the stationery and postage needed by them, respectively, and expenses incurred in transmitting and receiving telephone and telegraph messages and express charges as may be actually necessary in the discharge of their official duties, said expenses to be paid out of the contingent fund.

It is further recommended that 1700 Journals be printed, all of which shall be prorated among the Senators and Lieutenant Governor, except that 175 Journals shall be furnished the Members of the House.

It is further recommended that the

State Library be furnished 75 copies of the daily Journals.

It is further recommended that the Senate request the State Comptroller of Public Accounts, to issue general revenue warrants for pay of the Members and employees of the Senate upon presentation of the payroll account signed by the Presiding Officer and the Secretary of the Senate.

It is further recommended that each Senator, the Lieutenant Governor, the Secretary of the Senate, and Librarian be permitted to subscribe for 4 newspapers to be paid out of the contingent fund.

The elected officers of the Senate may select, subject to the approval of the Contingent Expense Committee, employees to fill such key positions as may be authorized by said committee.

It is further recommended that the President of the Senate has exclusive appointment of a sufficient number of custodians, messengers, pages, elevator operators, porters and other employees as in his judgment may be necessary.

It is further recommended that the Chairman of the Finance Committee shall have authority to employ such additional employees of his own selection as may be needed by said committee, said employees to receive the same compensation paid similar positions as herein fixed, who shall discharge the duties of the Finance Committee.

It is further recommended that the private rooms allotted to the Senators by the method as adopted by the caucus be assigned to Senators and their successors unless otherwise directed by the Senate.

It is further recommended that each Senator, as quickly as possible, file with the Secretary of the Senate the name of his private secretary selected; that he also file with the Chairman of the Assignment Committee aforesaid the names of the employees selected, together with his or her post office address.

Be it further resolved, That no employee of the Senate except those whose official duties require them to work upon the floor of the Senate,

shall have access to the floor unless that employee shall have been requested by a Senator, the Lieutenant Governor, or the Secretary of the Senate to come on the floor for some official duty, which, when performed, he shall immediately leave the floor of the Senate. The Sergeant-at-Arms is specifically ordered to see that this provision is carried out.

Only those who have the privileges of the floor during the sessions of the Senate shall be permitted on the Senate floor for a period of thirty minutes prior to the time the Senate convenes. The Sergeant-at-Arms is instructed to enforce this rule and to permit only those having the privileges of the floor to enter or remain on the Senate floor during such thirty minute period.

Respectfully submitted,
A. M. Aikin, Jr.
Chairman of the Caucus
Grady Hazlewood
Secretary of the Caucus

On Motion of Senator Aikin and by unanimous consent the reading of the resolution was dispensed with and he explained the resolution.

The resolution was then adopted.

Officers of the Senate

The President announced that the duly elected officers of the Senate named in the Caucus Report for the 59th Legislature would continue in office for the First Called Session of the 59th Legislature with the exception of the Sergeant-at-Arms. Richard Penn, the former Sergeant-at-Arms, had resigned and R. B. Pate had been elected.

The President requested Mr. Pate to proceed to the Bar of the Senate and the President administered the Constitutional Oath of Office to Mr. Pate as Sergeant-at-Arms for the First Called Session of the 59th Legislature.

Motion in Writing

Senator Aikin offered the following Motion in Writing:

Mr. President: I move that the President be authorized to appoint a Committee of five (5) Members to notify the Governor that the Senate of the 59th Legislature, First Called

Session, is organized and ready to do business.

The motion was read and was adopted.

The President announced the appointment of the following as a committee to notify the Governor:

Senators Aikin, Chairman, Hazlewood, Creighton, Colson and Moore.

Motion in Writing

Senator Aikin offered the following Motion in Writing:

Mr. President: I move the President be authorized to appoint a Committee of five (5) Members to notify the House that the Senate of the 59th Legislature, First Called Session, is organized and ready to do business.

The motion was read and was adopted.

The President announced the appointment of the following as a Committee to notify the House:

Senator Dies, Chairman, Calhoun, Snelson, Word and Crump.

Senate Resolution 2

Senator Aikin offered the following resolution:

Resolved, That the permanent rules of the Senate of the 58th Legislature as adopted by the Senate on January 8, 1963, and as published in the Manual of the 58th Legislature, and as amended by the 59th Legislature, be adopted as the permanent rules of the Senate of the 59th Legislature, First Called Session.

The resolution was read and was adopted by the following vote:

Yeas—30

Aikin	Kennard
Bates	Krueger
Blanchard	Moore
Calhoun	Parkhouse
Cole	Patman
Colson	Ratliff
Creighton	Reagan
Crump	Rogers
Dies	Schwartz
Hall	Snelson
Hardeman	Spears
Harrington	Strong
Hazlewood	Watson
Herring	Word
Hightower	Dist. 19 (Vacant)
Kazen	

Message From the House

Hall of the House of Representatives

Austin, Texas,
February 14, 1966.

Hon. Preston Smith, President of the Senate.

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

H. C. R. No. 1, Providing for a Joint Session at 12:30 o'clock on Monday, February 14, 1966, to hear the Governor's message of this First Called Session of the 59th Legislature.

Respectfully submitted,
DOROTHY HALLMAN,
Chief Clerk House of Representatives.

**House Concurrent Resolution 1
on Second Reading**

On motion of Senator Aikin and by unanimous consent, the regular order of business was suspended to take up for consideration at this time the following resolution:

H. C. R. No. 1, Providing Joint Session at 12:30 o'clock p.m. today to hear Message of Governor John Connally.

The resolution was read and was adopted.

**Committee to Escort the Governor
to Joint Session**

On motion of Senator Aikin and by unanimous consent, the President announced the appointment of the following as a Committee to Escort Governor John Connally to the Joint Session pursuant to the provisions of H. C. R. No. 1:

Senators Herring, Hardeman, Hall, Strong and Watson.

**Election of President Pro Tempore
for First Called Session of
Fifty-Ninth Legislature**

The President announced the election of a President Pro Tempore as the next order of business.

Senator Hardeman nominated Senator Schwartz of Galveston as President Pro Tempore for the First Called Session of the Fifty-ninth Legislature.

There being no further nominations, the President announced the appointment of the following as Tellers to take up and count the ballots: Senators Kazen, Harrington and Kennard.

The ballots were taken up and counted and the President announced that Senator Schwartz had received 29 votes with 1 present not voting for President Pro Tempore of the First Called Session of the Fifty-ninth Legislature and declared him duly elected.

Senator Schwartz proceeded to the President's Rostrum and the President administered the Constitutional Oath of Office to him as President Pro Tempore for the First Called Session of the Fifty-ninth Legislature.

Senator Schwartz addressed the Senate thanking the Members for the honor bestowed upon him.

House Notified

The Committee to notify the House that the Senate was organized and ready to transact business appeared at the Bar of the Senate and Senator Dies for the Committee notified the President and the Members of the Senate that the Committee had performed the duty assigned it.

The Committee was discharged.

Senate Notified

A Committee from the House appeared at the Bar of the Senate and Representative Bass for the Committee announced that the House of Representatives was organized and ready to transact business.

Senate Resolution 4

Senator Aikin offered the following resolution:

Whereas, We are honored today to have as visitors in the Senate, Mr. Frank Grimes, President of Paris Junior College, together with Mr. Carl Dewese, Mr. Bill Clark, Mr. Raymond Dixon, Mr. C. D. Ribble, Mr. B. P. Denney and Mr. Joe Szekeley, Members of the Board of the College; and

Whereas, We desire to welcome these distinguished visitors to the Capitol Building and Capital City; now, therefore, be it

Resolved, That their presence be recognized by the Senate of Texas and that they be extended the official welcome of the Senate, and the privileges of floor for today.

The resolution was read and was adopted.

Senator Aikin by unanimous consent presented the guests to the Members of the Senate.

Appointment of Standing Committee

The President announced the appointment of the following Senators to Standing Committees of the Senate to replace Senator Richter (resigned):

Finance—Hightower.

Nominations—Blanchard.

Motion to Recess

On motion of Senator Aikin the Senate agreed to take Recess until 2:00 o'clock p.m. today subject to the Joint Session.

Joint Session

(To hear an address by the Honorable John Connally, Governor of the State of Texas.)

The President announced that the time had arrived pursuant to the provisions of House Concurrent Resolution No. 1 for the Joint Session to hear an address by the Honorable John Connally, Governor of Texas.

The President and the Senators present proceeded to the Hall of the House of Representatives at 12:30 o'clock p.m.

The President by invitation of the Speaker occupied a seat on the Speakers' Rostrum.

The Senators were announced and were admitted and escorted to seats prepared for them along the aisle.

The Honorable John Connally, Governor of Texas, was announced by the Doorkeeper of the House.

The Governor was escorted by Senators Herring, Hardeman, Hall, Strong and Watson on the part of the Senate and Representatives Hendryx, Slider, Cowden, Ligarde and Field on the part of the House.

The President called the Senate to order and announced a quorum of the Senate present.

The Honorable Ben Barnes, Speaker of the House, called the House to order and announced a quorum of the House present.

The Speaker stated the purpose of the Joint Session and presented the Honorable John Connally, Governor of the State of Texas.

Governor Connally addressed the Joint Session as follows:

To the Members of the Fifty-ninth Legislature, First Called Session:

I appreciate the opportunity to deliver this message in person.

It's always good to see you . . . although I never expected to see all of you again so soon.

By legal definition, this is the First Called Session of the 59th Legislature. In practice, I know most of you share my hope that it is the only called session.

As you know, this is the first time during the last two Legislatures that an emergency sufficient to cause a special session has arisen.

In this instance, the emergency is a decision of a three-judge federal district court holding that the poll tax is unconstitutional as a prerequisite for voting.

My views on the poll tax issue are well known. In 1963, and again last year, I recommended submission of an amendment to the State Constitution repealing the poll tax as a prerequisite for voting in state elections. Two-thirds of the members of both the 58th and 59th Legislatures supported that proposal, although the amendment failed at the polls in 1963.

The amendment submitted last year will be on the ballot again this coming November for another decision by the voters.

Aside from our personal views on this issue, the timing of the federal court decision creates an immediate and critical problem which must be met by the Legislature.

Accordingly, this special session was called for the purpose of enacting legislation which will:

1. Provide for voter registration for the 1966 primary, general and special elections in the event the poll tax as a prerequisite for voting is

finally declared unconstitutional effective this year; and

2. Establish procedures for voter registration in subsequent elections in lieu of the poll tax if the poll tax is finally declared unconstitutional or is repealed.

The Attorney General is now preparing an appeal to the Supreme Court of the United States for a stay of execution of the federal court order.

In light of existing circumstances, he had no other recourse.

In all previous Supreme Court decisions—the last one as recently as 1953—the Court has upheld the right of a state to impose a poll tax as a prerequisite for voting in its state elections.

The Court now has under review a Virginia case which could be ruled upon at any time. Until the Supreme Court has spoken the question of constitutionality cannot be finally resolved, especially since the ruling of the Austin federal court is contrary to the previous rulings of the Supreme Court.

Had I not called a special session, in the meantime, to enact a voter registration law contingent upon this final decision, we faced a potentially chaotic and dangerous situation in the conduct of the 1966 election process.

There would be no provision, under the federal court ruling, for legally registering voters eligible to vote in city and primary elections this spring.

Fraud would be a distinct possibility. Utter confusion would be a certainty.

I think we can all be proud that the decision of the federal district court last week rejected the federal government's argument that the poll tax had been used in Texas to discriminate against minority groups and to deprive them of the right to vote.

The Court found, and specifically held, that "the evidence does not establish that the poll tax in Texas discriminates against Negroes in violation of the Fifteenth Amendment or the Equal Protection Clause."

The court further stated that "the evidence clearly shows, and the United States does not dispute, that at least during the last twenty years there has not been any attempt to use the poll tax overtly to deprive the Negro of his right to vote."

After reviewing the federal government's argument the court concluded that "the facts will not support a finding of racial discrimination" in the use of the poll tax in Texas.

But in spite of these findings, the court struck down the poll tax as a prerequisite to voting in Texas on the ground that it "infringes on the concept of liberty as protected by the Due Process Clause and constitutes an invalid charge on the exercise of one of our most precious rights—the right to vote."

I emphasize the conclusion that the poll tax "constitutes an invalid charge" on the right to vote.

Under this ruling, it is abundantly clear that a voter registration fee of twenty-five cents or any other amount could be subject to the same interpretation of constitutionality by this court.

Therefore, I recommend that the law you enact provide free registration for all voters otherwise qualified to vote.

On the subject of annual registration or permanent registration, this Legislature by a two-thirds vote submitted to the people a Constitutional Amendment, to be voted upon in November, which states in part:

"... before offering to vote at an election a voter shall have registered annually . . ."

I agree with your position that annual registration is the most logical means of preventing fraud and guaranteeing the purity of the ballot box.

But more compelling than this, it is inconceivable that we would now adopt a statutory permanent registration plan which would become unconstitutional if the amendment is adopted next November.

To do so at this time would be truly an exercise in futility and create even more confusion in the future.

Therefore, I recommend that the law you enact provide for annual registration.

I further recommend the retention of the 120-day registration period, from October 1 to January 31, which is already the established custom in Texas.

This will allow time for the preparation of poll lists by the counties before the city elections held in April and the primary elections in May. It will also hold to a minimum any

problems of changeover which might be encountered by the counties.

Since we have no way of knowing when a final court decision will be made, it is important that for this year only we provide a temporary registration period for those who failed to pay their poll tax before the January 31 deadline.

Therefore, I recommend a period of 15 days in the latter part of March to register all who desire to do so.

While I realize I gave you very little notice on calling this special session, I might point out that had there been a delay it would have been virtually impossible to have this registration prior to the party primaries in May.

The registration act should further provide that those who paid their poll taxes prior to January 31 are automatically registered to vote in the 1966 elections without further action on their part.

The temporary registration period, then, would provide conditional eligibility to vote pending a ruling by the Supreme Court. If and until a ruling is final, or if and until the poll tax repeal amendment to the State Constitution is adopted and goes into effect, the right to vote under this statute must be conditional in order to conform to the existing requirements of our Constitution.

Therefore, the registration act is a safeguard against the immediate chaos which would result next week or next month or any time before the November election if the Supreme Court declares the poll tax unconstitutional effective in 1966.

This Legislature . . . the members, the Lieutenant Governor and the Speaker . . . faced monumental problems during the regular session and produced results of greater significance to Texas than any previous session in this century.

In education, in mental health and mental retardation, in water development and in so many other responsibilities, your actions have left a bright and indelible mark on the history of our state.

On two previous occasions, you responded to federal court decisions declaring unconstitutional our Congressional and Legislative districts. In both cases you enacted redistricting legislation which has been substantially approved by the federal courts.

I am confident that this latest court decision will result in equal statesmanship on your part.

This being an election year, a special session could be the forum for a political sideshow which would insult the intelligence of the people of Texas.

But the 59th Legislature has already proved it is a responsible Legislature, and I have no doubt that the overwhelming majority of its members will face up to the task of this special session in a forthright and conscientious manner.

I stand ready to assist you in every way I can.

Thank you for inviting me to this joint session.

At the conclusion of the Joint Session, the President announced the purpose of the Joint Session having been concluded the Senate would take recess until 2:00 o'clock p.m. today.

Accordingly, the Senate at 12:42 o'clock p.m. took recess until 2:00 o'clock p.m. today.

After Recess

The President called the Senate to order at 2:00 p.m. today.

Messages From the Governor

The following messages received from the Governor were read and were referred to the Committee on Nominations:

Austin, Texas,
February 14, 1966.

To the Senate of the Fifty-ninth Legislature, First Called Session:

I ask the advice, consent and confirmation of the Senate with respect to the following appointments:

To be Members of the Texas Aeronautics Commission, for six-year terms to expire September 4, 1971: Shelby Kritser of Amarillo, Potter County; Harry P. Whitworth of Austin, Travis County.

To be Members of the Governor's Committee on Aging, for six-year terms to expire August 30, 1971: S. R. Greenwood, of Temple, Bell County; Mrs. Leland R. Croft of Odessa, Ector County; Dr. Edward T. Ximenes of San Antonio, Bexar County. For four-year terms to ex-

pire August 30, 1969: W. S. Brent of Dallas, Dallas County; O. J. Clements of Huntsville, Walker County; Mrs. William B. Ruggles of Dallas, Dallas County. For two-year terms to expire August 30, 1967: Dr. Dan Russell of College Station, Brazos County; Alan W. Hastings of Beaumont, Jefferson County; Myles MacDonald of Houston, Harris County.

To be members of the Texas Animal Health Commission, for six-year terms to expire September 7, 1971: R. W. Hodge of Del Rio, Val Verde County; Dent Ingram of Carrizo Springs, Dimmit County.

To be members of the Texas Board of Architectural Examiners, for six-year terms to expire July 21, 1971: James D. Witt of Waco, McLennan County; E. G. Hamilton of Dallas, Dallas County.

To be members of the Board of Directors of the Texas College of Arts and Industries, for six-year terms to expire August 31, 1971: J. C. Martin, Jr., of Laredo, Webb County; E. S. Joslin of Corpus Christi, Nueces County; Everett Braden of Edinburg, Hidalgo County.

To be Assistant Adjutant General for Air, for a term to expire January 15, 1967: James M. Rose of Austin, Travis County.

To be a member of the State Banking Board, for a two-year term to expire August 23, 1967: Robert S. Strauss of Dallas, Dallas County.

To be a member of the State Board of Barber Examiners, for a six-year term to expire May 19, 1971: Archie L. Warnick of Fort Worth, Tarrant County.

To be a member of the State Commission for the Blind, to fill unexpired term of Burt Risley, resigned, term to expire January 1, 1967: Mrs. Alfred A. Ratner of El Paso, El Paso County.

To be a member of the State Board of Canvassers and the Committee to Count Election Returns, for a two-year term to expire August 23, 1967: Wallace H. Scott, Jr., of Austin, Travis County.

To be members of the State Board of Chiropractic Examiners, for six-year terms to expire August 11, 1971:

Dr. Louis T. Bogy of San Antonio, Bexar County; Dr. A. V. Johnson of Midland, Midland County.

To be members of the Texas Civil Judicial Council, for six-year terms to expire July 1, 1971: Richard Morehead of Austin, Travis County; Clark Anderson of Lufkin, Angelina County; Mrs. Harris L. Kempner of Galveston, Galveston County. To succeed Judge O. L. Parish, retired, as one of the Presiding Judges on the Council (Ex-Officio): Solomon Casseb, Jr., of San Antonio, Bexar County.

To be members of the Board of Directors of the Clear Creek Basin Authority, for terms to expire May 31, 1967: T. F. Pound, Jr., of Houston, Harris County; Herb Blackstock of Seabrook, Harris County; Dr. Marshall Welch of Seabrook, Harris County; Leo Zbranek of Houston, Harris County; Paul Cravey of Seabrook, Harris County; Don Ralmutto of LaPorte, Harris County; Bob Moechel of Seabrook, Harris County. For terms to expire May 31, 1966: Don Ahlborn of Houston, Harris County; William L. Winstead of Seabrook, Harris County; Bill Milan of Houston, Harris County; D. E. Schoeffel of Seabrook, Harris County; Jodie McFadden of Webster, Harris County; Robert D. Thompson of Seabrook, Harris County; Albert U. Price of LaPorte, Harris County; Richard Allen of Webster, Harris County.

To be members of the Board of Directors of the Central Colorado River Authority, for six-year terms to expire January 1, 1971: W. T. Stewardson of Santa Anna, Coleman County, R. G. Hollingsworth of Coleman, Coleman County; Clyde Thate of Burkett, Coleman County.

To be members of the Board of Directors of the Lower Colorado River Authority, for six-year terms to expire January 1, 1971: Tom Miller, Jr., of Austin, Travis County; William Petri of Austin, Travis County; Thomas C. Ferguson of Johnson City, Blanco County; E. A. Arnim of Flatonia, Fayette County.

To be members of the Board of Directors of the Upper Colorado River Authority, for six-year terms to expire January 1, 1971: Everett J. Grindstaff of Ballinger, Runnels County; J. R. Salmon of San Angelo,

Tom Green County; Cumbie Ivey of Robert Lee, Coke County.

To be members of the Board of Directors of the Lower Concho River Water and Soil Conservation Authority, for six-year terms to expire January 1, 1971: M. L. Schulz of Eola, Concho County; Curtis L. Stevens of Millersview, Concho County; Benjamin Orland Sims of Paint Rock, Concho County.

To be a member of the State Board of Control, for a six-year term to expire August 31, 1971: Warren S. Bellows, Jr., of Houston, Harris County.

To be members of the Coordinating Board, Texas College and University System, for six-year terms to expire August 31, 1971: John Gray of Beaumont, Jefferson County; Tom Sealy of Midland, Midland County; H. B. Zachry of San Antonio, Bexar County; Dan Williams of Dallas, Dallas County; J. C. Looney of Edinburg, Hidalgo County; M. Harvey Weil of Corpus Christi, Nueces County. For four-year terms to expire August 31, 1969: Mrs. John T. Jones of Houston, Harris County; Dr. Joaquin G. Cigarroa of Laredo, Webb County; Harry Provence of Waco, McLellan County; Victor Brooks of Austin, Travis County; Eugene McDermott of Dallas, Dallas County; Newton Gresham of Houston, Harris County. For two-year terms to expire August 31, 1967: Sam Rayburn Bell of Paris, Lamar County; Dr. D. M. Wiggins of Lubbock, Lubbock County; Dr. J. J. Seabrook of Austin, Travis County; Dr. G. V. Brindley, Jr., of Temple, Bell County; Charles Prothro of Wichita Falls, Wichita County; C. G. Scruggs of Dallas, Dallas County.

To be members of the Texas Board of Corrections, for six-year terms to expire February 2, 1971: Walter Pfluger of Eden, Concho County; Fred Shield of San Antonio, Bexar County; Walter Mischer of Houston, Harris County.

To be members of the Credit Union Advisory Commission, for three-year terms to expire December 31, 1967: O. B. Worley of Pampa, Gray County; Robert W. Mitchell of Longview, Gregg County.

To be a member of the Board of Directors of the Dallas County Flood Control District, for a six-year term

to expire September 4, 1971: Marion Solomon of Dallas, Dallas County.

To be members of the State Board of Dental Examiners, for six-year terms to expire May 24, 1971: Dr. Sam H. Rabon of Kingsville, Kleberg County; Dr. William J. Kemp of Haskell, Haskell County.

To be a member of the State Depository Board, for a two-year term to expire August 23, 1967: John V. Singleton, Jr., of Houston, Harris County.

To be members of the State Board of Registration for Professional Engineers, for six-year terms to expire September 24, 1971: Uel Stephens of Fort Worth, Tarrant County; Robert E. Moore of Dallas, Dallas County.

To be members of the Finance Commission of Texas, for six-year terms to expire February 1, 1971: Banking Section: V. F. Neuhaus of Mission, Hidalgo County; J. H. Bain of Stockdale, Wilson County. Building and Loan Section: C. E. Bentley of Abilene, Taylor County.

To be Firemen's Pension Commissioner, for a two-year term to expire July 1, 1967: Mrs. Marie Hudson Winters of Austin, Travis County.

To be members of the Good Neighbor Commission, for six-year terms to expire June 19, 1971: Ramiro Martinez of McAllen, Hidalgo County; Mrs. Philip R. Bishop of Fort Worth, Tarrant County; Walter McBee of Dallas, Dallas County. To fill the unexpired term of William D. Bonilla, resigned, term to expire June 19, 1967: A. G. Ainsworth, Jr. of Luling, Caldwell County.

To be members of the Board of Directors of the Guadalupe-Blanco River Authority, for six-year terms to expire February 1, 1971: Zeb Fitzgerald of San Marcos, Hays County; Ed DeLeon of Cuero, DeWitt County; Edward Reese of Gonzales, Gonzales County.

To be a member of the State Board of Hairdressers and Cosmetologists, for a six-year term to expire August 9, 1971: Mrs. Margarette Bortel of San Antonio, Bexar County.

To be members of the State Board of Health, for six-year terms to ex-

pire June 12, 1971: Dr. Hampton C. Robinson of Houston, Harris County; Dr. Noble Price of Lamesa, Dawson County; Dr. William Kenneth Thurmond of Fort Worth, Tarrant County.

To be a member of the Texas State Historical Survey Committee, to fill the unexpired term of Robert L. Lowry, resigned, for a term to expire January 1, 1967: Lester W. Prokop of Houston, Harris County.

To be members of the Advisory Hospital Council, for six-year terms to expire July 17, 1971: O. Ray Hurst of Austin, Travis County; Frank Oltorf of Marlin, Falls County; Joe L. Allbritton of Houston, Harris County. To fill the unexpired term of Sister M. Emery Kavanagh, resigned, term to expire July 17, 1967: Sister Elizabeth of Dallas, Dallas County.

To be members of the Hospital Licensing Advisory Council, for six-year terms expiring December 7, 1969: Dr. Richard L. Stratton of Cuero, DeWitt County; D. S. Riley of Big Spring, Howard County; Jose R. DeLeon of Corpus Christi, Nueces County.

To be Interstate Compact Commissioner for the Red River, for a two-year term to expire December 3, 1967: R. Leighton McKinney, Jr., of Denison, Grayson County.

To be members of the Texas Commission on Indian Affairs, for a six-year term to expire January 31, 1971: W. R. Beaumier of Lufkin, Angelina County. For a four-year term to expire January 31, 1969: Ed Easterling of Beaumont, Jefferson County. For a two-year term to expire January 31, 1967: Dempsie Henley of Liberty, Liberty County. To fill the unexpired term of W. R. Beaumier, deceased, term to expire January 31, 1971: Victor Fain of Nacogdoches, Nacogdoches County.

To be members of the Jackson County Flood Control District, for six-year terms to expire May 1, 1971: Allen L. Burditt of Edna, Jackson County; Arnold Koop of Edna, Jackson County; W. C. Hollingsworth of Edna, Jackson County.

To be members of the Board of Regents of Lamar State College of Technology, for terms to expire Oc-

tober 5, 1969: Lee Eagleson of Port Arthur, Jefferson County; Robert A. Mann of Woodville, Tyler County; Cecil Beeson of Orange, Orange County. For terms to expire October 5, 1971: A. H. Montagne of Orangefield, Orange County; J. B. Morris of Beaumont, Jefferson County; Garland Shepherd of Beaumont, Jefferson County.

To be members of the Commission on Law Enforcement Officer Standards and Education, for six-year terms to expire August 30, 1971: Dr. George Killinger of Huntsville, Walker County; Rufe Jordan of Pampa, Gray County; C. V. Kern of Houston, Harris County. For four-year terms to expire August 30, 1969: Wallace Beasley of College Station, Brazos County; Dewey Presley of Dallas, Dallas County; Walter Suttle of Vernon, Wilbarger County. For two-year terms to expire August 30, 1967: Glen H. McLaughlin of Austin, Travis County; A. C. Howerton of Fort Worth, Tarrant County; Henry Wade of Dallas, Dallas County.

To be members of the State Board of Medical Examiners, for six-year terms to expire April 13, 1971: Dr. L. G. Ballard of Fort Worth, Tarrant County; Dr. Howard O. Smith of Marlin, Falls County; Dr. L. H. Denman of Lufkin, Angelina County; Dr. Clarence S. Kemp of Bryan, Brazos County.

To be members of the Texas Board of Mental Health and Mental Retardation, for six-year terms to expire January 31, 1971: Dr. Robert S. Tate of Austin, Travis County; Ward Burke of Diboll, Angelina County; Dr. Horace Cromer of Austin, Travis County. For four-year terms to expire January 31, 1969: Dr. George Constant of Victoria, Victoria County; Dr. Raleigh White of Temple, Bell County; Mrs. H. E. Butt of Corpus Christi, Nueces County. For two-year terms to expire January 31, 1967: Elbert E. Hall of Abilene, Taylor County; Peter deWetter of El Paso, El Paso County; Jess Osborn of Muleshoe, Bailey County.

To be a member of the Board of Regents of Midwestern University, to fill the unexpired term of Jack Hightower, resigned, term to expire February 25, 1968: M. K. Berry of Vernon, Wilbarger County.

To be members of the State Board of Morticians, for six-year terms to expire May 31, 1971: George C. Hubbard of Odessa, Ector County; Joe Myers of Stockdale, Wilson County.

To be a member of the Board of Trustees of the Municipal Retirement System, to fill the unexpired term of M. M. Stripling, resigned, term to expire December 31, 1966: R. G. Muckelroy of Nacogdoches, Nacogdoches County.

To be members of the Board of Directors of the Neches River Conservation District, for terms to expire September 5, 1969: Dan Melton of Lufkin, Angelina County; C. N. Stroud of Palestine, Anderson County; E. R. Gregg, Jr., of Jacksonville, Cherokee County. For six-year terms to expire September 5, 1971: J. B. Sallas of Crockett, Houston County; Victor B. Fain of Nacogdoches, Nacogdoches County. To fill the unexpired term of Dr. J. M. Travis, resigned, term to expire September 5, 1965, and for an additional six-year term to expire September 5, 1971: Don Reily of Corrigan, Polk County.

To be members of the Upper Neches River Municipal Water Authority, for a six-year term to expire January 1, 1971: Eugene Fish of Palestine, Anderson County. To fill the unexpired term of Eugene Fish, deceased, term to expire January 1, 1971: A. L. Dear of Palestine, Anderson County.

To be members of the Board of Regents of North Texas State University, for six-year terms to expire May 25, 1971: E. C. Pannell of Fort Worth, Tarrant County; A. M. Willis of Longview, Gregg County; Raymond Tollett of Big Spring, Howard County.

To be members of the State Board of Nurse Examiners, for six year terms to expire April 9, 1971: Mrs. Eunice M. King of Amarillo, Potter County; Miss Lucy Harris of Fort Worth, Tarrant County.

To be members of the State Board of Plumbing Examiners, for six-year terms to expire May 28, 1971: Joe Bland of Austin, Travis County; R. G. Hughes of Fort Worth, Tarrant County.

To be members of the Board of Regents of Pan American College, for six-year terms to expire August 31, 1971: Felix Martinez of Mission, Hidalgo County; Mrs. Marialice S. Shivers of Austin, Travis County; Henry Morris of Santa Rosa, Cameron County. For four-year terms to expire August 31, 1969: Ralph Alexander of Edinburg, Hidalgo County; Carl Conley of Raymondville, Willacy County; John Jones of La Feria, Cameron County. For two-year terms to expire August 31, 1967: Lou Hassell of Houston, Harris County; Leonel Garza of Brownsville, Cameron County; Morris Atlas of McAllen, Hidalgo County.

To be Pecos River Compact Commissioner, for a two year term to expire May 27, 1967: J. C. Wilson of Pecos, Reeves County.

To be members of the State Board of Pharmacy, for six-year terms to expire June 14, 1971: Roy C. Wiese, Jr., of Brenham, Washington County; Hector Moreno of San Antonio, Bexar County.

To be members of the Polygraph Examiners Board, for six-year terms to expire August 30, 1971: L. R. Wynn of Amarillo, Potter County; Joe Low of Dallas, Dallas County. For four-year terms to expire August 30, 1969: Dee E. Wheeler of Fort Worth, Tarrant County; Clayton Evans of Austin, Travis County. For two-year terms to expire August 30, 1967: H. A. Albert of Austin, Travis County; John Disman of Houston, Harris County.

To be a member of the Public Safety Commission, to fill the unexpired term of Jake Jacobsen, resigned, term to expire December 31, 1967: Garrett Morris of Fort Worth, Tarrant County.

To be a member of the State Board of Public Welfare, for a six-year term to expire January 20, 1971: W. Kendall Baker of Houston, Harris County.

To be a member of the Board of Directors of the San Antonio River Authority, to fill the unexpired term of John Freeman Lott, resigned, term to expire January 1, 1967: W. G. McCampbell, Jr., of Goliad, Goliad County.

To be members of the San Jacinto

Historical Advisory Board, for a six-year term to expire September 1, 1971: W. N. Blanton, Sr., of Houston, Harris County. For a four-year term to expire September 1, 1969: Mrs. Joseph H. Sperry of Houston, Harris County. For a two-year term to expire September 1, 1967: Fred Leggett of Houston, Harris County.

To be a member of the Texas School Land Board, for a two-year term to expire September 2, 1967: Robert C. Sneed of Austin, Travis County.

To be members of the Board of Regents of State Senior Colleges, for six-year terms to expire January 10, 1971: Mrs. Savannah Cross Lockey of Troup, Smith County; John H. Crooker, Jr., of Houston, Harris County; J. L. Huffines, Jr., of Greenville, Hunt County. To fill the unexpired term of Ed Gossett, resigned, term to expire January 10, 1967: William C. Donnell of Marathon, Brewster County.

To be members of the Board of Trustees of the Teacher Retirement System of Texas, for six-year terms to expire August 31, 1971: Henry M. Bell, Jr., of Tyler, Smith County; C. O. Chandler of Victoria, Victoria County.

To be members of the Board of Directors of Texas Southern University, for six-year terms to expire February 1, 1971: Ralph S. O'Connor of Houston, Harris County; Wells Stewart of Houston, Harris County; Thomas D. Armstrong of Galveston, Galveston County.

To be members of the Board of Directors of Texas Technological College, for six-year terms to expire February 19, 1971: Fladger Tannery of Dallas, Dallas County; Retha R. Martin of Lubbock, Lubbock County; C. A. Cash of Amarillo, Potter County.

To be members of the Advisory Board of the Texas Tourist Development Agency, for six-year terms to expire August 23, 1971: Chris Fox of El Paso, El Paso County; Robert H. Burck of Dallas, Dallas County. To fill the unexpired term of James Gaines, resigned, term to expire August 23, 1969: Gene L. Cagle of Fort Worth, Tarrant County.

To be members of the Board of

Directors of the Texas Turnpike Authority, for six-year terms to expire February 15, 1971: Clyde R. Ashworth of Arlington, Tarrant County; Dr. R. H. W. Drechsel of Fort Worth, Tarrant County.

To be Director-at-Large of the Tri-County Municipal Water District, for a two-year term to expire July 22, 1967: Aubry L. Moore of Hillsboro, Hill County.

To be members of the Tuberculosis Advisory Committee, for six-year terms to expire August 31, 1971: Mrs. Herman Jones of Austin, Travis County; Ben Johnson of Tyler, Smith County; Lewis Boggus of Harlingen, Cameron County; Henry Guerra of San Antonio, Bexar County. For four-year terms to expire August 31, 1969: Arthur Dilly of Corpus Christi, Nueces County; T. H. Morrison, Jr., of Harlingen, Cameron County; Dr. Morris E. Malakoff of Laredo, Webb County; Dr. Elliott Mendenhall of Dallas, Dallas County. For two-year terms to expire August 31, 1967: Dr. Efraim A. Gonzalez of San Antonio, Bexar County; Dr. E. S. Crossett of El Paso, El Paso County; Claude Collins, Jr., of San Angelo, Tom Green County; Dr. John A. Wiggins of Fort Worth, Tarrant County.

To be members of the Board of Regents of the University of Houston, for six-year terms to expire September 1, 1971: William B. Bates of Houston, Harris County; James A. Elkins, Jr., of Houston, Harris County; James T. Duke of Johnson City, Blanco County. To fill the unexpired term of Corbin Robertson, resigned, term to expire September 1, 1967: C. T. Parker of Houston, Harris County. To fill the unexpired term of Jack Valenti, resigned, term to expire September 1, 1969: William P. Hobby, Jr., of Houston, Harris County.

To be members of the Veterans Affairs Commission, for six-year terms to expire June 12, 1971: Joe F. Ramsey, Jr., of Houston, Harris County; Charles C. Ford of Longview, Gregg County.

To be members of the State Board of Veterinary Medical Examiners, for six year-terms to expire August 26, 1971: Dr. Kenton R. Fickes of Houston, Harris County; Dr. Richard M. Botard of Kingsville, Kleberg County.

To be members of the Water Well Drillers Board, for six-year terms to expire August 30, 1971: Don McKinley of Pearsall, Frio County; Joe David Kirkland of Hereford, Deaf Smith County. For four-year terms to expire August 30, 1969: Cecil F. Gill of El Paso, El Paso County; W. D. Jones of Dumas, Moore County. For two-year terms to expire August 30, 1967: Vern E. West of Athens, Henderson County; O. F. Jensen, Jr., of Houston, Harris County.

To be a member of the State Water Pollution Control Board, for a six-year term to expire September 1, 1971: Howard V. Rose of Midland, Midland County.

To be a member of the Texas Water Rights Commission, for a six-year term to expire February 1, 1971: Otha F. Dent of Littlefield, Lamb County.

To be members of the Texas Youth Council, to fill the unexpired term of Dr. Robert Tate, resigned, term to expire September 1, 1969: J. M. Kolarer of Amarillo, Potter County. For a six-year term to expire September 1, 1971: Robert Kneebone of Houston, Harris County.

Respectfully submitted,
JOHN CONNALLY
Governor of Texas

Austin, Texas,
February 14, 1966.

To the Senate of the Fifty-Ninth Legislature, First Called Session:

I ask the advice, consent and confirmation of the Senate with respect to the following appointments:

To be a Branch Pilot for the Mouth of the Brazos River and Bar, for a two-year term to expire January 24, 1968: John W. Burns of Galveston, Galveston County.

To be Branch Pilots for the Brazos-Santiago Pass, Bar and Tributaries, for two-year terms to expire August 1, 1967: Cecil F. Crawford of Brownsville, Cameron County; Francis M. Kershaw of Brownsville, Cameron County; Donald F. Willett of Brownsville, Cameron County.

To be Branch Pilots for the Ports of Galveston County, for two-year terms to expire July 25, 1967: Basil V. O'Brien of Galveston, Galveston

County; Sherman B. Wetmore of Galveston, Galveston County. For two-year terms to expire August 29, 1967: Robert W. Howard of Galveston, Galveston County; George W. Crosby of Galveston, Galveston County; Ralph M. Watson of Galveston, Galveston County. For a two-year term to expire October 30, 1967: James A. Borup of Galveston, Galveston County.

To be Branch Pilots for the Houston Ship Channel and Galveston Bar, for two-year terms to expire July 4, 1967: R. E. Wicker of Houston, Harris County; J. W. Pearson of Houston, Harris County; J. F. Johnson of Houston, Harris County. For a two-year term to expire July 12, 1967: Paul Collie of Houston, Harris County. For two-year terms to expire August 4, 1967: Arthur Tuttle, Jr., of Houston, Harris County; W. B. Parker of Houston, Harris County. For a two-year term to expire August 13, 1967: Elmer C. Bell of Houston, Harris County. For two-year terms to expire August 25, 1967: Charles C. Lary, Jr., of Houston, Harris County; B. F. Mahaffey of Houston, Harris County. For two-year terms to expire September 5, 1967: Robert E. Adams of Houston, Harris County; Pat J. Neely, Jr. of Houston, Harris County. For a two-year term to expire September 10, 1967: T. N. Lightsey, Jr., of Houston, Harris County. For a two-year term to expire September 13, 1967: Leroy Arthur of Houston, Harris County. For a two-year term to expire October 4, 1967: E. B. Mercer, Jr. of Houston, Harris County. For a two-year term to expire October 22, 1967: T. H. Bratcher of Houston, Harris County. For a two-year term to expire December 22, 1967: Paul A. Galler of Houston, Harris County.

To be Branch Pilots for the Matagorda-Lavaca Bays, for two-year terms to expire January 20, 1968: Albert Lee Guinn of Port Lavaca, Calhoun County; B. R. Butler of Port Lavaca, Calhoun County.

To be Branch Pilots for Port Aransas Bar, Corpus Christi Bay and Tributaries, for a two-year term to expire October 9, 1967: Carl Joseph Bromley, Jr., of Corpus Christi, Nueces County. For two-year terms to expire November 4, 1967: Anton Thomas Mathews of Corpus Christi, Nueces County; John Robert DeForest of Corpus Christi, Nueces County.

For a two-year term to expire December 1, 1967: Harold Percy Lister, Jr., of Corpus Christi, Nueces County. For a two-year term to expire January 23, 1968: Ollin Shepherd of Corpus Christi, Nueces County.

To be Branch Pilots for the Sabine Bar, Pass and Tributaries, for two-year terms to expire July 5, 1967: R. G. Johnson of Port Arthur, Jefferson County; D. J. Simonton of Port Arthur, Jefferson County. For two-year terms to expire September 1, 1967: T. R. Morgan of Port Arthur, Jefferson County; H. E. Weaver of Port Arthur, Jefferson County. For two-year terms to expire September 25, 1967: S. W. Levingston of Port Arthur, Jefferson County; Arne Pedersen of Port Arthur, Jefferson County. For a two-year term to expire October 1, 1967: R. H. Welch of Port Arthur, Jefferson County.

Respectfully submitted,
JOHN CONNALLY,
 Governor of Texas.

Austin, Texas,
 February 14, 1966.

To the Senate of the Fifty-Ninth Legislature, First Called Session:

I ask the advice, consent and confirmation of the Senate with respect to the following appointments:

To be District Judge of the 137th Judicial District: James Ellis of Lubbock, Lubbock County.

To be District Judge of the 171st Judicial District: Edwin F. Berliner of El Paso, El Paso County.

To be Judge of Criminal District Court Number Three of Tarrant County: Charles W. Lindsey of Fort Worth, Tarrant County.

To be Judge of Criminal District Court Number Five of Dallas County: A. D. Jim Bowie of Dallas, Dallas County.

To be Judge of Criminal District Court Number Six of Harris County: Fred M. Hooey of Houston, Harris County.

To be Judge of the Domestic Relations Court of Midland County: Joseph H. Mims of Midland, Midland County.

To be Judge of Juvenile Court of

Harris County: Robert L. Lowry of Houston, Harris County.

To be Judge of County Court Number One of Galveston County: David L. Greenberg of Galveston, Galveston County.

To be District Attorney for the First Judicial District, to fill the unexpired term of Floyd Addington, resigned: Grady O. Trimble, Jr. of Jasper, Jasper County.

To be District Attorney for the 34th Judicial District, to fill the unexpired term of Edwin F. Berliner, resigned: W. Barton Boling of El Paso, El Paso County.

To be District Attorney for the 2nd 38th Judicial District, to fill the unexpired term of Joseph Leonard, Jr., resigned: Raymond L. Kneese of Fredericksburg, Gillespie County.

To be District Attorney for the 142nd Judicial District, to fill the unexpired term of Joseph H. Mims, resigned: James A. Mashburn of Midland, Midland County.

To be District Attorney for the Criminal District Courts of Harris County, to fill the unexpired term of Frank Briscoe, resigned: Carol Vance of Houston, Harris County.

Respectfully submitted,
JOHN CONNALLY,
 Governor of Texas.

(Senator Word in the Chair.)

(President in the Chair.)

At Ease

The President announced at 2:18 o'clock p.m. that the Senate would stand At Ease Subject to the Call of the Chair.

In Legislative Session

The President called the Senate to order as In Legislative Session at 2:20 o'clock p.m.

Senate Resolution 3

Senator Rogers offered the following resolution:

Whereas, We have in our midst one of the sterling examples of God's finest creations, a handsome and intelligent young man; and

Whereas, Today, February 14, 1966,

marks the anniversary of the birth of a distinguished Texan; and

Whereas, This fine young man is serving with distinction in a position of honor and trust as Secretary of the Senate of the State of Texas; and

Whereas, Mr. Charles A. Schnabel was born in San Antonio, Texas, on February 14, 1932, to Charles A., Sr., and Alma Schnabel; and

Whereas, Today is Valentine's Day and Charles' special loves are his wife, Nadine; his son, Mark; and his daughter, Beth Ann; and

Whereas, Mr. Schnabel has served the Senate faithfully and efficiently for 13 years; and

Whereas, He is an active and devoted member of the Highlands Church of God, and is an outstanding Christian man; and

Whereas, He is a sportsman of note and belongs to the Austin Woods and Waters Club; and

Whereas, It is the desire of the Senate to recognize this important milestone in this young man's life and to extend its best wishes and congratulations; now, therefore, be it

Resolved, That the Senate of the State of Texas extend their official congratulations to Charles A. Schnabel and their best wishes for many more years of health and happiness.

ROGERS

Signed—Lieutenant Governor Preston Smith; Aikin, Bates, Blanchard, Calhoun, Cole, Colson, Creighton, Crump, Dies, Hall, Hardeman, Harrington, Hazlewood, Herring, Hightower, Kazen, Kennard, Krueger, Moore, Parkhouse, Patman, Ratliff, Reagan, Schwartz, Snelson, Spears, Strong, Watson, Word.

On motion of Senator Rogers and by unanimous consent, Senator Hardeman read the resolution.

On motion of Senator Dies and by unanimous consent the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

The resolution was then unanimously adopted.

Senate Bill 1 on First Reading

The following bill was introduced, read first time and referred to the committee indicated:

By Senators Hazlewood, Hardeman, Creighton and Crump:

S. B. No. 1, A bill to be entitled "An Act relating to registration of voters; amending the Election Code of the State of Texas to provide a general registration system conditioned on the adoption of an amendment to the Constitution of the State of Texas abolishing payment of the poll tax as a prerequisite for voting or upon a ruling by the Supreme Court of the United States invalidating payment of a poll tax as a requirement for voting in State and local election; defining certain criminal offenses relating to registration, and providing penalties therefor; providing for a temporary period of registration and prescribing conditions on voting after such registration; and declaring an emergency."

To the Committee on State Affairs.

Senate Concurrent Resolution 2

Senator Hardeman offered the following resolution:

S. C. R. No. 2, Authorizing Class Action Against the State for Recovery of Poll Taxes Paid.

Whereas, During the period beginning on the first day of October, 1965, and ending on the thirty-first day of January, 1966, a great number of citizens of this State paid poll taxes; and

Whereas, The poll tax as collected in the State of Texas has by federal court decision been held to be unconstitutional; and

Whereas, It is the policy of the Legislature of the State of Texas to give and grant the right to litigate any valid claim against the State of Texas in a court of competent jurisdiction; now, therefore, be it

Resolved, By the Senate of Texas, the House of Representatives concurring, that any citizen of this State who, during the period above specified, paid the poll tax, may bring suit against the State of Texas in any court of competent jurisdiction in Travis County, Texas, as a class action as authorized by Rule 42, Texas Rules of Civil Procedure, to recover against the State of Texas, on his own behalf and on behalf of all others who paid the poll tax adjudged to be unconstitutional, the amount of poll taxes so paid by said citizens, and service of citation for the purposes herein granted may be served

on the State of Texas by serving the Attorney General, the State Treasurer, and the Comptroller of Public Accounts; and be it further

Resolved, That such suit may be filed within two years of the effective date of this Resolution; and be it further

Resolved, That it is understood that the purpose of this Resolution is solely to grant permission to bring suit against the State of Texas and no admission of liability on the part of the state or as to any fact is made by this Resolution and it is specifically provided that the facts upon which any recovery is sought must be proved in court as in other civil cases; and, be it further

Resolved, That nothing herein shall be construed as a waiver of any defense, of fact as well as of law, that 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 in the State of Texas in said suit but all such defenses are hereby specifically reserved.

The resolution was read and was referred to the Committee on State Affairs.

Senate Resolution 5

Senator Word offered the following resolution:

Be It Resolved, By the Senate of the State of Texas, that the consensus of this Body is that the State of Texas—and not the individual counties—should shoulder the financial responsibility for registering all eligible voters to be registered by any statute passed by this Special Session of the 59th Legislature.

WORD
HALL
STRONG
CREIGHTON

The resolution was read and was referred to the Committee on State Affairs.

Co-Author of Senate Resolution 5

On motion of Senator Word and by unanimous consent, Senator Creighton will be shown as a co-author of S. R. No. 5.

Meeting of Committee on State Affairs

On motion of Senator Hazlewood and by unanimous consent, the Committee on State Affairs was granted permission to meet while the Senate was in Session.

At Ease

On motion of Senator Aikin the Senate at 2:30 o'clock p.m. agreed to stand At Ease Subject to the Call of the Chair.

In Legislative Session

The President called the Senate to order as In Legislative Session at 2:38 o'clock p.m. today.

Resolution Signed

The President signed in the presence of the Senate after the caption had been read, the following enrolled resolution:

H. C. R. No. 1—Providing for a Joint Session at 12:30 o'clock on Monday, February 14, 1966, to hear the Governor's message to this First Called Session of the 59th Legislature.

Adjournment

On motion of Senator Blanchard the Senate at 2:40 o'clock p.m. adjourned until 10:30 o'clock a.m. on Wednesday, February 16, 1966.

In Memory of

Wayne Kenneth Hollenbeck

Senator Herring offered the following resolution:

(Senate Concurrent Resolution 1)

Whereas, Wayne Kenneth Hollenbeck, for more than ten years a trusted member of the staff of the Texas Legislative Budget Board, was removed from his duties by a fatal coronary occlusion early in the morning of February 12, 1966; and

Whereas, At the time of his death Mr. Hollenbeck was assisting the Department of Public Welfare develop programs for the medical care of aged and dependent citizens of this state, and among his working papers on that subject there was found a personal note to himself, which read:

"Reason is the thin razor's edge which distinguishes man from God's other creatures. And when any individual or nation loses its will to distinguish between good and evil, between friend and foe, between facts and fiction, it can safely be predicted it is losing its humanity".;

and

Whereas, Mr. Hollenbeck faithfully applied such reason and discrimination in helping Texas Legislatures improve the programs and services for dependent and neglected children in state homes, for young boys and girls in the State's juvenile correctional schools, for men and women in the State's prison system, and for students in state schools for mentally retarded persons; and

Whereas, With equal zeal and dedication Mr. Hollenbeck applied his skills in business administration in developing recommended appropriations for such departments of our State Government as the Department of Public Safety, Comptroller's Department, Board of Control, and Board of Insurance; and

Whereas, Mr. Hollenbeck was born in Yale, Iowa, May 28, 1912, was educated in the public schools of McAllen, Texas, and in McAllen Junior College and earned an academic degree from the University of Houston; he served this state and nation with honor in the U. S. Army, Army Air Corps, and U. S. Air Force, in which service he attained the rank of Lieutenant Colonel; now, therefore, be it

Resolved, That the Senate of Texas, the House of Representatives concurring, Commends the faithful and devoted service of Mr. Hollenbeck to his community, state, and nation, and expresses sympathy in our mutual loss to the wife and children of Mr. Hollenbeck; and be it further

Resolved, That copies of this Resolution be prepared under the seal of the Senate of Texas and sent to his wife, Jeanne, and to each of their three children—Michael Wayne, Frank Kenneth, and Janice Ann—and that when the Senate and the House of Representatives adjourn this day, that they do so in memory of Wayne Kenneth Hollenbeck.

HERRING

Signed—Lieutenant Governor Preston Smith; Aikin, Bates, Blanchard, Calhoun, Cole, Colson, Creighton, Crump, Dies, Hall, Hardeman, Harrington, Hazlewood, Hightower, Kazen, Kennard, Krueger, Moore, Parkhouse, Patman, Ratliff, Reagan, Rogers, Schwartz, Snelson, Spears, Strong, Watson, Word.

The resolution was read.

On motion of Senator Aikin and by unanimous consent the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

The resolution was then unanimously adopted by a rising vote of the Senate.