

**JOURNAL**  
**OF THE**  
**House of Representatives**  
**OF THE**  
**FIRST CALLED SESSION**  
**OF THE**  
**Fifty-ninth Legislature**  
**OF THE**  
**STATE OF TEXAS**  
**BEGUN AND HELD AT**  
**THE CITY OF AUSTIN**  
**FEBRUARY 14, 1966**



**FIRST CALLED SESSION**  
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# HOUSE JOURNAL

FIFTY-NINTH LEGISLATURE, FIRST CALLED SESSION

AUSTIN, TEXAS, MONDAY, FEBRUARY 14, 1966

## PROCEEDINGS

### FIRST DAY

(Monday, February 14, 1966)

Hall of the House of Representatives  
Austin, Texas

In obedience of the Proclamation of His Excellency, John Connally, Governor of the State of Texas, convening the Fifty-ninth Legislature to meet in Special Session at Austin, Texas, the seat of government, on this the fourteenth day of February, 1966, the Members of the House of Representatives assembled in the Hall of the House of Representatives and at 12:00 o'clock noon the House was called to order by the Honorable Ben Barnes, Speaker.

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

Mr. Speaker	Cole
Alaniz	Connally
Allen	Cory
Arledge	Cowden
Armstrong	Cowles
Atwell	Crain
Atwood	Crews
Bass of Bowie	Dickson
Bass of Harris	Duggan
Beckham	Dungan
Bernal	Eckhardt
Berry	Edwards
Birkner	Field
Blaine	Finney
Blankenship	Fletcher
Bonilla	Floyd
Brooks	Fondren
Brown of Taylor	Foreman
Brown of Howard	Garrison
Burgess	Gates
Cahoon	George
Cain	Green
Caldwell	Grover
Canales	Guffey
Cavness	Haines of Brazos
Cherry	Hale
Clayton	Hallmark

Harding	Mutscher
Haring	Neugent
Harris	of Galveston
Harrison	Newman
Hawkins	Nugent of Kerr
Haynes of Orange	Parker
Heatly	Peeler
Hefton	Pendleton
Hendryx	Pickens
Hightower	Pipkin
Hinson	Price
Hollowell	Quilliam
Holmes	Rapp
Howard	Richards
Isaacks	Richardson
Ivy	Roberts
Jamison	Rosson
Johnson of Bell	Satterwhite
Johnson of Bexar	Schiller
Johnson of Harris	Scoggins
Jones of Lubbock	Shannon, Joe
Jones of Taylor	of Tarrant
Jungmichel	Shannon, Tommy
Kilpatrick	of Tarrant
Klager	Sherman
Knapp	Simpson
Kothmann	Slider
Lack	Smith
Lee	Solomon
Lewis	Stewart
Ligarde	Stroud
Longoria	Thompson
McClinton	Thurmond
McDonald	Townsend
of Hidalgo	Traeger
McDonald of Rusk	Vale
McIlhany	Wade
McKissack	Ward
McLaughlin	Wayne
Mann	Weldon
Markgraf	Whatley
Miller of Newton	Wheeler
Miller of Harris	Whitfield
Mobley	Wieting
Montoya	Williamson
Moyer	Wilson
Muniz	Woods
Murray	Wright
	Absent
Doke	
	Absent—Excused
Slack	

A quorum of the House was announced present.

The Invocation was offered by Chaplain Clinton Kersey, as follows:

"Our Father and our God:

We stand before Thee as people who confess our weakness and plead for the gift of Thy grace and strength for our labor.

Lord, make us wise enough not to trust in our own wisdom alone, but help us to look to Thee for guidance this day.

In the decisions that must be made by all Members of this Legislature, help them to feel with the heart as well as think with the head. Keep ever before us that our lives and opportunities to serve the people of Texas are important to Thee, for You tell us in Your word that the powers of government are by Thy permission.

And now, Father, may the actions taken this day be pleasing in Thy sight. Forgive our mistakes and shortcomings. In Jesus' Name. Amen."

#### PROCLAMATION BY THE GOVERNOR

The Speaker laid before the House and had read the following Proclamation by the Governor:

#### PROCLAMATION BY THE GOVERNOR OF THE STATE OF TEXAS

TO ALL TO WHOM THESE PRESENTS SHALL COME:

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

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

elections in lieu of the poll tax if the poll tax is finally declared unconstitutional or is repealed.

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

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

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

John Connally  
Governor

(Seal)

ATTEST:  
Crawford C. Martin  
Secretary of State

#### REPORT OF THE COMMITTEE ON RULES

The Speaker laid before the House and had read the following report of the Committee on Rules:

The Rules Committee would like to advise the House that various requests have been made by members of the press for permission to record and film the opening ceremonies of Governor John Connally's speech today. The Rules Committee has approved these requests to record and film the opening ceremonies and the Governor's speech.

Will Smith,  
Vice-Chairman  
Rules Committee

#### PROVIDING FOR A JOINT SESSION TO HEAR THE MESSAGE OF GOVERNOR JOHN CONNALLY

Mr. Hendryx offered the following resolution:

H. C. R. No. 1

WHEREAS, The Honorable John Connally, Governor of Texas, is desirous of delivering his first message of this First Called Session of the 59th Legislature in person; now, therefore, be it

RESOLVED, by the House of Representatives, the Senate concurring,

That the two Houses meet in Joint Session at 12:30 o'clock in the Hall of the House of Representatives on Monday, February 14, 1966, to hear the Governor's message.

The resolution was read and was adopted unanimously.

**COMMITTEE APPOINTED TO ESCORT THE GOVERNOR TO THE SPEAKER'S ROSTRUM**

The Speaker announced the appointment of the following Committee on the part of the House to escort the Governor to the Speaker's Rostrum:

Representatives Hendryx, Slider, Cowden, Ligarde and Field.

**PROVIDING FOR EMPLOYEES OF THE HOUSE OF REPRESENTATIVES, PROVIDING FOR CERTAIN CONTINGENT EXPENSES, MAKING OTHER PROVISIONS FOR THE SESSION**

Mr. Schiller offered the following resolution:

H. S. R. No. 1

Be It Resolved By the House of Representatives of the State of Texas, That the employees for the First Called Session of the Fifty-ninth Legislature shall generally be the same as for the Regular Session except that the number of employees in the several categories may be reduced, or eliminated altogether, appropriately to fit the needs of the Called Session; provided, however, that each Member shall be allowed one Secretary; and be it further

**RESOLVED**, That each Member of the House of Representatives of the Fifty-ninth Legislature, be, and is hereby, allowed a credit in the sum of One Hundred Dollars (\$100.00), with the Committee on Contingent Expenses for expenditures for stationery, supplies, postage, telephone tolls and telegraph tolls. The Speaker shall be entitled to a credit for the above purposes in an amount as necessary to cover the expenses of his office; and the Chief Clerk, the Sergeant at Arms, the Committee on Contingent Expenses, and the Chaplain shall each be allowed a credit for expenses of their respective offices

or committee as determined by the Committee on Contingent Expenses. Each Member shall be entitled to employ one full-time Secretary at a salary not to exceed Twelve Dollars (\$12.00) per day.

The Committee on Contingent Expenses shall procure and keep for the use of the House, its Members, Officers and Committees, such stationery, stamps, and other supplies as may be needed, and ordered by the House, Speaker, or the Chairman of the Committee on Contingent Expenses. The Clerk of this Committee shall keep an itemized account of the quantity of every kind of material received, the date it was received, the price paid therefor, and the persons from whom it was received; the unused remainder, if any, shall be delivered at the close of the Session to the Board of Control for safekeeping. The office of this Committee shall be kept open daily, except Sundays, from 8:30 a.m. to 5:00 p.m., or to one hour after adjournment of the House, and on Sundays from 9:00 a.m. to 11:00 a.m. The Committee shall keep a set of books, an account for each Member, Officers, and Committee authorized by the House to expend stationery, supplies, telephone and telegraph tolls, and shall charge to each of the accounts its daily withdrawals. The Clerk of the Committee shall furnish a statement on each of the accounts monthly, or when requested.

The Rules Committee shall have jurisdiction over the mailing of the House Journal.

Each Member shall be furnished with four newspapers delivered daily in Austin.

All requisitions for paper and supplies necessary for the preparation of bills and resolutions, for the use of the Enrolling and Engrossing Rooms and the Standing Committees of the House, shall be under the direction and care of the Committee on Contingent Expenses. This Committee is authorized to borrow and rent a sufficient number of typewriters and other business machines for the use of the House and its employees, and to furnish same with proper material; and, be it further

**RESOLVED**, That one thousand

(1,000) copies of the House Journal be printed daily; one hundred (100) to be delivered to the State Library, fifty (50) to the Senate and the remainder to be left with the Committee on Contingent Expenses for distribution under the direction of the Speaker; and, be it further

RESOLVED, That no allowance included in this Resolution shall be expended except actual salaries or actual expenses of the House, its Members, Officers, Committees and Employees and for such other expenses as are hereinabove set out. All such funds necessary to be expended in payment of the above shall be paid out of the Contingent Expense Fund of the House; and be it further

RESOLVED, That the Speaker's apartment and offices shall be set aside for the use of the Speaker and his family throughout his term of office and that the Committee on Contingent Expenses shall be authorized to make the necessary expenditures properly to equip and service the Speaker's apartment and offices and to employ such help as may be necessary to maintain properly and care for said apartment and office.

The resolution was adopted without objection.

**PROVIDING SPACE IN THE CAPITOL GROUNDS FOR PARKING CARS OF MEMBERS OF THE LEGISLATURE**

Mr. Klager offered the following resolution:

H. S. R. No. 2

WHEREAS, The First Called Session of the Fifty-ninth Legislature of the State of Texas is now in session; and

WHEREAS, The late hour of convening each morning causes a great deal of inconvenience to Members of the Legislature when trying to find a place to park their cars when the House and Senate are in session; now, therefore, be it

RESOLVED, That the following plan for the parking of automobiles be followed:

1. That each House Member shall have the allotted parking space for

his car assigned for the Regular Session of the Fifty-ninth Legislature. Each member will be issued a decal for the windshield of his car with the number corresponding to the drawn number marked on the curb.

2. Each Member will refrain from parking in any spot other than the one allotted to him and which carries his number.

3. Any unauthorized state employee parking in these spots whose car does not exhibit a decal will be reported to his employer, and in the case of the House, to the Speaker of the House of Representatives for corrective action upon said employer's and Speaker's discretion.

4. Members of the Capitol Press Staff will be provided the same parking places assigned for the Regular Session of the Fifty-ninth Legislature.

5. The Speaker is authorized to assign parking spaces for any additional employees, new Members of the House or members of the Capitol Press as he deems necessary.

The resolution was adopted without objection.

**PROVIDING FOR COMMITTEES TO NOTIFY THE GOVERNOR AND THE SENATE THAT THE HOUSE OF REPRESENTATIVES IS ORGANIZED AND READY TO TRANSACT BUSINESS**

Mr. Bass of Harris offered the following resolution:

H. S. R. No. 3

BE IT RESOLVED by the House of Representatives of the First Called Session of the 59th Legislature, That the Speaker of the House appoint two committees of five (5) members each, one to notify the Governor and one to notify the Senate, that the House of Representatives is now organized and ready to transact business.

The resolution was adopted without objection.

**COMMITTEE TO NOTIFY THE SENATE**

The Speaker announced the appointment of the following Commit-

tee to notify the Senate that the House is now organized and ready for the transaction of business:

Representatives Bass of Harris, Chairman; Birkner, George, Hallmark and Wieting.

#### COMMITTEE TO NOTIFY THE GOVERNOR

The Speaker announced the appointment of the following Committee to notify the Governor that the House is now organized and ready for the transaction of business:

Representatives Jamison, Chairman; Field, Wade, Johnson of Harris, Scoggins and Wilson.

#### HOUSE AT EASE

At 12:10 o'clock p.m., the Speaker stated that the House would stand at ease until the time set for the Joint Session to be held for the purpose of hearing the Message of Governor John Connally.

#### HOUSE CALLED TO ORDER

At 12:17 o'clock p.m., the Speaker called the House to order.

#### HOUSE NOTIFIED

A Committee from the Senate was announced at the Bar of the House and, being admitted, stated that the Senate is now organized and ready to transact business.

#### SENATE NOTIFIED

The Committee appointed to notify the Senate that the House of Representatives is now organized and ready to transact business was announced at the Bar of the House and, being admitted, stated that the Senate had been so notified.

#### GOVERNOR NOTIFIED

The Committee appointed to notify the Governor that the House of Representatives is now organized and ready to transact business was announced at the Bar of the House and, being admitted, stated that they had so notified the Governor.

#### HOUSE AT EASE

At 12:24 o'clock p.m., the Speaker stated that the House would stand at ease.

#### HOUSE CALLED TO ORDER

At 12:25 o'clock p.m. the Speaker called the House to order.

#### MESSAGE FROM THE SENATE

Austin, Texas, February 14, 1966

Hon. Ben Barnes, Speaker  
of the House of Representatives.

Sir:

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

H. C. R. No. 1, Providing for a joint session at 12:30 o'clock p.m. Monday, February 14, 1966, to hear The Governor's Message at This First Called Session of the 59th Legislature.

Respectfully,  
CHARLES A. SCHNABEL  
Secretary of the Senate

#### HOUSE AT EASE

At 12:26 o'clock p.m. the Speaker stated that the House would stand at ease.

#### HOUSE CALLED TO ORDER

At 12:27 o'clock p.m. the Speaker called the House to order.

#### ADDRESS BY GOVERNOR JOHN CONNALLY

(The Senate and the House of Representatives in Joint Session)

In accordance with the provisions of H. C. R. No. 1, providing for a Joint Session of the Senate and the House at 12:30 o'clock p.m., today, for the purpose of hearing the message of the Honorable John Connally, Governor of Texas, the Honorable Senators were admitted to the Hall of the House and occupied seats arranged for them.

Lieutenant Governor Preston Smith was escorted to a seat on the Speaker's Rostrum.

At 12:27 o'clock p.m., Governor John Connally and party, escorted by Senators Herring, Hardeman, Hall, Strong and Watson, Committee on the part of the Senate, and Representatives Hendryx, Slider, Cowden, Ligarde and Field, Committee on the part of the House, were announced

at the Bar of the House and, being admitted, were escorted to seats on the Speaker's Rostrum.

Lieutenant Governor Preston Smith called the Senate to order.

A quorum of the Senate was announced present.

The Honorable Ben Barnes, Speaker of the House of Representatives, called the House of Representatives to order.

Speaker Barnes directed the Clerk to call the roll of the House.

The roll of the House was called.

A quorum of the House was announced present.

Speaker Barnes stated that the two Houses were in Joint Session for the purpose of hearing an address by His Excellency, John Connally, Governor of Texas.

Speaker Barnes then presented Governor Connally to the Joint Session.

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

**TO THE MEMBERS OF THE FIFTY - NINTH LEGISLATURE, FIRST CALLED SESSION:**

I appreciate the opportunity to deliver this message in person.

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

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

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

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

My views on the poll tax issue are well known. In 1963, and again last year, I recommended submission of

an amendment to the State Constitution repealing the poll tax as a prerequisite for voting in state elections. Two-thirds of the members of both the 58th and 59th Legislatures supported that proposal, although the amendment failed at the polls in 1963.

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

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

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

1. Provide for voter registration for the 1966 primary, general and special elections in the event the poll tax as a prerequisite for voting is finally declared unconstitutional effective this year; and

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

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

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

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

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

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



the conduct of the 1966 election process.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

The registration act should further provide that those who paid their poll

taxes prior to January 31 are automatically registered to vote in the 1966 elections without further action on their part.

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

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

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

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

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

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

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

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

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

Thank you for inviting me to this Joint Session.

#### SENATE RETIRES

At 12:42 o'clock p.m., Lieutenant Governor Preston Smith stated that the business of the Joint Session was concluded and that the Senate would stand recessed until 2:00 o'clock p.m. today.

#### HOUSE AT EASE

Speaker Barnes announced that the House would stand at ease pending the departure of the Governor and his party.

The Speaker called the House to order at 12:47 o'clock p.m.

#### RESOLUTION SIGNED BY THE SPEAKER

The Speaker signed in the presence of the House, after giving due notice thereof and its caption had been read, the following enrolled resolution:

H. C. R. No. 1, Providing for a Joint Session to hear an address by Governor John Connally.

TO REQUEST THAT THE GOVERNOR AND ATTORNEY GENERAL BE URGED NOT TO PROSECUTE AN APPEAL OF CIVIL ACTION NO. 1570, STYLED THE UNITED STATES OF AMERICA VS. THE STATE OF TEXAS

Mr. Whitfield offered the following resolution:

H. C. R. No. 2

WHEREAS, In that certain action in the United States District Court for the Western District of Texas, styled The United States of America vs. The State of Texas, being Civil Action No. 1570, and said cause having been heard by three (3) of Texas' most distinguished Judges, to wit: The Honorable John Brown, The Honorable Homer Thornberry, and The Honorable Adrian Spears; and

WHEREAS, That Honorable Court in an historic decree based upon scholarly findings has now declared that Article VIII, Section 1, and Arti-

cle VI, Section 2 and 3 of the Texas Constitution, together with Article 201 of the Texas General Taxation Code and Article 13.31 of the Texas Election Code and all other Texas statutes implementing the poll tax are unconstitutional and invalid; and

WHEREAS, The United States Congress has found that the requirement of the payment of a poll tax as a precondition to voting precludes persons of limited means from voting or imposes unreasonable financial hardships upon such persons as a precondition to the exercise of their franchise, and such precondition does not bear a reasonable relationship to any legitimate State interest in the conduct of its elections; and

WHEREAS, The said Congress has further found that the device of the poll tax has the purpose or effect of denying persons the right to vote because of race or color, and the Congress has declared that the right of said privilege is denied and abridged in those states and has been denied and abridged in the State of Texas by reason of the prior existence of the poll tax; and

WHEREAS, Those findings of Congress are not only based upon exhaustive research, but also comport with the common knowledge of all mankind; and

WHEREAS, The Congress has further declared it to be its policy that all citizens should be allowed to vote without distinction of their race, color or their condition of servitude and the Congress has further declared any law, custom, usage, or regulation of any State or Territory that would in any manner obstruct the right of any citizen to exercise the privilege of voting to be contrary to its policy and intent; and

WHEREAS, The poll tax as heretofore known in Texas extracted a price for the privilege of exercising the franchise; and

WHEREAS, All of the foregoing facts are well-known to this Legislature, the Attorney General, and the Governor; and

WHEREAS, A careful study of those cases now in the process of development in the courts of our land

reveals to any student of the law with a high degree of certainty that the ultimate outcome of the case of The United States of America vs. The State of Texas will result in an affirmation by the Supreme Court of the United States and this fact is so well-known that a Special Session of the Legislature has been deemed necessary by the Governor:

Now Therefore, be it Resolved by the House of Representatives of The State of Texas, the Senate of The State of Texas concurring, That the Governor of the State of Texas together with the Attorney General of The State of Texas, be respectfully urged not to prosecute an appeal of the aforementioned cause of action and that the Governor be urged to lend the weight and prestige of his Office toward the enactment of a just and equitable registration law to the end that all citizens, regardless of their race, color, creed, rank, or station in our society, be entitled to the full privileges and benefits of a free ballot.

The resolution was referred to the Committee on State Affairs.

#### HOUSE BILL ON FIRST READING

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

By Fondren, Clayton, Hefton, Arledge, Traeger, Satterwhite, Whatley, Wheeler, Dungan, Cole, Simpson, Thompson, Burgess, Klager, Armstrong, Bass of Bowie, Hawkins, Cowden, Quilliam, Atwood, Scoggins, Cain, Foreman, Sherman, Pendleton, Crews, Haines of Brazos, Atwell, Ligarde, Hendryx, Birkner, Bonilla, Hinson, Wade, Canales, Brown of Howard, Newman, McClinton, Jones of Taylor, Dixon, Whitfield, Jungmichel, Fletcher, Johnson of Bell, Stewart, Wright, Allen, Wayne, George, Garrison, Brown of Taylor, Nugent of Kerr, Miller of Harris, Duggan, Moyer, Schiller, Knapp, Townsend, McDonald of Rusk, Mobley, Heatly, Crain, Cavness, Howard, Connally, Richards, Holmes, Price, Grover, Tommy Shaanon of Tarrant, Rosson, Mann, Blaine, Jones of Lubbock, Hallmark, Solomon, Field, Slider, Floyd, Pickens, Woods, Guffey, Doke, McKissack, Blankenship,

Mutscher, Wieting, McLaughlin, Ward, Edwards, Williamson and Slack:

H. 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.

Referred to Committee on State Affairs.

#### ADJOURNMENT

Mr. Slider moved that the House adjourn until 11:00 o'clock a.m. tomorrow.

The motion prevailed without objection.

The Benediction was offered by Chaplain Clinton Kersey.

In accordance with the motion to adjourn, the House, at 12:52 o'clock p.m., adjourned until 11:00 o'clock a.m. tomorrow.

#### APPENDIX

#### STANDING COMMITTEE REPORT

The Committee on Rules filed a favorable report on H. C. R. No. 1.

#### REPORT OF THE COMMITTEE ON ENGROSSED BILLS

Austin, Texas, February 14, 1966

The Honorable Ben Barnes, Speaker of the House of Representatives.

Sir:

Your Committee on Engrossed Bills to whom were referred

H. C. R. No. 1, Providing for a Joint Session,

H. C. R. No. 3, In memory of Wayne Kenneth Hollenbeck,

Has carefully compared same and finds the resolutions correctly engrossed.

TRAVIS McCLINTON, Chairman.

**In Memory of**  
**Wayne Kenneth Hollenbeck**

Mr. Heatly offered the following resolution:

H. C. R. No. 3, In Memory of Wayne Kenneth Hollenbeck.

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

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

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

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

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

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

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

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

The resolution was unanimously adopted by a rising vote.

## SECOND DAY

(Tuesday, February 15, 1966)

The House met at 11:00 o'clock a.m., pursuant to adjournment, and was called to order by the Speaker.

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

Mr. Speaker	Hallmark
Alaniz	Harding
Allen	Haring
Arledge	Harris
Armstrong	Harrison
Atwell	Hawkins
Atwood	Haynes of Orange
Bass of Bowie	Heatly
Bass of Harris	Hefton
Beckham	Hendryx
Bernal	Hightower
Berry	Hinson
Birkner	Hollowell
Blaine	Holmes
Blankenship	Howard
Bonilla	Isaacks
Brooks	Ivy
Brown of Taylor	Jamison
Brown of Howard	Johnson of Bell
Burgess	Johnson of Bexar
Cahoon	Johnson of Harris
Cain	Jones of Lubbock
Caldwell	Jones of Taylor
Canales	Jungmichel
Cavness	Kilpatrick
Cherry	Klager
Clayton	Knapp
Cole	Kothmann
Connally	Lack
Cory	Lee
Cowden	Lewis
Cowles	Ligarde
Crain	Longoria
Crews	McClinton
Dickson	McDonald
Doke	of Hidalgo
Duggan	McDonald of Rusk
Dungan	McIlhany
Eckhardt	McKissack
Edwards	McLaughlin
Field	Mann
Finney	Markgraf
Fletcher	Miller of Newton
Floyd	Miller of Harris
Fondren	Mobley
Foreman	Montoya
Garrison	Moyer
Gates	Muniz
George	Murray
Green	Mutscher
Grover	Neugent
Guffey	of Galveston
Haines of Brazos	Newman
Hale	Nugent of Kerr

Parker	Slider
Peeler	Smith
Pendleton	Solomon
Pickens	Stewart
Pipkin	Stroud
Price	Thompson
Quilliam	Thurmond
Rapp	Townsend
Richards	Traeger
Richardson	Vale
Roberts	Wade
Rosson	Ward
Satterwhite	Wayne
Schiller	Weldon
Scoggins	Whatley
Shannon, Joe	Wheeler
of Tarrant	Whitfield
Shannon, Tommy	Wieting
of Tarrant	Williamson
Sherman	Wilson
Simpson	Woods
Slack	Wright

A quorum of the House was announced present.

The Invocation was offered by Chaplain Clinton Kersey, as follows:

"Father in Heaven,

We thank Thee, Almighty God, for the rich heritage of this State, for the evidences we see daily of Thy good favor and for Your help that has made and preserved us as a State and Nation.

May we be grateful for the rights and privileges and help us to be conscious of our duties and obligations as we stand before Thee.

Help each Member to do what is right as he considers this most important legislation that deals with the blessed privilege of voting, is our prayer. In Jesus' Name. Amen."

MEMORIAL RESOLUTION  
ADOPTED

The following Memorial Resolution was adopted unanimously by a rising vote:

H. S. R. No. 5, By Garrison, Floyd, Harrison, Bass of Harris, Miller of Harris, Duggan, Grover, Mutscher, Whatley, Brooks and Rapp: In memory of William Lockhart Clayton.

TO URGE ATTORNEY GENERAL WAGGONER CARR NOT TO PURSUE APPEAL OF FEDERAL DISTRICT COURT'S DECISION RELATIVE TO THE POLL TAX

Mr. Parker offered the following resolution:

## H. S. R. No. 4

WHEREAS, The United States District Court for the Western District of Texas, Austin Division, held in an opinion handed down on February 9, 1966, in Civil Action No. 1570, styled United States of America v. The State of Texas, that provisions of the Texas Constitution and statutes levying and implementing the poll tax are unconstitutional and invalid insofar as they require its payment as a prerequisite for voting in general, special and primary elections, whether federal, state or local; and

WHEREAS, The Honorable Waggoner Carr, Attorney General of Texas, has announced his intention to appeal this decision to the Supreme Court of the United States; and

WHEREAS, The court has held that requiring payment of the poll tax as a prerequisite to voting infringes on the concept of liberty as protected by the Due Process Clause of the Fourteenth Amendment to the U. S. Constitution and constitutes an invalid charge on the exercise of one of our most precious rights—the right to vote; and

WHEREAS, The Texas Legislature has been assembled in this Called Session for the purpose of enacting a voter registration law to supersede the poll tax; and

WHEREAS, There is currently pending in this state a referendum concerning the poll tax as a prerequisite for voting in the form of a proposed constitutional amendment which will be submitted to the people in November, 1966, at an election which will require the expenditure of thousands of tax dollars; and

WHEREAS, Appeal of the court decision would lead to confusion and uncertainty concerning the voting laws of the state and might possibly require additional Called Sessions of the Legislature, necessitating further expenditure of the resources of the State Treasury as well as the Office of the Attorney General; now therefore be it

RESOLVED, That the House of Representatives of the 59th Legislature of Texas respectfully urges Attorney General Waggoner Carr not

to pursue the appeal of the Federal District Court's decision in United States of America v. The State of Texas.

The resolution was referred to the Committee on State Affairs.

TO PROVIDE FOR PHOTOGRAPH  
OF THE HONORABLE ROGER  
DALE BROWN

Mr. Blaine offered the following resolution:

## H. S. R. No. 6

WHEREAS, A new Member has been elected to the House of Representatives since the last session of this Fifty-ninth Legislature and is now serving in this First Called Session; and

WHEREAS, This new Representative, The Honorable Roger Dale Brown of Big Spring, took office after the picture panel of the Fifty-ninth Legislature was prepared; and

WHEREAS, It is appropriate that this new Member receive recognition and have his photograph placed in this Hall; now therefore be it

RESOLVED, That this new Member of the Fifty-ninth Legislature have his picture made for use in a supplementary panel to be hung near the panel of the Fifty-ninth Legislature already prepared; and be it further

RESOLVED, That the Rules Committee arrange with the photographer to make the picture of this new Member, with the expense to be paid out of the Contingent Expense Fund.

The resolution was read and was adopted without objection.

HONORING FUTURE NURSES  
GROUP OF THOMAS JEFFERSON  
HIGH SCHOOL, PORT  
ARTHUR, TEXAS

Mr. Smith offered the following resolution:

## H. S. R. No. 7

WHEREAS, The Future Nurses Club of Thomas Jefferson High School of Port Arthur, Texas is an outstanding organization of high school students whose efforts are directed towards courses in nursing or in various fields of medicine; and

WHEREAS, Each of these young ladies serves a minimum of four volunteer hours each month in actual hospital work; and

WHEREAS, The members of this club gave more than 6,000 hours of volunteer service last year; and

WHEREAS, These young ladies, accompanied by Mrs. Jessie Judd Miller and Miss Jane Wahrmund of Port Arthur, will be in Austin on Thursday, February 17, 1966; therefore, be it

RESOLVED by the House of Representatives That a hearty welcome be extended to these outstanding young women and that they be invited to visit the Texas House of Representatives and be present in the gallery during the morning session on Thursday; and, be it further

RESOLVED, That this fine group of Future Nurses be commended for their many hours of volunteer service in behalf of their fellowman and for their continuing interest in the field of nursing and health careers.

Signed: Smith, Weldon, Parker and Kilpatrick.

The resolution was referred to the Committee on Rules.

#### ADJOURNMENT

Mr. Cavness moved that the House adjourn until 11:00 o'clock a.m. tomorrow.

The motion prevailed.

The Benediction was offered by Chaplain Clinton Kersey.

In accordance with the motion to adjourn, the House, at 11:17 o'clock a.m., adjourned until 11:00 o'clock a.m. tomorrow.

#### APPENDIX

##### REPORT OF THE COMMITTEE ON ENROLLED BILLS

Austin, Texas, February 14, 1966

The Honorable Ben Barnes, Speaker  
of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred

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

Has carefully compared same and finds it correctly enrolled.

WARD, Chairman.

#### SENT TO GOVERNOR

Feb. 14, 1966

H. C. R. No. 1

#### THIRD DAY

(Wednesday, February 16, 1966)

The House met at 11:00 o'clock a.m., pursuant to adjournment, and was called to order by the Speaker.

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

Mr. Speaker	Duggan
Alaniz	Dungan
Allen	Eckhardt
Arledge	Edwards
Armstrong	Field
Atwell	Finney
Atwood	Fletcher
Bass of Bowie	Floyd
Bass of Harris	Fondren
Beckham	Foreman
Bernal	Garrison
Berry	Gates
Birkner	George
Blaine	Green
Blankenship	Grover
Bonilla	Guffey
Brooks	Haines of Brazos
Brown of Taylor	Hale
Brown of Howard	Hallmark
Burgess	Harding
Cahoon	Haring
Cain	Harris
Caldwell	Harrison
Canales	Hawkins
Cavness	Haynes of Orange
Cherry	Heatly
Clayton	Hefton
Cole	Hendryx
Connally	Hightower
Cory	Hinson
Cowden	Hollowell
Cowles	Holmes
Crain	Howard
Crews	Isaacks
Dickson	Ivy
Doke	Jamison



Johnson of Bell	Price
Johnson of Bexar	Quilliam
Johnson of Harris	Rapp
Jones of Lubbock	Richards
Jones of Taylor	Richardson
Jungmichel	Roberts
Kilpatrick	Rosson
Klager	Satterwhite
Knapp	Schiller
Kothmann	Scoggins
Lack	Shannon, Joe
Lee	of Tarrant
Lewis	Shannon, Tommy
Ligarde	of Tarrant
Longoria	Sherman
McClinton	Simpson
McDonald	Slack
of Hidalgo	Slider
McDonald of Rusk	Smith
McKissack	Solomon
McLaughlin	Stewart
Mann	Stroud
Markgraf	Thompson
Miller of Newton	Thurmond
Miller of Harris	Townsend
Mobley	Traeger
Montoya	Vale
Moyer	Wade
Muniz	Ward
Murray	Wayne
Mutscher	Weldon
Neugent	Whatley
of Galveston	Wheeler
Newman	Whitfield
Nugent of Kerr	Wieting
Parker	Williamson
Peeler	Wilson
Pendleton	Woods
Pickens	Wright
Pipkin	

Absent — Excused

McIlhany

A quorum of the House was announced present.

The Invocation was offered by Chaplain Clinton Kersey, as follows:

“Heavenly Father,

Again this morning, with humbleness in our hearts, we seek Thy guidance and ask for wisdom and strength for our labors.

We pray for each one in places of responsibility. Especially do we ask You to guide those who are charged with the responsibility of preparing legislation affecting voting privileges and whatever the decisions of this day, may they be according to Thy will.

Bless Governor Connally as he performs his duties; Speaker Barnes as he presides over this House. Above all else, Father, may we be aware that Thou art the giver of life and without Thee we are lay.

Forgive our pride, our anger and all our shortcomings. In Jesus' Name we pray. Amen.”

MESSAGE FROM THE SENATE

Austin, Texas, February 16, 1966

Hon. Ben Barnes, Speaker of the House of Representatives.

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

S. C. R. No. 1, By Herring, et al: In memory of Mr. Wayne Kenneth Hollenbeck.

Respectfully,  
CHARLES A. SCHNABEL  
Secretary of the Senate

RELATIVE TO THE INTRODUCTION OF CERTAIN HOUSE BILLS

The Speaker stated that he would accept and hold in the Speaker's Office bills that were not within the Governor's Call; also stating that the bills would not be read first time and referred to Committees unless they were included within the Call of the Governor.

MEMORIAL RESOLUTIONS ADOPTED

The following Memorial Resolutions were adopted unanimously by a rising vote:

H. S. R. No. 8, By Beckham: In memory of Mrs. Tennie McAfee Lee.

H. S. R. No. 9, By Green and Field: In memory of Harry (Hap) Morse.

H. S. R. No. 13, By Whatley, Bass of Harris, Garrison, Floyd, Harrison, Miller of Harris, Johnson of Harris, Eckhardt, Brooks, Guffey, Grover, Duggan and Whitfield: In memory of H. E. Treichler.

S. C. R. No. 1, In memory of Wayne Kenneth Hollenbeck.

CONGRATULATORY RESOLUTIONS ADOPTED

The following Congratulatory Resolutions were adopted unanimously:

H. S. R. No. 10, By Jungmichel: Commending the Bastrop High School Government Class for visit to the State Capitol.

H. S. R. No. 11, By Jones of Taylor: Congratulating Roddy Reynolds.

H. S. R. No. 12, By Klager, Bonilla, Hale and Peeler: Congratulating the Civics Club of Incarnate Word Academy of Corpus Christi.

**RELATIVE TO PROVIDING FOR AN INTERIM COMMITTEE TO STUDY VOTER REGISTRATION LAW**

Mr. Ivy offered the following resolution:

H. C. R. No. 4

Whereas, The 59th Legislature has been summoned into this First Called Session to pass a voter registration law to supersede the poll tax, which has been held unconstitutional as a prerequisite to voting in federal, state and local elections; and

Whereas, The timing of this decision by a Federal District Court has been such that immediate legislative action is necessary to provide for orderly conduct of certain local elections in April and the party primaries in May; and

Whereas, The Attorney General of the State of Texas has announced his intention to appeal to the Supreme Court of the United States for a stay of execution of the Federal District Court's decision; and

Whereas, Further uncertainty is created by the fact that the people of the State of Texas will vote in November on a proposed constitutional amendment to abolish the poll tax as a prerequisite for voting and to substitute an annual voter registration system; and

Whereas, Because a voter registration law must be enacted hastily due to the urgency of the situation, and because future action by the courts and the voters of the State cannot be predicted and taken into account, the legislation enacted here may or may not be adequate to meet future contingencies; and

Whereas, Abolition of the poll tax and substitution of a voter registra-

tion system have significant and long-range implications for the political process in Texas, perhaps even more far-reaching than the changes occasioned by reapportionment; and

Whereas, It is vitally important that any voter registration law passed at this Called Session be subjected to close study and critical review in operation; now therefore be it

Resolved, by the House of Representatives of the State of Texas, the Senate concurring, That a 12-member Interim Committee to Study the Voter Registration Law be created, to consist of six Members of the House of Representatives appointed by the Speaker and six Members of the Senate appointed by the Lieutenant Governor; and be it further

Resolved, That this committee be directed to give detailed and careful study to the voter registration law which is enacted at this Called Session of the Legislature with a view to identifying its inequities, shortcomings and deficiencies in actual operation; and be it further

Resolved, That the committee be empowered to conduct public hearings at any location in the State which it determines and to hold such other meetings as may be helpful in carrying out its assignment; and be it further

Resolved, That the Interim Committee to Study the Voter Registration Law report its findings and recommendations, including drafts of corrective amendments and necessary revisions, to the Regular Session of the 60th Legislature.

Signed: Ivy and Wade.

The resolution was referred to the Committee on State Affairs.

**HOUSE BILLS ON FIRST READING**

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

By Whitfield:

H. B. No. 2, A bill to be entitled An Act providing for a system of voter registration; amending Section 34a, Texas Election Code, as amended

(Article 5.02a, Vernon's Texas Election Code); and declaring an emergency.

Referred to Committee on State Affairs.

By Peeler, Eckhardt, Brooks, Cherry, Parker, Hale, Haynes of Orange, Lack, Lee, Weldon, Kilpatrick, and Alaniz:

H. B. No. 4, A bill to be entitled An Act establishing alternate registration systems in the event (1) that the poll tax as a prerequisite for voting is invalidated by court action, or (2) that the poll tax as a prerequisite for voting is invalidated by constitutional amendment or a constitutional amendment is passed in addition to court invalidation, and making other provisions necessary or in aid of such registration systems; providing for a temporary period of registration in the year 1966 and providing conditions for voting after such registration; making other provisions for effectuating the purposes of this Act,

including, but not limited to effective dates; providing for severability; and declaring an emergency.

Referred to Committee on State Affairs.

ADJOURNMENT

Mr. Nugent of Kerr moved that the House adjourn until 9:00 o'clock a.m. tomorrow.

The motion to adjourn prevailed.

The Benediction was offered by Chaplain Clinton Kersey.

In accordance with the motion to adjourn, the House, at 11:22 o'clock a.m., adjourned until 9:00 o'clock a.m. tomorrow.

APPENDIX

STANDING COMMITTEE REPORT

The Committee on Rules has filed a favorable report on H. S. R. No. 7.

## In Memory of The Honorable

# Albert Thomas

Mr. Eckhardt offered the following resolution:

H. C. R. No. 5

Whereas, One of the great voices of the United States Congress was stilled on Tuesday, February 15, with the death of The Honorable Albert Thomas of Houston at his Washington home; and

Whereas, This dynamic leader was born in Nacogdoches, Texas, on April 12, 1898, and attained eminence as an attorney before seeking a seat in the Congress in 1936; and

Whereas, He served in World War I as a second lieutenant in the United States Army, and returned to attend Rice Institute at Houston, from which he was graduated in 1920; and

Whereas, He was also a graduate of the Law School of The University of Texas, 1926, and was admitted to the bar in 1927, beginning his practice at his home town of Nacogdoches; and

Whereas, His first public service was as county attorney of Nacogdoches County, 1927-1930, which was followed by his appointment as assistant United States District Attorney for the southern district of Texas; and

Whereas, He began his first term in Congress on January 3, 1937, with the Seventy-fifth Congress, and was serving with the present Eighty-ninth Congress at the time of his death; and

Whereas, A gentleman of the Old South who spoke softly, Congressman Thomas was still typically Texan in appearance and was one of the great powers in the Congress, a man of courage who was highly respected by everyone; and

Whereas, His handling of funds for the so-called independent agencies of government as chairman of the appropriations subcommittee was a masterpiece of fiscal knowledge and astute leadership; and

Whereas, In more recent years he gained acclaim by his direction of appropriations measures for the vastly important aeronautics and space program; and

Whereas, Though all his years of service bore the mark of high statesmanship and moral courage, his last years were additionally distinguished by his personal courage. His indomitable spirit never flagged, and he served his district and his nation in illness and suffering with the same self-sacrificing devotion as had always been his want; and

Whereas, This great Texan, this national leader, this close friend and mentor of presidents, this patient man beloved by the people of his district of all degree, will be sorely missed, as his familiar and beloved "Howdy partner" is forever silenced in Congressional Halls; and

Whereas, The 59th Legislature of the State of Texas wishes to extend its sympathy to his wife and daughters, who suffer with us in mutual loss; now therefore be it

Resolved, by the House of Representatives of the State of Texas, the Senate concurring, That this Resolution stand in memory of Albert Thomas, courageous leader, statesman and friend; and be it further

Resolved, That copies of this Resolution be prepared for his wife, Mrs. Lera Thomas, and his two daughters: Mrs. Anne Lasater and Miss Lera Thomas; and be it further

Resolved, That when the House of Representatives and the Senate adjourn this day, that they do so in memory of and tribute to Congressman Albert Thomas.

Signed: Eckhardt, Whatley, Miller of Harris, Duggan, Floyd, Brooks, Bass of Harris, Garrison, Johnson of Harris, Grover, Harrison and Whitfield.

The resolution was unanimously adopted by a rising vote.

The Members of the House of Representatives, on request of Speaker Barnes, then stood for a moment of silent prayer.

On the motion of Mr. Burgess, the names of all the Members of the House were added to H. C. R. No. 5 as signers thereof.

Speaker Barnes announced the appointment of the Members of the House of Representatives from Harris County to represent the House at the funeral of the Honorable Albert Thomas.

## FOURTH DAY

(Thursday, February 17, 1966)

The House met at 9:00 o'clock a.m., pursuant to adjournment, and was called to order by the Speaker.

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

Mr. Speaker	Hale
Alaniz	Hallmark
Allen	Harding
Arledge	Haring
Armstrong	Harris
Atwell	Harrison
Atwood	Hawkins
Bass of Bowie	Haynes of Orange
Bass of Harris	Heatly
Beckham	Hefton
Bernal	Hendryx
Berry	Hightower
Birkner	Hinson
Blaine	Hollowell
Blankenship	Holmes
Bonilla	Howard
Brooks	Isaacks
Brown of Taylor	Ivy
Brown of Howard	Jamison
Burgess	Johnson of Bell
Cahoon	Johnson of Bexar
Cain	Johnson of Harris
Caldwell	Jones of Lubbock
Canales	Jones of Taylor
Cavness	Jungmichel
Cherry	Kilpatrick
Clayton	Klager
Cole	Knapp
Connally	Kothmann
Cory	Lack
Cowden	Lee
Cowles	Lewis
Crain	Ligarde
Crews	Longoria
Dickson	McClinton
Doke	McDonald
Duggan	of Hidalgo
Dungan	McDonald of Rusk
Eckhardt	McIlhany
Edwards	McKissack
Field	McLaughlin
Finney	Mann
Fletcher	Markgraf
Floyd	Miller of Newton
Fondren	Miller of Harris
Foreman	Mobley
Garrison	Montoya
Gates	Moyer
George	Muniz
Green	Murray
Grover	Mutscher
Guffey	Neugent
Haines of Brazos	of Galveston

Newman	Slack
Nugent of Kerr	Slider
Parker	Smith
Peeler	Solomon
Pendleton	Stewart
Pickens	Stroud
Pipkin	Thompson
Price	Thurmond
Quilliam	Townsend
Rapp	Traeger
Richards	Vale
Richardson	Wade
Roberts	Ward
Rosson	Wayne
Satterwhite	Weldon
Schiller	Whatley
Scoggins	Wheeler
Shannon, Joe	Whitfield
of Tarrant	Wieting
Shannon, Tommy	Williamson
of Tarrant	Wilson
Sherman	Woods
Simpson	Wright

A quorum of the House was announced present.

The Invocation was offered by Chaplain Clinton Kersey, as follows:

"Let nothing be done through strife or vainglory; but in lowliness of mind let each esteem other better than themselves. Look not every man on his own things, but every man also on the things of others.' Philippians 2:3-4.

Heavenly Father, thank Thee for the right for rest and relaxation and the beautiful day for our labors.

Help us Father to have the courage of our convictions that when this day is complete it may be pleasing to Thee.

Forgive us our mistakes. In Jesus' Name. Amen."

## LEAVE OF ABSENCE GRANTED

The following Member was granted leave of absence on account of important business:

Mr. Slack for Monday, February 14, on motion of Mr. Pendleton.

CONGRATULATING THE FIVE  
OUTSTANDING YOUNG MEN  
OF TEXAS

Mr. Hightower offered the following resolution:

H. C. R. No. 6

WHEREAS, The Texas Junior Chamber of Commerce annually presents awards to "Five Outstanding Young Texans" adjudged to have made important contributions to their professions and to the general welfare of the people because of extraordinary talent and initiative; and

WHEREAS, The Honorable Ben Barnes, Speaker of the Texas House of Representatives, and Jack Boynton Strong, a Member of the Texas Senate from Longview, were among the five young men so honored on January 29, 1966, at a banquet hosted by the Oak Cliff Junior Chamber of Commerce in Dallas; and

WHEREAS, The other award recipients this year were William Pettus Hobby, Jr., president and executive editor of The Houston Post; George R. Schrader, city manager of Mesquite; and Lieutenant Colonel Edward H. White, II, the astronaut who was the first American to walk in space; and

WHEREAS, Speaker Barnes, at 28, is the youngest House Speaker in the United States, the youngest Texas Speaker since 1870, and the only Speaker in the history of Texas to be elected by unanimous vote; and

WHEREAS, His political career began in 1960 when at the age of 22 he defeated the incumbent to win the representative's seat from the then 73rd District with a door-to-door campaign; and

WHEREAS, He was Chairman of the Rules Committee in the 58th Legislature, and his legislative leadership was reflected by his 1962 selection as "Outstanding Legislator" by Capitol correspondents; and

WHEREAS, With the House under his able leadership, the Regular Session of the 59th Legislature achieved a record which has been hailed as the most constructive made by any Legislature in this century; and

WHEREAS, Senator Strong, at 35, has completed not just one success story but four—in law, oil exploration and development, real estate and politics; and

WHEREAS, He made a spectacular entrance into state politics by de-

feating a 20-year incumbent for the Senate seat he now occupies; and

WHEREAS, In less than three years he has won the respect and admiration of his legislative colleagues because of his knowledge and dedicated work in the fields of oil and gas, education, insurance, water conservation and navigation, and industrial development; and

WHEREAS, He is remembered especially for his efforts during the Regular Session of the 59th Legislature which resulted in enactment of compromise legislation on the teacher pay raise proposal; and

WHEREAS, Mr. Hobby, who is an executive of one of the state's major newspapers at 33, is director of 12 organizations, trustee or officer of 9 boards, and a member of numerous other groups; and

WHEREAS, He has four times served on the jury to select winners of the Pulitzer Prizes, and his newspaper was the recipient of one of these coveted awards during his tenure as managing editor; and

WHEREAS, He was chairman of the Public Education Task Force of the Statewide Mental Health Planning Committee and was also chairman of the editorial committee which prepared the report entitled "Texas Plans for Mental Health"; and

WHEREAS, It was the work of this planning committee in which he participated so effectively that resulted in the enactment of a dynamic new state program for mental health and mental retardation in the Regular Session of the 59th Legislature; and

WHEREAS, Mr. Schrader, 35, has built his life around public administration and city planning; he previously served as assistant city manager of San Angelo and became the youngest city manager in Texas when, at the age of 26, he accepted that post in Ennis in 1957; and

WHEREAS, Recognized for his ability to achieve cooperation among people and governmental entities as well as in professional areas, Schrader received the State of Texas' top award in debt administration in 1965 and was chosen by his college,

Baker University, to appear in the 1965 edition of "Outstanding Young Men of America"; and

WHEREAS, Since 1963, he has served as a member of the Editorial Board of the International City Manager's Association; and

WHEREAS, Thirty-five-year-old Lieutenant Colonel White, in addition to being chosen one of the Five Outstanding Young Men of Texas, is one of the few ever to be selected for the Ten Outstanding Young Men of the Nation in the same year; and

WHEREAS, He was named pilot of the Gemini Four flight in July, 1964, and on June 3, 1965, he went into orbit with command pilot James McDivitt for a four-day trip, during which he took his famous 20-minute walk in the thermosphere and doubled the Russian record; and

WHEREAS, A native of San Antonio now living in Seabrook, White is a graduate of the United States Military Academy and holds a master's degree and an honorary doctorate from the University of Michigan; and

WHEREAS, After joining the Air Force on graduation from West Point, he received flight training in Florida and Texas, served a three-and-a-half-year tour of duty with a fighter squadron in Germany, and was an experimental test pilot at Wright-Patterson Air Force Base in Ohio; and

WHEREAS, These five outstanding young men have all been deservedly recognized for their outstanding achievements by the Texas Junior Chamber of Commerce, which annually presents such awards to five nominees between the ages of 21 and 36; and

WHEREAS, The 59th Legislature of Texas takes special pride in having two of its own members named Outstanding Young Men of Texas; now therefore be it

RESOLVED, By the House of Representatives of the State of Texas, the Senate concurring, That we congratulate the five winners of the 1965 Jaycee competition to choose the Five Outstanding Young Men of Texas and commend them not only for

the endeavors which won them this recognition but for the contributions they have made to the state as a whole in their respective professions and areas of interest; and be it further

RESOLVED, That the Texas Junior Chamber of Commerce be commended for its outstanding record in preparing young men for leadership and for its annual Five Outstanding Young Texans award program which challenges young men to higher achievement and greater service; and be it further

RESOLVED, That a copy of this resolution be sent to each of the award winners and to Mr. A. J. Carubbi, Jr., of Pampa, state president of the Texas Junior Chamber of Commerce.

Signed: Hightower and George.

The resolution was adopted without objection.

#### ADOPTION OF H. S. R. NO. 7

The Speaker laid before the House, for consideration at this time,

H. S. R. No. 7, Honoring Future Nurses Group of Thomas Jefferson High School, Port Arthur, Texas.

The resolution was referred to the Committee on Rules and was reported favorably by the Committee.

H. S. R. No. 7 was adopted without objection.

#### CONGRATULATORY RESOLUTIONS ADOPTED

The following Congratulatory Resolutions were adopted unanimously:

H. S. R. No. 14, By Burgess: Congratulating the Campbell High School Dragons of Nacogdoches, Texas.

H. S. R. No. 15, By Burgess: Congratulating the Nacogdoches High School Dragons of Nacogdoches, Texas.

#### ADJOURNMENT

Mr. Nugent of Kerr moved that the House adjourn until 11:00 o'clock a.m. next Monday.

The motion prevailed without objection.



The Benediction was offered by Chaplain Clinton Kersey.

In accordance with the motion to adjourn, the House, at 9:12 o'clock a.m., adjourned until 11:00 o'clock a.m. next Monday.

APPENDIX

REPORT OF THE COMMITTEE ON ENGROSSED BILLS

Austin, Texas, February 16, 1966

The Honorable Ben Barnes, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. C. R. No. 5, In memory of Congressman Albert Thomas,

Has carefully compared same and finds it correctly engrossed.

TRAVIS McCLINTON, Chairman.

STANDING COMMITTEE REPORT

The Committee on State Affairs has filed a favorable report on H. B. No. 1.

FIFTH DAY

(Monday, February 21, 1966)

The House met at 11:00 o'clock a.m., pursuant to adjournment, and was called to order by the Speaker.

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

Mr. Speaker	Brown of Taylor
Alaniz	Brown of Howard
Allen	Burgess
Arledge	Cahoon
Armstrong	Cain
Atwell	Caldwell
Atwood	Canales
Bass of Bowie	Cavness
Bass of Harris	Cherry
Beckham	Clayton
Bernal	Cole
Berry	Connally
Birkner	Cory
Blaine	Cowden
Blankenship	Cowles
Bonilla	Crain
Brooks	Crews

Dickson	McLaughlin
Doke	Mann
Duggan	Markgraf
Dungan	Miller of Newton
Eckhardt	Miller of Harris
Edwards	Mobley
Field	Montoya
Finney	Moyer
Fletcher	Muniz
Floyd	Murray
Fondren	Mutschler
Foreman	Neugent
Garrison	of Galveston
Gates	Newman
George	Nugent of Kerr
Green	Parker
Grover	Peeler
Guffey	Pendleton
Haines of Brazos	Pickens
Hale	Pipkin
Hallmark	Price
Harding	Quilliam
Haring	Rapp
Harris	Richards
Harrison	Richardson
Hawkins	Roberts
Haynes of Orange	Rosson
Heatly	Satterwhite
Hefton	Schiller
Hendryx	Scoggins
Hightower	Shannon, Joe
Hinson	of Tarrant
Hollowell	Shannon, Tommy
Holmes	of Tarrant
Howard	Sherman
Isaacks	Simpson
Ivy	Slack
Jamison	Slider
Johnson of Bell	Smith
Johnson of Bexar	Solomon
Johnson of Harris	Stewart
Jones of Lubbock	Stroud
Jones of Taylor	Thompson
Jungmichel	Thurmond
Kilpatrick	Townsend
Klager	Traeger
Knapp	Vale
Kothmann	Wade
Lack	Ward
Lee	Wayne
Lewis	Weldon
Ligarde	Whately
Longoria	Wheeler
McClinton	Whitfield
McDonald	Wieting
of Hidalgo	Williamson
McDonald of Rusk	Wilson
McIlhany	Woods
McKissack	Wright

A quorum of the House was announced present.

The Invocation was offered by Chaplain Clinton Kersey, as follows:

"Whoso keepeth his mouth and his tongue keepeth his soul from troubles. A good name is rather to be chosen than great riches." Proverbs 21:23 and Proverbs 22:1.

Father, we thank Thee for Your watchcare over us and for these Members who are here this day. May they have the wisdom and strength to do that which will be pleasing unto Thee.

Father, bless each one now in his labor today. May the action taken cause our State to continue to grow and prosper. Bless those who are bereaved and those who are ill. Forgive our mistakes. In Jesus' Name. Amen."

#### MESSAGE FROM THE SENATE

Austin, Texas, February 21, 1966

Hon. Ben Barnes, Speaker of the House of Representatives.

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

S. C. R. No. 3, By Herring: In memory of Mr. Lemuel Scarbrough, Sr.

S. C. R. No. 4, By Herring: In memory of Mr. A. B. Shierlow.

S. C. R. No. 5, By Herring: In memory of Dr. J. V. Siegmund.

H. C. R. No. 5, By Eckhardt, et al: In memory of Congressman Albert Thomas.

Respectfully,  
CHARLES A. SCHNABEL  
Secretary of the Senate

#### RESOLUTION SIGNED BY THE SPEAKER

The Speaker signed in the presence of the House, after giving due notice and its caption had been read, the following enrolled resolution:

S. C. R. No. 1, In memory of Wayne Kenneth Hollenbeck.

#### MEMORIAL RESOLUTIONS ADOPTED

The following Memorial Resolutions were adopted unanimously by a rising vote:

H. S. R. No. 16, By Lewis, Stroud

and Blankenship: In memory of Mrs. Lily V. Leonard.

H. S. R. No. 17, By Caldwell: In memory of Mr. Baxter Lee Bundick.

H. S. R. No. 18, By Caldwell: In memory of Herminio Gonzales.

H. S. R. No. 19, By Caldwell: In memory of Calvin A. Bowman.

H. S. R. No. 24, By Brooks and Bass of Harris: In memory of Jose Medellin.

H. S. R. No. 29, By Whatley, Duggan, Grover, Johnson of Harris, Garrison, Miller of Harris, Brooks, Bass of Harris, Floyd, Harrison, Eckhardt and Whitfield: In memory of Judge Arnold H. Krichamer.

On the motion of Mr. Brooks, the names of all Members of the House were added to H. S. R. No. 29 as signers thereof.

H. C. R. No. 8, By Cavness, Foreman, Armstrong and Cain: In memory of Mrs. Magnolia N. Greene.

H. C. R. No. 10, By Miller of Harris, Nugent of Kerr, Townsend and Fletcher: In memory of Fleet Admiral Chester W. Nimitz.

On the motion of Mr. Fletcher, the names of all Members of the House were added to H. C. R. No. 10 as signers thereof.

#### CONGRATULATORY RESOLUTIONS ADOPTED

The following Congratulatory Resolutions were adopted unanimously:

H. S. R. No. 20, By Brooks: Congratulating Charles Schneider.

H. S. R. No. 21, By Howard: Welcoming the seventh and eighth grade classes of St. Joseph School, Devine, Texas.

H. S. R. No. 22, By Burgess: Congratulating the San Augustine High School Wolves.

H. S. R. No. 23, By Burgess: Congratulating the Lincoln High School Tigers of San Augustine, Texas.

H. S. R. No. 25, By Edwards: Congratulating the Paris High School Band.

H. S. R. No. 26, By Ward: Con-

gratulating the Senior Government Class of Burleson High School.

H. S. R. No. 27, By Hendryx: Congratulating the Sul Ross State College Lobos.

H. S. R. No. 30, By Kothmann, Vale, Lee, Bernal and Johnson of Bexar: Commending Joe Freeman.

H. S. R. No. 31, By Cain, Cavness, Foreman and Armstrong: Congratulating the Del Valle High School Cardinals Basketball Team.

H. S. R. No. 32, By Markgraf: Congratulating the Mabank Panther Football team.

H. S. R. No. 33, By Markgraf: Congratulating the Forney Jackrabbit Football Team.

H. S. R. No. 34, By Bernal, Vale, Kothmann, Lee, Mutscher, Johnson of Bexar, Berry, Nugent of Kerr, Alaniz and Traeger: Congratulating the Central Catholic Buttons of San Antonio.

H. C. R. No. 11, By Kilpatrick, Smith, Parker and Weldon: Congratulating Mr. James H. Hartzog.

H. C. R. No. 12, By Townsend: Congratulating Miss Jan Brown.

On the motion of Mr. Fletcher, the names of all Members of the House were added to H. C. R. No. 12 as signers thereof.

**DIRECTING THE BOARD OF CONTROL TO ERECT TWO CONFEDERATE MEMORIAL INFORMATION MARKERS ON THE CAPITOL GROUNDS**

Mr. Mutscher offered the following resolution:

H. C. R. No. 9

WHEREAS, The State Building Commission, in cooperation with the Texas State Historical Survey Committee, has erected 340 Confederate Memorial Information Markers during the Centennial Observance of the Civil War; and

WHEREAS, They are desirous of placing two of these markers on the Capitol Grounds which would delineate the history of the "Texas Secession Convention" and "Confederate Texas Legislatures"; and

WHEREAS, Senate Bill No. 437, Chapter 313, Acts of the Fifty-fifth Legislature, Regular Session, 1957, makes it unlawful for any officer or employee of the State to erect any memorial or monument on the grounds of the State Capitol unless express approval is granted by the Legislature; now, therefore be it

RESOLVED, By the House of Representatives, the Senate concurring, That the Board of Control, in cooperation with the State Building Commission and the Texas State Historical Survey Committee, is hereby directed to erect the two Confederate Memorial Information Markers on the "Texas Secession Convention" and "Confederate Texas Legislatures" at a suitable location on the Capitol grounds.

The resolution was referred to the Committee on State Affairs.

**TO CONGRATULATE THE HONORABLE JAKE JOHNSON OF BEXAR COUNTY**

Mr. Traeger offered the following resolution:

H. S. R. No. 28

WHEREAS, Our distinguished and esteemed colleague in this House, the Honorable Jake Johnson of San Antonio, will marry Miss Ann Clair Schafer on March 19, 1966, at Brooks Air Force Chapel in San Antonio; and

WHEREAS, Representative Johnson is the son of Major General and Mrs. Harry H. Johnson of San Antonio, and Miss Schafer is the daughter of Colonel and Mrs. George E. Schafer of Brooks Air Force Base; and

WHEREAS, During his three terms of service in the Legislature, Representative Johnson has won the admiration, respect and friendship of all the Members through his able and dedicated service and his congenial personality; and

WHEREAS, The caliber of his ability and leadership is indicated by the fact that he is currently serving as a member of the Committees on State Affairs, Game and Fisheries, Highways and Roads, Penitentiaries, and State Hospitals and Special Schools; and

WHEREAS, It is the wish of this body to express our collective good wishes to Representative Johnson and his bride-to-be on the occasion of their forthcoming marriage; now therefore be it

RESOLVED, by the House of Representatives of the 59th Legislature of Texas, That we congratulate Representative Jake Johnson of San Antonio and extend to him and his fiancée, Miss Ann Clair Schafer, our felicitations and warm wishes for a lifetime of health, happiness and prosperity; and be it further

RESOLVED, That a copy of this resolution be presented to them as a token of our friendship and affection.

The resolution was read and was unanimously adopted.

On the motion of Mr. Clayton, the names of all Members of the House were added to the resolution as signers thereof.

#### HOUSE BILL NO. 1 ON SECOND READING

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

H. 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.

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

Committee Amendment No. 1

Amend H. B. No. 1 by striking

all below the enacting clause and substituting in lieu thereof the following:

Section 1. Effective on the date provided in Section 6 of this Act and conditioned as provided in that Section, 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, and who shall have registered as a voter, if required to do so, shall be deemed a qualified elector. Any qualified elector who is over sixty years of age on the day of an election at which he offers to vote and who does not reside in a city of ten thousand or more inhabitants may vote at the election without having registered as a voter, except that in any county having five hundred thousand or more inhabitants, such persons shall be required to register if the commissioners court of the county by order directs that all voters of the county shall be required to register irrespective of age or whether they do or do not reside in a city of ten thousand or more inhabitants. Except as provided in the preceding sentence, no person shall be permitted to vote unless he has registered in accordance with the provisions of this Code. The provisions of this Section, 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, municipality or other political subdivision of the State, or by a political party."

Sec. 2. Effective upon the date provided in Section 6 of this Act and conditioned as provided in that Section, the Election Code of the State of Texas is amended by adding new Sections numbered 41a, 42a, 43a, 43b, 44a, 45a, 46a, 47a, 48a, 49a, 50a, 51a, 52a, 53a, 53b, 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 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.”

“43b. Registration for first voting year

“(1) Subject to the exception stated in subsection (2) of this Section, the registration certificate form to be used for registering persons to vote during the first voting year beginning on the first day of February immediately following the effective date of this Section shall be the certificate form prescribed in Section 46a of this Code, except that the heading shall be ‘Voter Registration Certificate for the Period Beginning February 1, 19..... and Ending February....., 19.....’ (the proper dates to be filled in).

“(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 year

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 registrant 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 year beginning on the first day of February immediately following the effective date of this registration law.

"(3) This Section shall apply only to elections held during the first voting year under this registration law, and shall expire on the first day of March following the close of that voting year."

"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 to such city or county, and if the removal is 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.

"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."

"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 de-

liver a registration certificate to the applicant, if he is entitled to register. If any person eligible to register is unable to register in person at the registrar's office by reason of sickness or physical disability, 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 47a 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 applicant shall sign and swear to the affidavit before an officer authorized to administer oaths, and shall return the affidavit 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, 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.'

"When a properly executed affidavit form 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. An affidavit form 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 affidavit form is de-

livered 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 affidavit forms received by mail for a period of two years.

"(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, 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.

"(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 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 shall contain a printed statement reading, ‘I certify that the information contained herein is true and correct,’ followed by a space for the signature of the registrant or his agent. 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.”

“If the registrant or his agent applies in person, the registrant or his agent shall sign his name in the space provided for the signature. If the registrant or agent is unable to sign his name, he shall affix his mark, and the registrar or deputy shall place the name of the registrant or agent in the blank space in the registrar’s or deputy’s own handwriting.”

“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 sup-



plying 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 pre-

inct 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 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) 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.

"(4) 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."

"53b. Reimbursement of county by state

"(1) On or before March 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."

#### "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. 3. Effective on the date provided in Section 6 of this Act and conditioned as provided in that Sec-

tion, 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. 4 REPEALS.** Effective on the date provided in Section 6 of this Act and conditioned as provided in that Section, 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. 5. APPLICATION OF PRESENT LAW.** Except as provided in Section 7 of this Act, all existing laws requiring the payment of a poll tax or the obtaining of a certificate of exemption from the payment thereof as a prerequisite for voting shall continue to apply to all elections held prior to the effective date of Section 4 of this Act. Thereafter, all such laws 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 55a of the Election Code, enacted by Section 3 of this Act.

**Sec. 6. EFFECTIVE DATE; CONTINGENCIES.** (a) Sections 1 through

4 of this Act shall become effective and operative as a law upon the happening of either of the following contingencies, whichever first occurs:

(1) if the Constitution Amendment 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 2 of this Act shall become effective on October 1, 1967, and Sections 1, 3, and 4 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 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 Sections 1, 3, and 4 shall become effective on February 1, 1967 or on the effective date of the injunctive order, whichever is the later date.

**Sec. 7. (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 with 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) If the county tax collector does not have an adequate supply on hand, the Commissioners Court of each county shall, forthwith, furnish to the county tax collector a sufficient number of poll tax receipt books for the county, and these books shall be identical in all details to the receipt books used for poll tax receipts issued during the period from October 1, 1965 through January 31, 1966, except that the notation prescribed in subsection (c) of this subsection may be printed on the receipt forms, in which event it shall be in either solid or outline type of 18 points or larger. The issuance of the books and the handling of the receipts are governed by the relevant provisions of Section 50 of the Texas Election Code. The county tax collector shall use the books to issue conditional voter registration certificates as provided by this Section.

"(c) 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 stamp the notation 'CONDITIONAL VOTER REGISTRATION CERTIFICATE' on the face of the original and duplicate receipts if the notation is not printed on the receipt form. 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.

"(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.

"(e) Before May 3, 1966, the tax collector shall prepare separate certified lists of persons in each election precinct of the county to whom certificates have been issued under the provisions of this Section. For any election held on or after the effective date of the injunctive order referred to in subsection (f) of this Section, the tax collector shall furnish the appropriate set of such precinct lists to the authority holding the election at the same time that he delivers the supplemental lists of qualified voters as provided in Section 54 of this Code.

"(f) 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 both 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 state and local elections are in violation of the Constitution of the United States; and

"(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.

"(g) If both of the contingencies stated in subsection (f) 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 on or after the effective date of the injunctive order but not after January 31, 1967. The Governor shall file the proclamation with the Secretary of State.

"(h) If both of the contingencies stated in subsection (f) of this Section occur, the following classes of persons shall be deemed to be duly registered as voters at elections held on or after the effective date 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 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.

"(i) 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."

(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. 8. 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. 9. 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.

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

Amend Committee Amendment No. 1 to H.B. 1 by striking all of Section 45a(1) and insert 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 provided 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."

Signed: Fondren and Brooks.

Mr. Wilson offered the following substitute amendment for the above amendment offered by Mr. Fondren:

Amend Committee Amendment No. 1 to H. B. 1 by striking all of Section 45a(1) and insert 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 substitute amendment offered by Mr. Wilson for the amendment offered by Mr. Fondren was adopted.

#### RECORD OF VOTE

Mr. Grover requested to be recorded as voting Nay on the substitute amendment offered by Mr. Wilson.

The amendment, as substituted, offered by Mr. Fondren to Committee Amendment No. 1 was adopted.

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

Amend subsections (f), (g), (h) and (i) of Section 34-b of the Texas Election Code, added by Section 7 of H. B. No. 1, so as to read as follows:

"(f) 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 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.

"(g) If either of the contingencies stated in subsection (f) 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.

"(h) If either of the contingencies stated in subsection (f) 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 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.



“(i) 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.”

(Mr. Hendryx in the Chair)

Mr. Eckhardt offered the following substitute amendment for the above amendment offered by Mr. Fondren:

Amend subsections (f), (g), (h), (i) and (j) of Section 34-b of the Texas Election Code, added by Section 7 of H. B. No. 1, so as to read as follows:

“(f) 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.

“(g) 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.

“(h) 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.

“(i) If the provisions stated in (g) above are in effect and the conditions stated in (h) 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 subsection (g) 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.

“(j) 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.”

(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.

(Speaker in the Chair)

A record vote was requested on the adoption of the above substitute amendment offered by Mr. Eckhardt.

The substitute amendment offered by Mr. Eckhardt was lost by the following vote:

Yeas—40

Alaniz	Bernal
Bass of Bowie	Berry
Bass of Harris	Bonilla
Beckham	Brooks

Caldwell	Kothmann
Cherry	Lack
Eckhardt	Lee
Green	Markgraf
Hale	Miller of Newton
Haring	Montoya
Harris	Muniz
Harrison	Parker
Haynes of Orange	Peeler
Hightower	Richardson
Hollowell	Roberts
Isaacks	Smith
Jamison	Vale
Johnson of Bexar	Weldon
Johnson of Harris	Whitfield
Kilpatrick	Wilson

## Nays—107

Allen	Hinson
Arledge	Holmes
Armstrong	Howard
Atwell	Ivy
Atwood	Johnson of Bell
Birkner	Jones of Lubbock
Blaine	Jones of Taylor
Blankenship	Jungmichel
Brown of Taylor	Klager
Brown of Howard	Knapp
Burgess	Lewis
Cahoon	Ligarde
Cain	Longoria
Canales	McClinton
Cavness	McDonald
Clayton	of Hidalgo
Cole	McDonald of Rusk
Connally	McIlhany
Cory	McKissack
Cowden	McLaughlin
Cowles	Mann
Crain	Miller of Harris
Crews	Mobley
Dickson	Moyer
Doke	Murray
Duggan	Mutscher
Dungan	Neugent
Edwards	of Galveston
Field	Newman
Finney	Nugent of Kerr
Fletcher	Pendleton
Floyd	Pickens
Fondren	Pipkin
Foreman	Price
Garrison	Quilliam
Gates	Rapp
George	Richards
Grover	Rosson
Guffey	Satterwhite
Haines of Brazos	Schiller
Hallmark	Scoggins
Harding	Shannon, Joe
Hawkins	of Tarrant
Heatly	Shannon, Tommy
Hefton	of Tarrant
Hendryx	Sherman

Simpson	Wade
Slack	Ward
Slider	Wayne
Solomon	Whatley
Stewart	Wheeler
Stroud	Wieting
Thompson	Williamson
Thurmond	Woods
Townsend	Wright
Traeger	

The amendment offered by Mr. Fondren to Committee Amendment No. 1 was then adopted.

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

The motion to table prevailed.

## MESSAGE FROM THE SENATE

Austin, Texas, February 21, 1966

Hon. Ben Barnes, Speaker of the House of Representatives.

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

H. C. R. No. 6, By Hightower and George: Congratulating the "Five Outstanding Young Men of Texas."

Respectfully,  
CHARLES A. SCHNABEL  
Secretary of the Senate

## RECESS

Mr. Atwell moved that the House recess until 2:00 o'clock p.m. today.

The motion prevailed.

The House accordingly, at 12:30 o'clock p.m., took recess until 2:00 o'clock p.m. today.

## AFTERNOON SESSION

The House met at 2:00 o'clock p.m. and was called to order by the Honorable Neil Caldwell.

## HOUSE BILL NO. 1 ON PASSAGE TO ENGROSSMENT

The House resumed consideration of pending business, same being H. B. No. 1, relating to the registration of voters.

The bill was read second time on this morning, with Committee Amendment No. 1 pending at this time.

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

Amend Committee Amendment to House 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."

(Speaker in the Chair)

The amendment offered by Mr. Fondren to Committee Amendment No. 1 was adopted.

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

Amend Committee Amendment No. 1 to H. B. No. 1 after the words "January 1, 1967," and before the word "the" in Section 43a as added by Sec. 2 of H. B. No. 1 (at the end of line 32, page 2 of the printed bill) by inserting the following language: "as the result of a court decision".

The amendment was adopted.

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

Amend Committee Amendment No. 1 to House 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 adopted.

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

Amend Committee Amendment No. 1 to House Bill No. 1, by deleting the word "race" on line 48 of page 5 of the printed copy of said Committee Amendment No. 1, the same being a portion of quoted Section 47a of Section 2 of said Committee Amendment No. 1.

The amendment was adopted.

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

Amend Committee Amendment No. 1 to H. B. No. 1 by substituting in lieu of Section (4), page 9, line 25, the following and renaming Section (4) Section (5).

Section (4)

The registrar may have such number of duly authorized and sworn deputies as he deems necessary for the purpose of accepting applications and issuing registration certificates.

A record vote was requested on the adoption of the amendment offered by Mr. Alaniz.

The amendment offered by Mr. Alaniz was lost by the following vote:

## Yeas—31

Alaniz	Kothmann
Bass of Bowie	Lack
Bass of Harris	Lee
Beckham	McIlhany
Brooks	Miller of Newton
Caldwell	Montoya
Cherry	Muniz
Eckhardt	Parker
Green	Richardson
Haring	Roberts
Harris	Smith
Harrison	Stroud
Haynes of Orange	Vale
Johnson of Bexar	Weldon
Johnson of Harris	Whitfield
Kilpatrick	

## Nays—106

Allen	Floyd
Arledge	Fondren
Armstrong	Foreman
Atwell	Garrison
Atwood	George
Birkner	Grover
Blaine	Guffey
Blankenship	Haines of Brazos
Bonilla	Hale
Brown of Taylor	Hallmark
Brown of Howard	Harding
Burgess	Hawkins
Cahoon	Heatly
Cain	Hefton
Canales	Hendryx
Cavness	Hightower
Clayton	Hinson
Cole	Hollowell
Connally	Holmes
Cowden	Howard
Cowles	Isaacks
Crain	Ivy
Crews	Jamison
Dickson	Jones of Taylor
Doke	Jungmichel
Duggan	Klager
Edwards	Knapp
Field	Lewis
Finney	Ligarde

McClinton	Satterwhite
McDonald	Schiller
of Hidalgo	Shannon, Joe
McDonald of Rusk	of Tarrant
McKissack	Shannon, Tommy
McLaughlin	of Tarrant
Mann	Sherman
Markgraf	Simpson
Miller of Harris	Slack
Mobley	Slider
Moyer	Solomon
Murray	Stewart
Mutscher	Thompson
Neugent	Thurmond
of Galveston	Townsend
Newman	Traeger
Nugent of Kerr	Wade
Peeler	Ward
Pendleton	Wayne
Pickens	Whately
Pipkin	Wheeler
Price	Wieting
Quilliam	Williamson
Rapp	Wilson
Richards	Woods
Rosson	Wright

## Absent

Bernal	Gates
Berry	Johnson of Bell
Cory	Jones of Lubbock
Dungan	Longoria
Fletcher	Scoggins

The above record vote was requested by Representatives Haring, Alaniz and Cherry.

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

Amend Committee Amendment No. 1 to H. B. No. 1 by adding the following after the word "days" on line 14, page 7:

The registrar shall, when he refuses to register an applicant, reduce his reasons to writing, certify them by affixing his signature thereto and deliver the original to such refused applicant.

A record vote was requested on the adoption of the amendment offered by Mr. Alaniz.

The amendment offered by Mr. Alaniz was lost by the following vote:

## Yeas—47

Alaniz	Beckham
Bass of Bowie	Bernal

Berry	McIlhany
Bonilla	Markgraf
Brooks	Miller of Newton
Caldwell	Montoya
Cherry	Muniz
Eckhardt	Murray
Foreman	Parker
Green	Peeler
Hale	Pickens
Haring	Quilliam
Harris	Richardson
Harrison	Roberts
Haynes of Orange	Shannon, Joe
Hightower	of Tarrant
Hollowell	Shannon, Tommy
Johnson of Bexar	of Tarrant
Johnson of Harris	Smith
Kilpatrick	Vale
Kothmann	Weldon
Lack	Whitfie'd
Lee	Williamson
Longoria	Wilson
McDonald of Rusk	

Nays--97

Allen	Harding
Arledge	Hawkins
Armstrong	Heatly
Atwell	Hefton
Atwood	Hendryx
Bass of Harris	Hinson
Birkner	Holmes
Blaine	Howard
Blankenship	Ivy
Brown of Taylor	Jamison
Brown of Howard	Johnson of Bell
Burgess	Jones of Lubbock
Cahoon	Jones of Taylor
Cain	Jungmichel
Canales	Klager
Cavness	Knapp
Clayton	Lewis
Cole	Ligarde
Connally	McClinton
Cory	McDonald
Cowden	of Hidalgo
Cowles	McKissack
Crain	McLaughlin
Crews	Mann
Dickson	Miller of Harris
Duggan	Mobley
Dungan	Moyer
Edwards	Mutscher
Field	Neugent
Finney	of Galveston
Fletcher	Newman
Floyd	Nugent of Kerr
Fondren	Pendleton
Garrison	Pipkin
George	Price
Grover	Rapp
Guffey	Richards
Haines of Brazos	Rosson
Hallmark	Satterwhite

Schiller	Townsend
Scoggins	Traeger
Sherman	Wade
Simpson	Ward
Slack	Wayne
Slider	Whatley
Solomon	Wheeler
Stewart	Wieting
Stroud	Woods
Thompson	Wright
Thurmond	

Absent

Doke	Isaacks
Gates	

The above record vote was requested by Representatives Haring, Cherry and Alaniz.

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

Amend Section 2, paragraph 52a, of Committee Amendment No. 1 to House Bill No. 1, by deleting all the language of said paragraph 52a and substituting therefor the following:

"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."

Mr. Cory moved to table the amendment offered by Mr. Jamison, and the motion to table prevailed.

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

Amend Committee Amendment Number 1 to House Bill No. 1 by striking all of the last paragraph of 47a (lines 28 through 33, page 6 of the printed bill) and inserting in lieu thereof the following:

"If the applicant or his agent applies in person, the applicant or his agent shall sign his name in the space provided for the signature. If the applicant or his agent is unable to sign his name for other than physical reasons, the applicant may not register. If the applicant or agent is unable to sign his name because of a physical disability, the registrar or deputy shall place the name of the applicant or agent in the blank space in the registrar's or deputy's own handwriting."

Signed: Rosson and Dickson

The amendment offered by Mr. Rosson failed of adoption.

#### RECORD OF VOTE

Mr. Grover requested to be recorded as voting Yea on the above amendment offered by Mr. Rosson.

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

Amend Committee Amendment No. 1 of House Bill No. 1 by inserting in proper sequence in Section 52a of the Texas Election Code, as added by Section 2 of the Committee Amendment, two new subsections numbered (3) and (4), and by renumbering subsequent subsections accordingly, the new subsections to read as follows:

"(3) During the month of January each year, the registrar shall station at least one deputy for at least two eight-hour days in nonconsecutive weeks in each election precinct of the county in which the entire vote for Governor at the last preceding general election was more than one hundred votes, for the purpose of accepting applications and issuing registration certificates. Each deputy shall be stationed at a fixed place open to the public. The registrar shall post a notice in his office setting out the schedule of the locations and the dates and hours during which deputies will be on duty in each such precinct in fulfillment of the requirements of this subsection. In any pre-

cinct within which the assignment of one or more deputies under either or both of subsections (1) and (2) of this Section fulfills all the requirements of this subsection (3), it shall not be necessary to make any additional assignments in order to comply with this subsection.

"(4) Every deputy registrar shall be authorized to accept applications from and to issue registration certificates to any person residing within the county who is entitled to register, without regard to the election precinct of which the applicant is a resident or the location at which the deputy is stationed; and any resident of the county who is eligible to register may do so before any deputy."

Signed: Green and Brooks

Mr. Thurmond moved to table the amendment offered by Mr. Green, and the motion to table prevailed.

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

Amend Committee Amendment No. 1 to House Bill No. 1 as follows:

1. Strike the word "March" and substitute therefor the word "April" on page 2, line 17 in quoted Section 42a.
2. Strike the words "thirty-first day of January" and substitute therefor the words "last day of February" on page 2, line 31 in quoted Section 43a.
3. Strike the date "January 1" and substitute therefor the date "February 1" on page 2, line 32 in quoted Section 43a.
4. Strike the words "thirty-first day of January" and substitute therefor the words "last day of February" on page 2, lines 35 and 36 in quoted Section 43a.
5. Strike the word "February" and substitute therefor the word "March" on page 2, line 38 in quoted Section 43a.
6. Strike the word "February" and substitute therefor the word "March" on page 2, line 39 in quoted Section 43a.
7. Strike the word "March" and

substitute therefor the word "April" on page 2, line 42 in quoted Section 43a.

8. Strike the word "February" and substitute therefor the word "March" on page 2, line 46 in quoted Section 43b.

9. Strike the words "February 1, 19.... and Ending February ....., 19...." and substitute therefor the words "March 1, 19.... and ending March 31, 19...." on page 2, line 50 in quoted Section 43b.

10. Strike the word "February" and substitute therefor the word "March" on page 3, line 6 in quoted Section 43b.

11. Strike the word "February" and substitute therefor the word "March" on page 3, line 29 in quoted Section 43b.

12. Strike the word "March" and substitute therefor the word "April" on page 3, line 32 in quoted Section 43b.

13. Strike the word "February" and substitute therefor the word "March" on page 3, line 41 in quoted Section 44a.

14. Strike the word "March" and substitute therefor the word "April" on page 3, line 42 in quoted Section 44a.

15. Strike the word "February" and substitute therefor the word "March" on page 3, line 57 in quoted Section 44a.

16. Strike the word "March" and substitute therefor the word "April" on page 3, line 57 in quoted Section 44a.

17. Strike the word "March" and substitute therefor the word "April" on page 5, line 26 in quoted Section 46a.

18. Strike the word "March" and substitute therefor the word "April" on page 8, line 6 in quoted Section 51a.

19. Strike the word "March" and substitute therefor the word "April" on page 8, line 15 in quoted Section 51a.

20. Strike the word "January" and substitute therefor the word "Feb-

ruary" on page 9, line 8 in quoted Section 52a.

21. Strike the word "March" and substitute therefor the word "April" on page 9, line 28 in quoted Section 53a.

22. Strike the word "March" and substitute therefor the word "April" on page 9, line 34 in quoted Section 53b.

23. Strike the date "January 31" and substitute therefor the words "the last day of February" on page 9, line 37 in quoted Section 53b.

24. Strike the word "June" and substitute therefor the word "July" on page 9, line 39 in quoted Section 53b.

25. Strike the date "January 31" and substituting therefor the words "the last day of February" on page 9, line 51 in quoted Section 53b.

26. Strike the word "February" and substitute therefor the word "March" on page 11, line 6 in subdivision (c) in Section 6.

27. Strike the word "February" and substitute therefor the word "March" on page 11, line 16 in subdivision (d) in Section 6.

28. Strike the date "January 31" and substitute therefor "the last day of February" on page 11, line 26 in quoted Section 34-b.

29. Strike the word "February" and substitute therefor the word "March" on page 11, line 32 in quoted Section 34-b.

30. Strike the word "February" and substitute therefor the word "March" on page 12, line 31 in quoted Section 34-b.

31. Strike the date "January 31" and substitute therefor the words "the last day of February" on page 12, line 38 in quoted Section 34-b.

32. Strike the word "February" and substitute therefor the word "March" on page 12, line 43 in quoted Section 34-b.

33. Strike the date "January 31" and substitute therefor the words "the last day of February" on page 12, line 47 in quoted Section 34-b.

34. Strike the date of "January 31" and substitute therefor the words "the last day of February" on page 12, line 50 in quoted Section 34-b.

35. Strike the date "January 31" and substitute therefor the words "the last day of February" on page 12, line 56 in quoted Section 34-b.

36. Strike the date "January 31" and substitute therefor the words "the last day of February" on page 13, line 4 in quoted Section 34-b.

37. Strike the word "February" and substitute therefor the word "March" on page 13, line 15 in quoted Section 34-b.

Mr. Cory moved to table the amendment offered by Mr. Markgraf.

A record vote was requested on the motion to table.

The motion to table the amendment offered by Mr. Markgraf prevailed by the following vote:

Yeas—97

Allen	George
Arlidge	Grover
Armstrong	Guffey
Atwell	Haines of Brazos
Atwood	Hallmark
Blaine	Harding
Blankenship	Heatly
Brown of Taylor	Hefton
Brown of Howard	Hendryx
Burgess	Hinson
Cahoon	Holmes
Cain	Howard
Canales	Ivy
Cavness	Johnson of Bell
Clayton	Jones of Lubbock
Cole	Jones of Taylor
Connally	Jungmichel
Cory	Klager
Cowden	Knapp
Cowles	Ligarde
Crain	McClinton
Crews	McDonald
Dickson	of Hidalgo
Doke	McDonald of Rusk
Dungan	McKissack
Edwards	McLaughlin
Field	Mann
Finney	Miller of Harris
Fletcher	Mobley
Floyd	Moyer
Fondren	Muniz
Foreman	Murray
Garrison	Mutscher
Gates	

Neugent	Sherman
of Galveston	Simpson
Newman	Slack
Nugent of Kerr	Slider
Pendleton	Solomon
Pickens	Thompson
Pipkin	Townsend
Price	Traeger
Rapp	Wade
Richards	Ward
Rosson	Wayne
Satterwhite	Whately
Schiller	Wheeler
Scoggins	Wieting
Shannon, Joe	Williamson
of Tarrant	Woods
Shannon, Tommy	
of Tarrant	

Nays—49

Alaniz	Johnson of Harris
Bass of Bowie	Kilpatrick
Bass of Harris	Kothmann
Beckham	Lack
Bernal	Lee
Berry	Lewis
Birkner	Longoria
Bonilla	McIlhany
Brooks	Markgraf
Caldwell	Miller of Newton
Cherry	Montoya
Duggan	Parker
Eckhardt	Peeler
Green	Quilliam
Hale	Richardson
Haring	Roberts
Harris	Smith
Harrison	Stewart
Hawkins	Stroud
Haynes of Orange	Vale
Hightower	Weldon
Hollowell	Whitfield
Isaacks	Wilson
Jamison	Wright
Johnson of Bexar	

Absent

Thurmond

The above record vote was requested by Representatives Haring, Roberts and Cherry.

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

Amend Committee Amendment No. 1, Section 43a by striking "thirty-first day of January" where it appears and inserting "fifteenth of February."

A record vote was requested on the adoption of the amendment offered by Mr. Harrison.



The amendment offered by Mr. Harrison was lost by the following vote:

Yeas—42

Alaniz	Johnson of Harris
Bass of Bowie	Kilpatrick
Beckham	Kothmann
Bernal	Lack
Berry	Lee
Bonilla	Longoria
Brooks	McIlhany
Caldwell	Markgraf
Cherry	Miller of Newton
Cole	Montoya
Eckhardt	Muniz
Gates	Parker
Green	Peeler
Hale	Richardson
Haring	Roberts
Harris	Smith
Harrison	Stewart
Haynes of Orange	Vale
Hightower	Weldon
Hollowell	Whitfield
Johnson of Bexar	Wilson

Nays—103

Allen	George
Arledge	Grover
Armstrong	Guffey
Atwell	Haines of Brazos
Atwood	Hallmark
Bass of Harris	Harding
Birkner	Hawkins
Blaine	Heatly
Blankenship	Hefton
Brown of Taylor	Henryx
Brown of Howard	Holmes
Burgess	Howard
Cahoon	Isaacks
Cain	Ivy
Canales	Jamison
Cavness	Johnson of Bell
Clayton	Jones of Lubbock
Connally	Jones of Taylor
Cory	Jungmichel
Cowden	Klager
Cowles	Knapp
Crain	Lewis
Crews	Ligarde
Dickson	McClinton
Doke	McDonald
Duggan	of Hidalgo
Dungan	McDonald of Rusk
Edwards	McKissack
Field	McLaughlin
Finney	Mann
Fletcher	Miller of Harris
Floyd	Mobley
Fondren	Moyer
Foreman	Murray
Garrison	Mutscher

Neugent	Sherman
of Galveston	Simpson
Newman	Slack
Nugent of Kerr	Slider
Pendleton	Solomon
Pickens	Stroud
Pipkin	Thompson
Price	Thurmond
Quilliam	Traeger
Rapp	Wade
Richards	Ward
Rosson	Wayne
Satterwhite	Whately
Schiller	Wheeler
Scoggins	Wieting
Shannon, Joe	Williamson
of Tarrant	Woods
Shannon, Tommy	Wright
of Tarrant	

Absent

Townsend	Hinson
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The above record vote was requested by Representatives Harrison, Harris and Johnson of Harris.

Mr. Eckhardt offered the following substitute amendment for Committee Amendment No. 1:

Amend House Bill No. 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 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 ap-

peals 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 biennum' 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 days, 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 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 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 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 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 registrations 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 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 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 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 reregister 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, Sec-

tions 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 56g 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 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 .....  
 (Name of voter)  
 has affiliated 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 eligi-

ble 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 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.

"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 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 al-

ways 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 an-



other 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 pro-

vided 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 between midnight, April 30, 1966 and 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 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. 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.”

(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. 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.

Signed: Eckhardt and Peeler

(Mr. Hinson in the Chair)

Mr. Fondren moved to table the amendment offered by Mr. Eckhardt and Mr. Peeler.

(Speaker in the Chair)

A record vote was requested on the motion to table.

The motion to table the amendment offered by Mr. Peeler and Mr. Eckhardt prevailed by the following vote:

Yeas—105

Allen	Brown of Howard
Arlidge	Burgess
Armstrong	Cahoon
Atwell	Cain
Atwood	Canales
Birkner	Cavness
Blaine	Clayton
Blankenship	Cole
Bonilla	Connally
Brown of Taylor	Cory

Cowden	Mann
Cowles	Miller of Harris
Crain	Mobley
Crews	Moyer
Dickson	Murray
Doke	Mutscher
Duggan	Neugent
Dungan	of Galveston
Edwards	Newman
Field	Nugent of Kerr
Finney	Pendleton
Floyd	Pickens
Fondren	Pipkin
Foreman	Price
Garrison	Quilliam
Gates	Rapp
George	Richards
Grover	Rosson
Guffey	Satterwhite
Haines of Brazos	Schiller
Hallmark	Scoggins
Harding	Shannon, Joe
Hawkins	of Tarrant
Heatly	Shannon, Tommy
Hefton	of Tarrant
Hendryx	Sherman
Hightower	Simpson
Hinson	Slack
Hollowell	Slider
Holmes	Solomon
Howard	Stewart
Ivy	Thompson
Johnson of Bell	Thurmond
Jones of Lubbock	Townsend
Jones of Taylor	Traeger
Jungmichel	Wade
Klager	Ward
Knapp	Wayne
Ligarde	Whatley
McClinton	Wheeler
McDonald	Wieting
of Hidalgo	Williamson
McDonald of Rusk	Woods
McKissack	Wright
McLaughlin	

Nays—42

Alaniz	Isaacks
Bass of Bowie	Jamison
Bass of Harris	Johnson of Bexar
Beckham	Johnson of Harris
Bernal	Kilpatrick
Berry	Kothmann
Brooks	Lack
Caldwell	Lee
Cherry	Lewis
Eckhardt	Longoria
Fletcher	Melhany
Green	Markgraf
Hale	Miller of Newton
Haring	Montoya
Harris	Muniz
Harrison	Parker
Haynes of Orange	Peeler

Richardson  
Roberts  
Smith  
Stroud

Vale  
Weldon  
Whitfield  
Wilson

The above record vote was requested by Representatives Peeler, Roberts and Cherry.

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

H. B. No. 1 was then passed to engrossment.

**HOUSE BILL NO. 1 ON  
THIRD READING**

Mr. Quilliam moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 1 be placed on its third reading and final passage.

The motion prevailed by the following vote:

**Yeas—125**

Allen	Floyd
Arledge	Fondren
Armstrong	Foreman
Atwell	Garrison
Atwood	Gates
Bass of Bowie	George
Bass of Harris	Green
Beckham	Grover
Birkner	Guffey
Blaine	Haines of Brazos
Blankenship	Hale
Bonilla	Hallmark
Brown of Taylor	Harding
Brown of Howard	Harris
Burgess	Hawkins
Cahoon	Heatly
Cain	Hefton
Caldwell	Hendryx
Canales	Hightower
Cavness	Hinson
Cherry	Holmes
Clayton	Howard
Cole	Ivy
Connally	Jamison
Cory	Johnson of Bell
Cowden	Johnson of Bexar
Cowles	Johnson of Harris
Crain	Jones of Lubbock
Crews	Jungmichel
Dickson	Klager
Doke	Knapp
Duggan	Lewis
Dungan	Ligarde
Edwards	Longoria
Field	McClinton
Finney	McDonald
Fletcher	of Hidalgo

McDonald of Rusk  
McIlhany  
McKissack  
McLaughlin  
Mann  
Miller of Newton  
Miller of Harris  
Mobley  
Moyer  
Muniz  
Murray  
Mutscher  
Neugent  
of Galveston  
Newman  
Peeler  
Pendleton  
Pickens  
Pipkin  
Price  
Quilliam  
Rapp  
Richards  
Roberts  
Rosson  
Satterwhite  
Schiller  
Scoggins

Shannon, Joe  
of Tarrant  
Shannon, Tommy  
of Tarrant  
Sherman  
Simpson  
Slack  
Slider  
Smith  
Solomon  
Stewart  
Stroud  
Thompson  
Thurmond  
Townsend  
Traeger  
Wade  
Ward  
Wayne  
Whately  
Wheeler  
Whitfield  
Wieting  
Williamson  
Wilson  
Woods  
Wright

**Nays—21**

Alaniz	Kothmann
Bernal	Lack
Berry	Lee
Brooks	Markgraf
Eckhardt	Montoya
Haring	Nugent of Kerr
Harrison	Parker
Haynes of Orange	Richardson
Hollowell	Vale
Isaacks	Weldon
Kilpatrick	

**Absent**

Jones of Taylor

The Speaker then laid House Bill No. 1 before the House on third reading and final passage.

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

**Yeas—123**

Allen	Blankenship
Arledge	Bonilla
Armstrong	Brown of Taylor
Atwell	Brown of Howard
Atwood	Burgess
Bass of Bowie	Cahoon
Bass of Harris	Cain
Beckham	Canales
Berry	Cavness
Birkner	Clayton
Blaine	Cole

Connally	McLaughlin
Cory	Mann
Cowden	Markgraf
Cowles	Miller of Newton
Crain	Miller of Harris
Crews	Mobley
Dickson	Moyer
Duggan	Muniz
Dungan	Murray
Eckhardt	Mutscher
Edwards	Neugent
Field	of Galveston
Finney	Newman
Fletcher	Nugent of Kerr
Floyd	Peeler
Fondren	Pendleton
Foreman	Pickens
Garrison	Pipkin
Gates	Price
George	Quilliam
Grover	Rapp
Guffey	Richards
Haines of Brazos	Rosson
Hale	Satterwhite
Hallmark	Schiller
Harding	Scoggins
Hawkins	Shannon, Joe
Heatly	of Tarrant
Hefton	Shannon, Tommy
Hendryx	of Tarrant
Hightower	Sherman
Hinson	Simpson
Hollowell	Slack
Holmes	Slider
Howard	Smith
Ivy	Solomon
Jamison	Stewart
Johnson of Bell	Stroud
Johnson of Harris	Thompson
Jones of Lubbock	Thurmond
Jones of Taylor	Townsend
Jungmichel	Traeger
Klager	Wade
Knapp	Ward
Lewis	Wayne
Ligarde	Whatley
Longoria	Wheeler
McClinton	Wieting
McDonald	Williamson
of Hidalgo	Wilson
McDonald of Rusk	Woods
McIlhany	Wright
McKissack	

## Nays—23

Alaniz	Haynes of Orange
Bernal	Isaacks
Brooks	Johnson of Bexar
Caldwell	Kilpatrick
Cherry	Kothmann
Green	Lack
Haring	Lee
Harris	Montoya
Harrison	Parker

Richardson	Weldon
Roberts	Whitfield
Vale	

Absent

Doke

Mr. Cory moved to reconsider the vote by which H. B. No. 1 was passed and to table the motion to reconsider.

The motion to table prevailed.

## REASON FOR VOTE

February 21, 1966

I voted for final passage of H. B. 1 because it was apparently the best that could be passed by this House today to comply with the rulings of the Federal Courts on the subject of free voter registration.

Jim Markgraf

## MESSAGE FROM THE SENATE

Austin, Texas, February 21, 1966

Hon. Ben Barnes, Speaker  
of the House of Representatives.

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

S. C. R. No. 6, By Crump: Congratulating Miss Jan Brown of Harp-er, Texas.

S. C. R. No. 7, By Parkhouse, Aikin, Hazlewood, Hardeman: In memory of the Honorable W. C. Graves.

S. C. R. No. 8, By Herring: In memory of Mrs. Harry Akin.

Respectfully,  
CHARLES A. SCHNABEL  
Secretary of the Senate

MEMORIAL RESOLUTIONS  
ADOPTED

The following Memorial Resolu-tions were adopted unanimously by a rising vote:

S. C. R. No. 3, In memory of Lemuel Scarbrough, Sr.

S. C. R. No. 4, In memory of A. B. Shierlow.

S. C. R. No. 5, In memory of Dr. J. V. Siegmund.

S. C. R. No. 7, In memory of the Honorable W. C. Graves.

S. C. R. No. 8, In memory of Mrs. Harry Akin.

**CONGRATULATORY RESOLUTION ADOPTED**

The following Congratulatory Resolution was adopted unanimously:

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

**RECESS**

Mr. Thurmond moved that the House recess until 7:00 o'clock p.m. today.

Mr. Johnson of Bexar moved that the House adjourn until 10:00 o'clock a.m. tomorrow.

The motion to adjourn was lost.

The motion to recess until 7:00 o'clock p.m. today then prevailed.

The House accordingly, at 3:48 o'clock p.m., took recess until 7:00 o'clock p.m. today.

**NIGHT SESSION**

The House met at 7:00 o'clock p.m. and was called to order by the Speaker.

**CERTAIN CHANGE ORDERED IN HOUSE BILL NO. 1**

The following request for a correction to be made in H. B. No. 1 was authorized by unanimous consent of the House:

"Mr. Cory asked unanimous consent for the Enrolling and Engrossing Clerk to delete the word 'race' from Section 51a of the Code as added by Section 2 of the bill (line 11, page 8 of the printed bill)."

**HOUSE AT EASE**

At 7:09 o'clock p.m. the Speaker stated that the House would stand at ease.

(Mr. Joe Shannon, Jr., of Tarrant occupied the Chair temporarily.)

(Speaker in the Chair)

**HOUSE CALLED TO ORDER**

At 7:27 o'clock p.m. the Speaker called the House to order and made

an announcement to the House in regard to S. B. No. 1.

**HOUSE AT EASE**

At 7:31 o'clock p.m. the Speaker stated that the House would stand at ease.

(Mr. Floyd in the Chair)

**HOUSE CALLED TO ORDER**

At 8:25 o'clock p.m. the Chair called the House to order.

**MESSAGE FROM THE SENATE**

Austin, Texas, February 21, 1966

Hon. Ben Barnes, Speaker of the House of Representatives.

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

H. C. R. No. 11 by Kilpatrick, et al: Congratulating James H. Hartzog.

H. C. R. No. 8 by Cavness, et al: In memory of Mrs. Magnolia N. Greene.

H. C. R. No. 12 by Townsend: Congratulating Miss Jan Brown.

H. C. R. No. 10 by Miller of Harris, et al: In memory of Fleet Admiral Chester W. Nimitz.

Respectfully,  
CHARLES A. SCHNABEL  
Secretary of the Senate

**HOUSE AT EASE**

At 8:27 o'clock p.m. the Chair stated that the House would stand at ease.

**HOUSE CALLED TO ORDER**

At 9:37 o'clock p.m. the Chair called the House to order.

**MESSAGE FROM THE SENATE**

Austin, Texas, February 21, 1966

Hon. Ben Barnes, Speaker of the House of Representatives.

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

S. B. No. 1 by Hazlewood, et al: 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; enacting temporary provisions and providing for a temporary period of registration and prescribing conditions on voting after such registration based on whether or not there is in effect on the date of the election a court order invalidating payment of the poll tax as a requirement for voting; and declaring an emergency.

Respectfully,  
CHARLES A. SCHNABEL  
Secretary of the Senate

#### SENATE BILL ON FIRST READING

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

S. B. No. 1, to the Committee on State Affairs.

#### ADJOURNMENT

Mr. Cory moved that the House adjourn until 11:00 o'clock a.m. tomorrow.

The motion prevailed without objection.

The Benediction was offered by Chaplain Clinton Kersey.

In accordance with the motion to adjourn, the House, at 9:41 o'clock p.m., adjourned until 11:00 o'clock a.m. tomorrow.

#### APPENDIX

#### REPORTS OF THE COMMITTEE ON ENGROSSED BILLS

Austin, Texas, February 17, 1966

The Hon. Ben Barnes, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

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

Has carefully compared same and finds it correctly engrossed.

McCLINTON, Chairman.

Austin, Texas, February 21, 1966

The Hon. Ben Barnes, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

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,

Has carefully compared same and finds them correctly engrossed.

McCLINTON, Chairman.

#### SIXTH DAY

(Tuesday, February 22, 1966)

The House met at 11:00 o'clock a.m., pursuant to adjournment, and was called to order by the Speaker.

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

Mr. Speaker	Caldwell
Alaniz	Canales
Allen	Cavness
Arledge	Cherry
Armstrong	Clayton
Atwell	Cole
Atwood	Connally
Bass of Bowie	Cory
Bass of Harris	Cowden
Beckham	Cowles
Bernal	Crain
Berry	Crews
Birkner	Dickson
Blaine	Doke
Blankenship	Duggan
Bonilla	Dungan
Brooks	Eckhardt
Brown of Taylor	Edwards
Brown of Howard	Field
Burgess	Finney
Cahoon	Fletcher
Cain	Floyd



Fondren	Mobley
Forsman	Montoya
Garrison	Moyer
Gates	Muniz
George	Murray
Green	Mutscher
Grover	Neugent
Guffey	of Galveston
Haines of Brazos	Newman
Hale	Nugent of Kerr
Hallmark	Farker
Harding	Peeler
Haring	Pendleton
Harris	Pickens
Harrison	Pipkin
Hawkins	Price
Haynes of Orange	Quilliam
Heatly	Rapp
Hefton	Richards
Hendryx	Richardson
Hightower	Roberts
Hinson	Rosson
Hollowell	Satterwhite
Holmes	Schiller
Howard	Scoggins
Isaacks	Shannon, Joe
Ivy	of Tarrant
Jamison	Shannon, Tommy
Johnson of Bell	of Tarrant
Johnson of Bexar	Sherman
Johnson of Harris	Simpson
Jones of Lubbock	Slack
Jones of Taylor	Slider
Jungmichel	Smith
Kilpatrick	Solomon
Klager	Stewart
Knapp	Stroud
Kothmann	Thompson
Lack	Thurmond
Lee	Townsend
Lewis	Traeger
Ligarde	Vale
Longoria	Wade
McClinton	Ward
McDonald	Wayne
of Hidalgo	Weldon
McDonald of Rusk	Whatley
McIlhany	Wheeler
McKissack	Whitfield
McLaughlin	Wieting
Mann	Williamson
Markgraf	Wilson
Miller of Newton	Woods
Miller of Harris	Wright

day. We stand in need of Thy help this day that we may have the strength to perform our duties as we have pledged to do.

We are a people alive today in the midst of death—death on our highways, in wars, riots, violence and natural death. Because of this, Father, we are reminded again that life and its blessings are a gift from Thee. Forgive us for the time we waste and help us to make good use of the time we have left that others might have a better life. This is our prayer, in Jesus' Name. Amen."

**RESOLUTIONS SIGNED BY THE SPEAKER**

The Speaker signed in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled resolutions:

S. C. R. No. 3, In memory of Lemuel Scarbrough, Sr.

S. C. R. No. 4, In memory of A. B. Shierlow.

S. C. R. No. 5, In memory of Dr. J. V. Siegmund.

S. C. R. No. 6, Congratulating Miss Jan Brown on being chosen Miss National Rural Electrification.

S. C. R. No. 7, In memory of former State Senator W. C. Graves.

S. C. R. No. 8, In memory of Mrs. Harry Akin.

H. C. R. No. 5, In memory of The Honorable Albert Thomas.

H. C. R. No. 6, Congratulating "The Five Outstanding Young Men of Texas."

H. C. R. No. 11, Congratulating Mr. James H. Hartzog.

H. C. R. No. 12, Congratulating Miss Jan Brown on being chosen Miss National Rural Electrification.

**MEMORIAL RESOLUTIONS ADOPTED**

The following Memorial Resolutions were adopted unanimously by a rising vote:

H. C. R. No. 13, By Caldwell: In memory of Kermit Dyche.

A quorum of the House was announced present.

The Invocation was offered by Chaplain Clinton Kersey, as follows:

"Heavenly Father, we thank Thee for the life of George Washington on his birthday. Thank Thee for life and the many blessings we receive each

H. S. R. No. 35, By Holmes: In memory of Sheriff J. L. "Bud" Williams.

H. S. R. No. 37, By Miller of Harris, Duggan, Whatley, Whitfield, Brooks, Bass of Harris, Harrison, Grover, Floyd, Johnson of Harris, Garrison and Eckhardt: In memory of Felix Tijerina.

H. S. R. No. 39, By Caldwell: In memory of Mrs. Rosa Hill Stratton.

H. S. R. No. 40, By Caldwell: In memory of Jake W. Lewis.

H. S. R. No. 41, By Caldwell: In memory of John A. Pearson.

H. S. R. No. 42, By Caldwell: In memory of Mr. William Dallas Pack.

H. S. R. No. 47, By Nugent of Kerr: In memory of William Gray Garrett, Jr.

H. S. R. No. 48, By Nugent of Kerr: In memory of Joshua F. Johnson.

H. S. R. No. 52, By Berry, Vale, Alaniz, Bernal, Lee, Johnson of Bexar and Kothmann: In memory of Morris Kallison.

On the motion of Mr. Bernal, the names of all Members of the House were added to H. S. R. No. 52 as signers thereof.

H. S. R. No. 53, By Burgess: In memory of Mr. Julius Malcom (Jule) Brown.

H. S. R. No. 63, By Nugent of Kerr: In memory of Luke Moss.

**EXTENDING APPRECIATION  
AND FRIENDSHIP TO THE  
HONORABLE GRAINGER  
McILHANY**

Mr. Jones of Lubbock offered the following resolution:

H. S. R. No. 38

WHEREAS, The Texas House of Representatives numbers among its members, The Honorable Grainger McIlhany, Representative from the Eastern Panhandle, and

WHEREAS, Grainger McIlhany is not seeking reelection to the House of Representatives, and

WHEREAS, Grainger McIlhany is

one of the Deans of the Texas House, having served in the House of Representatives for 18 consecutive years, and

WHEREAS, That 18 years has been marked by distinguished service as a member of the Committee on Criminal Jurisprudence for 10 years, the Committee on State Affairs for 6 years and the Committee on Constitutional Amendments for 4 years, where his keen mind sought solutions and answers to the many legal problems confronting the Legislature while at the same time contributing to the welfare and economy of the State by service on such Committees as Agriculture, Military and Veterans Affairs, Oil, Gas and Mining, Municipal and Private Corporations, Motor Traffic, Education and many others, and

WHEREAS, Grainger McIlhany is one of the Legislature's most capable floor leaders and debaters having sponsored and handled successfully such important measures for the benefit of all Texans as laws dealing with juvenile delinquency, traffic safety, tax equalization, narcotics control, livestock health, improvements in the school system, and the present farm-to-market road law, and

WHEREAS, He was selected the most outstanding member of the Texas Legislature in 1963 by the Texas Lawman magazine for his service on the Criminal Jurisprudence Committee where he demonstrated judicial acumen and a great understanding and knowledge of the law, and

WHEREAS, The diligence, dedication and untiring efforts of Grainger McIlhany as a member of the House of Representatives has reflected honor and distinction upon this House, Representative McIlhany's district, the State of Texas and himself, and

WHEREAS, Representative McIlhany has consistently fought with vigor and fairness for the principles of justice and equity under the law, and

WHEREAS, His statesmanship, leadership and counsel will be missed by all, now

THEREFORE BE IT RESOLVED, by the Texas House of Representa-

tives in Special Session assembled, That the House of Representatives extend to Representative Grainger McIlhany the heartfelt appreciation and friendship of all the Members of the House and on behalf of the people of Texas the gratitude of all the citizens of this state for Representative McIlhany's statesmanlike service in their behalf, and

**BE IT FURTHER RESOLVED,** That an enrolled copy of this resolution be presented to the Honorable Grainger McIlhany.

Signed: Jones of Lubbock, Peeler, Thompson, Hallmark, Jamison, Markgraf, Knapp, Slack, Floyd, Hale, Beckham, Lack, Kilpatrick, Bernal, Alaniz, Kothmann, Townsend, Lee and Mutscher.

The resolution was read and was adopted unanimously.

On motion of Speaker Barnes and by unanimous consent, the names of all Members of the House were added to the resolution as signers thereof.

**EXTENDING APPRECIATION  
TO AND COMMENDING THE  
HONORABLE L. DEWITT  
HALE**

Mr. Mutscher offered the following resolution:

H. S. R. No. 43

Whereas, Our distinguished colleague, the Honorable L. DeWitt Hale, volunteered his time and talents to the Speaker and fellow members of the House in defending the constitutionality of the Legislative Reapportionment Act before the United States District Court in Houston; and

Whereas, The Honorable L. DeWitt Hale ably drafted and timely filed a comprehensive legal brief to demonstrate that Legislative Reapportionment fully complied with all constitutional standards, and went to Houston at his own expense to make oral arguments in defense of the actions of this House; and

Whereas, The recent ruling by the Court that the Act is constitutional was a great victory for the Members of this House, achieved in no small part by the untiring efforts and outstanding contribution made by the

Honorable L. DeWitt Hale; now therefore be it

Resolved by the House of Representatives of the State of Texas That the Honorable L. DeWitt Hale be commended for his initiative, leadership and ability in so ably representing this House with unselfish devotion to duty and complete dedication to the highest principles of representative democracy, and that the House of Representatives extend to the Honorable L. DeWitt Hale its grateful appreciation for a job well done; and be it further

Resolved That a copy of this Resolution over the signature of the Speaker be presented to the Honorable L. DeWitt Hale that he may know of the esteem and respect held for him by the Members of this House.

Signed: Mutscher, Jungmichel, Wieting, Thurmond, Schiller, Floyd, Longoria, Newman, Crain, Ward, Richards and Tommy Shannon of Tarrant.

The resolution was read and was adopted unanimously.

On motion of Speaker Barnes, and by unanimous consent, the names of all Members of the House were added to the resolution as signers thereof.

**EXTENDING BIRTHDAY CONGRATULATIONS TO THE HONORABLE RAUL L. LONGORIA**

Mr. Wieting offered the following resolution:

H. S. R. No. 59

WHEREAS, On this day we are celebrating the birthday of one of our most illustrious leaders, a man known for his farsighted approach to legislation, for the techniques of statesmanship—one Raul L. Longoria, who, like the Father of His Country, was born on February 22, but some centuries later, in 1921; and

WHEREAS, Our colleague Raul is one of the best-liked members of this House, and a man whose qualities of leadership and honor can be likened to those of that famous American, George Washington, but who made his way in life on his own

and not with a background of inheritance similar to that of our first President; and

WHEREAS, He was born at La Grulla, a small village on the banks of the Rio Grande in Starr County, and began earning his own way at the tender age of 12; and

WHEREAS, After his graduation from Rio Grande City High School in May, 1938, he entered a CCC Camp, and was stationed in New Mexico; ever one to take advantage of opportunities, he attended New Mexico A & M during that time, and worked as a night watchman in order to finance his college education; and

WHEREAS, On his return to Texas he farmed and then went to work in the National Youth Administration, which was headed by a young man named Lyndon B. Johnson; and

WHEREAS, He volunteered in the Air Corps in November, 1942, and spent 29 months in overseas service, receiving his discharge in February, 1946; and

WHEREAS, Upon his return to the States, he entered The University of Texas, under the GI Bill, and obtained first a B.B.A. degree and then his L.L.B.; and

WHEREAS, In September, 1947, he married the lovely Earlene Moorman, and he and Earlene have five wonderful children: Sam, 15; Janiece, 13; Roy, 8; and twin girls six years old, Cecilia and Elaine; and

WHEREAS, He became Assistant District Attorney of Hidalgo County, and then City Attorney of the City of Pharr, and has been in the private practice of law in Edinburg and Pharr since 1952; and

WHEREAS, He was elected to the Texas Legislature in 1951, and re-elected to this 59th Legislature in 1965; and

WHEREAS, His fellow Members of this House wish to extend congratulations to Raul as he celebrates his 45th Birthday Anniversary; now therefore be it

RESOLVED, That the House of Representatives of the 59th Legislature extends Birthday Greetings to Representative Raul L. Longoria; and be it further

RESOLVED, That a copy of this Resolution, under the Seal of the House of Representatives, be prepared for Representative Longoria as a memento of his Birthday and in token of the esteem of his colleagues and friends.

Signed: Wieting, Birkner, Bonilla, Atwood, Pipkin, Rapp, McDonald of Hidalgo, Murray, Weldon, Johnson of Bell, Newman and Montoya.

The resolution was read and was adopted unanimously.

CONGRATULATING THE HONORABLE ALVIN R. "AL" ALLISON

Mr. George offered the following resolution:

H. S. R. No. 56

WHEREAS, Alvin R. "Al" Allison was named "Man of the Year" by the Levelland Area Chamber of Commerce at its annual banquet held on February 17, 1966, at South Plains College; and

WHEREAS, Mr. Allison, an attorney and long-time resident of Levelland, was cited for his many years of service to Levelland, Hockley County and Texas Technological College; and

WHEREAS, A graduate of Texas Tech, he has served on the school's board of directors for many years and was instrumental in securing the new School of Law at the college; and

WHEREAS, He has served as county judge as well as in many civic positions in the city and was a member of the Texas House of Representatives during the 46th Legislature in 1939; and

WHEREAS, It was primarily due to his dedicated work and effort that a four-lane highway will be built this year between Levelland and Reese Air Force Base to provide a four-lane drive all the way into Lubbock; and

WHEREAS, Mr. Allison and his wife, Aletha, have two daughters, Sandra and Sharon; and

WHEREAS, His unselfish contribution of time, energy and effort to the improvement of Levelland and

the South Plains area has been deservedly recognized; now therefore be it

**RESOLVED**, That the House of Representatives of the State of Texas congratulate and commend Alvin R. "Al" Allison on being named "Man of the Year" by the Levelland Chamber of Commerce; and be it further

**RESOLVED**, That a copy of this resolution be sent to him with our appreciation and sincere good wishes.

The resolution was adopted without objection.

#### CONGRATULATORY RESOLUTIONS ADOPTED

The following Congratulatory Resolutions were adopted unanimously:

H. S. R. No. 36, By Johnson of Bexar: Congratulating Mr. Frank Allen.

H. S. R. No. 44, By Bass of Bowie: Congratulating the Texarkana High School Tigers.

H. S. R. No. 45, By Bass of Bowie: Congratulating the DeKalb High School Bears.

H. S. R. No. 46, By Johnson of Bell: Congratulating the Guidance Club of Dunbar High School, Temple, Texas.

H. S. R. No. 49, By Mobley: Congratulating the Kilgore High School Bulldogs Basketball Team.

H. S. R. No. 50, By Hawkins: Congratulating the Texas history students of Coolidge High School.

H. S. R. No. 51, By Hightower: Congratulating Jack Dearmore.

H. S. R. No. 54, By Wieting: Congratulating Mrs. Fannie D. Weber.

H. S. R. No. 55, By Wieting: Congratulating Miss Karen Dyer.

H. S. R. No. 57, By George: Congratulating Mrs. R. E. Browder, Woman of the Year, Levelland Area Chamber of Commerce.

H. S. R. No. 60, By Brooks: Congratulating Patrolman William Keefe.

H. S. R. No. 61, By Pickens: Congratulating the Permian High School Panther Football Team.

H. S. R. No. 62, By Pickens: Congratulating Charles R. Perry of Odessa.

H. S. R. No. 64, By Weldon and Parker: Congratulating Mrs. Joseph M. (Ethel) Loewenstein, for being chosen 1965 "Woman of the Year" by the Quota Club of Port Arthur.

#### EXPRESSING LEGISLATIVE INTENT REGARDING H. B. NO. 869, CHAPTER 314, ACTS OF THE FIFTY-NINTH LEGISLATURE

Mr. Duggan offered the following resolution:

H. C. R. No. 15

**WHEREAS**, In enacting House Bill 869, Chapter 314, Acts of the 59th Legislature, Regular Session, it was the intent of the Legislature to permit home rule cities with populations in excess of 900,000, according to the last preceding federal census, to enter into contracts in excess of five years for the use of land or interest in land owned or to be acquired by the city for the purchase of services related to garbage disposal and for the disposal of garbage upon a contract basis, provided that such contracts were entered into prior to the effective date of the act and provided further that such contracts otherwise complied with the charter and ordinances of the city and with the statutes of the State of Texas; and

**WHEREAS**, Certain serious questions have been raised since the effective date of this law, including problems related to authorizing the diversion of bond funds; now therefore be it

**RESOLVED**, That the House of Representatives of the 59th Legislature of Texas, the Senate concurring, clarify that the legislative intent in passing House Bill 869, Chapter 314, Acts of the 59th Legislature, Regular Session, was not to authorize the diversion of bond funds or any other action contrary to the charter and ordinances of the city concerned or of the statutes of the State of Texas, save and except the right to enter contracts for longer than five years' duration.

Signed: Duggan, Miller of Harris,

Bass of Harris, Whitfield, Garrison, Whatley, Brooks, Grover and Floyd.

The resolution was referred to the Committee on Public Health.

RELATIVE TO THE LICENSING OF CHURCH DAY NURSERIES

Mr. Miller of Harris offered the following resolution:

H. C. R. No. 14

WHEREAS, Section 8(a)(2)(a) of the Public Welfare Act of 1941, as amended, requires persons and associations operating a "child-caring institution, agency, or facility coming within the purview of this Act" to obtain a license to be able lawfully to operate it; and

WHEREAS, Section 8(a)(1)(a) of the same Act defines a "child-caring institution" as "any children's home, orphanage, institution or other place maintained or conducted, without profit, by any person, public or private association, or corporation, engaged in receiving and caring for dependent, neglected, handicapped, or delinquent children, or children in danger of becoming delinquent, or other children in need of group care, and which gives twenty-four (24) hours a day care to more than six (6) children"; and

WHEREAS, It has come to the attention of the Legislature that the State Department of Public Welfare, by administrative decision, has taken the position that a day nursery operated without profit for a few hours a day by a church or church school is required to be licensed under Section 8(a)(2)(a), and that the department is now requiring licenses of those nurseries; and

WHEREAS, Section 8(a)(1)(c) defines "day care center" as a "place maintained or conducted under public or private auspices, without profit, which cares for more than six (6) children during a part of the twenty-four (24) hours of the day"; and

WHEREAS, The term "day care center" includes a day nursery operated without profit for a part of the 24 hours of the day by a church or church school, and is defined so as to exclude church day nurseries from the licensing requirement rather than

to impose licensing upon them; now, therefore,

BE IT RESOLVED, by the House of Representatives, the Senate concurring, That the legislature express as its firm opinion that the Public Welfare Act of 1941, as amended, was never meant to require churches and church schools to obtain licenses to operate non-profit day nurseries; and be it further

RESOLVED, That the legislature respectfully request the State Department of Public Welfare to refrain from requiring licenses of churches and church schools to operate non-profit day nurseries.

Signed: Miller of Harris and Whitfield.

The resolution was referred to the Committee on State Affairs.

COMMITTEE MEETING

Mr. Smith asked unanimous consent of the House that the Committee on Public Health be permitted to meet at this time.

There was no objection offered and it was so ordered.

ADOPTION OF H. C. R. NO. 9

The Speaker laid before the House for consideration at this time,

H. C. R. No. 9, Authorizing the Board of Control, with the cooperation of the State Building Commission and the Texas State Historical Survey Commission, to erect two Confederate Memorial Information Markers.

The resolution was referred to the Committee on State Affairs and reported favorably by the Committee.

H. C. R. No. 9 was adopted without objection.

SENATE BILL NO. 1 ON SECOND READING

Mr. Fondren moved that the necessary rules be suspended for the purpose of taking up and considering at this time Senate Bill No. 1.

The motion prevailed by the following vote:

Yeas—143

Alaniz	Hollowell
Allen	Holmes
Arledge	Howard
Armstrong	Isaacks
Atwell	Ivy
Atwood	Jamison
Bass of Bowie	Johnson of Bell
Bass of Harris	Johnson of Bexar
Beckham	Johnson of Harris
Bernal	Jones of Lubbock
Berry	Jones of Taylor
Birkner	Jungmichel
Blaine	Kilpatrick
Blankenship	Klager
Bonilla	Knapp
Brooks	Kothmann
Brown of Taylor	Lack
Brown of Howard	Lee
Burgess	Lewis
Cahoon	Ligarde
Cain	Longoria
Caldwell	McClinton
Canales	McDonald
Cavness	of Hidalgo
Cherry	McDonald of Rusk
Clayton	McIlhany
Cole	McKissack
Connally	McLaughlin
Cory	Markgraf
Cowden	Miller of Newton
Cowles	Miller of Harris
Crain	Mobley
Crews	Montoya
Dickson	Moyer
Doke	Muniz
Duggan	Murray
Eckhardt	Mutscher
Edwards	Neugent
Field	of Galveston
Finney	Newman
Fletcher	Parker
Floyd	Peeler
Fondren	Pendleton
Foreman	Pickens
Garrison	Pipkin
Gates	Price
George	Quilliam
Green	Rapp
Grover	Richards
Guffey	Richardson
Haines of Brazos	Roberts
Hale	Rosson
Hallmark	Satterwhite
Harding	Schiller
Harris	Scoggins
Harrison	Shannon, Joe
Hawkins	of Tarrant
Haynes of Orange	Shannon, Tommy
Heatly	of Tarrant
Hefton	Sherman
Hendryx	Simpson
Hightower	Slack
Hinson	Slider

Smith	Wayne
Solomon	Weldon
Stewart	Whatley
Stroud	Wheeler
Thompson	Whitfield
Thurmond	Wieting
Townsend	Williamson
Traeger	Wilson
Vale	Woods
Wade	Wright
Ward	

Nays—3

Haring	Nugent of Kerr
Mann	

Absent

Dungan

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

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

The bill was read second time.

Mr. Fondren offered the following amendment to the bill:

Amend Section 2 of Senate Bill No. 1 by deleting quoted subsection (2a) in quoted Section 45a and substituting the following:

"(2a) Nothing in this section shall be construed to prevent the registrar or a deputy from rendering aid to an applicant who is physically unable to complete the application or to an applicant who requires assistance in completing the application by reason of his inability to read and write the English language."

Mr. Scoggins offered the following

substitute amendment for the amendment offered by Mr. Fondren:

Amend S. B. 1 by deleting the following language as it appears in Section 45a (2a):

"(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.

Mr. Fondren moved to table the substitute amendment offered by Mr. Scoggins, and the motion to table prevailed.

A record vote was requested on the adoption of the amendment offered by Mr. Fondren.

The amendment offered by Mr. Fondren was adopted by the following vote:

## Yeas—102

Allen	Guffey
Arledge	Haines of Brazos
Armstrong	Hallmark
Atwell	Harding
Atwood	Hawkins
Birkner	Heatly
Blaine	Hefton
Blankenship	Hendryx
Brown of Taylor	Hightower
Brown of Howard	Hinson
Burgess	Hollowell
Cahoon	Holmes
Cain	Howard
Canales	Isaacs
Cavness	Ivy
Clayton	Jamison
Connally	Johnson of Bell
Cory	Jones of Lubbock
Cowden	Jones of Taylor
Cowles	Jungmichel
Crain	Klager
Crews	Knapp
Dickson	Lewis
Duggan	McClinton
Dungan	McDonald
Edwards	of Hidalgo
Field	McIlhany
Finney	McKissack
Floyd	McLaughlin
Fondren	Markgraf
Foreman	Miller of Harris
Garrison	Mobley
George	Moyer
Grover	Murray

Mutscher	Sherman
Neugent	Simpson
of Galveston	Slack
Newman	Slider
Nugent of Kerr	Solomon
Pendleton	Stewart
Pickens	Stroud
Pipkin	Thompson
Price	Thurmond
Quilliam	Townsend
Rapp	Traeger
Richards	Ward
Rosson	Wayne
Satterwhite	Whately
Schiller	Wheeler
Scoggins	Williamson
Shannon, Joe	Woods
of Tarrant	Wright
Shannon, Tommy	
of Tarrant	

## Nays—43

Alaniz	Kothmann
Bass of Bowie	Lack
Bass of Harris	Lee
Beckham	Ligarde
Bernal	Longoria
Berry	McDonald of Rusk
Bonilla	Mann
Brooks	Miller of Newton
Caldwell	Montoya
Cherry	Muniz
Cole	Parker
Eckhardt	Peeler
Gates	Richardson
Green	Roberts
Hale	Smith
Haring	Vale
Harris	Wade
Harrison	Weldon
Haynes of Orange	Whitfield
Johnson of Bexar	Wieting
Johnson of Harris	Wilson
Kilpatrick	

## Absent

Doke	Fletcher
------	----------

The above record vote was requested by Representatives Haring, Cherry and Alaniz.

Mr. Fondren offered the following amendment to the bill:

Amend Senate Bill No. 1 by adding a new sentence to the first paragraph of subsection (2), on line 42 of page 4 of the printed bill, reading as follows: "No person other than those mentioned in this subsection may act as agent for a person in applying for registration."



The amendment was adopted.

Mr. Fondren offered the following amendment to the bill:

Amend Senate Bill No. 1 as follows:

(1) Insert the following sentence after the sentence ending, "as provided in Section 179a of this Code," in quoted Section 46a, (page 5, line 14 of the printed bill): "Each certificate shall contain a printed statement reading, 'I certify that the information contained herein is true and correct,' followed by a space for the signature of the registrant or his agent."

(2) Add the following paragraph at the end of quoted Section 47a, (page 6, line 9 of the printed bill):

"If the registrant or his agent applies in person, the registrant or his agent shall sign his name in the space provided for the signature. If the registrant or agent is unable to sign his name, he shall affix his mark, and the registrar or deputy shall place the name of the registrant or agent in the blank space in the registrar's or deputy's own handwriting."

The amendment was adopted.

Mr. Fondren offered the following amendment to the bill:

Amend Section 4 of S. B. No. 1 as follows:

(1) Insert "(as added by Section 1, Chapter 378, Acts of the 59th Legislature, 1965)" between the number "46a" and the comma immediately following.

(2) Insert "(as added by Section 10, Chapter 678, Acts of the 59th Legislature, 1965)" between the number "48a" and the comma immediately following.

The amendment was adopted without objection.

Mr. McDonald of Hidalgo offered the following amendment to the bill:

Amend S. B. No. 1 by inserting on line 10 of page 9 of the printed bill, after the word "other" and before the word "institution," the word "similar."

The amendment was adopted without objection.

Mr. Hale offered the following amendment to the bill:

Amend Section 2 of Senate Bill No. 1 by adding after the word "register" in line 37, page 4 in quoted subsection (2) in quoted Section 45a the following language:

" or an attorney or other person who renders aid to an applicant who requires assistance because of physical inability to complete such application or because of need or requirement of aid by reason of applicant's inability to read or write the English language,"

Mr. Fondren moved to table the amendment offered by Mr. Hale, and the motion to table prevailed.

S. B. No. 1 was then passed to third reading.

SENATE BILL NO. 1 ON THIRD READING

Mr. Fondren moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate Bill No. 1 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—124

- |                 |                  |
|-----------------|------------------|
| Allen           | Cory             |
| Arledge         | Cowden           |
| Armstrong       | Cowles           |
| Atwell          | Crain            |
| Atwood          | Crews            |
| Bass of Bowie   | Dickson          |
| Bass of Harris  | Doke             |
| Beckham         | Duggan           |
| Birkner         | Dungan           |
| Blaine          | Edwards          |
| Blankenship     | Field            |
| Bonilla         | Finney           |
| Brown of Taylor | Fletcher         |
| Brown of Howard | Floyd            |
| Burgess         | Fondren          |
| Cahoon          | Foreman          |
| Cain            | Garrison         |
| Caldwell        | Gates            |
| Canales         | George           |
| Cavness         | Green            |
| Cherry          | Grover           |
| Clayton         | Guffey           |
| Cole            | Haines of Brazos |
| Connally        | Hale             |

Hallmark	Mutscher
Harding	Neugent
Harris	of Galveston
Harrison	Newman
Hawkins	Peeler
Heatly	Pendleton
Hefton	Pickens
Hendryx	Pipkin
Hightower	Price
Hinson	Quilliam
Hollowell	Rapp
Holmes	Richards
Howard	Rosson
Ivy	Satterwhite
Jamison	Schiller
Johnson of Bell	Scoggins
Johnson of Bexar	Shannon, Joe
Johnson of Harris	of Tarrant
Jones of Lubbock	Shannon, Tommy
Jungmichel	of Tarrant
Klager	Sherman
Knapp	Simpson
Lewis	Slack
Ligarde	Slider
Longoria	Solomon
McClinton	Thompson
McDonald	Stewart
of Hidalgo	Stroud
McDonald of Rusk	Thurmond
McIlhany	Townsend
McKissack	Traeger
McLaughlin	Ward
Markgraf	Wayne
Miller of Newton	Whately
Miller of Harris	Wheeler
Mobley	Wieting
Montoya	Williamson
Moyer	Wilson
Muniz	Woods
Murray	Wright

## Nays—22

Alaniz	Lack
Bernal	Lee
Berry	Mann
Brooks	Nugent of Kerr
Eckhardt	Parker
Haring	Richardson
Haynes of Orange	Roberts
Isaacks	Smith
Jones of Taylor	Vale
Kilpatrick	Weldon
Kothmann	Whitfield

Absent

Wade

The Speaker then laid Senate Bill No. 1 before the House on third reading and final passage.

The bill was read third time.

(Mr. Scoggins occupied the Chair temporarily.)

## (Speaker in the Chair)

S. B. No. 1 was then passed by the following vote:

## Yeas—124

Allen	Jamison
Arledge	Johnson of Bell
Armstrong	Johnson of Bexar
Atwell	Johnson of Harris
Atwood	Jones of Lubbock
Bass of Harris	Jones of Taylor
Beckham	Jungmichel
Berry	Klager
Birkner	Knapp
Blaine	Kothmann
Blankenship	Lewis
Bonilla	Ligarde
Brown of Taylor	Longoria
Brown of Howard	McClinton
Burgess	McDonald
Cahoon	of Hidalgo
Cain	McDonald of Rusk
Canales	McIlhany
Cavness	McKissack
Clayton	McLaughlin
Cole	Markgraf
Connally	Miller of Newton
Cory	Miller of Harris
Cowden	Mobley
Cowles	Montoya
Crain	Moyer
Crews	Muniz
Dickson	Murray
Duggan	Mutscher
Dungan	Neugent
Eckhardt	of Galveston
Edwards	Newman
Field	Nugent of Kerr
Finney	Peeler
Fletcher	Pendleton
Floyd	Pickens
Fondren	Pipkin
Foreman	Price
Garrison	Quilliam
Gates	Rapp
George	Richards
Grover	Rosson
Guffey	Satterwhite
Haines of Brazos	Schiller
Hale	Scoggins
Hallmark	Shannon, Joe
Harding	of Tarrant
Harrison	Shannon, Tommy
Hawkins	of Tarrant
Heatly	Sherman
Hefton	Simpson
Hendryx	Slack
Hightower	Slider
Hinson	Solomon
Hollowell	Stewart
Holmes	Stroud
Howard	Thompson
Ivy	Thurmond

Townsend	Wheeler
Traeger	Wieting
Wade	Williamson
Ward	Wilson
Wayne	Woods
Whatley	Wright

Nays—22

Alaniz	Kilpatrick
Bass of Bowie	Lack
Bernal	Lee
Brooks	Mann
Caldwell	Parker
Cherry	Richardson
Green	Roberts
Haring	Smith
Harris	Vale
Haynes of Orange	Weldon
Isaacks	Whitfield

Absent

Doke

Mr. Fondren moved to reconsider the vote by which S. B. No. 1 was passed, and to table the motion to reconsider.

The motion to table prevailed.

REMARKS ORDERED PRINTED IN THE JOURNAL

Mr. Jamison moved that the remarks of Mr. Fondren and of Mr. Eckhardt in addressing the House on S. B. No. 1 on today be reduced to writing and be printed in the Journal.

The motion prevailed and it was so ordered.

REMARKS BY THE HONORABLE GENE FONDREN AND THE HONORABLE BOB ECKHARDT

On motion of Mr. Jamison, the following remarks by Mr. Fondren and Mr. Eckhardt, addressing the House on today on S. B. No. 1, were ordered printed in the Journal:

Mr. Eckhardt:

Mr. Fondren, there may be some misunderstanding as to whether or not Senate Bill 1 would permit persons who register under Sec. 7 to vote in the event that the judgment of the United States District Court for the Western District of Texas, Austin Division, in Civil Action No. 1570, the case of United States of America v. The State of Texas, et al., is not stayed. I understand that the judgment would become effective to

enjoin the enforcement of invalidated provisions tomorrow. Is it your understanding that in that event these persons registering for the approximate two-week period could vote?

Mr. Fondren:

Yes. As I understand the District Court decree, the State of Texas was granted 14 days in which to apply for a stay from Justice Black and to appeal from the District Court decision. As you know, the original bill as introduced called for the happening of two contingencies. The amendment offered and adopted makes the provision effective on the happening of either contingency. That is, if Justice Black enters an order denying the application for a stay or fails to grant a stay, the District Court decree becomes effective, as I understand it.

In order to insure uniformity and certainty throughout the State, the bill provides that the Governor, upon certification of the Attorney General that either contingency has occurred, shall issue a proclamation giving notice that the persons who register during the temporary period are entitled to vote.

INVITING THE GOVERNOR TO ADDRESS A JOINT SESSION OF THE HOUSE AND SENATE

Mr. Wayne offered the following resolution:

H. C. R. No. 17

BE IT RESOLVED, by the House of Representatives of the State of Texas, the Senate concurring, That the Honorable John Connally, Governor of the State of Texas, be and is hereby invited to address a Joint Session of the House and Senate to be held in the Hall of the House of Representatives at 3:00 p.m. February 22, 1966.

The resolution was read and was adopted without objection.

RECESS

Mr. Fletcher moved that the House recess until 2:45 o'clock p.m. today.

The motion prevailed.

The House accordingly, at 1:06 o'clock p.m., took recess until 2:45 o'clock p.m. today.

## AFTERNOON SESSION

The House met at 2:45 o'clock p.m. and was called to order by the Speaker.

## GRANTING PERMISSION FOR RECORDING THE SPEECH OF GOVERNOR CONNALLY TO THE JOINT SESSION

The Speaker laid before the House and had read the following report from the Rules Committee:

To: Speaker Ben Barnes

Members of the Legislature

From: Rules Committee

Requests have been made to the Rules Committee for permission to record by film and sound the speech of Governor Connally beginning at 3 p.m., February 22, 1966. Permission is hereby granted by the Rules Committee.

WILL L. SMITH  
Rules Committee

CONGRATULATORY  
RESOLUTIONS ADOPTED

The following Congratulatory Resolutions were adopted unanimously:

H. S. R. No. 65, By McIlhany: Congratulating Jay F. Murphy.

H. S. R. No. 67, By Fletcher: Congratulating Miss Nancy Notley as "Texas' Junior Miss."

On the motion of Mr. Slider, the names of all the Members of the House were added to H. S. R. No. 67 as signers thereof.

H. S. R. No 68, By Alaniz: Congratulating Scholz Garten on the occasion of its Centennial.

H. S. R. No. 70, By Johnson of Bexar: Congratulating and commending Colonel George E. Schafer.

COMMITTEE APPOINTED TO  
ESCORT GOVERNOR JOHN  
CONNALLY

The Speaker announced the appointment of the following Committee to escort Governor John Connally to the House of Representatives for the Joint Session:

Representatives Pendleton, Ed-

wards, Solomon, Scoggins and Dugan.

(Mr. Bass of Harris in the Chair)

TO EXTEND CONGRATULATIONS  
TO SPEAKER BARNES AND  
MRS. BARNES ON THEIR WED-  
DING ANNIVERSARY

Mr. Sherman offered the following resolution:

H. S. R. No. 66

WHEREAS, Today, February 22, marks the wedding anniversary of our distinguished Speaker, the Honorable Ben Barnes, and his charming wife, Martha; and

WHEREAS, It is the wish of all members of the House to express affection and good wishes to this outstanding young couple on a most important milestone in their lives; now therefore be it

RESOLVED, That the House of Representatives of the 59th Legislature of Texas extends congratulations and good wishes for many more years of happiness to Speaker and Mrs. Ben Barnes on the occasion of their wedding anniversary today.

Signed: Sherman, Cory, Mutscher and Stewart.

The resolution was read and was adopted unanimously.

On the motion of Mr. Joe Shannon, Jr., of Tarrant, and by unanimous consent of the House, the names of all Members of the House were added to the resolution as signers thereof.

(Speaker in the Chair)

ADDRESS BY GOVERNOR  
JOHN CONNALLY

(The Senate and the House of Representatives in Joint Session)

In accordance with the provisions of House Concurrent Resolution No. 17, providing for a Joint Session of the Senate and the House at 3:00 o'clock p.m. today, for the purpose of hearing an address by the Honorable John Connally, Governor of Texas, the Honorable Senators were admitted to the Hall of the House and occupied seats arranged for them.

At 3:00 o'clock p.m., Governor

John Connally and party, escorted by Senators Dies, Calhoun, Creighton, Hazlewood and Reagan, Committee on the part of the Senate, and Representatives Pendleton, Edwards, Solomon, Scoggins and Duggan, Committee on the part of the House, were announced at the bar of the House and, being admitted, were escorted to seats on the Speaker's Rostrum.

Lieutenant Governor Smith called the Senate to order.

A quorum of the Senate was announced present.

The Honorable Ben Barnes, Speaker, called the House of Representatives to order.

The roll of the House was called.

The Speaker stated that there was a quorum of the House present.

Speaker Barnes stated that the two Houses were in Joint Session, in accordance with the provisions of H. C. R. No. 17, for the purpose of hearing an address by His Excellency, John Connally, Governor of Texas.

Speaker Barnes then presented Governor Connally to the Joint Session.

Governor Connally addressed the Joint Session, as follows:

Mr. Speaker, President Smith, distinguished Members of the Senate and House, ladies and gentlemen:

This is the second time in ten days that I have had the privilege of addressing you and I am grateful for the opportunity which you have accorded me to again be here today to express to you my personal thanks and congratulations for myself and for all the people of Texas for the expeditious manner in which you have disposed of an emergency which was the cause for the call of this Special Session. I think again that the 59th Session of the Legislature has demonstrated its leadership and statesmanship in facing up to and solving responsibilities which it sees. In writing the voter registration bill which you have written and which you have finally passed, I think you have provided for an honest, a fair, and a reasonable bill. I think it is a bill that is calculated to encourage the exercise of the rights to register and to vote in behalf of all

the people of this State. It is based upon the premise that the people of Texas are an intelligent people and are concerned enough with the exercise of a precious right and the responsibility of government to determine their own actions without being pushed or cajoled or herded. I think it provides strong protection against fraud and dishonest elections.

Basically, it says to every man and woman in this State that his vote is his vote and his right and not the property of someone else. This bill, as you know better than I, includes provisions from many proposals from many sources, but together they have combined to form a bill which in my judgment will be one of the best in the nation. You have done a very necessary job. You have done it extremely well. You have done it in a statesmanlike fashion; in a manner that has characterized the entire demeanor and the behavior and the actions of this 59th Session. I think history will record and will remember this Session of the Legislature—the 59th—as the Legislature which opened new doors of educational opportunity for all of the people of Texas, and under the able leadership of the Speaker of the House and Lieutenant Governor Smith, the President of the Senate. As a result of the dedicated and arduous work that the Members of this House and the Members of the Senate have expended in this Special Session as well as the Regular Session of 1965, you have covered much ground—you have plowed new furrows—and you have charted a new course—not only in the field of education, for you have given unprecedented support to education for our people at all levels. You have gone beyond the ordinary in doing so. You have provided facilities and resources for special schools, for migrant schools. You have created a new model of a vocational and technical school. You have supported the junior colleges to an extent never before known in the history of Texas. You have raised the salaries of the teachers of this State. You have raised the salaries of the faculties of our educational institutions of higher learning to an unprecedented degree. So when I say that you have opened new doors of educational opportunity, I include all of these things plus the passage of an 85 million dollar loan program to make it possible

for all of those who for financial reasons might not be able to partake of the opportunities of this great State. This Legislature will be remembered as one that gave new direction to the conservation of our resources both human and natural. It will be remembered as one that turned its eyes toward new and vigorous programs for the care of the mentally ill and the mentally retarded. It will be remembered as a Legislature with eyes to see the problems of a growing and a responsive State whether we are talking about great industrialization, increasing our tourism or in many, many other fields. But more than that, it will be characterized, in the eyes of those who study the history of this State as a Legislature with a vision to see an even greater destiny ahead than the rich heritage of our past. It will be remembered as a Legislature with a courage to reach beyond the challenges of our own time and our own day and the problems we are confronted with in the ordinary course of our business affairs to reach out and anticipate the growth and problems of the future and to have the courage to build for the future of this State and for the well-being and prosperity of all its people. Notwithstanding the magnificent contributions that you have made during the Regular Session of the 59th Session and notwithstanding the speedy action which you have taken, arising out of an emergency that was the cause of this First Called Session, we are still confronted with many problems. Many of you have talked to me about these problems. They are of concern to you and they are of concern to me. Yet, we have two-and-a-half weeks remaining of this 30-day Session. And after careful deliberation, I have concluded that notwithstanding the serious problems that confront us in some areas of activity in this State that in light of the magnificent job that you did during the past Regular Session of the 59th Legislature that we have only 11 months remaining until we again convene this Legislature in its Regular Session to consider and act upon the great variety of issues which inevitably come before us if the Call of this Session was expanded. I have therefore come to the conclusion that I shall not expand the Call of the Session. And I do so after very careful deliberation

and after talking with many members of the House and Senate, getting your advice and counsel, I do so on the final criteria—I think that notwithstanding that we do face problems and that we are always going to face problems—none of the problems individually or collectively are of such an emergency nature that—barring the emergency of the court decision—I would not have called a Special Session for any of the purposes that have been discussed with me about which I have thought myself. Therefore, the Session will not be expanded. And I want to finally conclude by expressing my profound gratitude for the conduct of this Special Session. Part of your responsibility is to be with your people in an election year and in every year in order that you might articulate to them what you have done in the performance of your tasks and your duties representing them and to consider with them about the problems that they see that we need to act upon in the next Session. You will have more time to do that with the end of this Special Session now. I give you my thanks. I think I speak for all of Texas in applauding you for the exemplary fashion in which you have conducted yourselves, both personally and collectively, as a legislative body in a great State. I wish you well and Godspeed. Thank you very much.

#### SENATE RETIRES

At 3:17 o'clock p.m., Lieutenant Governor Preston Smith stated that the business of the Joint Session had been concluded and that the Senate would retire to its Chamber.

The Senate then retired.

#### HOUSE AT EASE

At 3:18 o'clock p.m., Speaker Barnes stated that the House would stand at ease, pending the departure of the Governor and the Senate.

The Speaker called the House to order at 3:23 o'clock p.m.

#### MESSAGE FROM THE SENATE

Austin, Texas, February 22, 1966

Hon. Ben Barnes, Speaker  
of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has concurred in House Amendments to S. B. No. 1 by 28 Yeas, 0 Nays.

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

S. C. R. No. 9, By Hall: Commending the Plano High School football team, coaches, managers, faculty, and student body for winning 1965 Class AA State Football Championship.

H. C. R. No. 17, By Wayne: Inviting the Honorable John Connally, Governor of Texas, to address a Joint Session of the House and Senate.

Respectfully,  
CHARLES A. SCHNABEL  
Secretary of the Senate.

#### HOUSE BILL ON FIRST READING

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

By Heatly:

H. B. No. 12, A bill to be entitled An Act amending Chapter 54, Acts of the 59th Legislature, 1965, to transfer from the appropriations account of the House of Representatives the sum of \$125,000 for the expenses of the Senate, and to make unobligated balances as of Jan. 31, 1967 in appropriations made by said Chapter 54 for the House of Representatives and the Senate available for necessary expenses of the 60th Legislature; and declaring an emergency.

Referred to the Committee on Appropriations.

#### COMMITTEE MEETING

Mr. Heatly asked unanimous consent of the House that the Committee on Appropriations be permitted to meet at this time.

There was no objection offered.

#### RESOLUTIONS SIGNED BY THE SPEAKER

The Speaker signed in the presence of the House, after giving due notice thereof and their captions had been

read severally, the following enrolled resolutions:

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.

#### CONGRATULATING MISS MAUD ISAACKS

Mr. Townsend offered the following resolution:

H. S. R. No. 69

WHEREAS, Our highly esteemed and able colleague, Miss Maud Isaacks of El Paso, is retiring from the House of Representatives at the close of her present term; and

WHEREAS, She came to the House during the Called Session of the 53rd Legislature in 1953 and has since served six terms with unusual distinction and dedication to the cause of good government; and

WHEREAS, She is the only woman member of this body and through the years has been greatly respected and beloved by legislators who have been privileged to serve and work with her; and

WHEREAS, She follows in a distinguished family tradition, occupying the seat in the House which was held for eight terms, from 1939 to 1953, by her late father, Judge S. J. Isaacks of El Paso, who had also represented Bastrop County in the House of the 28th Legislature in 1903; and

WHEREAS, As a teacher, Miss Isaacks has worked diligently for legislative measures designed to improve education at all levels in Texas; and

WHEREAS, She will be greatly missed in the House of Representatives and by her many friends in state government; now therefore be it

RESOLVED, That the House of Representatives of the 59th Legislature of Texas congratulate and commend Miss Maud Isaacks on her outstanding career as a member of this House and extend to her sincere good wishes for a future filled with happiness.

The resolution was read and was adopted unanimously.

On motion of Mr. Hale and Mr. Roberts, and by unanimous consent, the names of all Members of the House were added to the resolution as signers thereof.

PRESENTATION TO MISS  
MAUD ISAACKS

Upon being recognized by the Speaker, Mr. Townsend, on behalf of the Members of the House, expressed appreciation to Miss Maud Isaacks and commended her on her outstanding career as a Member of the House.

Mr. Townsend then presented a bouquet of red roses to Miss Isaacks.

Miss Isaacks then expressed appreciation for the flowers and for House Simple Resolution No. 69.

HOUSE BILL NO. 12 ON  
SECOND READING

Mr. Heatly moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 12 be placed on its second reading and passage to engrossment.

The motion prevailed by the following vote:

Yeas—139

Allen	Crain
Arledge	Crews
Armstrong	Dickson
Atwell	Duggan
Atwood	Dungan
Bass of Bowie	Eckhardt
Bass of Harris	Edwards
Beckham	Field
Bernal	Finney
Berry	Fletcher
Birkner	Floyd
Blaine	Fondren
Blankenship	Foreman
Bonilla	Garrison
Brooks	George
Brown of Taylor	Green
Brown of Howard	Grover
Burgess	Guffey
Cain	Haines of Brazos
Caldwell	Hale
Canales	Hallmark
Cavness	Harding
Cherry	Haring
Clayton	Harris
Cole	Harrison
Connally	Hawkins
Cory	Haynes of Orange
Cowden	Heatly
Cowles	Hefton

Hendryx	Parker
Hightower	Peeler
Hinson	Pendleton
Holmes	Pickens
Howard	Pipkin
Isaacks	Price
Ivy	Quilliam
Jamison	Rapp
Johnson of Bell	Richards
Johnson of Bexar	Roberts
Johnson of Harris	Rosson
Jones of Lubbock	Satterwhite
Jones of Taylor	Schiller
Jungmichel	Scoggins
Kilpatrick	Shannon, Joe
Klager	of Tarrant
Knapp	Shannon, Tommy
Kothmann	of Tarrant
Lack	Sherman
Lee	Simpson
Lewis	Slack
Ligarde	Slider
Longoria	Smith
McClinton	Solomon
McDonald	Stewart
of Hidalgo	Stroud
McDonald of Rusk	Thompson
McIlhany	Thurmond
McKissack	Townsend
McLaughlin	Traeger
Mann	Vale
Markgraf	Wade
Miller of Newton	Wayne
Miller of Harris	Weldon
Mobley	Whately
Montoya	Wheeler
Moyer	Whitfield
Muniz	Wieting
Murray	Williamson
Mutscher	Wilson
Neugent	Woods
of Galveston	Wright
Newman	

Nays—4

Cahoon	Nugent of Kerr
Hollowell	Richardson

Absent

Alaniz	Gates
Doke	Ward

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

H. B. No. 12, A bill to be entitled An Act amending Chapter 54, Acts of the 59th Legislature, 1965, to transfer from the appropriations account of the House of Representatives the sum of \$125,000 for the expenses of the Senate, and to make unobligated balances as of Jan. 31,



1967, in appropriations made by said Chapter 54 for the House of Representatives and the Senate available for necessary expenses of the 60th Legislature; and declaring an emergency.

The bill was read second time and was passed to engrossment.

**HOUSE BILL NO. 12 ON  
THIRD READING**

Mr. Heatly moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 12 be placed on its third reading and final passage.

The motion prevailed by the following vote:

**Yeas—136**

Allen	George
Arledge	Green
Armstrong	Guffey
Atwell	Haines of Brazos
Atwood	Hale
Bass of Bowie	Hallmark
Bass of Harris	Harding
Beckham	Haring
Bernal	Harris
Berry	Harrison
Birkner	Hawkins
Blaine	Haynes of Orange
Blankenship	Heatly
Bonilla	Hefton
Brooks	Hendryx
Brown of Taylor	Hightower
Brown of Howard	Hinson
Burgess	Holmes
Cain	Howard
Caldwell	Isaacks
Canales	Ivy
Cavness	Jamison
Cherry	Johnson of Bell
Clayton	Johnson of Bexar
Cole	Johnson of Harris
Connally	Jones of Lubbock
Cory	Jones of Taylor
Cowden	Jungmichel
Cowles	Kilpatrick
Crain	Klager
Crews	Knapp
Dickson	Kothmann
Duggan	Lack
Dungan	Lee
Eckhardt	Lewis
Edwards	Longoria
Field	McClinton
Fletcher	McDonald
Floyd	of Hidalgo
Fondren	McDonald of Rusk
Foreman	McIlhany
Garrison	McKissack

McLaughlin	Shannon, Joe
Mann	of Tarrant
Markgraf	Shannon, Tommy
Miller of Newton	of Tarrant
Miller of Harris	Sherman
Mobley	Simpson
Montoya	Slack
Moyer	Slider
Muniz	Smith
Murray	Solomon
Mutscher	Stewart
Neugent	Stroud
of Galveston	Thompson
Newman	Thurmond
Parker	Townsend
Peeler	Traeger
Pendleton	Vale
Pickens	Wade
Pipkin	Wayne
Price	Weldon
Quilliam	Whately
Rapp	Wheeler
Richards	Whitfield
Roberts	Wieting
Rosson	Williamson
Satterwhite	Wilson
Schiller	Woods
Scoggins	Wright

**Nays—5**

Cahoon	Richardson
Hollowell	Ward
Nugent of Kerr	

**Absent**

Alaniz	Gates
Doke	Grover
Finney	Ligarde

The Speaker then laid House Bill No. 12 before the House on third reading and final passage.

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

**Yeas—138**

Allen	Burgess
Arledge	Cain
Armstrong	Caldwell
Atwell	Canales
Atwood	Cavness
Bass of Bowie	Cherry
Bass of Harris	Clayton
Beckham	Cole
Bernal	Connally
Berry	Cory
Birkner	Cowden
Blaine	Cowles
Blankenship	Crain
Bonilla	Crews
Brooks	Dickson
Brown of Taylor	Duggan
Brown of Howard	Dungan

Eckhardt	Miller of Harris
Edwards	Mobley
Field	Montoya
Fletcher	Moyer
Floyd	Muniz
Fondren	Murray
Foreman	Mutschler
Garrison	Neugent
George	of Galveston
Green	Newman
Grover	Nugent of Kerr
Guffey	Parker
Haines of Brazos	Peeler
Hale	Pendleton
Hallmark	Pickens
Harding	Pipkin
Haring	Price
Harris	Quilliam
Harrison	Rapp
Hawkins	Richards
Haynes of Orange	Roberts
Heatly	Rosson
Hefton	Satterwhite
Hendryx	Schiller
Hightower	Scoggins
Hinson	Shannon, Joe
Holmes	of Tarrant
Howard	Shannon, Tommy
Isaacks	of Tarrant
Ivy	Sherman
Jamison	Simpson
Johnson of Bell	Slack
Johnson of Bexar	Slider
Johnson of Harris	Smith
Jones of Lubbock	Solomon
Jones of Taylor	Stewart
Jungmichel	Stroud
Kilpatrick	Thompson
Klager	Thurmond
Knapp	Townsend
Kothmann	Traeger
Lack	Vale
Lee	Wade
Lewis	Ward
Longoria	Wayne
McClinton	Weldon
McDonald	Whatley
of Hidalgo	Wheeler
McDonald of Rusk	Whitfield
McIlhany	Wieting
McKissack	Williamson
Mann	Wilson
Markgraf	Woods
Miller of Newton	Wright

## Nays—4

Cahoon	McLaughlin
Hollowell	Richardson

## Absent

Alaniz	Gates
Doke	Ligarde
Finney	

The Speaker stated that H. B. No. 12 was passed subject to the provisions of Article III, Section 49A, of the Constitution of Texas.

**PRESENTATION TO THE HONORABLE JAKE JOHNSON OF BEXAR**

Mr. Nugent of Kerr, upon being recognized by the Speaker, presented a wedding gift, on behalf of the Members of the House, to the Honorable Jake Johnson of Bexar.

Mr. Johnson of Bexar then expressed appreciation for the gift.

**PROVIDING FOR ADJOURNMENT SINE DIE**

Mr. Johnson of Harris offered the following resolution:

H. C. R. No. 18

BE IT RESOLVED by the House of Representatives, the Senate concurring, That the First Called Session of the Fifty-ninth Legislature stand adjourned sine die at 11:00 o'clock a.m. Wednesday, February 23, 1966.

The resolution was read and was adopted without objection.

**CONGRATULATORY RESOLUTION ADOPTED**

The following Congratulatory Resolution was adopted unanimously:

S. C. R. No. 9, Commending the Plano High School Football Team.

**ADOPTION OF H. C. R. NO. 15**

The Speaker laid before the House, for consideration at this time,

H. C. R. No. 15, Clarifying the Legislative intent in passing H. B. No. 869, Chapter 314, Acts of the Fifty-ninth Legislature, Regular Session.

The resolution was referred to the Committee on Public Health and was reported favorably by the Committee.

H. C. R. No. 15 was then adopted.

**ADJOURNMENT**

Mr. Hendryx moved that the House adjourn until 10:00 o'clock a.m. tomorrow.

The motion prevailed.

The Benediction was offered by Chaplain Clinton Kersey.

In accordance with the motion to adjourn, the House, at 3:43 o'clock p.m., adjourned until 10:00 o'clock a.m. tomorrow.

### APPENDIX

#### STANDING COMMITTEE REPORTS

The following Committees have filed favorable reports on bills and resolutions:

Appropriations: H. B. No. 12.

Public Health: H. C. R. No. 15.

State Affairs: H. C. R. No. 9 and S. B. No. 1.

#### REPORTS OF THE COMMITTEE ON ENGROSSED BILLS

Austin, Texas, February 22, 1966

The Honorable Ben Barnes, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 1, Voters Registration Act,

Has carefully compared same and finds it correctly engrossed.

McCLINTON, Chairman.

Austin, Texas, February 22, 1966

The Honorable Ben Barnes, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom were referred

H. C. R. No. 17, Invitation to Governor to address a Joint Session of the House and Senate.

H. C. R. No. 9, directing the State Board of Control to erect two Confederate Memorial Information Markers on the Capitol grounds.

H. C. R. No. 16, In memory of Mrs. Maude Belle Johnson.

H. C. R. No. 13, In memory of Kermit Dyche.

Has carefully compared same and finds the resolutions correctly engrossed.

McCLINTON, Chairman.

In Memory of

**Mrs. Maude Belle Johnson**

Mr. Atwell offered the following resolution:

H. C. R. No. 16

WHEREAS, The sadness which shadowed the heart of a beloved colleague upon the death of his Mother, Mrs. Maude Belle Johnson, has touched the lives of every Member of this House in our love for Bob Johnson, our parliamentarian and the Executive Director of the Texas Legislative Council; and

WHEREAS, Mrs. Johnson's death, at the age of 77, on October 27, 1965, in Dallas, Texas, was a shock to us all, and particularly to those who had the privilege of knowing her, of sharing her warm smile, and seeing in her eyes the pride and love which she held for her son, our good friend; and

WHEREAS, This splendid lady, for she was a real lady in all her deeds, her appearance, and the deep compassion which welled from her heart, could have served the best artists as a model for "Mother," so nearly did her appearance and her character typify all that the word conveys; and

WHEREAS, The sweetness of her face was not the result of a lifetime of sunny years; rather, it was witness to the fact that she had come to terms with life, had learned to accept the good with the bad, and had, over all, gratitude for the years of happiness which had been hers; and

WHEREAS, Her first marriage ended in just eight years with the death of her husband, Richard Alonzo Christopher, in 1922; she was married again in 1925 to Moses Gordon Johnson, and became the mother of two sons, Gordon Christopher Johnson and Robert Ellis Johnson, but again sorrow struck as she lost her husband in 1937; and

WHEREAS, She carried on without bitterness in the joy of bringing two fine boys to manhood, in seeing them educated and starting lives of service, but one of her sons, Gordon, lost his life while trying to save others; and

WHEREAS, She continued working almost to the day of her death, for she could never bear hands of idleness if they were hers: through the years she had found that work was balm to an aching heart, and that service to others would fill a void in one's own life; and

WHEREAS, This fine person, this motherly woman who was so loved by all who knew her, will be missed for years to come by the members of her family, by her many friends in Dallas, her lifetime home, and the House of Representatives of the 59th Legislature wishes to pay tribute to her and to extend deepest sympathy to her son, Robert E. Johnson, and his family; now, therefore, be it

RESOLVED, That the House of Representatives of the State of Texas, the Senate concurring, by this Resolution commends

the life and service of Mrs. Maude Belle Brown Johnson; and, be it further

RESOLVED, That copies of this Resolution under the Seal of the House of Representatives be prepared for her son, Robert E. Johnson, and other members of the family, and that when the House of Representatives adjourns this day, that it do so in memory of Mrs. Maude Belle Johnson.

The resolution was adopted unanimously by a rising vote.

On the motion of Mr. Wright, the names of all members of the House were added to the resolution as signers thereof.

## SEVENTH DAY

(Wednesday, February 23, 1966)

The House met at 10:00 o'clock a.m., pursuant to adjournment, and was called to order by the Speaker.

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

Mr. Speaker	Hale
Alaniz	Hallmark
Allen	Harding
Arledge	Haring
Armstrong	Harris
Atwell	Harrison
Atwood	Hawkins
Bass of Bowie	Haynes of Orange
Bass of Harris	Heatly
Beckham	Hefton
Bernal	Hendryx
Berry	Hightower
Birkner	Hinson
Blaine	Hollowell
Blankenship	Holmes
Bonilla	Howard
Brooks	Isaacks
Brown of Taylor	Ivy
Brown of Howard	Jamison
Burgess	Johnson of Bell
Cahoon	Johnson of Bexar
Cain	Johnson of Harris
Caldwell	Jones of Lubbock
Canales	Jones of Taylor
Cavness	Jungmichel
Cherry	Kilpatrick
Clayton	Klager
Cole	Knapp
Connally	Kothmann
Cory	Lack
Cowden	Lee
Cowles	Lewis
Crain	Ligarde
Crews	Longoria
Dickson	McClinton
Duggan	McDonald
Dungan	of Hidalgo
Eckhardt	McDonald of Rusk
Edwards	McIlhany
Field	McKissack
Finney	McLaughlin
Fletcher	Mann
Floyd	Markgraf
Fondren	Miller of Newton
Foreman	Miller of Harris
Garrison	Mobley
Gates	Moyer
George	Muniz
Green	Murray
Grover	Mutscher
Guffey	Neugent
Haines of Brazos	of Galveston

Newman	Slack
Nugent of Kerr	Slider
Parker	Smith
Peeler	Solomon
Pendleton	Stewart
Pickens	Stroud
Pipkin	Thompson
Price	Thurmond
Quilliam	Townsend
Rapp	Traeger
Richards	Vale
Richardson	Wade
Roberts	Ward
Rosson	Wayne
Satterwhite	Weldon
Schiller	Whatley
Scoggins	Wheeler
Shannon, Joe	Whitfield
of Tarrant	Wieting
Shannon, Tommy	Williamson
of Tarrant	Wilson
Sherman	Woods
Simpson	Wright

Absent

Doke Montoya

A quorum of the House was announced present.

The Invocation was offered by Chaplain Clinton Kersey, as follows:

“Ye are the salt of the earth: but if the salt have lost his savor, wherewith shall it be salted: it is thenceforth good for nothing, but to be cast out, and to be trodden under foot of men.

Ye are the light of the world. A city that is set on an hill cannot be hid.

Neither do men light a candle, and put it under a bushel, but on a candlestick; and it giveth light unto all that are in the house.

Let your light so shine before men, that they may see your good works and glorify your Father which is in heaven.’ Matthew 5:13-16.

Father, we stand before Thee with mixed emotion today. Though this is a happy hour because of the knowledge that the work of this Session is accomplished and each one can return home, at the same time it is a sad hour because never again will we all be together again. When we meet in the future some will be absent.

And now as we come to this closing Session of the 59th Legislature, may we go back to our communities with determination in our hearts that wherever our paths may lead, each Member might truly let his light shine that everyone we come in contact with might be a better citizen and child of Thee.

Thank Thee for the blessed privilege of serving others. Guide the leaders of this State and Nation in our prayer. In Jesus' Name. Amen."

#### MEMORIAL RESOLUTIONS ADOPTED

The following Memorial Resolutions were adopted unanimously by a rising vote:

H. S. R. No. 71, By Cole: In memory of Dr. Quincy L. Atha.

H. S. R. No. 77, By McDonald of Hidalgo: In memory of Judge Oliver C. Aldrich.

H. S. R. No. 78, By McDonald of Hidalgo: In memory of Dr. Lloyd M. Southwick.

#### RESOLUTION SIGNED BY THE SPEAKER

The Speaker signed in the presence of the House, after giving due notice thereof and its caption had been read, the following enrolled resolution:

H. C. R. No. 17, Providing for a Joint Session to hear an address by Governor John Connally.

#### CONGRATULATING THE HON- ORABLE JACK CRAIN

Mr. Mutscher offered the following resolution:

H. S. R. No. 72

WHEREAS, An announcement has recently come to the attention of this House which, though it was made in a small Northwest Texas town, will affect every Member of the Legislature; and

WHEREAS, This notice appeared in a local newspaper, but it recalled to all who saw it the great affection which each Member of the House here today holds for a colleague who has been a great friend to us all during the six years he has been a Member of the Legislature; and

WHEREAS, This man is truly a "nugget," as he was called in his football days at The University of Texas, when he was the touchdown king of the Southwest Conference—our own "Nocona Nugget," Jack Crain; and

WHEREAS, He has advised the people of his district that he will not be a candidate for the Legislature at the next election, and though we sympathize with his desire to remain in Nocona with his family, where he can fulfill his responsibilities as father and husband, it is with great regret that we learn of his decision; and

WHEREAS, There'll never be another Jack Crain, a man with the honesty and integrity so much a part of his personality that he has shown himself incapable of a compromise, if there is the slightest doubt concerning it; and

WHEREAS, We shall miss Jack and want to let him know the depth of friendship which he has inspired in his fellow Members and all who know him; now therefore be it

RESOLVED, That the House of Representatives of the 59th Legislature, by this Resolution, extends to Representative Jack Crain our best wishes for his future as he retires from the Texas Legislature; and be it further

RESOLVED, That a copy of this Resolution be prepared as a memento of our great friendship and in token of the love and esteem which all of us here hold for him.

Signed: Mutscher and Nugent of Kerr.

The resolution was adopted unanimously.

On the motion of Mr. Rosson, and by unanimous consent, the names of all Members of the House were added to the resolution as signers thereof.

#### CONGRATULATORY RESOLU- TIONS ADOPTED

The following Congratulatory Resolutions were adopted unanimously:

H. S. R. No. 73, By Haynes of

Orange: Commending the Bridge City High School football team.

H. S. R. No. 74, By Hightower: In recognition of A. Lavoy Moore, Conroe's Outstanding Citizen of the Year.

H. S. R. No. 76, By Burgess: To congratulate Joe Bill Mettauer.

H. S. R. No. 79, By Smith: Commending Dr. Ralph A. Wooster.

On the motion of Mr. Smith the names of all the Members of the House were added to H. S. R. No. 79 as signers thereof.

**AUTHORIZING ADDITIONAL  
EXPENDITURE FROM CON-  
TINGENT EXPENSES FUND**

Mr. Schiller offered the following resolution:

H. S. R. No. 75

Whereas, The Members of the House of Representatives are now engaged in completing the many official duties required of them during the First Called Session of the Fifty-ninth Legislature; and

Whereas, Incidental expenses of postage, telephone calls and office supplies are necessary for the Members to adequately complete their many official tasks for the First Called Session; now, therefore, be it

Resolved by the House of Representatives, That each Member of the House be authorized to expend an additional Fifty Dollars (\$50) for contingent expenses during the First Called Session of the Fifty-ninth Legislature.

The resolution was read and was adopted without objection.

**REQUESTING THE BUILDING  
COMMISSION TO BEGIN PLAN-  
NING AND CONSTRUCTION OF  
A NEW STATE FINANCE  
BUILDING AT ONCE**

Mr. Smith offered the following resolution:

H. S. R. No. 80

Whereas, The Fifty-ninth Legislature, in Regular Session in 1965, provided funds for the planning and construction of a new State Finance Building to house certain state de-

partments such as the State Comptroller's Office, State Treasurer's Office and others, and

Whereas, Future progress of the House program to provide adequate office space for Members of the Texas House of Representatives requires the removal of the Comptroller's Offices and the Treasurer's Offices from the Capitol Building, and

Whereas, The planning and construction of the State Finance Building will require many months, and

Whereas, Many Members of the House of Representatives are presently housed in inadequate and crowded offices and there is urgent need that more space be made available for Members' offices at the earliest possible moment, therefore be it

Resolved, by the House of Representatives of the State of Texas, That the State Building Commission be and is hereby requested to begin planning and construction of the new Finance Building as authorized by the Legislature at the earliest possible moment, and that the planning and construction be completed as quickly as possible, and be it further

Resolved, That each Member of the Building Commission of the State of Texas be sent an enrolled copy of this resolution.

The resolution was read and was adopted without objection.

On motion of Mr. Smith, and by unanimous consent, the names of all Members of the House were added to the resolution as signers thereof.

**TO EXPRESS APPRECIATION  
TO CHAPLAIN CLINTON  
KERSEY**

Mr. Allen offered the following resolution:

H. S. R. No. 81

Whereas, The Reverend Clinton Kersey served with honor and distinction as a Member of the House of Representatives in the 46th and 47th Regular Sessions of the Legislature of Texas; and

Whereas, The Reverend Kersey



was duly elected Chaplain of the House of Representatives of the 56th and 57th Regular Sessions of the Legislature of Texas; and

Whereas, In his present capacity as Director of Paroles for the Texas Youth Council he has continued his honest and faithful service to the people of Texas; and

Whereas, The Reverend Kersey has eagerly taken time from his many responsibilities and duties with the Texas Youth Council to serve as Chaplain of the 59th Legislature, First Called Session, of Texas; and

Whereas, His service to the people of Texas and the Legislature has been recorded as admirable and beyond reproach; and

Whereas, The House of Representatives of the State of Texas wishes to express its gratitude for his unselfish contributions of time and effort; now therefore be it

Resolved, That the membership of the House of Representatives of Texas render its thanks and appreciation to The Reverend Clinton Kersey for his excellent service to this Legislature and offer its best wishes to him for continued success as a dedicated public servant and minister of the Lord.

The resolution was read and was adopted unanimously.

On motion of Mr. Holmes and Mr. Smith, and by unanimous consent, the names of all Members of the House were added to the resolution as signers thereof.

#### TRIBUTE TO CHAPLAIN CLINTON KERSEY

Upon being recognized by the Speaker, Mr. Allen addressed the House in tribute to the services of Chaplain Clinton Kersey.

Mr. Allen then presented Chaplain Kersey to the House for a standing ovation from the Members, officers and employees of the House.

#### HOUSE AT EASE

At 10:23 o'clock a.m., the Speaker stated that the House would stand at ease.

(Mr. Weldon in the Chair)

At 10:26 o'clock a.m., the Chair called the House to order.

#### COMMENDING MEMBERS OF THE FIFTY-NINTH LEGISLA- TURE IN SUPPORT OF REAP- PORTIONMENT LAW

Mr. Mutscher offered the following resolution:

#### H. S. R. No. 82

Whereas, Redistricting was a major problem of the Regular Session of the 59th Legislature, and even after the bill was finally enacted the labors of some of the Members in its behalf were not at an end; and

Whereas, The reapportionment measure was before the Federal District Court and a number of Members of this House spent a great deal of their time during the interim in extensive effort directed toward defense of the Act; and

Whereas, The 59th Legislature and the people of the State of Texas owe a debt of gratitude to these Members of the Legislature who gave so freely of their time and energies to demonstrate to the Court that the Texas Legislature made an honest and good faith effort to comply with all legal requirements and judicial standards in reapportioning the Texas House of Representatives; now therefore be it

Resolved, That Members of the House of Representatives of the 59th Legislature commend the faithful and devoted service of their 32 colleagues who joined in filing the brief in defense of the reapportionment measure as follows:

Nelson Cowles, Mack Edwards, George H. Richards, Paul Floyd, Jack R. Hawkins, Leroy Wieting, Tony Bonilla, L. DeWitt Hale, Menton J. Murray, Maurice S. Pipkin, Bill Rapp, Milton J. Schiller, Charlie Jungmichel, J. T. Newman, John Field, J. E. Ward, Henry Fletcher, Wayne W. Connally, Joe Shannon, Jr., Skeet Richardson, Jack Crain, Ben Barnes, Honore Ligarde, Roger H. Thurmond, Jr., John E. Blaine, Forrest A. Harding, Temple Dickson, Vernon Stewart, W. S. Heatly, Grant Jones, Bill J. Parsley and A. C. Hallmark.

The resolution was adopted without objection.

**CONGRATULATORY RESOLUTION ADOPTED**

The following Congratulatory Resolution was adopted unanimously:

H. S. R. No. 83, By Haynes of Orange: To congratulate the West Orange High School basketball team and staff.

**HOUSE AT EASE**

At 10:27 o'clock a.m., the Chair stated that the House would stand at ease.

(Speaker in the Chair)

**HOUSE CALLED TO ORDER**

At 10:35 o'clock a.m., the Speaker called the House to order and made an announcement relative to the pending business of the House.

The Speaker also expressed appreciation to the Members of the House for their work and cooperation.

**HOUSE AT EASE**

At 10:52 o'clock a.m., the Speaker stated that the House would stand at ease.

(Mr. Birkner in the Chair)

**HOUSE CALLED TO ORDER**

At 11:01 o'clock a.m. the Chair called the House to order.

**BILL AND RESOLUTION SIGNED BY THE SPEAKER**

The Speaker signed in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled bill and resolution:

S. B. No. 1, 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; enacting temporary provisions and providing for a temporary period

of registration and prescribing conditions on voting after such registration based on whether or not there is in effect on the date of the election a court order invalidating payment of the poll tax as a requirement for voting; and declaring an emergency.

S. C. R. No. 9, Congratulating the Plano High School Football Team.

**HOUSE AT EASE**

At 11:02 o'clock a.m., the Chair stated that the House would stand at ease.

**HOUSE CALLED TO ORDER**

At 11:18 o'clock a.m., the Chair called the House to order.

Upon being recognized by the Chair, Mr. Smith made an announcement relative to employees of the House.

**HOUSE AT EASE**

At 11:19 o'clock a.m., the Chair stated that the House would stand at ease.

**HOUSE CALLED TO ORDER**

At 11:21 o'clock a.m., the Chair called the House to order.

**MESSAGE FROM THE SENATE**

Austin, Texas, February 23, 1966

Hon. Ben Barnes, Speaker  
of the House of Representatives.

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

H. C. R. No. 9, By Mutscher: Directing the State Board of Control to erect two Confederate Memorial Information Markers on the Capitol Grounds.

H. C. R. No. 16, By Atwell: In memory of Mrs. Maude Belle Johnson.

H. C. R. No. 15, By Duggan, et al: Relative to the Legislative intent of House Bill No. 869.

H. B. No. 12, By Heatly: Amending Chapter 54, Acts of the 59th Legislature, Regular Session, 1965, to transfer from the appropriations account of the House of Representatives the sum of \$125,000 for the

expenses of the Senate, and to make unobligated balances as of January 31, 1967, in appropriations made by said Chapter 54 for the House of Representatives and the Senate available for necessary expenses of the 60th Legislature; and declaring an emergency.

H. C. R. No. 13, By Caldwell: In memory of Kermit Dyche.

Respectfully,  
CHARLES A. SCHNABEL  
Secretary of the Senate

#### HOUSE AT EASE

At 11:23 o'clock a.m. the Chair stated that the House would stand at ease.

(Speaker in the Chair)

At 11:25 o'clock a.m., the Speaker called the House to order.

#### ADDRESS BY THE HONORABLE JIM MARKGRAF

On motion of Mr. Hollowell and by unanimous consent, the following remarks of Mr. Markgraf made in addressing the House on personal privilege on today were ordered printed in the Journal:

Mr. Speaker, Members Present, and Employees of The House:

There are a few thoughts I feel compelled to express in leaving this House of Representatives for probably the last time. I am speaking on personal privilege for my first time and obviously the last. What I have to say is not intended for the hearing of anybody outside this body.

It is a distinct privilege for any person, especially me, to serve in the Texas House of Representatives. Some leave not of their own choice, but to those who do, I am sure you will find when the time comes it will not be a joyous occasion.

We have shared many things here in this House. We've shared trials, tribulations, pleasantness and disappointments. The result is that it is a very real part of our lives and it is one I hate to leave.

I have tried to decide since yesterday whether or not I could make these remarks—obviously, it is not easy. I have heard other Members

who are also leaving say they wish they could express what is in their hearts at this time. I have not the ability to convey to you the depth of my feelings, but I had to try.

Mr. Speaker and Members, it has been truly a great experience to serve with you in this House of Representatives. I will be eternally grateful to the people in Kaufman and Rockwall Counties for allowing me this privilege.

There is much more I would like to say—but my words right now seem hard to manage.

Members, my hope in closing is that any difficulties or problems we might have had may serve well to enrich and make our friendships live more vividly throughout our lives. I can assure you that I will never forget and shall be forever grateful for having had this experience.

My very best wishes to each and every one of you. Thank you kindly and may God bless you.

Jim Markgraf

(Mr. Mobley in the Chair)

#### MESSAGE FROM THE SENATE

Austin, Texas, February 23, 1966

Hon. Ben Barnes, Speaker  
of the House of Representatives.

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

H. C. R. No. 18, By Johnson of Harris: Providing for Sine Die adjournment. (As amended)

Respectfully,  
CHARLES A. SCHNABEL  
Secretary of the Senate

#### CONGRATULATORY RESOLUTION ADOPTED

The following Congratulatory Resolution was adopted unanimously:

H. S. R. No. 85, By Stewart: Congratulating and commending Diane Neale, Kay Browning and Alicia Richie, of Wichita Falls, upon being chosen delegates to the World YMCA Youth Conference.

**HOUSE CONCURRENT RESOLUTION NO. 18 WITH SENATE AMENDMENT**

Mr. Johnson of Bexar called up with Senate Amendment for consideration at this time,

H. C. R. No. 18, Providing for Adjournment Sine Die.

On motion of Mr. Johnson of Bexar, and by unanimous consent, the House concurred in the Senate Amendment to H. C. R. No. 18.

**TEXT OF SENATE AMENDMENT TO H. C. R. NO. 18**

Amend H. C. R. 18 by changing the words "Eleven o'clock" wherever they appear to "twelve o'clock."

(Speaker in the Chair)

**HOUSE NOTIFIED**

A Committee from the Senate was announced at the Bar of the House, and being admitted, stated that the Senate has completed its labors and is now ready to adjourn Sine Die.

**BILL AND RESOLUTIONS SIGNED BY THE SPEAKER**

The Speaker signed in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled bill and resolutions:

H. B. No. 12, An Act amending Chapter 54, Acts of the 59th Legislature, Regular Session, 1965, to transfer from the appropriations account of the House of Representatives the sum of \$125,000 for the expenses of the Senate, and to make unobligated balances as of January 31, 1967, in appropriations made by said Chapter 54 for the House of Representatives and the Senate available for necessary expenses of the 60th Legislature; and declaring an emergency.

H. C. R. No. 9, Directing the Board of Control to erect two Confederate Memorial Information Markers on the Capitol Grounds.

H. C. R. No. 13, In memory of Kermit Dyche.

H. C. R. No. 15, Clarifying the Legislative Intent in passing H. B.

No. 869, Chapter 314, Acts of the 59th Legislature, Regular Session.

H. C. R. No. 16, In memory of Mrs. Maude Belle Johnson.

H. C. R. No. 18, Providing for Adjournment Sine Die.

**PROVIDING FOR COMMITTEES TO NOTIFY THE SENATE AND GOVERNOR THAT THE HOUSE IS READY TO ADJOURN SINE DIE**

Mr. Sherman offered the following resolution:

H. S. R. No. 84

BE IT RESOLVED by the House of Representatives of the 59th Legislature, First Called Session, 1966, That the Speaker appoint two committees of five members each, one committee to notify the Governor and one committee to notify the Senate, that the House has completed its labors and is now ready to adjourn Sine Die.

The resolution was read and was adopted without objection.

**COMMITTEE APPOINTED TO NOTIFY THE GOVERNOR**

The Speaker announced the appointment of the following Committee to notify the Governor that the House has completed its labors and is now ready to adjourn Sine Die:

Representatives Neugent of Galveston, Jungmichel, Foreman, Rosson and Simpson.

**COMMITTEE APPOINTED TO NOTIFY THE SENATE**

The Speaker announced the appointment of the following Committee to notify the Senate that the House has completed its labors and is now ready to adjourn Sine Die:

Representatives Arledge, Weldon, Richards, Howard and Harris.

**SENATE NOTIFIED**

The Committee appointed to notify the Senate that the House has completed its labors and is now ready to adjourn Sine Die was announced at the Bar of the House, and stated that they had performed the duty assigned them.

**GOVERNOR NOTIFIED**

The Committee appointed to notify the Governor that the House has completed its labors and is now ready to adjourn Sine Die was announced at the Bar of the House, and stated that they had performed the duty assigned them.

**ADJOURNMENT SINE DIE**

Mr. Finney moved that the House of Representatives of the First Called Session of the Fifty-ninth Legislature adjourn Sine Die.

The motion prevailed without objection.

The Benediction was offered by Chaplain Clinton Kersey.

Speaker Barnes then, at 12:00 o'clock noon, pronounced the House of Representatives of the First Called Session of the Fifty-ninth Legislature adjourned Sine Die.

**APPENDIX**

**REPORTS OF THE COMMITTEE ON ENGROSSED BILLS**

Austin, Texas, February 22, 1966

The Honorable Ben Barnes, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 12,

Has carefully compared same and finds it correctly engrossed.

McCLINTON, Chairman.

The Honorable Ben Barnes, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom were referred

H. C. R. No. 15, relative to the legislative intent of House Bill No. 869, and

H. C. R. No. 18, providing for Sine Die adjournment,

Has carefully compared same and finds the resolutions correctly engrossed.

McCLINTON, Chairman.

**REPORTS OF THE COMMITTEE ON ENROLLED BILLS**

Austin, Texas, February 22, 1966

The Honorable Ben Barnes, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred

H. C. R. No. 5, in memory of the Hon. Albert Thomas,

Has carefully compared same and finds it correctly enrolled.

WARD, Chairman.

Austin, Texas, February 22, 1966

The Honorable Ben Barnes, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred

H. C. R. No. 6, congratulating the five outstanding young men of Texas,

Has carefully compared same and finds it correctly enrolled.

WARD, Chairman.

Austin, Texas, February 22, 1966

The Honorable Ben Barnes, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred

H. C. R. No. 8, in memory of Mrs. Magnolia N. Greene,

Has carefully compared same and finds it correctly enrolled.

WARD, Chairman.

Austin, Texas, February 22, 1966

The Honorable Ben Barnes, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred

H. C. R. No. 10, in memory of Fleet Admiral Chester W. Nimitz,

Has carefully compared same and finds it correctly enrolled.

WARD, Chairman.

Austin, Texas, February 22, 1966

The Honorable Ben Barnes, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred

H. C. R. No. 11, congratulating James H. Hartzog,

Has carefully compared same and finds it correctly enrolled.

WARD, Chairman.

Austin, Texas, February 22, 1966

The Honorable Ben Barnes, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred

H. C. R. No. 12, congratulating Miss Jan Brown,

Has carefully compared same and finds it correctly enrolled.

WARD, Chairman.

Austin, Texas, February 23, 1966

The Honorable Ben Barnes, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred

H. C. R. No. 9, directing the State Board of Control to erect Confederate Information Markers on the Capitol Grounds,

Has carefully compared same and finds it correctly enrolled.

WARD, Chairman.

Austin, Texas, February 23, 1966

The Honorable Ben Barnes, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred

H. C. R. No. 13, Memorial to Kermit Dyche,

Has carefully compared same and finds it correctly enrolled.

WARD, Chairman.

Austin, Texas, February 23, 1966

The Honorable Ben Barnes, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred

H. C. R. No. 15, relative to the legislative intent of H. B. No. 869,

Has carefully compared same and finds it correctly enrolled.

WARD, Chairman.

Austin, Texas, February 23, 1966

The Honorable Ben Barnes, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred

H. C. R. No. 16, Memorial to Mrs. Maude Belle Johnson,

Has carefully compared same and finds it correctly enrolled.

WARD, Chairman.

Austin, Texas, February 23, 1966

The Honorable Ben Barnes, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred

H. C. R. No. 17, inviting the Hon. John Connally, Governor of Texas, to address a Joint Session of the House and Senate,

Has carefully compared same and finds it correctly enrolled.

WARD, Chairman.

Austin, Texas, February 23, 1966

The Honorable Ben Barnes, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred

H. C. R. No. 18, providing for Sine Die adjournment,

Has carefully compared same and finds it correctly enrolled.

WARD, Chairman.

Austin, Texas, February 23, 1966

The Honorable Ben Barnes, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred

H. B. No. 12, An Act amending Chapter 54, Acts of the 59th Legislature, Regular Session, 1965, to transfer from the appropriations account of the House of Representatives the sum of \$125,000 for the ex-

penses of the Senate, and to make unobligated balances as of January 31, 1967, in appropriations made by said Chapter 54 for the House of Representatives and the Senate available for necessary expenses of the 60th Legislature; and declaring an emergency.

Has carefully compared same and finds it correctly enrolled.

WARD, Chairman.

SENT TO GOVERNOR

February 22, 1966

- H. C. R. No. 5
- H. C. R. No. 6
- H. C. R. No. 8

H. C. R. No. 10

H. C. R. No. 11

H. C. R. No. 12

SENT TO GOVERNOR

February 23, 1966

H. C. R. No. 9

H. C. R. No. 13

H. C. R. No. 15

H. C. R. No. 16

H. C. R. No. 17

H. C. R. No. 18

H. B. No. 12

# APPENDIX

## HOUSE BILLS, AUTHORS OF

(Note: First signer of a bill is given credit for authorship. First number following subject indicates page where introduced. For history of a bill, see "History of Bills.")

### HOUSE BILLS, AUTHORS OF—

Fondren, Gene:

H. B. No. 1, Relating to the registration of voters, 10.

Heatly, W. S. (Bill):

H. B. No. 12, To transfer certain sum from the appropriations account of the House of Representatives for the expenses of the Senate, 85.

### HOUSE BILLS, AUTHORS OF— Continued

Peeler, Travis A.:

H. B. No. 4, Establishing alternate registration systems under certain circumstances, 17.

Whitfield, J. C., Jr.:

H. B. No. 2, Providing for a system of voter registration, 16.



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**HOUSE BILLS, HISTORY OF, IN THE HOUSE**


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(Note: First number following subject indicates page where introduced.  
Only the first signer of the Bill is listed on the History of the Bills.  
For other signers see where the Bill was read first time.)

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**HOUSE BILLS, HISTORY OF, IN THE HOUSE (in numerical order)—**

1. By Fondren: Relating to registration of voters, etc., 10.—Read first time, referred to the Committee on State Affairs, 10.—Reported favorably, 23.—Read second time, passed to engrossment, 26-27.—Record of votes, 38, 44. — Read third time, passed, 67.—Reason for vote, 68.—Correction authorized, 69.—Reported engrossed, 89.
2. By Whitfield: Providing for a system of voter registration, 16.—Read first time, referred to the Committee on State Affairs, 17.
4. By Peeler: Establishing alternate registration systems, etc., 17.—Read

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**HOUSE BILLS, HISTORY OF, IN THE HOUSE (Continued)—**

- first time, referred to the Committee on State Affairs, 17.
12. By Heatly: Transferring certain sum from the appropriations account of the House of Representatives for the expenses of the Senate, 85.—Read first time, referred to the Committee on Appropriations, 85.—Reported favorably, 89.—Read second time, passed to engrossment, 86-87.—Read third time, passed, subject to Article III, Section 49A of the Texas Constitution, 87-88.—Reported engrossed, 99. — Returned from the Senate, 96. — Signed, 98.—Reported enrolled, 100. —Sent to the Governor, 101.

## HOUSE CONCURRENT RESOLUTIONS, HISTORY OF, IN THE HOUSE

(Note: First number following subject indicates page where introduced. Only first signer of a Resolution is listed in the History of Resolutions. For other signers see where Resolution is introduced.)

### HOUSE CONCURRENT RESOLUTIONS, HISTORY OF, IN THE HOUSE (in numerical order)—

1. By Hendryx: Providing for a Joint Session to hear a message by Governor John Connally, 2.—Adopted, 3.—Committee appointed to escort Governor Connally, 3.—Returned from the Senate, 5.—Address by Governor Connally, 6.—Signed, 8.—Reported engrossed, 10.—Reported enrolled, 14.—Sent to the Governor, 14.
2. By Whitfield: To request that the Governor and the Attorney General be urged not to prosecute an appeal of Civil Action No. 1570, styled the United States of America vs. the State of Texas, 8.—Referred to the Committee on State Affairs, 9.
3. By Heatly: In memory of Wayne Kenneth Hollenbeck, 11.—Adopted, 11.—Reported engrossed, 10.
4. By Ivy: Relative to providing for the Interim Committee to Study the Voter Registration Law, 16.—Referred to the Committee on State Affairs, 16.
5. By Eckhardt: In memory of the Honorable Albert Thomas, 18.—Adopted, 19.—Reported engrossed, 23.—Returned from the Senate, 24.—Signed, 71.—Reported enrolled, 99.—Sent to the Governor, 101.
6. By Hightower: Congratulating "The Five Outstanding Young Men of Texas," 20.—Adopted, 22.—Returned from the Senate, 40.—Reported engrossed, 70.—Signed, 71.—Reported enrolled, 99.—Sent to the Governor, 101.
7. (not introduced)
8. By Cavness: In memory of Mrs. Magnolia N. Greene, 24.—Adopted, 24.—Returned from the Senate, 69.—Reported engrossed, 70.—Signed, 85.—Reported enrolled, 99.—Sent to the Governor, 101.

### HOUSE CONCURRENT RESOLUTIONS, HISTORY OF—Continued.

9. By Mutscher: Directing the Board of Control to erect two Confederate Memorial Information Markers on the Capitol Grounds, 25.—Referred to the Committee on State Affairs, 25.—Reported favorably, 89.—Adopted, 76.—Reported engrossed, 89.—Returned from the Senate, 96.—Signed, 98.—Reported enrolled, 100.—Sent to the Governor, 101.
10. By Miller of Harris County: In memory of Fleet Admiral Chester W. Nimitz, 24.—Adopted, 24.—Returned from the Senate, 69.—Reported engrossed, 70.—Signed, 85.—Reported enrolled, 99.—Sent to the Governor, 101.
11. By Kilpatrick: Congratulating Mr. James H. Hartzog, 25.—Adopted, 25.—Returned from the Senate, 69.—Reported engrossed, 70.—Signed, 71.—Reported enrolled, 100.—Sent to the Governor, 101.
12. By Townsend: Congratulating Miss Jan Brown upon being chosen as "Miss National Rural Electrification," 25.—Adopted, 25.—Returned from the Senate, 69.—Reported engrossed, 70.—Signed, 71.—Reported enrolled, 100.—Sent to the Governor, 101.
13. By Caldwell: In memory of Kermit Dyche, 71.—Adopted, 71.—Reported engrossed, 89.—Returned from the Senate, 97.—Signed, 98.—Reported enrolled, 100.—Sent to the Governor, 101.
14. By Miller of Harris County: Relative to the licensing of Church Day Nurseries, 76.—Referred to the Committee on State Affairs, 76.
15. By Duggan: Expressing legislative intent regarding H. B. No. 869, Chapter 314, Acts of the Fifty-ninth Legislature, 75.—Referred to the Committee on Public Health, 76.—Reported favorably, 89.—Adopted,

## HOUSE CONCURRENT RESOLUTIONS, HISTORY OF—Continued.

- 88.—Returned from the Senate, 96.—Signed, 98.—Reported engrossed, 99.—Reported enrolled, 100.—Sent to the Governor, 101.
16. By Atwell: In memory of Mrs. Maude Belle Johnson, 90.—Adopted, 91.—Reported engrossed, 89.—Returned from the Senate, 96.—Signed, 98.—Reported enrolled, 100.—Sent to the Governor, 101.
17. By Wayne: Inviting the Governor to address a Joint Session of the House and Senate, 81.—Adopted, 81.—Address by Governor Con-

## HOUSE CONCURRENT RESOLUTIONS, HISTORY OF—Continued.

- nally to Joint Session, 83.—Returned from the Senate, 85.—Reported engrossed, 89.—Signed, 93.—Reported enrolled, 100.—Sent to the Governor, 101.
18. By Johnson of Harris County: Providing for Adjournment Sine Die, 88.—Adopted, 88.—Returned from the Senate, 97.—House concurred in Senate Amendment, 98.—Text of Senate Amendment, 98.—Signed, 98.—Reported engrossed, 99.—Reported enrolled, 100.—Sent to the Governor, 101.

## HOUSE SIMPLE RESOLUTIONS, HISTORY OF, IN THE HOUSE

(Note: First number following subject indicates page where introduced. Only the first signer of the Resolution is listed on the History of the Resolution. For other signers see where Resolution is introduced.)

### HOUSE SIMPLE RESOLUTIONS, HISTORY OF, IN THE HOUSE (in numerical order)—

1. By Schiller: Providing for the employees of the House, providing for certain contingent expenses and making other provisions for the Session, 3.—Adopted, 4.
2. By Klager: Providing space in the Capitol Grounds for parking cars of Members of the House and for the Press, 4.—Adopted, 4.
3. By Bass of Harris County: Providing for Committees to notify the Governor and the Senate that the House is organized and ready to transact business, 4.—Adopted, 4. — Committees appointed, 4-5. — Senate notified, 5.—Governor notified, 5.
4. By Parker: To urge the Attorney General not to pursue appeal of Federal District Court's decision relative to the poll tax, 12.—Referred to the Committee on State Affairs, 13.
5. By Garrison: In memory of William Lockhart Clayton, 12.—Adopted, 12.
6. By Blaine: To provide for photograph of the Honorable Roger Dale Brown, 13.—Adopted, 13.
7. By Smith: Honoring Future Nurses Club of Thomas Jefferson High School, Port Arthur, Texas, 13.—Referred to the Committee on Rules, 14.—Reported favorably, 17.—Adopted, 22.
8. By Beckham: In memory of Mrs. Tennie McAfee Lee, 15.—Adopted, 15.
9. By Green: In memory of Harry (Hap) Morse, 15.—Adopted, 15.
10. By Jungmichel: Commending the Bastrop High School Government Class for visit to State Capitol, 16.—Adopted, 16.

### HOUSE SIMPLE RESOLUTIONS, HISTORY OF—Continued.

11. By Jones of Taylor County: Congratulating Roddy Reynolds, 16.—Adopted, 16.
12. By Klager: Congratulating the Civics Club of Incarnate Word Academy of Corpus Christi, 16.—Adopted, 16.
13. By Whatley: In memory of H. E. Treichler, 15.—Adopted, 15.
14. By Burgess: Congratulating the Campbell High School Dragons of Nacogdoches, Texas, 22.—Adopted, 22.
15. By Burgess: Congratulating the Nacogdoches High School Dragons of Nacogdoches, Texas, 22. — Adopted, 22.
16. By Lewis: In memory of Mrs. Lily V. Leonard, 24.—Adopted, 24.
17. By Caldwell: In memory of Baxter Lee Bundick, 24.—Adopted, 24.
18. By Caldwell: In memory of Herminio Gonzales, 24.—Adopted, 24.
19. By Caldwell: In memory of Calvin A. Bowman, 24.—Adopted, 24.
20. By Brooks: Congratulating Charles Schneider, 24.—Adopted, 24.
21. By Howard: Welcoming the seventh and eighth grade classes of St. Joseph School, Devine, Texas, 24.—Adopted, 24.
22. By Burgess: Congratulating the San Augustine High School Wolves, 24.—Adopted, 24.
23. By Burgess: Congratulating the Lincoln High School Tigers of San Augustine, Texas, 24.—Adopted, 24.
24. By Brooks: In memory of Jose Medellin, 24.—Adopted, 24.
25. By Edwards: Congratulating the Paris High School Band, 24. — Adopted, 24.

HOUSE SIMPLE RESOLUTIONS,  
HISTORY OF—Continued.

26. By Ward: Congratulating the Senior Government Class of Burleson High School, 24.—Adopted, 24.
27. By Hendryx: Congratulating the Sul Ross State College Lobos, 25.—Adopted, 25.
28. By Traeger: To congratulate the Honorable Jake Johnson of Bexar County, 25.—Adopted, 26.
29. By Whatley: In memory of Judge Arnold H. Krichamer, 24.—Adopted, 24.
30. By Kothmann: Commending Joe Freeman, 25.—Adopted, 25.
31. By Cain: Congratulating the Del Valle High School Cardinals Basketball Team, 25.—Adopted, 25.
32. By Markgraf: Congratulating the Mabank Panther Football Team, 25.—Adopted, 25.
33. By Markgraf: Congratulating the Forney Jackrabbit Football Team, 25.—Adopted, 25.
34. By Bernal: Congratulating the Central Catholic Buttons of San Antonio, 25.—Adopted, 25.
35. By Holmes: In memory of Sheriff J. L. "Bud" Williams, 72.—Adopted, 72.
36. By Johnson of Bexar County: Congratulating Mr. Frank Allen, 75.—Adopted, 75.
37. By Miller of Harris County: In memory of Felix Tijerina, 72. —Adopted, 72.
38. By Jones of Lubbock County: Extending appreciation and friendship to the Honorable Grainger McIlhany, 72.—Adopted, 73.
39. By Caldwell: In memory of Mrs. Rosa Hill Stratton, 72.—Adopted, 72.
40. By Caldwell: In memory of Jake W. Lewis, 72.—Adopted, 72.
41. By Caldwell: In memory of John A. Pearson, 72.—Adopted, 72.
42. By Caldwell: In memory of William Dallas Pack, 72.—Adopted, 72.
43. By Mutscher: Extending appreci-

HOUSE SIMPLE RESOLUTIONS,  
HISTORY OF—Continued.

- ation to and commending the Honorable L. DeWitt Hale, 73.—Adopted, 73.
44. By Bass of Harris County: Congratulating the Texarkana High School Tigers, 75.—Adopted, 75.
45. By Bass of Bowie County: Congratulating the DeKalb High School Bears, 75.—Adopted, 75.
46. By Johnson of Bell County: Congratulating the Guidance Club of Dunbar High School, Temple, Texas, 75.—Adopted, 75.
47. By Nugent of Kerr County: In memory of W. G. Garrett, Jr., 72.—Adopted, 72.
48. By Nugent of Kerr County: In memory of Joshua F. Johnson, 72.—Adopted, 72.
49. By Mobley: Congratulating the Kilgore High School Bulldogs Basketball Team, 75.—Adopted, 75.
50. By Hawkins: Congratulating the Texas History Students of Coolidge High School, 75.—Adopted, 75.
51. By Hightower: Congratulating Jack Dearmore, 75.—Adopted, 75.
52. By Berry: In memory of Morris Kallison, 72.—Adopted, 72.
53. By Burgess: In memory of Julius Malcom (Jule) Brown, 72. —Adopted, 72.
54. By Wieting: Congratulating Mrs. Fannie D. Weber, 75.—Adopted, 75.
55. By Wieting: Congratulating Miss Karen Dyer, 75.—Adopted, 75.
56. By George: Congratulating the Honorable Alvin R. "Al" Allison, 74.—Adopted, 75.
57. By George: Congratulating Mrs. R. E. Browder, Woman of the Year, Levelland Area Chamber of Commerce, 75.—Adopted, 75.
58. (not introduced)
59. By Wieting: Extending birthday congratulations to the Honorable Raul L. Longoria, 73.—Adopted, 74.
60. By Brooks: Congratulating Pat-

HOUSE SIMPLE RESOLUTIONS,  
HISTORY OF—Continued.

- rolman William Keefe, 75.—Adopted, 75.
61. By Pickens: Congratulating the Permian High School Panther Football Team, 75.—Adopted, 75.
62. By Pickens: Congratulating Charles R. Perry of Odessa, 75.—Adopted, 75.
63. By Nugent of Kerr County: In memory of Luke Moss, 72.—Adopted, 72.
64. By Weldon: Congratulating Mrs. Joseph M. (Ethel) Loewenstein, for being chosen 1965 "Woman of the Year" by the Quota Club of Port Arthur, 75.—Adopted, 75.
65. By McIlhany: Congratulating Jay F. Murphy, 82.—Adopted, 82.
66. By Sherman: To extend congratulations to Speaker Barnes and Mrs. Barnes on their wedding anniversary, 82.—Adopted, 82.
67. By Fletcher: Congratulating Miss Nancy Notley as "Texas Junior Miss," 82.—Adopted, 82.
68. By Alaniz: Congratulating Scholz Garten on the occasion of its Centennial, 82.—Adopted, 82.
69. By Townsend: Congratulating Miss Maud Isaacks, 85.—Adopted, 85.—Presentation to Miss Isaacks, 86.
70. By Johnson of Bexar County: Congratulating and commending Colonel George E. Schafer, 82.—Adopted, 82.
71. By Cole: In memory of Dr. Quincy L. Atha, 93.—Adopted, 93.
72. By Mutscher: Congratulating the Honorable Jack Crain, 93.—Adopted, 93.
73. By Haynes of Orange: Commending the Bridge City High School Football Team, 93.—Adopted, 93.
74. By Hightower: In recognition of A. Lavoy Moore, Conroe's Outstand-

HOUSE SIMPLE RESOLUTIONS,  
HISTORY OF—Continued.

- ing Citizen of the Year, 94. —Adopted, 94.
75. By Schiller: Authorizing additional expenditure from the Contingent Expenses Fund, 94.—Adopted, 94.
76. By Burgess: To congratulate Joe Bill Mettauer, 94.—Adopted, 94.
77. By McDonald of Hidalgo County: In memory of Judge Oliver C. Aldrich, 93.—Adopted, 93.
78. By McDonald of Hidalgo County: In memory of Dr. Lloyd M. Southwick, 93.—Adopted, 93.
79. By Smith: Commending Dr. Ralph A. Wooster, 94.—Adopted, 94.
80. By Smith: Requesting the State Building Commission to begin planning and construction of a new State Finance Building at once, 94.—Adopted, 94.
81. By Allen: To express appreciation to Chaplain Clinton Kersey, 94.—Adopted, 95.—Chaplain Kersey presented to the House, 95.
82. By Mutscher: Commending Members of the Fifty-ninth Legislature in support of reapportionment law, 95.—Adopted, 95.
83. By Haynes of Orange: To congratulate the West Orange High School Basketball Team and staff, 96.—Adopted, 96.
84. By Sherman: Providing for committees to notify the Senate and the Governor that the House is ready to adjourn Sine Die, 98.—Adopted, 98.—Committee appointed to notify the Senate, 98.—Committee appointed to notify the Governor, 98.—Senate notified, 98. — Governor notified, 99.
85. By Stewart: Congratulating and commending Diane Neale, Kay Browning and Alicia Richie, of Wichita Falls, upon being chosen delegates to the World YMCA Youth Conference, 97.—Adopted, 97.

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**SENATE BILL, HISTORY OF, IN THE HOUSE**


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(Note: First number following subject indicates page where received from the Senate.)

SENATE BILL, HISTORY OF, IN THE HOUSE—	SENATE BILL, HISTORY OF— Continued.
1. Relating to registration of voters, etc., 69.—Announcement concerning, 69.—Read first time, referred to the Committee on State Affairs, 70.—Reported favorably, 89. — Rules suspended to consider, 76. — Read	second time, passed to third reading, 77-79.—Read third time, passed, 80.—Remarks concerning, 81.—Senate concurred in House amendments, 85.—Signed, 96.

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**SENATE CONCURRENT RESOLUTIONS, HISTORY OF,  
IN THE HOUSE**

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(Note: First number following subject indicates page where received  
from the Senate.)

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1. In memory of Wayne Kenneth Hollenbeck, 15.— Adopted, 15.—Signed, 24.	on being chosen Miss National Rural Electrification, 68.—Adopted, 69.—Signed, 71.
3. In memory of Lemuel Scarbrough, Sr., 24.—Adopted, 68.—Signed, 71.	7. In memory of former State Senator W. C. Graves, 68.—Adopted, 69.—Signed, 71.
4. In memory of A. B. Shierlow, 24.—Adopted, 68.—Signed, 71.	8. In memory of Mrs. Harry Akin, 68.—Adopted, 69.—Signed, 71.
5. In memory of Dr. J. V. Siegmund, 24.—Adopted, 68.—Signed, 71.	9. Congratulating the Plano High School Football Team, 85.—Adopted, 88.—Signed, 96.
6. Congratulating Miss Jan Brown	



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