

FOURTH DAY

(Monday, February 21, 1966)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

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

Dist. 19 (Vacant)

A quorum was announced present.

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

On motion of Senator Aikin and by unanimous consent, the reading of the Journal of the proceedings of Thursday, February 17, 1966, was dispensed with and the Journal was approved.

Presentation of Guests

Senator Blanchard by unanimous consent presented Mr. and Mrs. Walter Wood of Lubbock as guests of the Senate and Lieutenant Governor and Mrs. Smith.

Presentation of Guest

Senator Reagan by unanimous consent presented his brother, John Reagan of Corpus Christi as a guest of the Senate today.

Senate Concurrent Resolution 6

Senator Crump offered the following resolution:

S. C. R. No. 6, Extending congratulations and welcome to Miss Jan Brown, on being named "Miss National Rural Electrification."

Whereas, Miss Jan Brown of Harper, Texas, was named Miss National Rural Electrification at the annual National Rural Electric Cooperatives Association meeting held in Las Vegas, Nevada, on February 16, 1966; and

Whereas, She was a contestant in the national competition by virtue of having been chosen Miss Texas Rural Electrification last August at the annual meeting of the Texas Electric Cooperatives, Inc., in Dallas; and

Whereas, Jan already held the title of Texas Peach Queen, having won that designation at the 1964-65 Peach Jamboree in Stonewall; and

Whereas, Jan shares the interest of her parents, Mr. and Mrs. Clint Brown, in their ranch at Harper, and her brother, Bob, who is assistant manager of the Federal Land Bank Association in Kerrville; and

Whereas, A graduate of Harper High School, Jan is presently a freshman speech major at Angelo State College and is working toward a combined career as a fashion commentator and model; and

Whereas, This beautiful, charming and intelligent young lady is very deserving of the great honor which has been bestowed on her; now therefore, be it

Resolved, That the Senate of the State of Texas, the House of Representatives concurring, congratulates Miss Jan Brown on being chosen Miss National Rural Electrification and expresses appreciation for the recognition and honor she has brought to her state; and be it further

Resolved, That copies of this resolution be prepared and sent to her with our compliments and good wishes.

CRUMP

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

The resolution was read.

On motion of Senator Hardeman and by unanimous consent the names of the Lieutenant Governor and Sen-

ators were added to the resolution as signers thereof.

The resolution was then unanimously adopted.

The President announced the appointment of Senators Crump, Harde- man and Krueger to escort Miss Brown to the President's Rostrum.

The President welcomed Miss Brown to the Senate and presented Senator Crump.

Senator Crump presented Mr. and Mrs. Clint Brown of Harper, Texas, the mother and father of Miss Brown, to the Members of the Senate. He then presented Miss Brown to the Senate.

Miss Brown addressed the Senate expressing appreciation for the privilege of being a guest of the Senate and thanked the Members for the opportunity of addressing the Senate.

Resolution Signed

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

S. C. R. No. 1, Memorial resolution for Wayne Kenneth Hollenbeck.

Senate Resolution 21

Senator Hardeman offered the following resolution:

BE IT RESOLVED by the Senate of Texas, That it does hereby express its full support of United States policy in Viet Nam pursuant to the 1954 Southeast Asia Treaty, negotiated by the Eisenhower administration; and be it further

RESOLVED by the Senate of Texas, that it express its gratitude as well as its admiration, for the courage, bravery and sacrifices of American troops and their allies from Australia and South Korea, in resisting the forces of Communism seeking to engulf the Free World within their evil embrace through armed aggression, as well as by subversion; and be it further

RESOLVED, That copies of this resolution be forwarded to the President of the United States, the Secretaries of State and of Defense, to General William Giles Westmoreland, and to the Presiding Officers of the Houses of Congress, under the Seal

of the Senate of Texas by the Secretary of the Senate.

HARDEMAN
HAZLEWOOD
BLANCHARD

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

The resolution was read.

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

The resolution was then unanimously adopted.

Co-author of Senate Resolution 21

On motion of Senator Blanchard and by unanimous consent, he will be shown as co-author of S. R. No. 21.

Message from the House

Hall of the House of Representatives,
Austin, Texas,
February 21, 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. 6, Congratulating the "Five Outstanding Young Men of Texas."

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

Message from the Governor

The following message received from the Governor was read and was referred to the Committee on Nominations:

Austin, Texas,
February 21, 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 Real Estate Commission, for six-year terms

to expire October 5, 1971: Bob Cheatham of Texarkana, Bowie County; Clifford Hensley of El Campo, Wharton County.

To be District Judge of the 66th Judicial District, to fill the unexpired term of Sam Johnson, resigned: Steve Latham of Hillsboro, Hill County.

Respectfully submitted,
JOHN CONNALLY,
 Governor of Texas.

Communication from State Bar of Texas

The following communication received from the State Bar of Texas was read and was referred to the Committee on Nominations:

February 17, 1966.

Mr. Charles Schnabel,
 Secretary of the Senate,
 State Capitol, Capitol Station,
 Austin, Texas (78711).

Dear Mr. Schnabel:

Under authority conferred by Section 1-a, Art. V of the Constitution of Texas and the Rules Regulating Appointment By The Board of Directors of the State Bar of Texas of Members of the State Judicial Qualifications Commission, the Board of Directors of the State Bar of Texas has appointed Fred B. Werkenthin, Esquire, whose place of residence is Austin, Texas, for a term of six (6) years, and J. E. Abernathy, Esquire, whose place of residence is McKinney, Texas, for a term of four (4) years, on said Commission.

It is respectfully requested that the Senate give its advice and consent in confirmation of these appointments.

Respectfully submitted,
 C. C. SMALL, JR., President,
 State Bar of Texas.

Communication from the Supreme Court of Texas

The following Communication received from the Supreme Court of Texas was read and was referred to the Committee on Nominations:

February 15, 1966.

Mr. Charles Schnabel
 Secretary of the Senate
 State Capitol
 Austin, Texas

Dear Mr. Schnabel:

Under authority conferred by Sec-

tion 1-a, Art. V of the Constitution of Texas, the Supreme Court of Texas has appointed, and does appoint, Honorable Spurgeon E. Bell, Chief Justice of the Court of Civil Appeals for the First Supreme Judicial District, and Honorable Connally McKay, Judge of the District Court for the 114th Judicial District, to six year terms and Honorable Charles W. Barrow, Associate Justice of the Court of Civil Appeals for the Fourth Supreme Judicial District, and Honorable Truett Smith, Judge of the District Court for the 106th Judicial District, to four year terms on the State Judicial Qualifications Commission, such terms beginning on February 1, 1966; and the Supreme Court hereby asks the advice and consent of the Senate in confirmation of such appointments.

Respectfully yours,
ROBERT W. CALVERT

House Concurrent Resolution 6 on Second Reading

The President laid before the Senate on its second reading the following resolution:

H. C. R. No. 6, Congratulating the Five Outstanding Young Men of the Texas Jaycees.

The resolution was read.

By unanimous consent the resolution was considered immediately and was adopted.

Senate Bill 1 on Second Reading

The President laid before the Senate on its second reading and passage to engrossment:

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 elections; 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."

The bill was read second time.

Senator Hazlewood offered the following Committee Amendment to the bill:

Amend S. B. No. 1 as follows:

(1) In sub-section (a) of Section 34-b of the Election Code, added by Section 7 of the bill, strike out the words "at any time after March 16, 1966, but not after April 2, 1966," and substitute in lieu thereof the following: "at any time during the fifteen-day period beginning with the seventh day after the effective date of this section."

(2) In sub-section (b) of the aforesaid section, strike out the words "shall, before March 17, 1966, furnish to the county tax collector" and substitute in lieu thereof the following: "shall furnish to the county tax collector, as soon as possible,"

(3) In sub-section (d) of the aforesaid section, strike out the words "before May 3, 1966" and substitute in lieu thereof the following: "as soon as possible after the close of the registration period prescribed by sub-section (a) of this section and not later than May 2, 1966."

CREIGHTON
KENNARD

The Committee Amendment was read and was adopted.

(Senator Reagan in the Chair.)

Senator Hazlewood offered the following Committee Amendment to the bill:

Amend Senate Bill No. 1 by striking out the word "race" in Section 47a, line 58, page 4 and in Section 51a, line 56, page 6.

PARKHOUSE
CREIGHTON

The Committee Amendment was read and was adopted.

(President in the Chair.)

Senator Hazlewood offered the following Committee Amendment to the bill:

Amend S. B. No. 1 as follows:

(1) In the first paragraph of Sec-

tion 2, insert "51b," between "51a," and "52a,".

(2) In Section 2, insert a new Section 51b between Sections 51a and 52a, reading as follows:

"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 and 44a of this Code during the twelve-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 twenty-five 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 twelve-month period mentioned in subsection (1) of this section. All money received by a county under this section shall be deposited in the county treasury for general revenue purposes of the county and shall not be deemed to be fees of office or be retained by the tax collector, regardless of whether the tax collector is compensated on a fee basis or on a salary basis.

"(3) For the registration period ending January 31, 1967 (or later if the registration period is extended as provided in Section 43a of this Code), the Comptroller shall issue the warrants after August 31, 1967 but before October 1, 1967. This subsection applies only if this section takes effect before October 1, 1967.

"(4) The disbursements prescribed by this section shall be made from the General Revenue Fund as provided by legislative appropriations."

WORD
CREIGHTON

The Committee Amendment was read.

Question — Shall the Committee Amendment No. 3 to S. B. No. 1 be adopted?

Executive Session

On motion of Senator Krueger and by unanimous consent, the Senate

agreed to hold an Executive Session at 11:30 o'clock a.m. today (The Notice having been given on Thursday, February 17, 1966).

Accordingly, the President directed all those not entitled to attend the Executive Session of the Senate to retire from the Senate Chamber and instructed the Sergeant-at-Arms to close all doors leading from the Chamber.

At the conclusion of the Executive Session the Secretary of the Senate informed the Journal Clerk that the Senate had confirmed the following nominations of the Governor:

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.

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

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

To be Judge of Juvenile Court of Harris County: Robert L. Lowry of Houston, Harris County.

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

To be Judge of Criminal District Court Number Six of Harris County: Fred M. Hooey of Houston, Harris 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 Three of Tarrant County: Charles W. Lindsey of Fort Worth, Tarrant County.

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

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

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 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 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 term 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 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 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 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 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 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. Burek 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 Directors-at-Large of the Tri-County Municipal Water District, for a two-year term to expire July 22, 1967: Aubrey L. Moore of Hillsboro, Hill County.

To be Member 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. Efriam 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. Fenton R. Fickes of Houston, Harris County; Dr. Richard M. Botard of Kingsville, Kleberg 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 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 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 Coun-

ty. For four-year terms to expire August 31, 1969: Ralph Alexander of Edinburg, Hidalgo County; Carl Conley of Raymondville, Willacy County; John Jones of LaFeria, 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 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 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 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 Kopp 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 October 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 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 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 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 State Board of Health, for six-year terms to expire 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 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 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 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 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 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 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 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 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 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 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 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 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 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 Flatonio, Fayette 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 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 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 La Porte, 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 Milam 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 La Porte, Harris County; Richard Allen of Webster, Harris 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 Cesseb, Jr., of San Antonio, Bexar County.

To be members of the State Board of Chiropody 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 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 a member of the State Commission for the Blind, to fill the unexpired term of Bert 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 Barber Examiners, for a six-year term to expire May 19, 1971: Archie L. Warnick of Fort Worth, Tarrant 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 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 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 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 expire 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 Aero-

nautics 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 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 Texas 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. Kollander of Amarillo, Potter County. For a six-year term to expire September 1, 1971: Robert Kneebone of Houston, Harris 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 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: 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 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 Suttel 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 Granbury, Hood 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 Real Estate Commission, for terms to expire October 5, 1971: Bob Cheatham of Texarkana, Bowie County; Clifford Hensley, of El Campo, Wharton County.

In Legislative Session

The President called the Senate to order as In Legislative Session at 12:01 o'clock p.m.

Notice of Executive Session

Senator Krueger gave Notice that he would on tomorrow move for an

Executive Session at 12:05 o'clock p.m.

Recess

On motion of Senator Blanchard the Senate at 12:03 o'clock p.m. took recess until 2:00 o'clock p.m. today.

After Recess

Senator Aikin called the Senate to order at 2:00 o'clock p.m. today.

Senate Bill 1 on Second Reading

The Senate resumed the consideration of the pending business, same being S. B. No. 1 on its second reading with Committee Amendment No. 3 pending.

Question—Shall Committee Amendment No. 3 to S. B. No. 1 be adopted?

(Pending discussion by Senator Parkhouse of Committee Amendment No. 3, Senator Reagan occupied the Chair.)

(President in the Chair.)

(Pending further discussion by Senator Parkhouse of Committee Amendment No. 3, Senator Harrington occupied the Chair.)

(President in the Chair.)

The Committee Amendment was then adopted.

Record of Vote

Senator Parkhouse asked to be recorded as voting "Nay" on the adoption of the above amendment.

Senator Hazlewood offered the following Committee Amendment to the bill:

Amend Section 2 of Senate Bill 1, by adding to the provisions therein proposed to be added to the Election Code of the State of Texas as Section "44a," the following to be identified as subsection (3) and to read as follows:

"(3). During each regular period for registration of voters, it shall be the responsibility of the registrar of each county to assign a deputy to go to each hospital, rest home, convalescent home, or other institution within the county to register the qual-

ified voters there residing who because of age, illness, or infirmity could not reasonably otherwise apply for registration in person or by mail."

**HARDEMAN
HAZLEWOOD**

The Committee Amendment was read.

Senator Creighton offered the following substitute for the pending Committee Amendment:

Amend Committee Amendment No. 4 of Senate Bill No. 1 by striking all of said amendment and substituting in lieu thereof the following:

"Amend Section 2 of Senate Bill No. 1 by striking Section 52a, Deputy registrars, and substituting in lieu thereof the following:

52a. Deputy registrars

"(1) The registrar may have such number of duly authorized and sworn deputies as he deems necessary at such fixed locations in places customarily open to the public as the registrar designates, for the purpose of accepting applications and issuing registration certificates.

"(2) In each county containing a city of ten thousand or more inhabitants, other than the county seat, the registrar shall have at least one duly authorized and sworn deputy in each such city during the month of January to represent him for the purpose of accepting applications and issuing registration certificates. Each deputy shall be stationed at a fixed place customarily open to the public.

"(3) During each regular period for registration of voters, the registrar of each county may assign a deputy to go to each hospital, rest home, convalescent home, or other institution within the county to register the qualified voters there residing who because of age, illness, or infirmity could not reasonably otherwise apply for registration in person or by mail.

"(4) The registrar shall post a notice in the registrar's office identifying each deputy who is authorized to serve at any location other than the main office of the registrar or a regularly maintained branch office, and stating the location and the dates and hours during which the deputy will be on duty. The registrar shall furnish a copy of each notice to each

deputy named therein, and he shall retain a copy in his office for a period of two years from the last date of authorized service stated in the notice, which copy shall be open to public inspection at all times when the office is open. It shall be unlawful for a deputy registrar serving at any place other than the main office or a regularly maintained branch office to transact any business as deputy at any place or time other than as stated in the notice; and violation of this provision shall constitute a misdemeanor punishable by a fine not to exceed five hundred dollars.

"(5) No deputy shall be paid for his services except with the approval of the commissioners court."

The substitute for the pending Committee Amendment was read.

Senator Kennard offered the following amendment to the pending substitute for the Committee Amendment:

Amend the pending substitute for the Committee Amendment by striking all of said amendment and inserting in lieu thereof the following:

"Amend Section 2 of Senate Bill No. 1 by striking Section 52a, Deputy registrars, and substituting in lieu thereof the following:

"52a. Deputy Registrars

"(1) The registrar may have such number of duly authorized and sworn deputies as he deems necessary.

"(2) In each county containing a city of ten thousand or more inhabitants, other than the county seat, the registrar shall have at least one duly authorized and sworn deputy in each such city during the month of January to represent him for the purpose of accepting applications and issuing registration certificates.

"(3) During each regular period for registration of voters, the registrar of each county may assign a deputy to go to each hospital, rest home, convalescent home, or other institution within the county to register the qualified voters there residing who because of age, illness, or infirmity could not reasonably otherwise apply for registration in person or by mail.

"(4) No deputy shall be paid for his services except with the approval of the commissioners court."

The amendment to the pending substitute for the Committee Amendment was read.

Senator Hazlewood raised the Point of Order that the amendment by Senator Kennard was a complete substitute for the pending substitute by Senator Creighton and therefore could not be considered as an amendment.

The President sustained the Point of Order.

Senator Kennard offered the following amendment to the pending substitute by Senator Creighton:

Amend the substitute for Committee Amendment No. 4 by placing a period after the words "as he deems necessary" in 52a(1) thereof, and striking the balance of such paragraph.

The amendment to the substitute was read.

Senator Creighton moved to table the amendment by Senator Kennard to the pending substitute.

Question on the motion to table, Yeas and Nays were demanded.

The motion to table prevailed by the following vote:

Yeas—15

Aikin	Herring
Blanchard	Hightower
Calhoun	Frueger
Colson	Parkhouse
Creighton	Ratliff
Crump	Reagan
Hall	Word
Hazlewood	

Nays—14

Bates	Patman
Cole	Rogers
Dies	Schwartz
Harrington	Snelson
Kazen	Spears
Kennard	Strong
Moore	Watson

Absent

Hardeman Dist. 19 (Vacant)

The substitute for the pending Committee Amendment was then adopted.

Record of Vote

Senator Kennard asked to be re-

corded as voting "Nay" on the adoption of the substitute for the Committee Amendment.

The Committee Amendment as substituted was then adopted.

Senator Creighton offered the following amendment to the bill:

Amend subsections (e), (f), (g), and (h) of Section 34-b of the Texas Election Code, added by Section 7 of Senate Bill No. 1, by relettering them in proper sequence to conform to changes made by other amendments, if necessary, and by changing the texts thereof to read as follows:

"(e) A person who is issued a certificate under this Section shall not be entitled to vote in any election held during the period covered by the conditional certificate unless either of the following events occur:

"(1) if the Supreme Court of the United States affirms or refuses to review the judgment of the United States District Court for the Western District of Texas, Austin Division, in Civil Action No. 1570, styled United States of America v. The State of Texas, et al., or if by other action taken upon appeal of that case the Supreme Court rules that the provisions of the Constitution and statutes of this State requiring payment of a poll tax as a condition for voting in the state and local elections are in violation of the Constitution of the United States; or

"(2) an order of the Supreme Court or the district court having jurisdiction of that case becomes effective to enjoin the enforcement of the invalidated provisions at elections held before February 1, 1967.

"(f) If either of the contingencies stated in subsection (e) of this Section occur, the Attorney General of Texas shall immediately so certify to the Governor and to the Secretary of State; and the Governor shall immediately issue a proclamation declaring that persons who have been issued conditional voter registration certificates under this Section are duly registered as voters at elections held during the effective period of the injunctive order but not after January 31, 1967. If by an order entered before February 1, 1967, the Supreme Court reverses the judgment of the District Court and at the time of the reversal there is in effect a

proclamation declaring such persons duly registered voters, the Governor, after certification by the Attorney General in the manner above provided, shall issue a proclamation declaring them not eligible to vote. The Governor shall file any proclamation issued hereunder with the Secretary of State.

"(g) If either of the contingencies stated in subsection (e) of this Section occurs, the following classes of persons shall be deemed to be duly registered as voters at elections held during the effective period of the injunctive order and before February 1, 1967, and no distinction shall be made between the classes:

"(1) any person who paid the poll tax and was issued a poll tax receipt, entitling him to vote in elections held during voting year ending January 31, 1967;

"(2) any person who was issued an exemption certificate based on overage, under Section 48 of the Texas Election Code, entitling him to vote in elections held during the voting year ending January 31, 1967, and any overage person entitled by law to vote without obtaining an exemption certificate;

"(3) any person who was issued an exemption certificate based on nonage or nonresidence, under Section 49 of the Texas Election Code entitling him to vote in elections held during the voting year ending January 31, 1967;

"(4) any person who was issued a poll tax receipt without payment of the tax, under Section 34a of the Texas Election Code, entitling him to vote for federal officers only, in elections held during the voting year ending January 31, 1967; and

"(5) any person who was issued a conditional voter registration certificate under this Section.

"(h) In the conduct of elections held during the effective period of the injunctive order, voters who have been issued certificates under this Section shall be subject to the same provisions of law with respect to voting procedures as voters holding regular poll tax receipts, and all references in such laws to a poll tax receipt shall be construed to include a registration certificate issued under this Section."

The amendment was read and was adopted.

Senator Creighton offered the following amendment to the bill:

Amend Senate Bill No. 1 by striking out all of Section 45a (1) and inserting in lieu thereof the following:

"45a. Mode of applying for registration

"(1) A person may apply for registration in person or by mail as provided herein. When an applicant for registration applies in person, he shall furnish the registrar the necessary information to enable the registrar to fill out the blanks in the registration certificate, and the registrar shall immediately make out and deliver a registration certificate to the applicant, if he is entitled to register. An application made by mail must be made upon forms prescribed by the registrar and upon which forms the applicant shall supply the information necessary for registration as prescribed in Section 47a of this Code. The application form shall contain the following statement: 'I understand the giving of false information to procure the registration of a voter is a felony.' The application shall be signed by the applicant or his agent.

"When a properly executed application is received by the registrar, the registrar shall make out a registration certificate and shall mail the registration certificate to the voter for whom it is issued at his permanent address; or, if the applicant is temporarily residing outside the county and requests that the certificate be mailed to the temporary address, the registrar shall mail it to the temporary address; or the registrar shall hold the certificate to be delivered to the applicant in person. The application shall be deemed to have been received by the registrar within the period for registration if it was placed in the mail on or before the last day of the registration period, as shown by the postmark on the envelope, and was delivered to the registrar on or before the fifth day following the close of the registration period. Within the meaning of this Section, the application is delivered when it is actually placed into the possession of the registrar or his duly authorized agent by a post office employee, or is deposited into the registrar's mail box, or is left at the usual place of delivery for the registrar's official mail.

"The registrar shall file and preserve all applications received by mail for a period of two years."

The amendment was read and was adopted.

Senator Creighton offered the following amendment to the bill:

Amend Senate Bill No. 1 by inserting in Section 34-b of the Texas Election Code, added by Section 7 of the bill, a new subsection designated as subsection (d), to be placed in proper sequence and the subsequent subsections relettered accordingly, the new subsection (d) to read as follows:

"(d) An application for registration made by mail must be delivered to the tax collector on or before the last day of the registration period; otherwise, the tax collector shall refuse to issue the certificate. Within the meaning of this subsection, an application is delivered when it is actually placed into the possession of the tax collector or his duly authorized agent by a post office employee, or is deposited into the tax collector's mail box, or is left at the usual place of delivery for the tax collector's official mail."

The amendment was read and was adopted.

Senator Creighton offered the following amendment to the bill:

Amend Senate Bill No. 1 by inserting in proper sequence a new section numbered Section 8 and by renumbering all subsequent Sections accordingly, the new Section to read as follows:

"Sec. 8. DISTRIBUTION OF COPIES OF ACT. Immediately following the effective date of Section 7 of this Act, the Secretary of State shall mail to each county tax assessor-collector in this State a copy of this Act, together with such instructions or other material as he deems necessary or desirable to facilitate and expedite registration under Section 7 of this Act."

The amendment was read and was adopted.

Senator Creighton offered the following amendment to the bill:

Amend Senate Bill No. 1 as follows:

(1) Strike Subsections (2) and (3) of Section 45a, as quoted in Section 2, and substitute the following:

"(2) 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 when application is by mail, and may receive the registration certificate. However, none of the above may act as agent unless he is a qualified elector of the county.

"Except as herein permitted, a person who willfully acts as agent for another in applying for registration or in obtaining a registration certificate is guilty of a misdemeanor and upon conviction is punishable by a fine of not less than \$50 nor more than \$500.

"(3) 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 shall be immediately removed from office and fined not less than \$100 nor more than \$1,000."

(2) Strike the last sentence of Subsection (3) of Section 52a, quoted in Section 2, and substitute the following:

"A deputy registrar who registers a voter at a place other than the main office or a regularly maintained branch office, or at a time or place other than that stated in the notice, is guilty of a misdemeanor and upon conviction is punishable by a fine of not less than \$50 nor more than \$500. Each unlawful registration of a voter under this Subsection is a separate offense."

The amendment was read.

Senator Bates offered the following amendment to the pending amendment:

Amend the pending amendment by Senator Creighton by adding to (2) the following:

2a. "Provided, however, that an 'agent' may not be defined as a person who renders aid to (1) an applicant who is physically unable to complete such application or (2) an applicant who requires assistance in

completing such application by reason of his inability to read and write the English language.

The amendment to the pending amendment was read and was adopted.

The pending amendment as amended was then adopted.

Senator Creighton offered the following amendment to the bill:

Amend S. B. No. 1 after the words "January 1, 1967," and before the word "the" in section 43a as added by Sec. 2 of S. B. No. 1 (in line 59, page 3 of the printed bill) by inserting the following language: "as the result of a court decision."

The amendment was read and was adopted.

Senator Spears offered the following amendment to the bill:

Amend S. B. 1 by striking all below the enacting clause and substituting in lieu thereof the following:

Section 1. Effective upon the date provided in Section 8 of this Act and conditioned as provided therein, the Election Code of the State of Texas is amended by adding thereto new sections numbered 56a through 56t, 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. He shall be responsible for the registration of voters, keeping of records, preparation of lists of registered voters, and such other duties incident to voters registration as are placed upon him by law. The duties here imposed on the county tax assessor-collector are in addition to his other duties imposed by law, and the expenses of his office incident to the performance of these duties shall be borne by the county. Any of these duties, other than the hearing of appeals on denial of registration and the hearing of challenges requesting cancellation of registration, may be performed through a deputy or deputies. The registrar shall not charge any fee for registering a voter or for performing any duty incident to voter

registration. The registrar is 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 connected with his official duties.

56b. Time and place for registration; period for which registration is effective

"Voters shall register biennially. The period for which registration is effective, herein called 'voting biennium,' or 'voting period,' shall be the two-year period beginning with the first day of March of each even numbered year; provided, however, that the first voting period hereunder shall begin on the first day of February following the effective date of this section and shall end on February 29, 1968. Regular registration for each voting period shall be from the first day of October through the 31st day of January preceding the beginning of the period; provided, however, that if this section takes effect during the regular registration period and less than thirty days before January 31st, the first registration period shall continue through the thirtieth day following the effective date."

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 thirty days of the period; provided, however, that a person who registers after the beginning of the period shall not be entitled to vote until the expiration of thirty days after registration. Persons registering on or after the first day of October preceding each new voting period and more than thirty days before the end of the current voting period shall be entitled to vote, if qualified, during the remainder of the current period after the expiration of thirty day, and during the ensuing full period.

"56c. Persons entitled to register

"Every person who possesses all the qualifications of an elector, as defined in Section 34 of this Code, as amended to become effective on the first day of February, following the effective date of this section, or as thereafter amended, or who will become a qualified elector within sixty days after the date of application for registration, shall be entitled to register as a voter of the precinct in which he resides.

"56d. Registration record form

"Subdivision 1. Except as provided in Subdivision 2 of this section, 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 56e 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.

"The registration record forms for each county shall be serially numbered, beginning with No. 1, for registrations for each new voting period, 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 voting period (i.e., the numbering shall begin with No. A-1 for the first voting period, with No. B-1 for the second voting period, 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 in the county registration file. 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 file shall be open to public inspection at all times during regular office hours of the registrar, subject to reasonable safe-guards.

"Subdivision 2. If this section becomes effective by virtue of a proclamation of the Governor issued subsequent to June 30, 1966, resulting from court invalidation of the requirement for payment of the poll tax as a condition for voting, the registration certificate form to be used for registering persons to vote during

the voting period beginning on the first day of February immediately following the effective date of this section shall be the poll tax receipt form prescribed by Section 46 of this Code or the exemption certificate form prescribed by Section 48 of this Code. The poll tax receipt form shall be used for persons subject to payment of the tax, and the exemption certificate form shall be used for persons exempt from its payment; provided, however, that a registration shall not be rendered invalid by use of the form not prescribed for the particular registrant. If at the time of registering the registrant pays the poll tax levied against him, the poll tax receipt form shall serve both as a receipt for payment and as a record of registration. If a poll tax is not collected from the registrant, the registrar shall issue a receipt on which the words 'Poll tax not paid' have been stamped, written or printed. The original of the poll tax receipt or exemption certificate shall be issued to the registrant to identify him in voting, and the duplicate shall be retained by the registrar as his record of the registration.

"All persons who were issued poll tax receipts or exemption certificates prior to the effective date of this Section, for use in voting during the ensuing voting year, and whose names would have been placed on either the regular list of qualified voters or the list of voters qualified to vote in Federal elections only, if Sections 34a and 54 of this Code had not been repealed, shall be deemed to have registered in accordance with the requirements of this registration law, and the registrar shall include the names of such persons on the list of registered voters for the voting period beginning on the first day of February immediately following the effective date of this registration law.

"56e. Procedure for registration

"Except as provided in Subdivision 2 of Section 56d of this Code, 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 per-

son 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. The facts necessary to establish the applicant as an elector: that he is a citizen of the United States; is over twenty-one years of age (or will become twenty-one years of age within sixty days thereafter, stating the date on which he will reach that age); has continuously resided in Texas one year, and six months in the county wherein he is applying for registration (or will have met these residence requirements within sixty days thereafter, stating the date on which the requirements will have been met).

"3. Place of residence and post office address with sufficient particularity to identify it and to determine the applicant's voting precinct.

"4. Occupation.

"5. Country or state of birth.

"6. If foreign born, how citizenship was acquired, whether by: citizenship or father, treaty or act of Congress, order of a court or 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.

"7. 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, which shall be the date of the jurat.

"56f. Voter identification card

"Upon completion of registration of

each voter under the provisions of Subdivision 1 of Section 56e of this Code, 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, his registration number, his address, occupation, and country or state of birth. 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. Immediately preceding the certification there shall be printed the following: 'Holder not entitled to vote before

....., and in the blank space the registrar shall fill in the date of the first day of the ensuing voting biennium, if the registration is within the thirty-day period preceding such date, or the date of the thirty-first day following registration, or the date on which the registrant will become a qualified elector, whichever is the latest of these three dates; provided, however, that on registration before February 1, 1968, for voting during the biennium beginning March 1, 1968, the registrar shall fill in the date of March 1, 1968.

"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 affidavit on reverse side is properly executed.' On the reverse side shall be printed an affidavit in substantially the following form:

Before me, the undersigned authority personally appeared, who, being by me duly sworn, says that his Voter Identification Card has been lost, mutilated, or destroyed.

.....
(Signature of voter)

Sworn to and subscribed before me, this..... day of, 19

.....
(Signature and title of officer administering oath)

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 is-

sued 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, shall take the voter's affidavit, 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 fill in the information on the face of the card from the voter's registration record, after verifying that the signature on the request corresponds to the voter and file the request with the voter's county registration record. As used in other sections of this Code, the term 'voter identification card' shall include a replacement card issued and executed in accordance with this section.

"It shall be 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 shall be fined not less than one hundred dollars nor more than one thousand dollars.

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

"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. If this is not practicable, the person may register 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 such person shall provide the information necessary for registration, which form shall contain the following, in addition to the information and statements prescribed in Section 56e 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.

"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 thirty days preceding the next election, he may register in the manner outlined in the preceding paragraph, 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 thirty days preceding the next election.'

"When the affidavit and identification cards 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.

"56h. Vote by members of Armed Forces, etc., without registration.

"If any person within either of the classes of persons enumerated in this section is eligible to register but has failed to do so, and is otherwise eligible to vote absentee by mail on the ground of expected absence from the county, he may vote without registration by sending a Federal Post Card Application for an absentee ballot in accordance with the law. This section shall apply to the following classes of persons:

"1. Members of the Army, Navy, Air Force, Marine Corps, Coast Guard and Merchant Marine of the United States serving outside the territorial limits of this state, and their spouses

when residing with or accompanying them.

"2. Civilian employees of the United States in all categories serving outside the territorial limits of the United States, and their spouses when residing with or accompanying them.

"56i. Challenge of applicant

"Any person applying for registration may be challenged by the registrar or deputy registering him 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 the district court within thirty days after the registrar's decision, and the decision of the district court shall be final. The court shall give priority to the appeal if an election is pending within sixty days.

"56j. Challenge of registered voter

"Any registered voter may challenge the registration of any other registered voter in his county at any time by submitting in writing to the registrar a statement setting for the grounds of the challenge and requesting cancellation of the challenged voter's registration. The registrar shall notify the challenged voter of the filing of the challenge and shall furnish him with a copy thereof, and shall set a date for a hearing, which shall be not less than ten days nor more than thirty days after the notice. The registrar shall decide the challenge within seven days after the hearing. Either party may appeal from the decision of the registrar to the district court within thirty days after the registrar's decision, and the decision of the district court shall be final. The court shall give priority to the appeal if an election is pending within sixty days. A challenged voter may continue to vote until a final decision is made cancelling his registration. Nothing in this section shall prevent challenge in an election contest of a voter's qualification and eligibility to vote.

56k. Cancellation of registration upon death, adjudgment of insanity, conviction of felony, or adjudgment or ineligibility in an election contest

"Subdivision 1. Not later than the fifteenth 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 twenty-one years of age who was a resident of this State at the time of death, showing the name, age, sex, nativity, place of residence, date of death, and place of death. Upon receipt of such record, the registrar of voters shall cancel the registration of any such person who is registered as a voter in his county.

"Subdivision 2. Not later than the fifteenth 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 twenty-one years of age and resident within this State to be mentally ill and mentally incompetent, showing 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 such record, the registrar shall cancel the registration of any such person who is registered as a voter in his county.

"Subdivision 3. Prior to January 31 of each year, the registrar shall examine the records of all courts in his county having jurisdiction of the trial of felony crimes, and shall cancel the registration of any registered voter who is convicted of a felony.

"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 the provisions of Subdivision 2, 3, or 4 of this section, the registrar shall immediately mail a notice of the cancellation to the registrant at the address shown on his registration record.

"56l. Change of residence within county

"A registered voter who changes his place of residence within the pre-

cinct shall notify the registrar of the change of address and shall present his voter identification card to the registrar and the registrar shall make the necessary change on the registration records and on the identification card.

"A registered voter who changes his residence to another precinct within the county shall request the registrar to transfer his registration to the precinct of his new residence at least four days before any election at which he offers to vote, and unless the voter has done this and his name appears on the certified list of registered voters of the precinct of his new residence, he shall not vote. The voter shall appear in person before the registrar and present his voter identification card and shall make written affidavit of the change of residence, or he shall send his identification card and the sworn affidavit to the registrar by mail. Thereupon the registrar shall make the necessary changes on the registration record forms and on the identification card, and shall transfer the voter's precinct registration record form to the precinct registration files for the precinct of his new residence, and shall return the identification card to the voter.

"56m. 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. The voter shall inform the person registering him of his prior registration in the county of his former residence, which fact shall be noted on the new registration record forms of the voter. The registrar of the county in which the new registration is accomplished shall forthwith 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 such notice, the registrar of the county wherein the voter was formerly registered shall cancel the former registration.

"56n. 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 five years after cancellation, and may then be destroyed.

"56o. Change of name

"Any registered voter who changes his name through marriage or judgment of a competent court shall file a sworn affidavit 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 shall be eligible to 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.

"56p. Renewal of registration by voting

"After March 1, 1968, whenever a registered voter votes in a primary or general election for nomination or election of state and county officers, his registration shall be automatically renewed for the ensuing biennium unless, prior to the beginning of that biennium, the registration has been cancelled under some provision of this Code.

"Within sixty days after the date of each second (runoff) primary for nomination of state and county officers held after March 1, 1968, the county chairman of each political party holding primary elections shall deliver to the registrar the list or 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 sixty days after the date of each general election for state and county officers, the county clerk shall deliver to the registrar the lists of qualified 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 such elections.

"Prior to the first day of October of each odd-numbered year, beginning with the year 1969, the registrar

shall examine the registration records to determine which persons did not vote at either a primary election or the general election during that voting biennium and shall mail to each such person, at the address shown on the registration record, a notice that it will be necessary for him to re-register if he wishes to vote at elections to be held during the ensuing voting biennium, but that he may re-register by furnishing the registrar, before the following 31st day of January, with a written, signed statement that he is still a qualified elector of the county and wishes to continue his registration, and by furnishing the registrar with any change of address or other information necessary to bring his registration record up to date. If the registrant requests re-registration before the following 31st day of January, the registrar shall make a notation of the re-registration on the precinct registration record and shall place it with the precinct record cards of new registrations for the ensuing voting biennium, and shall attach the request for re-registration to the duplicate registration record form in the county registration file.

"Prior to the first day of February of each even-numbered year, beginning with the year 1970, 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 ensuing voting biennium unless the registrant is no longer a qualified voter of the county, and requesting him to furnish the registrar with any change of address or other information necessary to bring his registration record up to date.

"56q. Lists of registered voters

Subdivision 1. Before the first day of March of the first voting period, and before the first day of each voting period thereafter, the registrar shall prepare for each election precinct of the county a certified list of registered voters who were registered as of the first day of February of that year, arranged alphabetically by the names of the voters and showing the following information for each voter: registration number, name, address, and occupation. Before making up the lists, the registrar shall extract from the active precinct registration files the registration record

cards of all persons whose registration was automatically renewed by having voted during the current biennium, and shall place them with the new registrations for the ensuing biennium. (The precinct and county record cards of persons who failed to vote during the biennium and who failed to renew their registration as provided in Section 56p of this Code shall be placed with the cancelled records and shall be preserved for a period of three years from the end of the last biennial period for which the registration was effective, after which time they may be destroyed.)

"For each general, special, or primary election held within the county during the voting biennium for which the lists are prepared, the registrar shall deliver to the board, executive committee, or other authority having the duty of furnishing supplies for the election, one set of such lists for all precincts in the county if the election is county-wide, and one set of such lists for all precincts wholly or partially within the boundaries of the particular political subdivision if the election is less than county-wide. The registrar shall also furnish to each such authority, not less than two days prior to each election held by it, certified supplemental lists in the form herein prescribed of registered voters in each precinct whose names do not appear on the original list for such precinct, together with lists of the names of all persons whose registration has been cancelled or transferred to another precinct since preparation of the original 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 original list the names of persons whose registration has been cancelled or transferred to another precinct.

"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.

"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 shall be permitted to charge not more than five dollars, to be paid by the party or the chairman so 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 such party is holding precinct conventions, one set of the original and supplemental lists for use in qualifying persons to participate in such conventions, for which the registrar shall be permitted to charge not more than five dollars.

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

"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 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.

56r. 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 without any request from such voter, and shall mail notice of such change to each voter affected. 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 such information is received he shall not place the voter's name on the list of registered voters for any precinct.

Changes in precinct boundaries shall not become operative in the holding of elections until the first day of the voting biennium following the order of the commissioners court making the change.

"56s. Statement of registrations.

"Prior to the fifteenth day of March of each 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. Such statement shall become a record of the officer to whom the statement is made.

"56t. Penalty for false statement in affidavit.

"Any person who wilfully makes any false statement in an affidavit executed under any provision of the foregoing registration law (Sections 56a through 56s of this Code) shall be deemed guilty of a felony and upon conviction shall be punished by confinement in the state penitentiary not less than two nor more than five years. The fact that an oath was not administered, or was administered in an irregular manner or by one not authorized to administer oaths, shall not be a defense to a prosecution under this section."

Section 2. Effective upon the date provided in Section 8 of this Act and conditioned as provided therein, Section 34 of the Election Code of the State of Texas (compiled as Article 5.02 of Vernon's Texas Election Code) is amended to read as follows:

"34. Qualification and requirements for voting

"Every person subject to none of the foregoing disqualifications who shall have attained the age of twenty-one years and who shall be a citizen of the United States and who shall have resided in this State one year next preceding an election and the last six months within the district or county in which such person offers to vote, shall be deemed a qualified elector. Except as provided in Subsection (3) of Section 44a of this Code, no person shall be eligible to vote at any election held within this State unless he is a qualified elector at the election and has registered as provided in this Code. These requirements shall apply to all elections, including general, special, and primary elections, whether held by the State, by a county or

other political subdivision of the State, or by a political party."

Section 3. Effective upon the date provided in Section 8 of this Act and conditioned as provided therein, Sections 89 and 90 of the Election Code of the State of Texas (compiled as Articles 8.07 and 8.08 of Vernon's Texas Election Code) are amended to read as follows:

"89. Voter shall present identification card

"No person shall be permitted to vote unless he first presents to the election officer his voter identification card, provided for in Section 56f of this Code."

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

"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 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 thereof.

"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 by this Code for acceptance of the vote 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.

"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 the carbon copy of the signature roster shall be retained by the presiding judge, who shall keep it for sixty days, subject to the inspection of anyone interested in the election."

Section 4. Effective upon the date provided in Section 8 of this Act and conditioned as provided therein, Section 37 of the Election Code of the State of Texas (compiled as Article 5.05 of Vernon's Texas Election Code) is amended by adding thereto a new subdivision numbered Subdivision 2b, reading as follows:

"Subdivision 2b. Voter identification card to accompany application for absentee ballot

"Except as provided in Subdivision 2a of this section and in Section 56h of this Code, every application for an absentee ballot shall be accompanied by the voter's identification card, provided for in Section 56f of this Code, or by his written signed statement that his identification card has been used in applying for an absentee ballot in another election (stating the nature and date of the election) and has not been returned to him. All references in this Code to the poll tax receipt or exemption certificate of an absentee voter shall be construed to mean the voter's identification card, except that an affidavit in lieu thereof shall not be allowed."

Section 5. Effective upon the date provided in Section 8 of this Act and conditioned as provided therein, the Election Code of the State of Texas is amended by adding thereto a new section numbered 56u, to read as follows:

"56u. Construction of terms

"Whenever, under any provisions 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 cer-

tificate 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 chapter, unless the context clearly requires otherwise. All references to a poll tax receipt or any exemption certificate as evidence of eligibility to vote shall be construed to mean the voter identification card provided for in Subdivision 1 or Subdivision 2 of Section 56d or in Section 56f of this Code, and all references to the list of qualified voters shall be construed to mean the list of registered voters provided for in Section 56q of this Code."

Section 6. Effective upon the date provided in Section 8 of this Act and conditioned as provided therein, subdivisions (4) and (5) of Section 179a of the Election Code of the State of Texas (compiled as Article 13.01a of Vernon's Texas Election Code) are amended to read as follows:

"(4) To be a qualified member of an organized political party and to participate in its conventions, a voter shall have become affiliated with the party as provided in this subdivision.

"(a) The applicant for party affiliation of a party holding primary elections shall become a qualified member of the party when he has voted in that party's primary or has affiliated with the party in the manner prescribed in subparagraph (iii) of this paragraph.

"(i) 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 year.' The presiding judge, or another election officer designated by the presiding judge, shall place each voter under oath and require him to swear to this statement before he signs the roster. The presiding judge or another election officer designated by him 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 in
 (Name of voter)
 the primary election of the
 Party.

 Presiding Judge, Precinct No.
 , County, Texas.

"(ii) In the event a voter shall vote by absentee ballot in a primary election, in addition to other matter required by Section 37 of this Code, the affidavit executed by the voter shall contain the statement set out in subparagraph (i) above. The county clerk shall furnish to each voter in a general primary election, and to each voter in a second primary election who requests it, a certificate in the form prescribed in subparagraph (i), signed by the county clerk in lieu of the presiding judge. If the voter is voting by personal appearance, the county clerk shall deliver the certificate to the voter at the time he votes. If the voter is voting by mail, the clerk shall mail the certificate to the voter upon receipt of the voted ballot.

"(iii) To become a qualified member of a party holding primary elections in order to participate in any party convention held prior to the general primary election, the applicant shall present his voter identification card to the precinct chairman of the party and state under oath that he has not participated in a convention of any other political party during that year and that he desires to affiliate with the party to which he is applying for affiliation. Thereupon, the precinct chairman shall issue to the voter a certificate in the following form:

Date
 has affiliated
 (Name of voter)
 with the Party
 for the current year.

 Precinct Chairman, Precinct No.
 County,
 Texas.

"(b) To become a qualified member of a party not holding primary elections and to participate in its conventions, the applicant for party affiliation shall present his voter identification card to the precinct chairman of the party and state under oath that he has not voted at a primary election or participated in a convention of any other political party during that year and that he desires to affiliate with the party to which he is applying for affiliation. Thereupon, the precinct chairman shall issue to the voter a certificate in the form prescribed by subparagraph (iii) of paragraph (a) of this subdivision.

"(5) Once a voter has affiliated with a party in a manner prescribed in subdivision (4) of this section, he shall remain a qualified member of such party for the duration of that calendar year. A certificate issued by the presiding judge, the county clerk, or the precinct chairman as provided in subdivision (4) shall serve as evidence that the person whose name appears thereon has affiliated with the party and is therefore eligible to participate in its conventions. All judges and clerks of primary elections and all precinct chairmen shall have authority to administer the oaths required for party affiliation. Any person who swears falsely to a statement that he has not voted at a primary election or participated in a party convention of any other party, as required by subdivision (4) shall be fined not less than one hundred dollars nor more than five hundred dollars."

Section 7. Effective upon the date provided in Section 8 of this Act and conditioned as provided therein, Sections 34a, 41, 42, 43, 44, 45, 46, 46a, as added by Acts 1965, 59th Leg., Ch. 378, Sec. 1, 47, 48, 48a, as added by Acts 1965, 59th Leg., Ch. 678, Sec. 10, 49, 50, 51, 52, 53, 54, and 56 of the Election Code of the State of Texas (Articles 5.02a, 5.09-5.22, and 5.24 of Vernon's Texas Election Code) are repealed. The repeal of Section 41 of the Election Code shall not affect liability for payment of a poll tax or the continued existence and force of Article 2.01 of Title 122A, Taxation-General, of the Revised Civil Statutes of Texas. All other laws requiring the payment of a poll tax or the obtaining of a certificate of exemption from the payment thereof shall be of no further force to require that the tax be paid or that an exemption certificate be obtained as a prerequisite for voting, but all such laws shall be construed as provided in Section 56u of the Election Code, enacted by Section 5 of this Act.

Sec. 8. Sections 1 through 7 of this Act shall become effective and operative as a law if and when the Supreme Court of the United States affirms or refuses to review the judgment of the United States District Court for the Western District of Texas, Austin Division, in Civil Action No. 1570, styled United States of America v. The State of Texas, et

al., or if by other action taken upon appeal of that case the Supreme Court rules that the provisions of the Constitution and statutes of this State requiring payment of a poll tax as a condition for voting in state and local elections are in violation of the Constitution of the United States.

Sec. 9. If the Constitutional Amendment abolishing payment of the poll tax as a prerequisite for voting as proposed by H. J. R. 13, 59th Legislature, Regular Session, 1965, becomes a part of the Constitution of Texas, then

(a) Section 1 of this Act shall expire on September 30, 1967, and thereafter be of no further force or effect.

(b) Sections 3 through 7 of this Act shall expire on January 31, 1968, and thereafter be of no further force or effect.

(c) The following provisions concerning registration in compliance with such constitutional amendment shall be in force and effect as hereinafter provided.

Sec. 9a. Effective February 1, 1968, Section 34 of the Texas Election Code (codified as Article 5.02, Vernon's Texas Election Code), is amended to read as follows:

"34. Qualification and requirements for voting

"Every person subject to none of the foregoing disqualifications who shall have attained the age of twenty-one years and who shall be a citizen of the United States and who shall have resided in this State one year next preceding an election and the last six months within the district or county in which such person offers to vote, shall be deemed a qualified elector. Except as provided in Subsection (3) of Section 44a of this Code, no person shall be eligible to vote at any election held within this State unless he is a qualified elector at the election and has registered as provided in this Code. These requirements shall apply to all elections, including general, special, and primary elections, whether held by the State, by a county or other political subdivision of the State, or by a political party."

Sec. 9b. Effective October 1, 1967, and conditioned as provided in Section 9 of this Act, the Election Code of the State of Texas is amended by adding new Sections numbered 41a,

42a, 43a, 44a, 45a, 46a, 47a, 48a, 49a, 50a, 51a, 52a, 53a, and 54a, to read as follows:

"41a. 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. He 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 here imposed on the county tax assessor-collector are in addition to his other duties imposed by law, and the expenses of his office incident to the performance of these duties shall be borne by the county. Any of these duties, 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 assessor-collector shall not make any charge against a voter for performing any duty incident to voter registration. The tax assessor-collector is 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 connected with his official duties. The registration records, the applications for registration, and the duplicate registration certificates on file in the tax assessor-collector's office shall be open for public inspection at all times when the office is open."

"42a. Persons entitled to register

"Every person who at the time of applying for registration is in other respects a qualified elector, or who will become a qualified elector within one year from the first day of March following the date of his application for registration, shall be entitled to register as a voter of the precinct in which he resides; provided, however, that no person shall be entitled to vote at any election unless he is a qualified elector on the date of the election. The registration certificate of a person who registers before he becomes a qualified elector shall have stamped or written thereon the following: 'Not entitled to vote before (date on which he will become a qualified elector to be inserted in the blank), and

this notation shall also be placed opposite his name on the list of registered voters."

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

"Voters shall register annually. The period for registration shall be from the first day of October through the thirty-first day of January following. The first registration hereunder shall entitle the registrant, if otherwise qualified, to vote at elections held between the first day of February following the registration period and the last day of February of the following year. Each annual registration thereafter shall entitle the registrant, if otherwise qualified, to vote at elections held during the period of one year beginning on the first day of March following the registration period."

"44a. Registration of former aliens: registration of persons over sixty years of age upon removal to city of ten thousand or more inhabitants, etc.

"Notwithstanding the provisions of Section 43a of this Code prescribing the period for registration:

"(1) A former alien upon becoming a naturalized citizen may register at any time thereafter for the voting year in which he becomes a naturalized citizen, and if naturalized during the month of February, for the ensuing voting year beginning on the first day of March thereafter, if at the time of applying for registration he is a qualified elector or will become a qualified elector before the end of the voting year for which he is registering. Before registering a voter under the provisions of this Section, the registrar shall require the applicant for registration to present satisfactory evidence of his naturalization and of the date on which he was naturalized.

"(2) A person who is over sixty years of age at the time of applying for registration, and who did not reside at any time during the registration period prescribed in Section 43a of this Code, in a city of ten thousand or more inhabitants or in a county wherein the commissioners court had directed the registration of all voters irrespective of age or place of residence, but who later removes to such a city or county, may register at any time thereafter for the voting year in which he removes of Febru-

ary, for the ensuing voting year beginning on the first day of March thereafter, if at the time of applying for registration he is a qualified elector or will become a qualified elector before the end of the voting year for which he is registering.

"Any person registered under the provisions of this Section must have registered at least four days before the day of any election at which he offers to vote."

"(3) Vote by members of Armed Forces, etc., without registration

"If any person within either of the classes of persons enumerated in this section is eligible to register but has failed to do so, and is otherwise eligible to vote absentee by mail on the ground of expected absence from the county, he may vote without registration by sending a Federal Post Card Application for an absentee ballot in accordance with the law. This section shall apply to the following classes of persons:

"1. Members of the Army, Navy, Air Force, Marine Corps, Coast Guard and Merchant Marine of the United States serving outside the territorial limits of this state, and their spouses when residing with or accompanying them.

"2. Civilian employees of the United States in all categories serving outside the territorial limits of the United States, and their spouses when residing with or accompanying them.

"45a. Mode of applying for registration

"(1) A person may apply for registration in person or by mail. When an applicant for registration applies in person, he shall furnish the registrar the necessary information to enable the registrar to fill out the blanks in the registration certificates, and the registrar shall immediately make out and deliver a registration certificate to the applicant, if he is entitled to register. An application made by mail must be signed by the applicant and must contain all the information necessary to enable the registrar to fill out the blanks in the registration certificate. The registrar shall file and preserve all applications received by mail for a period of two years. On applications received by mail, the registrar shall mail the registration certificate to the voter for whom it is issued at his permanent address, or, if requested to do so by the applicant

in writing, the registrar shall mail the certificate to such other address as the applicant directs, or shall hold the certificate to be delivered to the applicant in person. An application made by mail shall be deemed to have been received by the registrar within the period for registration if it was placed in the mail on or before the last day of the registration period, as shown by the postmark on the envelope, and was delivered to the registrar on or before the fifth day following the close of the registration period. Within the meaning of this Section, the application is delivered when it is actually placed into the possession of the registrar or his duly authorized agent by a post office employee, or is deposited into the registrar's mail box, or is left at the usual place of delivery for the registrar's official mail.

"(2) 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 when application is by mail, and may receive the registration certificate. Except as herein permitted, it shall be unlawful for any person to act as agent for another in applying for registration or in obtaining a registration certificate, and any person violating this provision shall be fined not exceeding Five Hundred Dollars (\$500).

"(3) It shall be unlawful for the registrar of voters knowingly to issue a registration certificate upon the application of anyone other than the person in whose name it is issued or of someone lawfully acting as his agent, or to mail or deliver a registration certificate to any person other than the person for whom it is issued or someone lawfully acting as his agent, and any registrar or deputy registrar who violates this provision shall be fined not less than One Hundred Dollars (\$100) nor more than One Thousand Dollars (\$1,000), and shall be removed from office."

"46a. Registration certificate books; form of certificate

"Before the beginning of the period for registration each year, the registrar shall procure a sufficient number of blank registration certificate books for the county. Each original certificate form shall be bound over a duplicate copy which, when filled out, shall correspond with the original.

The certificate forms shall be numbered consecutively in each county, beginning with No. 1 each year. Each form shall be headed 'Voter Registration Certificate for the the Year Beginning March 1, ' (the proper year to be filled in) and shall contain appropriate blanks for filling in the information required by Section 47a of this Code. It shall also contain a blank space for political party affiliation of the voter, to be completed as provided in Section 179a of this Code. Each certificate issued shall show the date of issuance (the date on which the application for registration was received by the registrar if different from the date of actual issuance), and shall be signed and certified by the registrar and shall bear the seal of his office. The original certificate shall be detached and delivered to the registrant or his agent as provided in Section 45 of this Code, and the duplicate shall be retained by the registrar. The registrar shall keep securely in a safe place the duplicates from which the original certificates have been detached, and they must remain there except when taken out for examination, which must always be done in his presence. At the expiration of three years, they shall be burned by the registrar under the direction of the county judge."

"47a. Information required on certificate

"Each registration certificate and its duplicate shall show the following information with respect to the person for whom it is issued: his name, date of birth, sex, race, occupation, post office address (or if living in an incorporated city or town, his street address), the voting precinct in which he resides, whether he is a native-born or a naturalized citizen, the state or country of his birth, the date on which he became a resident of the State, the date on which he became a resident of the county, and if residing in an incorporated city or town, the date on which he became a resident of such city or town, all of which dates shall be the date of commencement of the period of residence immediately preceding the application for registration. If the applicant is over twenty-one years of age, a statement of the year of birth shall be sufficient; if he is under twenty-one years of age, the certificate shall show the date of birth by month, day, and year. 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 such residence began shall be sufficient; if he has resided less than one year in the State or less than six months in the county or city, the certificate shall show by month, day, and year the date on which the residence began. In lieu of the date of birth and the dates on which residence began, the certificate may show the age and the lengths of residence; but the certificate must show the date of birth by month, day, and year if the registrant is under twenty-one years of age at the time of registering, and must show by month, day, and year the date on which a period of residence began if the period required for voting has not been fulfilled at the time of registering.

"Each applicant for registration shall furnish the foregoing information to the registrar. If the applicant is not twenty-one years of age, or has not completed the residence requirements of a qualified elector, the registrar shall place on the certificate and on the list of registered voters the notation required by Section 42a of this Code, filling in the date on which such person will become twenty-one years old, or the date on which he will have resided in the State one year and in the county six months, as the case may be."

"48a. Correction of errors on certificates; lost certificates

"When after issuance of a registration certificate it is discovered that an error has been made in filling out the blanks on the certificate through mistake of the registrar or through innocent mistake of the voter in supplying the information, the voter may present the certificate to the registrar for correction and the registrar shall correct the information on the original certificate and on the duplicate on file in his office. If the error has been in the election precinct of the voter's residence and the original list of registered voters 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 shall be 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 certificate 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 certificate was not caused by an intentional misrepresentation on his part; provided, however, that if the election judge is not satisfied as to his right to vote, his vote shall not be accepted unless he also complies with the provisions of this Code relating to challenge of a voter at the polling place.

"The registrar shall not reissue a certificate to replace a certificate that has been lost or misplaced, or for any other reason, and a voter whose certificate has been lost or misplaced, when offering to vote, shall be required to make an affidavit of such fact as provided elsewhere in this Code."

"49a. Challenge of registration; appeal

"(1) Challenge of applicant. 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 thirty days after the registrar's decision, and the decision of the district court shall be final.

"(2) Challenge of registered voter. 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 thirty 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.

"(3) Jurisdiction of district court; trial of appeal. 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 sixty days."

"50a. Removal to another county or election precinct

"If a voter, after receiving his registration certificate, removes to another county or to another election precinct in the same county, he may vote in the precinct of his new residence by presenting to the judge of election his registration certificate or his affidavit of its loss, stating in such affidavit where he received the certificate, and by making oath that he is the identical person described in the certificate and that he then resides in the precinct where he offers to vote and has resided for the last six months in the district or county in which he offers to vote and twelve months in the State. But no such person shall be permitted to vote in a city of ten thousand inhabitants or more unless he complies with the following procedure: not less than four days prior to any election at which he wishes to vote, he shall present his registration, certificate to the registrar of the county of his residence, or shall make affidavit of its loss, stating in such affidavit where he received the certificate, and shall in oath state in which election precinct he then resides and that he has resided in the State for the last twelve months and in the district or county for the last six months. The registrar shall thereupon add his name to the list of registered voters of the precinct of his new residence, and unless such voter has complied with this procedure and his name appears on the list of registered voters of the precinct of his new residence, he shall not vote. If the voter has resided in a district for six months but less than six months in the county, the registrar shall note on the list of registered voters the

date on which the voter moved into the county.

"51a. List of registered voters

"(1) Before the first day of March each year, the registrar of voters shall prepare from the duplicate registration certificates on file in his office, a certified list of registered voters for each election precinct of the county, arranged alphabetically by the names of the voters and showing the following information for each voter: registration number, name, address, date of birth or age, race, sex and occupation. 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 prior to the first day of March of the following year, one set of such lists for all precincts in the county if any election which may be held by such authority is county-wide, 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 county-wide. The registrar shall also furnish to each such authority, not less than four days prior to each election held by it, certified supplemental lists in the same form hereinabove prescribed of registered voters in each precinct whose names do not appear on the original list for such precinct, together with lists of the names of all persons whose registration has been canceled or transferred to another precinct since preparation of the original 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 original list the names of persons whose registration has been canceled or transferred to another precinct.

"(2) 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 county-wide election, which shall be public records available for

public inspection at all times that his office is open.

"(3) 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 shall be permitted to charge not more than Five Dollars (\$5), to be paid by the party or the chairman so 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 such party is holding precinct conventions, one set of the original and supplemental lists for use in qualifying persons to participate in such conventions, for which the registrar shall be permitted to charge not more than Five Dollars (\$5)."

"52a. Deputy registrar

"In each county containing a city of ten thousand or more inhabitants, other than the county seat, the registrar of voters shall have a duly authorized and sworn deputy in each such city to represent him for the purpose of accepting applications for registration and issuing registration certificates. The deputy registrar shall keep his office for such purpose at some convenient place in the city during the entire month of January of each year, and the registrar shall publish four weeks' notice of the authority of the deputy and the location of the office. The registrar may have duly authorized and sworn deputies for the purpose of accepting applications for registration and issuing registration certificates at such other times and places as shall in his discretion be necessary or advisable; provided, however, that no deputy shall be paid for his services except with the approval of the Commissioners Court."

"53a. Statement of registrations

"On or before the first day of March of each year, the registrar shall make a statement to the Secretary of State and to the county clerk showing how many registration certificates have been issued in each election precinct in the county. Such statement shall become a record of the officer to whom the statement is made."

"54a. Penalty for false registration
 "Any person who wilfully makes any false statement to procure his registration as a voter or the registration of any person for whom he acts, as agent, or gives any false information in connection with such registration, shall be 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."

Sec. 9(c) Effective on the date provided in Section 9 of this Act and conditioned as provided in that Section, the Election Code of the State of Texas is amended by adding thereto a new Section numbered 55a, to read as follows:

"55a. 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 shall be construed to mean a voter registration certificate, 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 51a of this Code."

Sec. 9(d) REPEALS. Effective on the date provided in Section 9 of this Act and, if the following Sections have not heretofore been repealed by virtue of Sec. 7 of this Act, Sections 34a, 41, 42, 43, 44, 45, 46, 46a, 47, 48, 48a, 49, 50, 51, 52, 53, 54, and 56 of the Election Code of the State of Texas (Articles 5.02a, 5.09-5.22, and 5.24 of Vernon's Texas Election Code) are repealed. The repeal of Section 41 of the Election Code shall not affect liability for payment of a poll tax or the continued existence and force of Article 2.01 of Title 122A, Taxation-General, of the Revised Civil Statutes of Texas, 1925, as amended.

Sec. 10. (a) The Election Code of the State of Texas is amended by adding a new section to be numbered 34b, reading as follows:

"34-b. REGISTRATION AND VOTING WITHOUT PAYMENT OF POLL TAX—TEMPORARY PROVISIONS. (a) A person who is subject

to the payment of the poll tax but who has not obtained a poll tax receipt or an exemption certificate entitling him to vote in federal, state, or local elections for the election period ending January 31, 1967, but who is in other respects a qualified elector, may apply to the tax collector of the county of his residence at any time during the fifteen day period beginning on the fifth day after the effective date of this Section, for issuance of a conditional voter registration certificate without payment of any fee or tax, to be used to identify him in voting at elections held before February 1, 1967.

"(b) The applicant shall furnish to the tax collector all the information necessary to enable the tax collector to fill out the blanks in the poll tax receipt, and the tax collector shall issue the receipt as in cases where the poll tax is paid, except that he shall place the notation 'CONDITIONAL VOTER REGISTRATION CERTIFICATE' on the face of the original and duplicate receipts. The application may be made in either of the manners authorized in Section 43 of the Texas Election Code (Article 5.11, Vernon's Texas Election Code), and all laws pertaining to the issuance of poll tax receipts shall apply to issuance of certificates under this Section insofar as they can be made applicable, except as otherwise provided in this Section.

"(c) On or before May 2, 1966, the tax collector shall furnish a certified list of persons registered under the provisions of this Section to the election boards of the county for use in elections conducted before February 1, 1967, subject to subsections (d) and (e) of this Section. However no person who presents himself to vote in an election held before May 3, 1966 who has duly registered and who presents his registration certificate to the officers conducting the election shall be denied the opportunity to vote solely because his name does not appear upon a list of registered persons.

"(d) A person who is issued a certificate under this Section shall be entitled to vote in any election held before midnight January 31, 1967, provided the decision of the United States District Court referred to in Sec. 8 hereof is in effect so as to make invalid the payment of a poll tax as a condition for voting.

"(e) If the said decision is re-

versed, suspended or stayed prior to the date of any election and is not in effect at the time of such election no person so issued a certificate under this Section shall be entitled to vote at any such election.

"(f) If the provisions stated in (d) above are in effect and the conditions stated in (e) do not occur or are not in effect, then the following classes of persons shall be deemed to be duly registered as voters during the period to which this Sec. 10 is applicable, and no distinction shall be made between the classes:

"(1) any person who paid the poll tax and was issued a poll tax receipt, entitling him to vote in elections held during the voting year ending January 31, 1967;

"(2) any person who was issued an exemption certificate based on overage, under Section 48 of the Texas Election Code, entitling him to vote in elections held during the voting year ending January 31, 1967, and any overage person entitled by law to vote without obtaining an exemption certificate;

"(3) any person who was issued an exemption certificate based on nonage or nonresidence, under Section 49 of the Texas Election Code, entitling him to vote in elections held during the voting year ending January 31, 1967;

"(4) any person who was issued a poll tax receipt without payment of the tax, under Section 34a of the Texas Election Code, entitling him to vote for federal officers only, in elections held during the voting year ending January 31, 1967; and

"(5) any person who was issued a conditional voter registration certificate under this Section.

"(g) In the conduct of elections held on or after the effective date of the injunctive order, voters who have been issued certificates under this Section shall be subject to the same provisions of law with respect to voting procedures as voters holding regular poll tax receipts, and all references in such laws to a poll tax receipt shall be construed to include a registration certificate issued under this Section."

(h) This Section shall become effective from and after its passage or as soon thereafter as permitted by the Constitution of Texas. It shall expire on February 1, 1967.

Sec. 11. SEVERABILITY. If any

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

Sec. 12. EMERGENCY. The necessity for immediate enactment of a voter registration law in order to avoid having to conduct elections without voter registration lists, arising from the recent judgment of the United States District Court for the Western District of Texas that the provisions of Texas law requiring payment of a poll tax as a condition for voting are invalid and the possibility of affirmance of that judgment by the Supreme Court of the United States, creates 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 said Rule is hereby suspended, and that this Act shall take effect and be in force as hereinabove provided, and it is so enacted.

The amendment was read.

Senator Spears offered the following amendment to the pending amendment:

Amend Spears Floor Substitute for S. B. 1 by adding a new section to be known as Section 11, and renumbering the succeeding sections 11 and 12 to be 12 and 13, said new Section 11 to read as follows:

"Section 11. Proclamation

"Upon the occurrence of the events herein above set forth that would make effective the several provisions of this Act, the Attorney General of Texas shall certify its occurrence to the Governor and to the Secretary of State of the State of Texas, and the Governor forthwith shall issue his proclamation declaring those Sections and provisions will take effect as stated herein are to become effective according to the terms of this Act; whereupon, such said sections shall become effective on the date the Governor's proclamation is filed."

The amendment to the pending amendment was read and was adopted.

Senator Hazlewood moved to table

the amendment by Senator Spears as amended.

Question on the motion to table, Yeas and Nays were demanded.

The motion to table the amendment by Senator Spears as amended prevailed by the following vote:

Yeas—22

Aikin	Herring
Bates	Hightower
Blanchard	Kazen
Calhoun	Krueger
Colson	Parkhouse
Creighton	Ratliff
Crump	Reagan
Dies	Snelson
Hall	Strong
Hardeman	Watson
Hazlewood	Word

Nays—8

Cole	Patman
Harrington	Rogers
Kennard	Schwartz
Moore	Spears

Absent

Dist. 19 (Vacant)

Senator Spears offered the following amendment to the bill:

Amend Senate Bill No. 1 by striking out all below the enacting clause and by inserting in lieu thereof the following:

Section 1. Effective upon the date provided in Section 8 of this Act and conditioned as provided therein, the Election Code of the State of Texas is amended by adding thereto new sections numbered 56a through 56t, 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. He 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 here imposed on the county tax assessor-collector are in addition to his other duties imposed by law, and the expenses of his office incident to the

performance of these duties shall be borne by the county. Any of these duties, other than the hearing of appeals on denial of registration and the hearing of challenges requesting cancellation of registration, may be performed through a deputy or deputies. The registrar shall not charge any fee for registering a voter or for performing any duty incident to voter registration. The registrar is 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 connected with his official duties.

56b. Time and place for registration; period for which registration is effective.

“Voters shall register annually. The first period for registration under this law shall begin in each county immediately upon the effective date of this Section and shall end on the thirty-first day of January following; provided, however, that if this Section takes effect after January 1, 1967, the registration period shall continue through the thirtieth day following the effective date. In each year thereafter, the period for registration shall be from the first day of October through the thirty-first day of January following. The first registration hereunder shall entitle the registrant, if otherwise qualified, to vote at elections held between the first day of February following the registration period and the last day of February of the following year. Each annual registration thereafter shall entitle the registrant, if otherwise qualified, to vote at elections held during the period of one year beginning on the first day of March following the registration period.”

Registration for each current annual voting period shall also be conducted at all other times, beginning with the first day of March, except during the last thirty days of the period; provided, however, that a person who registers after the beginning of the period shall not be entitled to vote until the expiration of thirty days after registration. Persons registering on or after the first day of October preceding each new voting period and more than thirty days before the end of the current voting period shall be entitled to vote, if qualified, during the remainder of the current period after the expiration of

thirty days, and during the ensuing full period.

"55c. Persons entitled to register

"Every person who possesses all the qualifications of an elector, as defined in Section 34 of this Code, as amended to become effective on the first day of February, following the effective date of this section, or as thereafter amended, or who will become a qualified elector within sixty days after the date of application for registration, shall be entitled to register as a voter of the precinct in which he resides.

"56d. Registration record form

"Subdivision 1. Except as provided in Subdivision 2 of this section, 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 56e 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.

"The registration record forms for each county shall be serially numbered, beginning with No. 1, for registrations for each new voting period, 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 voting period (i.e., the numbering shall begin with No. A-1 for the first voting period, with No. B-1 for the second voting period, 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 in the county registration file. 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.

"Subdivision 2. If this section becomes effective between July 1, 1966, and January 31, 1967, the registration record form to be used for registering persons to vote during the voting period beginning on the first day of February immediately following the effective date of this section shall be the poll tax receipt form prescribed by Section 46 of this Code or the exemption certificate form prescribed by Section 48 of this Code. The poll tax receipt form shall be used for persons subject to payment of the tax, and the exemption certificate form shall be used for persons exempt from its payment; provided, however, that a registration shall not be rendered invalid by use of the form not prescribed for the particular registrant. If at the time of registering the registrant pays the poll tax levied against him, the poll tax receipt form shall serve both as a receipt for payment and as a record of registration. If a poll tax is not collected from the registrant, the registrar shall issue a receipt on which the words 'Poll tax not paid' have been stamped, written or printed. The original of the poll tax receipt or exemption certificate shall be issued to the registrant to identify him in voting, and the duplicate shall be retained by the registrar as his record of the registration from which the registration lists shall be prepared.

"All persons who were issued poll tax receipts or exemption certificates prior to the effective date of this Section, for use in voting during the ensuing voting year, and whose names would have been placed on either the regular list of qualified voters or the list of voters qualified to vote in Federal elections only, if Sections 34a and 54 of this Code had not been repealed, shall be deemed to have registered in accordance with the requirements of this registration law, and the registrar shall include the names of such persons on the list of registered voters for the voting period beginning on the first day of February immediately following the effective date of this registration law.

"A signature roster as provided in Section 90 of this Code shall not be

kept for any election at which the voter is identified by a form issued under this subdivision.

“56e. Procedure for registration

“Except as provided in Subdivision 2 of Section 56d of this Code, 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. The facts necessary to establish the applicant as an elector: that he is a citizen of the United States; is over twenty-one years of age (or will become twenty-one years of age within sixty days thereafter, stating the date on which he will reach that age); has continuously resided in Texas one year, and six months in the county wherein he is applying for registration (or will have met these residence requirements within sixty days thereafter, stating the date on which the requirements will have been met).

“3. Place of residence and post office address with sufficient particularity to identify it and to determine the applicant's voting precinct.

“4. Occupation.

“5. Country or state of birth.

“6. If foreign born, how citizenship was acquired, whether by: citizenship or father, treaty or act of Congress, order of a court or 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.

“7. 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, which shall be the date of the jurat.

“56f. Voter identification card

“Upon completion of registration of each voter under the provisions of Section 56e of this Code, 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, his registration number, his address, occupation, and country or state of birth. 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. Immediately preceding the certification there shall be printed the following: ‘Holder not entitled to vote before’, and in the blank space the registrar shall fill in the date of the first day of the ensuing voting period, if the registration is within the thirty-day period preceding such date, or the date of the thirty-first day following registration, or the date on which the registrant will become a qualified elector, whichever is the latest of these three dates.

“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 affidavit on reverse side is properly executed.’ On the reverse side shall be printed an affidavit in substantially the following form:

Before me, the undersigned authority personally appeared who, being by me duly sworn, says that his Voter Identification Card has been lost, mutilated, or destroyed.

.....
(Signature of Voter)

Sworn to and subscribed before me,
this day of, 19

(Signature and title of officer
administering oath)

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, shall take the voter's affidavit, 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 fill in the information on the face of the card from the voter's registration record, after verifying that the signature on the request corresponds to the voter and file the request with the voter's county registration record. As used in other sections of this Code, the term 'voter identification card' shall include a replacement card issued and executed in accordance with this section.

"It shall be 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 shall be fined not less than one hundred dollars nor more than one thousand dollars.

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

"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. If this is not practicable, the person may register 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 such person shall provide the information necessary for registration, which form shall contain the following, in addition to

the information and statements prescribed in Section 56e 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.

"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 thirty days preceding the next election, he may register in the manner outlined in the preceding paragraph, 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 thirty days preceding the next election.'

"When the affidavit and identification cards 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.

"56h. Vote by members of Armed Forces, etc., without registration

"If any person within either of the classes of persons enumerated in this section is eligible to register but has failed to do so, and is otherwise eligible to vote absentee by mail on the ground of expected absence from the county, he may vote without registration by sending a Federal Post

Card Application for an absentee ballot in accordance with the law. This section shall apply to the following classes of persons:

"1. Members of the Army, Navy, Air Force, Marine Corps, Coast Guard and Merchant Marine of the United States serving outside the territorial limits of this state, and their spouses when residing with or accompanying them.

"2. Civilian employees of the United States in all categories serving outside the territorial limits of the United States, and their spouses when residing with or accompanying them.

"56i. Challenge of applicant

"Any person applying for registration may be challenged by the registrar or deputy registering him 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 the district court within thirty days after the registrar's decision, and the decision of the district court shall be final. The court shall give priority to the appeal if an election is pending within sixty days.

"56j. Challenge of registered voter

"Any registered voter may challenge the registration of any other registered voter in his county at any time by submitting in writing to the registrar a statement setting for the grounds of the challenge and requesting cancellation of the challenged voter's registration. The registrar shall notify the challenged voter of the filing of the challenge and shall furnish him with a copy thereof, and shall set a date for a hearing, which shall be not less than ten days nor more than thirty days after the notice. The registrar shall decide the challenge within seven days after the hearing. Either party may appeal from the decision of the registrar to the district court within thirty days after the registrar's decision, and the decision of the district court shall be final. The court shall give priority to the appeal if an election is pending within

sixty days. A challenged voter may continue to vote until a final decision is made cancelling his registration. Nothing in this section shall prevent challenge in an election contest of a voter's qualification and eligibility to vote.

"56k. Cancellation of registration upon death, adjudgment of insanity, conviction of felony, or adjudgment or ineligibility in an election contest

"Subdivision 1. Not later than the fifteenth 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 twenty-one years of age who was a resident of this State at the time of death, showing the name, age, sex, nativity, place of residence, date of death, and place of death. Upon receipt of such record, the registrar of voters shall cancel the registration of any such person who is registered as a voter in his county.

"Subdivision 2. Not later than the fifteenth 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 twenty-one years of age and resident within this State to be mentally ill and mentally incompetent, showing 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 such record, the registrar shall cancel the registration of any such person who is registered as a voter in his county.

"Subdivision 3. Prior to January 31 of each year, the registrar shall examine the records of all courts in his county having jurisdiction of the trial of felony crimes, and shall cancel the registration of any registered voter who is convicted of a felony.

"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 the provisions of Subdivision 2, 3, or 4 of this section, the registrar shall immediate-

ly mail a notice of the cancellation to the registrant at the address shown on his registration record.

"56l. Change of residence within county

"A registered voter who changes his place of residence within the precinct shall notify the registrar of the change of address and shall present his voter identification card to the registrar and the registrar shall make the necessary change on the registration records and on the identification card.

"A registered voter who changes his residence to another precinct within the county shall request the registrar to transfer his registration to the precinct of his new residence at least four days before any election at which he offers to vote, and unless the voter has done this and his name appears on the certified list of registered voters of the precinct of his new residence, he shall not vote. The voter shall appear in person before the registrar and present his voter identification card and shall make written affidavit of the change of residence, or he shall send his identification card and the sworn affidavit to the registrar by mail. Thereupon the registrar shall make the necessary changes on the registration record forms and on the identification card, and shall transfer the voter's precinct registration record form to the precinct registration files for the precinct of his new residence, and shall return the identification card to the voter.

"56m. 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. The voter shall inform the person registering him of his prior registration in the county of his former residence, which fact shall be noted on the new registration record forms of the voter. The registrar of the county in which the new registration is accomplished shall forthwith 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 such notice, the registrar of the county wherein the voter was formerly registered shall cancel the former registration.

"56n. 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 five years after cancellation, and may then be destroyed.

"56o. Change of name

"Any registered voter who changes his name through marriage or judgment of a competent court shall file a sworn affidavit 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 shall be eligible to 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.

"56p. Renewal of registration by voting

"Beginning March 1, 1968, whenever a voter votes in any election held within the election precinct of his residence during a voting year for which he is registered, his registration shall be automatically renewed for the ensuing voting year unless, prior to the beginning thereof, the registration has been cancelled under some provision of this Code.

"Beginning on March 1, 1968, the registrar shall be furnished with the list or lists of registered voters used at each election held within his county, not later than sixty days after the date of the election. The duty of furnishing the lists shall rest upon the appropriate officer, as follows: the county clerk in elections held by the county; the city secretary or city clerk in elections held by a municipality; the presiding officer of the governing board of the political subdivision holding the election in elections held by other political subdivisions; and the chairman of the county executive committee in primary elections held by a political party. If for any reason the officer furnishing the

lists requests that the lists be returned to him, the registrar forthwith shall cause a machine copy to be made and shall return the original to the officer furnishing it. From these lists, the registrar shall make a record in the precinct registration files of the voters who voted at such elections.

"Prior to the first day of January of each year, beginning with the year 1969, the registrar shall examine the registration records to determine which persons did not vote at an election during that voting year and shall mail to each such person, at the address shown on the registration record, a notice that it will be necessary for him to re-register if he wishes to vote at elections to be held during the ensuing voting year, but that he may re-register by furnishing the registrar, before the following 31st day of January, with a written, signed statement that he is still a qualified elector of the county and wishes to continue his registration, and by furnishing the registrar with any change of address or other information necessary to bring his registration record up to date. If the registrant requests re-registration before the following 31st day of January, the registrar shall make a notation of the re-registration on the precinct registration record and shall place it with the precinct record cards of new registrations for the ensuing voting year, and shall attach the request for re-registration to the duplicate registration record form in the county registration file.

"Prior to the first day of February of each year, beginning with the year 1969, the registrar shall mail to each voter who voted at an election during that voting year a notice stating that his registration will be renewed for the ensuing voting year unless the registrant is no longer a qualified voter of the county, and requesting him to furnish the registrar with any change of address or other information necessary to bring his registration record up to date."

"56q. Lists of registered voters

"Subdivision 1. Before the first day of each voting period, the registrar shall prepare for each election precinct of the county a certified list of registered voters who were registered as of the first day of February of that year, arranged alphabetically by the names of the voters and show-

ing the following information for each voter: registration number, name, address, and occupation. Before making up the lists, the registrar shall extract from the active precinct registration files the registration record cards of all persons whose registration was automatically renewed by having voted during the current year, and shall place them with the new registrations for the ensuing year. (The precinct and county record cards of persons who failed to vote during the voting year and who failed to renew their registration as provided in Section 56p of this Code shall be placed with the cancelled records and shall be preserved for a period of three years from the end of the last voting period for which the registration was effective, after which time they may be destroyed.)

"For each general, special, or primary election held within the county during the voting year for which the lists are prepared, the registrar shall deliver to the board, executive committee, or other authority having the duty of furnishing supplies for the election, one set of such lists for all precincts in the county if the election is county-wide, and one set of such lists for all precincts wholly or partially within the boundaries of the particular political subdivision if the election is less than county-wide. The registrar shall also furnish to each such authority, not less than two days prior to each election held by it, certified supplemental lists in the form herein prescribed of registered voters in each precinct whose names do not appear on the original list for such precinct, together with lists of the names of all persons whose registration has been cancelled or transferred to another precinct since preparation of the original 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 original list the names of persons whose registration has been cancelled or transferred to another precinct.

"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.

"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 shall be permitted to charge not more than five dollars, to be paid by the party or the chairman so 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 such party is holding precinct conventions, one set of the original and supplemental lists for use in qualifying persons to participate in such conventions, for which the registrar shall be permitted to charge not more than five dollars.

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

"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 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.

56r. 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 without any request from such voter, and shall mail notice of such change to each voter affected. 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 such information is received he shall not place the voter's name on the list of registered voters for any precinct. Changes in precinct boundaries shall not become operative in the holding of elections until the first day of the voting biennium following the order of the commissioners court making the change.

"56s. Statement of registrations

"Prior to the fifteenth day of March of each 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. Such statement shall become a record of the officer to whom the statement is made.

"56t. Penalty for false statement in affidavit

"Any person who wilfully makes any false statement in an affidavit executed under any provision of the foregoing registration law (Sections 56a through 56s of this Code) shall be deemed guilty of a felony and upon conviction shall be punished by confinement in the state penitentiary not less than two nor more than five years. The fact that an oath was not administered, or was administered in an irregular manner or by one not authorized to administer oaths, shall not be a defense to a prosecution under this section."

Section 2. Effective upon the date provided in Section 8 of this Act and conditioned as provided therein, Section 34 of the Election Code of the State of Texas (compiled as Article 5.02 of Vernon's Texas Election Code) is amended to read as follows:

"34. Qualification and requirements for voting

"Every person subject to none of the foregoing disqualifications who shall have attained the age of twenty-one years and who shall be a citizen of the United States and who shall have resided in this State one year next preceding an election and the last six months within the district or county in which such person offers to vote, shall be deemed a qualified elector. Except as provided in Section 56h of this Code, no person shall be eligible to vote at any election held within this State unless he is a qualified elector at the election and has

registered as provided in this Code. These requirements as modified by Sections 35 and 39 of this Code, shall apply to all elections, including general, special, and primary elections, whether held by the State, by a county or other political subdivision of the State, or by a political party."

Section 3. Effective upon the date provided in Section 8 of this Act and conditioned as provided therein, Sections 89 and 90 of the Election Code of the State of Texas (compiled as Articles 8.07 and 8.08 of Vernon's Texas Election Code) are amended to read as follows:

"89. Voter shall present identification card

"No person shall be permitted to vote unless he first presents to the election officer his voter identification card, provided for in Section 56f of this Code."

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

"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 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 thereof.

"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 by this Code for acceptance of the vote 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.

"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 the carbon copy of the signature roster shall be retained by the presiding judge, who shall keep it for sixty days, subject to the inspection of anyone interested in the election."

Section 4. Effective upon the date provided in Section 8 of this Act and conditioned as provided therein, Section 37 of the Election Code of the State of Texas (compiled as Article 5.05 of Vernon's Texas Election Code) is amended by adding thereto a new subdivision numbered Subdivision 2b, reading as follows:

"Subdivision 2b. Voter identification card to accompany application for absentee ballot.

"Except as provided in Subdivision 2a of this section and in Section 56h of this Code, every application for an absentee ballot shall be accompanied by the voter's identification card, provided for in Section 56f of this Code, or by his written signed statement that his identification card has been used in applying for an absentee ballot in another election (stating the nature and date of the election) and has not been returned to him. All references in this Code to the poll tax receipt or exemption certificate of an absentee voter shall be construed to mean the voter's identification card, except that an affidavit in lieu thereof shall not be allowed."

Section 5. Effective upon the date provided in Section 8 of this Act and conditioned as provided therein, the Election Code of the State of Texas is amended by adding thereto a new section numbered 56u, to read as follows:

"56u. Construction of terms

"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 chapter, unless the context clearly requires otherwise. All references to a poll tax receipt or any exemption certificate as evidence of eligibility to vote shall be construed to mean the voter identification card provided for in Subdivision 1 or Subdivision 2 of Section 56d or in Section 56f of this Code, and all references to the list of qualified voters shall be construed to mean the list of registered voters provided for in Section 56q of this Code."

Section 6. Effective upon the date provided in Section 8 of this Act and conditioned as provided therein, subdivisions (4) and (5) of Section 179a of the Election Code of the State of Texas (compiled as Article 13.01a of Vernon's Texas Election Code) are amended to read as follows:

"(4) To be a qualified member of an organized political party and to participate in its conventions, a voter shall have become affiliated with the party as provided in this subdivision.

"(a) The applicant for party affiliation of a party holding primary elections shall become a qualified member of the party when he has voted in that party's primary or has affiliated with the party in the manner prescribed in subparagraph (iii) of this paragraph.

"(i) 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 year.' The presiding judge, or another election officer designated by the presiding judge, shall place each voter under oath and require him to swear to this statement before he signs the roster. The presiding judge or another election officer designated by him 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 _____
(Name of voter) has voted in the pri-

mary election of the _____ Party.

Presiding Judge, Precinct No. _____,
County, Texas.

"(ii) In the event a voter shall vote by absentee ballot in a primary election, in addition to other matter required by Section 37 of this Code, the affidavit executed by the voter shall contain the statement set out in subparagraph (i) above. The county clerk shall furnish to each voter in a general primary election, and to each voter in a second primary election who requests it, a certificate in the form prescribed in subparagraph (i), signed by the county clerk in lieu of the presiding judge. If the voter is voting by personal appearance, the county clerk shall deliver the certificate to the voter at the time he votes. If the voter is voting by mail, the clerk shall mail the certificate to the voter upon receipt of the voted ballot.

"(iii) To become a qualified member of a party holding primary elections in order to participate in any party convention held prior to the general primary election, the applicant shall present his voter identification card to the precinct chairman of the party and state under oath that he has not participated in a convention of any other political party during that year and that he desires to affiliate with the party to which he is applying for affiliation. Thereupon, the precinct chairman shall issue to the voter a certificate in the following form:

Date _____
has affiliated with
(Name of voter) _____
the _____ Party for the
current year.

Precinct Chairman, Precinct No. _____,
County, Texas.

"(b) To become a qualified member of a party not holding primary elections and to participate in its conventions, the applicant for party affiliation shall present his voter identification card to the precinct chairman of the party and state under oath that he has not voted at a primary election or participated in a convention of any other political party during that year and that he desires to affiliate with the party to which he is applying for affiliation. Thereupon, the precinct chairman

shall issue to the voter a certificate in the form prescribed by subparagraph (iii) of paragraph (a) of this subdivision.

"(5) Once a voter has affiliated with a party in a manner prescribed in subdivision (4) of this section, he shall remain a qualified member of such party for the duration of that calendar year. A certificate issued by the presiding judge, the county clerk, or the precinct chairman as provided in subdivision (4) shall serve as evidence that the person whose name appears thereon has affiliated with the party and is therefore eligible to participate in its conventions. All judges and clerks of primary elections and all precinct chairmen shall have authority to administer the oaths required for party affiliation. Any person who swears falsely to a statement that he has not voted at a primary election or participated in a party convention of any other party, as required by subdivision (4) shall be fined not less than one hundred dollars nor more than five hundred dollars."

Section 7. Effective upon the date provided in Section 8 of this Act and conditioned as provided therein, Sections 34a, 41, 42, 43, 44, 45, 46, 46a, as added by Acts 1965, 59th Leg., Ch. 378, Sec. 1, 47, 48 48a, as added by Acts 1965, 59th Leg., Ch. 678, Sec. 10, 49, 50, 51, 52, 53, 54, and 56 of the Election Code of the State of Texas (Articles 5.02a, 5.09-5.22, and 5.24, of Vernon's Texas Election Code) are repealed. The repeal of Section 41 of the Election Code shall not affect liability for payment of a poll tax or the continued existence and force of Article 2.01 of Title 122A, Taxation—General, of the Revised Civil Statutes of Texas. All other laws requiring the payment of a poll tax or the obtaining of a certificate of exemption from the payment thereof shall be of no further force to require that the tax be paid or that an exemption certificate be obtained as a prerequisite for voting, but all such laws shall be construed as provided in Section 56u of the Election Code, enacted by Section 5 of this Act.

Sec. 8. (a) Sections 1 through 7 of this Act shall become effective and operative as a law upon the happening of either of the following contingencies, which ever first occurs:

(1) if the Constitutional Amend-

ment abolishing payment of the poll tax as a prerequisite for voting as proposed by H. J. R. No. 13, 59th Legislature, Regular Session, 1965, becomes a part of the Constitution of Texas; or

(2) if the Supreme Court of the United States affirms or refuses to review the judgment of the United States District Court for the Western District of Texas, Austin Division, in Civil Action No. 1570, styled United States of America v. The State of Texas, et al., or if by other action taken upon appeal of that case the Supreme Court rules that the provisions of the Constitution and statutes of this State requiring payment of a poll tax as a condition for voting in state and local elections are in violation of the Constitution of the United States.

(b) If neither of these contingencies occurs, Sections 1 through 4 of this Act shall not become effective or operative in whole or in part.

(c) If the contingency first stated above occurs prior to occurrence of the second contingency, Section 1 of this Act shall become effective on October 1, 1967, and Sections 2 through 7 shall become effective on February 1, 1968.

(d) If the second contingency occurs prior to occurrence of the one first stated, the Attorney General of Texas shall certify its occurrence to the Governor and to the Secretary of State of the State of Texas, and the Governor forthwith shall issue his proclamation declaring that Sections 1 through 7 of this Act will take effect as stated herein, and shall file the proclamation with the Secretary of State; whereupon Section 1 of this Act shall become effective on the date that the Governor's proclamation is filed, or on October 1, 1966, whichever is the later date; and Sections 2 through 7 shall become effective on February 1, 1967, or on the effective date of the Supreme Court's decision, whichever is the later date.

Sec. 9. (a) The Election Code of the State of Texas is amended by adding a new section to be numbered 34b, reading as follows:

"34b. Registration and Voting without Payment of Poll Tax—Temporary Provisions

"(a) Notwithstanding any other provision of this Code or of the Constitution of this State, a person who is subject to the payment of the poll

tax but who has not obtained a poll tax receipt or an exemption certificate entitling him to vote in federal, state, or local elections for the election period ending January 31, 1967, but who is in other respects a qualified elector, may apply to the tax collector of the county of his residence at any time during the fifteen-day period beginning on the seventh day after the effective date of this Section, for issuance of a conditional voter registration certificate without payment of any fee or tax, to be used to identify him in voting at elections held before February 1, 1967.

"(b) The applicant shall furnish to the tax collector all the information necessary to enable the tax collector to fill out the blanks in the poll tax receipt, and the tax collector shall issue the receipt as in cases where the poll tax is paid, except that he shall place the notation 'CONDITIONAL VOTER REGISTRATION CERTIFICATE' on the face of the original and duplicate receipts. The application may be made in either of the manners authorized in Section 43 of the Texas Election Code (Article 5.11, Vernon's Texas Election Code), and all laws pertaining to the issuance of poll tax receipts shall apply to issuance of certificates under this Section insofar as they can be made applicable, except as otherwise provided in this Section.

"(c) As soon as possible after the close of the registration period prescribed by subsection (a) of this Section and not later than May 2, 1966, the tax collector shall prepare certified lists of persons registered under the provisions of this Section, and thereafter shall furnish such lists to the election boards of the county for use in elections conducted before February 1, 1967, subject to subsections (d) and (e) of this Section. However, no person who presents himself to vote in an election held before May 3, 1966, who has duly registered and who presents his registration certificate to the officers conducting the election shall be denied the opportunity to vote solely because his name does not appear upon a list of registered persons.

"(d) A person who is issued a certificate under this Section shall be entitled to vote in any election held before February 1, 1967, provided there is in effect on the date of the elec-

tion a decision of the United States District Court or of the Supreme Court in Civil Action No. 1570, Western District of Texas, styled United States of America v. The State of Texas et al., so as to make invalid the payment of a poll tax as a condition for voting.

"(e) If the said decision is reversed, suspended or stayed prior to the date of any election and is not in effect at the time of such election, no person so issued a certificate under this Section shall be entitled to vote at any such election.

"(f) If the provisions stated in (d) above are in effect and the conditions stated in (e) do not occur or are not in effect, then the following classes of persons shall be deemed to be duly registered as voters during the period to which this Section 9 is applicable, and no distinction shall be made between the classes:

"(1) any person who paid the poll tax and was issued a poll tax receipt, entitling him to vote in elections held during the voting year ending January 31, 1967;

"(2) any person who was issued an exemption certificate based on overage, under Section 48 of the Texas Election Code, entitling him to vote in elections held during the voting year ending January 31, 1967, and any overage person entitled by law to vote without obtaining an exemption certificate;

"(3) any person who was issued an exemption certificate based on nonage or nonresidence, under Section 49 of the Texas Election Code, entitling him to vote in elections held during the voting year ending January 31, 1967;

"(4) any person who was issued a poll tax receipt without payment of the tax, under Section 34a of the Texas Election Code, entitling him to vote for federal officers only, in elections held during the voting year ending January 31, 1967; and

"(5) any person who was issued a conditional voter registration certificate under this Section.

"(g) In the conduct of elections held during a period when the above-described decision is in effect, voters, who have been issued certificates under this Section shall be subject to the same provisions of law with respect to voting procedures as voters

holding regular poll tax receipts, and all references in such laws to a poll tax receipt shall be construed to include a registration certificate issued under this Section."

(b) This Section shall become effective from and after its passage or as soon thereafter as permitted by the Constitution of Texas. It shall expire on February 1, 1967.

Sec. 10. If any provision of this Act or the application thereof to any person or circumstance is held invalid, this invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are declared to be severable.

Sec. 11. The necessity for immediate enactment of a voter registration law in order to avoid having to conduct elections without voter registration lists, arising from the recent judgment of the United States District Court for the Western District of Texas that the provisions of Texas law requiring payment of a poll tax as a condition for voting are invalid and the possibility of affirmance of that judgment by the Supreme Court of the United States, creates 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 said Rule is hereby suspended, and that this Act shall take effect and be in force as hereinabove provided, and it is so enacted.

The amendment was read.

Senator Hazlewood moved to table the amendment.

Question on the motion to table, Yeas and Nays were demanded.

The motion to table prevailed by the following vote:

Yeas—22

Aikin	Herring
Bates	Hightower
Blanchard	Kazen
Calhoun	Krueger
Cole	Parkhouse
Colson	Ratliff
Creighton	Reagan
Crump	Snelson
Hall	Strong
Hardeman	Watson
Hazlewood	Word

Nays—8

Dies	Patman
Harrington	Rogers
Kennard	Schwartz
Moore	Spears

Absent

Dist. 19 (Vacant)

Senator Kennard offered the following amendment to the bill:

Amend Senate Bill No. 1 in the following respects:

(1) By striking out all of Section 6 and by substituting therefor the following:

"Sec. 6. EFFECTIVE DATE; CONTINGENCY. Sections 1 through 4 of this Act shall become effective and operative as a law if the Supreme Court of the United States affirms or refuses to review the judgment of the United States District Court for the Western District of Texas, Austin Division, in Civil Action No. 1570, styled United States of America v. The State of Texas, et al., or if by other action taken upon appeal of that case the Supreme Court rules that the provisions of the Constitution and statutes of this State requiring payment of a poll tax as a condition for voting in state and local elections are in violation of the Constitution of the United States. If this contingency occurs, the Attorney General of Texas shall certify its occurrence to the Governor and to the Secretary of State of the State of Texas, and the Governor forthwith shall issue his proclamation declaring that Sections 1 through 4 of this Act will take effect as stated herein, and shall file the proclamation with the Secretary of State; whereupon Section 2 of this Act shall become effective on the date that the Governor's proclamation is filed, or on October 1, 1966, whichever is the later date, and shall expire on September 1, 1967; and Sections 1, 3, and 4 shall become effective on February 1, 1967, or on the effective date of the judgment, whichever is the later date, and shall expire on January 31, 1968."

The amendment was read.

Senator Hazlewood moved to table the amendment.

Question on the motion to table, Yeas and Nays were demanded.

The motion to table prevailed by the following vote:

Yeas—19

Aikin	Hightower
Blanchard	Kazen
Calhoun	Krueger
Colson	Parkhouse
Creighton	Ratliff
Crump	Reagan
Hall	Snelson
Hardeman	Watson
Hazlewood	Word
Herring	

Nays—11

Bates	Patman
Cole	Rogers
Dies	Schwartz
Harrington	Spears
Kennard	Strong
Moore	

Absent

Dist. 19 (Vacant)

On motion of Senator Hazlewood and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

Record of Votes

Senators Kennard, Spears, Harrington and Strong asked to be recorded as voting "Nay" on the passage of S. B. No. 1 to engrossment.

Senate Bill 1 on Third Reading

Senator Hazlewood moved that Senate Rules 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 1 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Hazlewood
Bates	Herring
Blanchard	Highting
Calhoun	Kazen
Cole	Krueger
Colson	Moore
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Hall	Reagan
Hardeman	Rogers

Schwartz	Watson
Snelson	Word

Nays—4

Harrington	Spears
Kennard	Strong

Absent

Dist. 19 (Vacant)

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time.

Senator Creighton offered the following amendment to the bill:

Amend S. B. No. 1 by amending Section 47a of the printed bill by inserting the words "except as otherwise expressly provided hereinafter" immediately preceding the word "Each" which is the first word of the section, and further by eliminating the capital letter on the word "Each," and further by inserting a new sentence immediately following the first sentence of the aforesaid section to read as follows:

"In counties in which the registrar uses high speed mechanization or electronic data processing equipment in keeping the registration records and preparing registration lists, upon order of the Commissioners Court of the County, authorizing the registrar to do so, the registrar may use a registration certificate form which omits as one of the items of information which the registrant is required to furnish and which are required to be shown on the registration certificate and the list of registered voters."

CREIGHTON
HAZLEWOOD
SCHWARTZ

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

Yeas—30

Aikin	Harrington
Bates	Hazlewood
Blanchard	Herring
Calhoun	Hightower
Cole	Kazen
Colson	Kennard
Creighton	Krueger
Crump	Moore
Dies	Parkhouse
Hall	Patman
Hardeman	Ratliff

Reagan	Spears
Rogers	Strong
Schwartz	Watson
Snelson	Word

Absent

Dist. 19 (Vacant)

The bill as amended was then finally passed by the following vote:

Yeas—24

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

Nays—6

Harrington	Rogers
Kennard	Spears
Patman	Strong

Absent

Dist. 19 (Vacant)

Senate Resolution 30

Senator Rogers offered the following resolution:

Whereas, The week of February 19-26, 1966, has been designated as Future Farmers of America Week by Governor John Connally; and

Whereas, The boys who are studying vocational agriculture in our public schools are preparing for careers in farming, ranching and related fields; and

Whereas, Texas has 45,000 active members and more than a quarter million former members of FFA who believe in the future of farming; and

Whereas, These young men are training to broaden and improve their skills that they might better serve and strengthen agriculture and thereby our entire Nation; and

Whereas, The health and strength of American agriculture is important even to the survival and peace of the entire world; and

Whereas, FFA has performed invaluable services to our State and Nation by promoting good leadership,

good citizenship, cooperation and sound methods of farming in this vital industry; now, therefore, be it

Resolved, by the Senate of the State of Texas, That the congratulations of this Body be extended to the Future Farmers of America on their patriotism and achievement, with its appreciation of their contribution to the welfare of all Texans.

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.

The resolution was read.

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

The resolution was then adopted.

Senate Resolution 35

Senator Herring offered the following resolution:

Whereas, One of Austin's best known journalists has been honored by the Austin Junior Chamber of Commerce and named the Capital City's "Outstanding Young Man of 1965"; and

Whereas, Neal Spelce, News Editor of KTBC-TV, was accorded this recognition for demonstrating unusual ability and initiative in the accomplishment of many civic and charitable undertakings for the good of the community; and

Whereas, Noteworthy among the projects he undertook during 1965 was chairmanship of the Publicity Committee for the United Fund, and the tremendous success of this drive was attributed in large measure to his campaign to keep the public aware of community needs; he was also co-Chairman of the Community Council of Austin and Travis County Committee to determine the needs for a combined Mental Health and Mental Retardation Community Center; he was County Coordinator for Public Media for Austin and Travis County Civil Defense in event of na-

tional emergency; he was 1965 President of The Headliners Club, a year which was marked by the club's decision to move and expand its facilities, the plans for which were completed without going into debt; he was Protestant Co-Chairman for the observance of the annual Brotherhood Week in Austin; he has always taken an active part in church activities, serving on the Official Board of the First Methodist Church; and he is a member and past president of the professional journalism fraternity, Sigma Delta Chi; a member of the Austin Council on Alcoholism, the Texas Press Club, and the Austin Aqua Festival Committee; and

Whereas, The members of the Senate share with the people of Austin their pride in the many achievements of this outstanding young man; now, therefore, be it

Resolved, That the Senate of the State of Texas of the 59th Legislature, First Called Session, commend Neal Spelce for his splendid record and for his interest in the City of Austin; and be it further

Resolved, That this Resolution be spread upon the Senate Journal and that the Secretary of the Senate be instructed to prepare a properly enrolled copy for presentation to Neal Spelce as a token of the sentiment of the Senate for his outstanding service to his community.

The resolution was read and was adopted.

Message from the House

Hall of the House of Representatives,
Austin, Texas,
February 21, 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:

S. C. R. No. 3—In Memory of Mr. Lemuel Scarbrough.

S. C. R. No. 4—In Memory of Mr. A. B. Shierlow.

S. C. R. No. 5—In Memory of Dr. J. V. Siegmund.

S. C. R. No. 6—Congratulating Miss Jan Brown of Harper, Texas.

S. C. R. No. 7—In Memory of Honorable W. C. Graves.

S. C. R. No. 8—In Memory of Mrs. Harry Akin.

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

Recess

On motion of Senator Aikin the Senate at 4:55 o'clock p.m. took recess until 8:00 o'clock p.m. today.

After Recess

The President called the Senate to order at 8:00 o'clock p.m. today.

At Ease

The President announced at 8:02 o'clock p.m. that the Senate would stand At Ease Subject to the Call of the Chair.

(Senator Aikin in the Chair.)

In Legislative Session

The Presiding Officer (Senator Aikin in the Chair) called the Senate to order as In Legislative Session at 8:05 o'clock p.m.

Message from the House

Hall of the House of Representatives
Austin, Texas,
February 21, 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. 8—In Memory of Mrs. Magnolia N. Greene.

H. C. R. No. 10—In Memory of Fleet Admiral Chester W. Nimitz.

H. C. R. No. 11—Congratulating James H. Hartzog.

H. C. R. No. 12—Congratulating Miss Jan Brown.

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

At Ease

The Presiding Officer (Senator Aikin in the Chair) announced at 8:08 o'clock p.m. that the Senate would stand At Ease Subject to the Call of the Chair.

In Legislative Session

The Presiding Officer (Senator Aikin in the Chair) called the Senate to order as In Legislative Session at 8:10 o'clock p.m.

**House Concurrent Resolution 11
On Second Reading**

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

H. C. R. No. 11—Congratulating James H. Hartzog.

The resolution was read and was adopted.

**House Concurrent Resolution 8
On Second Reading**

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

H. C. R. No. 8—In Memory of Mrs. Magnolia N. Greene.

The resolution was read and was adopted by rising vote of the Senate.

At Ease

The Presiding Officer (Senator Aikin in the Chair) announced at 8:11 o'clock p.m. that the Senate would stand At Ease Subject to the Call of the Chair.

(Senator Creighton in the Chair.)

(Senator Aikin in the Chair.)

In Legislative Session

The Presiding Officer (Senator Aikin in the Chair) called the Senate to order as In Legislative Session at 8:15 o'clock p.m.

**House Concurrent Resolution 10
On Second Reading**

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

H. C. R. No. 10—In Memory of Fleet Admiral Chester W. Nimitz.

The resolution was read and was adopted by a rising vote of the Senate.

**House Concurrent Resolution 12
On Second Reading**

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

H. C. R. No. 12—Congratulating Miss Jan Brown.

The resolution was read and was adopted.

Resolutions Signed

The Presiding Officer announced the signing by the President in the presence of the Senate after the caption had been read, the following enrolled resolutions:

S. C. R. No. 3—In Memory of Mr. Lemuel Scarbrough, Sr.

S. C. R. No. 4—In Memory of Mr. A. B. Shierlow.

S. C. R. No. 5—In Memory of Dr. J. V. Siegmund.

S. C. R. No. 6—Congratulating Miss Jan Brown of Harper, Texas

S. C. R. No. 7—In Memory of Honorable W. C. Graves.

S. C. R. No. 8—In Memory of Mrs. Harry Akin

At Ease

The Presiding Officer (Senator Aikin in the Chair) announced at 8:17 o'clock p.m. that the Senate would stand At Ease Subject to the Call of the Chair.

(President in the Chair.)

In Legislative Session

The President called the Senate to order as In Legislative Session at 8:20 o'clock p.m.

Senate Resolution 38

Senator Hazlewood offered the following resolution:

Whereas, Senate Bill No. 1 has passed the Senate and is now in the Senate Enrolling and Engrossing Room, and

Whereas, Certain corrections need to be made in order to complete engrossment, now, therefore, be it

Resolved, by the Senate of the First Called Session of the 59th Legislature, That the following changes be authorized in the amendments offered to the bill:

(1) that the word "occupation" be added to the amendment offered to Sec. 47a, between the words "omits" and "as."

(2) that the reference to Sec. 52a, Sec. (3) be changed to Sec. 52a, Sec. (4).

The resolution was read and was adopted.

Memorial Resolutions

S. R. No. 16—By Senator Watson: Memorial resolution for Joe Thomas Henderson.

S. R. No. 17—By Senator Watson: Memorial resolution for Calvin Markham.

S. R. No. 18—By Senator Watson: Memorial resolution for Marion Murrell Camp.

S. R. No. 36—By Senator Watson: Memorial resolution for Ross Brown.

S. R. No. 37—By Senator Watson: Memorial resolution for Dr. E. A. Milam.

Congratulatory and Welcome Resolutions

S. R. No. 14—By Senator Krueger: Extending welcome to students and teachers of El Campo High School.

S. R. No. 15—By Senator Word: Extending welcome to students and teachers of Burleson High School.

S. R. No. 19—By Senator Herring: Commending and congratulating Judge Charles O. Betts on being named "Austin's Most Worthy Citizen."

S. R. No. 20—By Senator Herring: Extending welcome to students and teachers of Saint Austin's School of Austin.

S. R. No. 22—By Senator Blanchard: Extending welcome to Mr. and Mrs. Walter Wood of Lubbock.

S. R. No. 24—By Senator Watson: Extending welcome to Jessie Sapp of Waco.

S. R. No. 25—By Senator Watson: Extending welcome to George Vowell of McGregor.

S. R. No. 26—By Senator Watson: Extending welcome to Van Pell Evans of Waco.

S. R. No. 27—By Senator Watson: Extending welcome to M. T. Toliver of Waco.

S. R. No. 28—By Senator Watson: Extending welcome to Wayne Hill of Waco.

S. R. No. 29—By Senator Watson: Extending welcome to Willie Haliburton of Waco.

S. R. No. 31—By Senator Kazen: Extending welcome to students, teachers and sponsors of Orange Grove High School.

S. R. No. 32—By Senator Watson: Extending congratulations to Tom Salome on being selected to receive Distinguished Service Award by Waco Jaycees.

S. R. No. 33—By Senator Hall: Extending welcome to Miss Martha McNulty, assistant to Democratic Party Chairman of Dallas County.

S. R. No. 34—By Senator Herring: Extending welcome to students and teachers of San Marcos Academy of San Marcos.

Adjournment

On motion of Senator Aikin the Senate at 8:25 o'clock p.m. adjourned until 11:00 o'clock a.m. tomorrow.

In Memory of
Former Senator W. C. Graves

Senator Parkhouse offered the following resolution:

(Senate Concurrent Resolution 7)

Whereas, The entire State of Texas suffered a great loss on Wednesday, January 26, 1966, by the death of former State Senator W. C. Graves of Dallas; and

Whereas, He was a native of Louisiana and settled in Dallas in 1919, following his discharge from the U. S. Navy where he served aboard the Battleship New Jersey during World War I; and

Whereas, This public-spirited citizen was admitted to the State Bar of Texas in 1923, and began serving in his first public office as assistant district attorney that same year; and

Whereas, In 1925 he was appointed judge of the corporation court, and in 1929 was elected to the post of police and fire commissioner for Dallas; and

Whereas, He was elected to the State Senate from Dallas in 1939 and was re-elected in 1943; at the time of his death he was a member of the State Board of Education; and

Whereas, Governor Connally praised Senator Graves' work with the Board of Education with these words: "He's done a great job. . . the Board contributes more in an unheralded way than any other board. He was helpful to the Board and the public school system of Texas"; and

Whereas, He was a member of the Cliff Temple Baptist Church, a charter member of the Bonehead Club of Dallas, a member of Oak Cliff Masonic Lodge No. 705, Hella Temple, the Knights of Pythias and the Maccabees; and

Whereas, This outstanding citizen and devoted public servant will be sorely missed by his many friends and former colleagues in the Texas Legislature, and the members of the 59th Legislature wish to pay tribute to this man who accomplished so much for his state during his many years of public service; now, therefore, be it

Resolved, by the Senate of the 59th Legislature, the House of Representatives concurring, That the Texas Legislature extends sympathy to the Graves family and by this Resolution recognizes the life and service of W. C. Graves; and be it further

Resolved, That copies of this Resolution be prepared for his wife, Mrs. Eloise Graves of Dallas; and his daughter, Mrs. J. T. Price of Los Angeles, California; and that when the House of Representatives and the Senate adjourn this day, that they do so in memory of W. C. Graves.

PARKHOUSE
AIKIN
HAZLEWOOD
HARDEMAN

The resolution was read and was adopted by a rising vote of the Senate.

In Memory of
Mrs. Harry Akin

Senator Herring offered the following resolution:

(Senate Concurrent Resolution 8)

Whereas, In the passing of Mrs. Harry Akin on February 12, 1966, the City of Austin lost a beloved and outstanding member of the community; and

Whereas, A native of Pueblo, Colorado, Mrs. Akin, who was at that time Miss Josephine Dunlop, moved to Austin in 1940 to become Executive Director of the Children's Bureau and later Acting Director of Child and Family Service; and

Whereas, Mrs. Akin devoted her time and many talents to many worthwhile undertakings for the betterment of the entire community, and was a tireless worker for such organizations as The Settlement Club, Junior Helping Hand, Community Council of Austin, and Child Guidance Center; and

Whereas, She is survived by her husband, Harry Akin; and her mother, Dr. Josephine N. Dunlop, both of Austin, and a host of friends who admired and loved her; and

Whereas, It is the desire of the Texas Legislature to pay tribute to this outstanding lady and to extend sympathy to her family; now, therefore, be it

Resolved, By the Senate of Texas, the House of Representatives concurring, That the Secretary of the Senate be instructed to prepare copies of this Resolution for the family of Mrs. Harry Aikin and that when the Senate and House adjourn this day that they do so in her memory.

The resolution was read.

On motion of Senator Herring and by unanimous consent the resolution was considered immediately and was adopted by a rising vote of the Senate.

In Memory of
Fleet Admiral Chester W. Nimitz

Senator Crump offered the following resolution:

(Senate Resolution 23)

Whereas, Fleet Admiral Chester W. Nimitz, a native of Fredericksburg, Texas, who directed the powerful United States naval forces in driving the Japanese from the Pacific Ocean in World War II, died on February 20, 1966, at his home on Yerba Buena Island in San Francisco Bay; and

Whereas, The five-star admiral, who was jumped over 24 admirals to become commander-in-chief of the Pacific Fleet after the Japanese attack on Pearl Harbor, became a legendary figure during his island-hopping campaign which involved a thousand ships and two million men in a war theater covering 65 million square miles; and

Whereas, After assuming command of the Pacific Fleet on December 31, 1941, Admiral Nimitz assembled a fighting force and turned to the attack, beginning with the Battle of the Coral Sea May 4-8, 1942; and

Whereas, The decisive three-day air-sea battle off Midway June 3-6, 1942, has been termed the turning point of the Pacific war; and

Whereas, Admiral Nimitz then directed the long line of attacks—in the Solomon Islands and the Philippine Sea—and assaults on the Gilbert and Marshall Islands, Guam, Tinian, Peleliu, Angaur, Ulithi, Iwo Jima and Okinawa; and

Whereas, During the early stages of the war, he commanded sea, land and air forces in most of the Pacific, while General Douglas MacArthur commanded those in the Southwest Pacific, and later commanded all sea forces; and

Whereas, When the war ended, Admiral Nimitz became Chief of Naval Operations and demobilized all but a fraction of history's most powerful navy, which he had helped to build; and

Whereas, He became a fleet admiral on December 19, 1944, five days after Congress created the rank, and, as such, he never retired; and

Whereas, Since January 1, 1948, he had been a special assistant to the Secretary of the Navy in the western sea frontier; and

Whereas, Nimitz was the recipient of numerous military and civilian honors, having been decorated by 14 nations and awarded honorary degrees by 19 universities; and

Whereas, He and his wife, whom he married on April 9, 1913, were parents of a son, Rear Admiral Chester W. Nimitz, Jr., (ret.), and three daughters, Catherine, wife of Navy Captain James T. Lay of Newport, Rhode Island; Anne Elizabeth Nimitz of Topanga, California; and Sister Mary Manson Aquinas of the Dominican Convent, San Rafael, California; and

Whereas, All citizens of the State of Texas take great pride in the distinguished and heroic career of this native son; now, therefore, be it

Resolved, That the Senate of the State of Texas join in paying respectful tribute to the courageous and inspiring life of Fleet Admiral Chester W. Nimitz; and be it further

Resolved, That when the Senate adjourns this day it do so in his memory, and that a copy of this resolution be sent to his family as a token of our sympathy and esteem.

CRUMP

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

The resolution was read.

On motion of Senator Herring 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.