OFFICIAL JOURNAL of the CONSTITUTIONAL CONVENTION of the STATE OF TEXAS

THIRTY-FIFTH DAY (Thursday, March 7, 1974)

AFTER RECESS

The Convention met at 9:00 o'clock a.m., pursuant to recess, and was called to order by the President.

The roll was called and the following were recorded present: 167 Present, 11 Absent-excused, 3 Absent. (Record 1, Appendix)

Louis Pabor, Pastor, Redeemer Lutheran Church, Austin, Texas, offered the invocation as follows:

Lord, be with these men and women who hold positions of honor and responsibility. Make them aware of their unique power that they not abuse it, and that they must ever be mindful of the welfare of all the people of this great state. Grant that they be guided to serve unselfishly the common good. Let us have the awareness that of ourselves we can do nothing, but with you we can do all things. Give them the mind of Christ that everything they do and say may be to your glory and to the welfare of all, for it is in His name that we pray. Amen.

LEAVES OF ABSENCE

Delegate Bird was granted leave of absence for today on account of important business on motion of Delegate Allred.

Delegate Poerner was granted leave of absence for today on account of important business on motion of Delegate Massey.

Delegate Sherman of Tarrant was granted leave of absence for today on account of illness on motion of Delegate Tarbox.

Delegate Sullivant was granted leave of absence for today on account of important business on motion of Delegate Lary.

Delegate Whitmire was granted leave of absence for today on account of important business on motion of Delegate Schieffer.

Delegate Canales was granted leave of absence for today on account of important business on motion of Delegate Sanchez.

Delegate Parker of Jefferson was granted leave of absence for today on account of important business on motion of Delegate Bigham. Delegate Menefee was granted leave of absence for today on account of important business on motion of Delegate Schieffer.

Delegate Finney was granted leave of absence for today on account of important business on motion of Delegate Coody.

Delegate Wolff was granted leave of absence for today on account of important business on motion of Delegate Traeger.

Delegate Lewis was granted leave of absence for today on account of important business on motion of Delegate Henderson.

ARTICLE VI ON SECOND READING

The President laid before the Convention as unfinished business Article VI.

Question: Shall the amendment by Schwartz, et al., to Article VI, Section 1 be adopted?

DELEGATE PRESENT

Delegate Bird who had previously been recorded as "Absent-excused" was announced "Present".

Delegate Simmons moved to table the amendment.

The motion to table was lost by the following vote: 81 Yeas, 82 Nays, 1 Present-Not Voting, 17 Not Voting. (Record 2, Appendix)

Delegate Davis requested a verification of Record 2. The verification was ordered and reflected the following: 82 Nays.

By unanimous consent, verification of the "Yeas" was dispensed with.

The President announced the vote as follows: 81 Yeas, 82 Nays, 1 Present-Not Voting, 17 Not Voting.

LEAVE OF ABSENCE

Delegate Mauzy was granted leave of absence for the remainder of today on account of important business on motion of Delegate Clower.

DELEGATE PRESENT

Delegate Menefee who had previously been recorded as "Absent-excused" was announced "Present".

Question recurring on the adoption of the amendment, shall the amendment be adopted?

REMARKS ORDERED PRINTED IN JOURNAL

The President recognized Delegate Brooks to speak on Personal Privilege.

On motion of Delegate Mengden and by unanimous consent, Delegate Brook's remarks were reduced to writing and printed in the Journal.

REMARKS OF DELEGATE BROOKS

Mr. President and my colleagues, I would not wish to take your time for this matter which I could have handled by a letter, except for the fact that as you could ascertain from the huddle down front that some delegates need a little bit of additional time at this moment to try to perfect the language to get the different parties in agreement on this particular amendment. And it is a very good time, and I think an appropriate time, for me to bring to your attention and to the attention of the press and to the attention of the press and to the attention of the people of Texas a little problem we have in communications that are being distributed to all members of this Constitutional Convention.

The one item which so enrages and outrages me came in the form of a letter circulated appropriately and legally by a member of this Convention, but a letter from a person outside this Convention and a person who purports to speak for a very large and influential organization—an organization for which I have great admiration and respect, namely the League of Women Voters. Now namely the League of Women Voters. Now before Delegate Chris Miller and others get up and attack me for being against the League of Women Voters, let me hastily make it clear that I have always been in the corner of the kind of reforms and progressive changes and humanitarian issues that the league normally supports. I have no criticism of the league whatsoever. But the present president of the league wrote a letter which has been circulated to all members of the Convention and it had to do with the Education Article. It only has one paragraph that is of any significance and I want to read it to you so that you may understand why I am enraged. "The League of Women Voters of Texas is deeply disturbed by the move to alter the wording of Section 1 of the Education Article dropping the words, 'equal educational opportunity.' The league supports the concept of equal educational opportunity and opposes any further dilution of the present wording." Now to that point we're all right. The League of Women Voters of Texas is on record—having properly done so in convention—of supporting equal educational opportunity. Well and good. With the next sentence we start getting in trouble. It "We believe that provisions permitting local enrichment and per pupil allotment of the Available School Fund have already seriously undermined the integrity of that concept."

Well, I'll tell you what I did. This was circulated yesterday. I called back into my district—people I know and respect in the League of Women Voters. I read them the letter and I said, "Do you know whether the league actually has voted on this? Has the league come out against special educational programs and local enrichment? Is the league against helping children with learning disabilities and handicapped youngsters—youngsters who have special needs that cost more than some of their little peers who don't have those special needs?"

Not one of those ladies with whom I spoke told me that the league had taken a

position against special education or local enrichment. In fact, two of the ladies in particular said not only had the league not taken a position against local enrichment and against special education, but had on numerous occasions, both in local units and in statewide meetings, endorsed the concept of helping with special programs for youngsters with special needs.

I think that communications like this letter, done hastily and distributed widely, are damaging. The distribution includes those of us who bear the responsibility of voting on these issues as they come before the Convention, the general public, and the voters who will ultimately decide whether to adopt, accept or reject the proposed constitution or the proposed articles that we present to them and submit to them for their consideration. I think the whole process is damaged when someone in a rather hasty, thoughtless manner issues this kind of communication. It is probably not malicious. I know, I have met the lady who signed the letter. She lives close to me. She's in Dickinson, fairly close to Houston. Mrs. Winick, She's a fine lady and enjoys a very fine reputation in her area. I don't think it was her intention to damage the special education programs in Texas. I don't think it was her intention to, in any way, damage the orderly process or obstruct the orderly deliberations of this Convention. I only call this letter to the attention of my colleagues because I just feel that it is a communication that should be challenged; it should not go unchallenged. In fact, to let it go unchallenged might open the door further for other people, either intentionally or unintentionally, to commit the same error. And I say this is an error because I honestly feel it is an error. Just as much an error as if I wrote home to my district or put in my newsletter to my own constituents that the League of Women Voters was against special education. I know that's not true. I know the league itself is not against those programs. I know that many people in the league have worked hard for those programs and have helped us. They have come up here and supported us in our efforts in this regard. Many of them are also members of other organizations such as those trying to help the retarded, trying to help children with learning disabilities, trying to help children with special learning problems, even disadvantaged children, culturally disadvantaged children. I know that it is appropriately the position of the league to be compassionate and to support worthwhile and needed programs. And for this reason, I simply call this particular letter to the attention of my colleagues. I will tell you that I am not mad about it. I will write to the lady and explain to her how I feel.

And in closing I would say only this to my colleagues: I deeply appreciate the attention you have given me and I think it is a serious matter or I would not take your time with it. I am realistic enough to know that the document we write in this Convention will not be perfect. And I am also realistic enough to recognize that no other set of delegates—whether they be those 83 original delegates in 1875 or people publicly elected or people appointed by officers of the state

adopted?

or the governor or anybody else-sitting in this Chamber with the same job we have could substitute for the amendment to Article VI, No other group Section 1: write a perfect document. would come any closer to perfection than we will. But I am optimistic enough to think that we can—by working together, by trying to solve the problems as they come up, by recognizing bona fide, sincere differences of recognizing bona fide, sincere differences voter is a citizen of the United States opinion and trying to work out those voter is a citizen of the United States opinion and trying to work out those voter is a citizen of the United States opinion and trying to work out those voter is a citizen of the United States opinion and trying to work out those voter is a citizen of the United States opinion and trying to work out those voter is a citizen of the United States opinion and trying to work out those voter is a citizen of the United States opinion and trying to work out those voter is a citizen of the United States opinion and trying to work out those voter is a citizen of the United States opinion and trying to work out those voter is a citizen of the United States opinion and trying to work out those voter is a citizen of the United States opinion and trying to work out those voter is a citizen of the United States opinion and trying to work out those voter is a citizen of the United States opinion and trying the United States opinion and Unite six months and will not destroy valuable and worthwhile programs that we have in progress now in Texas, and above all will not bankrupt the state in execution.

Mr. President, the will KUBIAK: gentleman yield?

BROOKS: Yes sir, I yield.
PRESIDENT: The gentleman yields, Mr. Kubiak.

KUBIAK: You and I have discussed this earlier but for the benefit of the Convention, are you aware that we have constitutional lawyers who are looking at the entire Education Article to make sure that we do not do these things that you fear we may nave done? Are you aware that we are doing that for the benefit of this Convention?

BROOKS: Yes sir. And that's another very good reason why I think that an external communication from outside the Convention prepared hastily and without regard of consequences, even though it may be in good faith, can do even more harm to the sincere efforts that you and other members of this Convention are putting forward. And I am very much appreciative of the spirit of cooperation that has been shown by you and by other members of this Convention. You have demonstrated consideration for my feelings and for the feelings of other members of the Convention. We're going to have to work together to write a good article and to get the two-thirds vote necessary to send it to the people of Texas to let them exercise their final judgment on it.

KUBIAK: That is my full intention, and if there is anything at all in the Article that would do what you fear, I assure you that we will make a recommendation to change that when it comes before this body on third reading.

BROOKS: I deeply appreciate that, Mr. Kubiak. Mr. President and colleagues, I am most appreciative of your allowing me to share by thoughts with you, and again, I'm not mad at anyone, but I just hope that we'll all remain cool as we go into debate and try to produce a document that the people of Texas hopefully will be able to consider and approve.

RECESS

On motion of Delegate Vick the Convention at 11:30 o'clock a.m. took recess Delegate Cooke was granted leave of until 1:00 o'clock p.m. today.

AFTER RECESS

The President called the Convention to order at 1:00 o'clock p.m., pursuant to recess.

Question: Shall the amendment be DELEGATE PRESENT

Delegate Maloney offered the following

Amend Article VI, Section 1, by striking Section 1 in its entirety and substituting the following:

Sec. 1. QUALIFIED VOTER. A qualified voter is a citizen of the United States 18 provided by law; and who is not serving a sentence for a felony, on parole, or on probation for a felony; subject to such further limitations as the legislature may provide; and who is not mentally incompetent as determined by a court.

> MALONEY GARCIA NICHOLS SCHWARTZ WASHINGTON HENDRICKS

The substitute for the amendment was read.

On motion of Delegate Maloney and by unanimous consent the substitute was withdrawn.

Delegate Maloney offered the following substitute for the amendment to Article VI, Section 1:

Amend Article VI, Section 1, by striking Section 1 in its entirety and substituting

the following: Sec. 1. QUALIFIED VOTER. A qualified voter is a citizen of the United States 18 years of age or older who meets the registration and residence requirements provided by law; and who is not serving a sentence for a felony, on parole, or on probation for a felony, subject to such further limitations on felons as the legislature may provide; and who is not mentally incompetent as determined by a court.

> NOWLIN MICHOLS SCHWARTZ WASHINGTON HENDRICKS

The substitute for the amendment was read.

LEAVES OF ABSENCE

absence for the remainder of today on account of illness on motion of Delegate Coody.

Delegate Ogg was granted leave of absence for the remainder of today on account of important business on motion of Delegate Nichols.

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Delegate Johnson who had previously been recorded as "Absent" was announced "Present".

Poff moved to table the Article VI. Delegate substitute for the amendment.

The motion to table was lost by the wing vote: 77 Yeas, 85 Nays, 3 following vote: 77 Yeas, 85 Nays, 3 Present-Not Voting, 16 Not Voting. (Record 3, Appendix)

PAIRED VOTES

Delegate Bryant (present), who would vote "Yea", with Delegate Mauzy (absent), who would vote "Nay".

Delegate Rodriguez (present), who would vote "Nay", with Delegate Ogg (absent), who would vote "Yea",

Question recurring on the adoption of the substitute for the amendment, shall the substitute be adopted?

DELEGATE PRESENT

Delegate Wolff who had previously been recorded as "Absent-excused" was announced "Present".

The substitute for the amendment was adopted by the following vote: 84 Yeas, 77 Nays, 5 Present-Not Voting, 15 Not Voting. (Record 4, Appendix)

PAIRED VOTES

Delegate Rodriguez (present), who would vote "Yea", with Delegate Ogg (absent), who would vote "Nay".

vote "Nay", with Delegate Mauzy (absent), who Article VI by substituting the following: would vote "Yea".

The amendment as substituted was then adopted by the following vote: 83 Yeas, 78 Nays, 4 Present-Not Voting, 16 Not Voting. (Record 5, Appendix)

PAIRED VOTE

vote "Nay", with Delegate Mauzy (absent), who would vote "Yea".

Delegate Williamson requested a verification of Record 5. The verification was ordered and reflected the following: 83 Yeas.

(Delegate Nowlin in the Chair)

By unanimous consent, verification of "Nays" was dispensed with.

The Presiding Officer announced the vote as follows: 83 Yeas, 78 Nays, 3 Present-Not Voting.

DELEGATE PRESENT

recorded as "Absent-excused" was announced "Present".

(President in the Chair)

Delegate Nowlin explained Section 2 of

Delegate Truan offered the following amendment to Article VI, Section 2:

Amend Article VI, Section 2, Subsection by striking Subsection (2) (2) entirety, renumbering any subsequent sections accordingly.

> TRIIAN COLEMAN

The amendment was read.

Delegate Nowlin moved to table the amendment.

LEAVE OF ABSENCE

Delegate Hightower was granted leave of absence for the remainder of today on account of important business on motion of Delegate

The motion to table prevailed by the following vote: 101 Yeas, 57 Nays, 2 Present-Not Voting, 21 Not Voting. (Record 6, Appendix)

PAIRED VOTE

Delegate Blanchard (present), who would vote "Yea", with Delegate Mauzy (absent), who would vote "Nay".

Delegate Schwartz offered the following amendment to Article VI, Section 2:

(2.) May make property ownership additional requirement for voting in elections held by political subdivisions for the purpose of issuing bonds, or otherwise lending credit, or expending money or assuming any debt, and for voting in elections held by a governmental unit or district which has a special or limited purpose and whose activities have a Delegate Bryant (present), who would disproportionate effect on property owners.

> SCHWARTZ BLYTHE MILLER

The amendment was read.

Delegate Hutchison offered the following substitute for the amendment to Article VI, Section 2:

Amend the Schwartz amendment by substituting in lieu thereof the following Section 2(2):

(2) may make property ownership in additional requirement for voting elections held by political subdivisions for the purpose of issuing bonds payable from property taxes, or levving or authorizing Delegate Ogg who had previously been taxes on property, and for elections held by

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a special district or authority which has a

The substitute for the amendment was read and was adopted by the following vote: 134 Yeas, 24 Nays, 2 Present-Not Voting, 21 Article VI. Not Voting. (Record 7, Appendix)

PAIRED VOTE

Delegate Bryant (present), who would vote "Yea", with Delegate Mauzy (absent), who would vote "Nay".

adopted by the following vote: 129 Yeas, 37 elector unless serving a sentence for a Nays, 2 Present-Not Voting, 13 Not Voting. felony in a penal institution or is mentally (Record 8, Appendix)

PATRED VOTE

Delegate Bryant (present), who would vote "Yea", with Delegate Mauzy (absent), who substitute. would vote "Nay".

Delegate Hollowell offered the following non-record vote. amendment to Article VI, Section 2:

Amend Article VI, Section 2 by striking substitute for Article VI: all of subsection 3.

The amendment was read and was adopted by a non-record vote.

Article VI.

Delegate Jones of Taylor offered the following amendment to Article VI, Section 3:

Amend Article VI, Section 3 by striking from the first sentence thereof the word "unsigned".

> JONES OF TAYLOR ROSSON MASSEY McDONALD OF HIDALGO

The amendment was read.

(Delegate Doggett in the Chair)

DELEGATE PRESENT

Delegate Hightower who had previously been recorded as "Absent-excused" was announced "Present".

(President in the Chair)

LEAVES OF ABSENCE

Delegate Earle was granted leave of absence for the remainder of today on account of important business on motion of Delegate Doggett.

Delegate Bowers was granted leave of absence for the remainder of today on account of important business on motion of Delegate Craddick.

Delegate Lee moved to table the amendment.

special or limited purpose and whose activities have a disproportionate effect on property owners.

The motion to table prevailed by the following vote: 90 Yeas, 70 Nays, 1 Present-Not Voting, 20 Not Voting. (Record 9, Appendix)

Delegate Miller explained Section 4 of

Delegate Mattox offered the following substitute for Article VI:

Amend Article VI to read as follows: Qualified Elector. Any citizen of the United States 18 years of age or older who meets the registration and residence
The amendment as substituted was then requirements provided by law is a qualified
ed by the following vote: 129 Vess 27 incompetent, as determined by a court.

The substitute was read.

Delegate Schwartz moved to table the

The motion to table prevailed by a

Delegate Mattox offered the following

Amend Article VI to read as follows: Qualified Voter. Every citizen of the United States 18 years of age or older who has complied with registration and residence Delegate Lee explained Section 3 of requirements provided by law and who is not prohibited by law from voting is a gualified voter.

The substitute was read.

(Delegate Hale in the Chair)

Delegate Nowlin moved to table the substitute.

The motion to table prevailed by a non-record vote.

Delegate Mattox offered the following substitute for Article VI:

Amend Article VI to read as follows: Qualified Voter. A qualified voter is a citizen of the United States 18 years of age or older who meets the registration residence requirements provided by law, is not serving a sentence for a felony and who is not mentally incompetent as determined by a court. The legislature may impose further restrictions and conditions on the voting rights of a person who has been convicted of a felony.

The substitute was read.

(President in the Chair)

Delegate Schwartz moved to table the substitute.

The motion to table prevailed by a non-record vote.

date provided by law.

Delegate Mattox offered the following The substitute was read. substitute for Article VI:

Amend Article VI, to read as follows: Sec. 1. QUALIFIED VOTER. A qualified voter is a citizen of the United States 18 years of age or older who meets the registration and residence requirements provided by law who is not serving a sentence for a felony and who is not mentally incompetent as determined by a court.

(2) The legislature may make property ownership an additional requirement for voting in elections held by political subdivisions for the purpose of issuing bonds pavable from property taxes, or levving or authorizing taxes on property, and for elections held by a special district or authority which has a special or limited
purpose and whose activities have a disproportionate effect on property owners.

The legislature may impose further (3) restrictions and conditions on the voting rights of a person who has been convicted of a felony.

The substitute was read.

Delegate Simmons moved to table the substitute.

The motion to table prevailed by a non-record vote.

Delegate Rosson offered the following substitute for Article VI:

> Amend Article VI as follows: ARTICLE VI

VOTER QUALIFICATIONS AND ELECTIONS

QUALIFIED VOTER. A qualified Sec. 1. voter is a citizen of the United States 18 years of age or older who meets the registration and residence requirements provided by law; and who is not serving a sentence for a felony, on parole, or on probation for a felony, subject to such further limitations on felons as the legislature may provide; and who is not mentally incompetent as determined by court.

Sec. 2. ADDITIONAL QUALIFICATIONS. The legislature by law:

(1) shall prescribe the registration and residence requirements for voting;

(2) may make property ownership an additional requirement for voting in elections held by political subdivisions for the purpose of issuing bonds payable from property taxes, or levying or authorizing taxes on property; and for elections held by a special district or authority which has a special or limited purpose and whose activities have a disproportionate effect on property owners.

Sec. 3. ELECTIONS. Elections by the qualified voters shall be by secret ballot. The legislature by law shall provide requirements for absentee voting and the administration of elections and shall ensure the purity of elections and guard against

shall be held in even-numbered years on a

Delegate Schwartz raised the point of order that language in the pending substitute was not substantially different from that contained in amendments which had previously been considered. Therefore the substitute was not in order.

The President sustained the point of order.

Delegate Ogg offered the following substitute for Article VI:

Amend Article VI to read as follows: Section 1, Qualified Voter. (1) A qualified voter is a citizen of the United States 18 years of age or older who meets the registration and residency requirements provided by law, who is not a felon, and who is not mentally incompetent as determined by a court.

(2) For purposes of this Article, a felon is one who is on probation or parole for a felony conviction, or incarcerated for a felony conviction, or one who has been convicted of two separate felony offenses.

Sec. 2. ADDITIONAL QUALIFICATIONS. The legislature by law:

(1) shall prescribe the registration and residence requirements for voting;

(2) may require property ownership as an additional qualification for voting in elections held by the state or its political subdivisions when such additional qualification is not prohibited by the Constitution of the United States of America; (3) may make exceptions to the

disqualification of persons convicted of a felony.

Sec. 3. ELECTIONS. Elections by the qualified voters shall be by unsigned secret ballot. The legislature by law shall provide requirements for absentee voting and the administration of elections and shall ensure the purity of elections and guard against abuses of the electoral process.

The substitute was read.

Delegate Nichols moved to table the substitute.

The motion to table prevailed by a non-record vote.

Delegate Rosson offered the following substitute for Article VI:

VOTER QUALIFICATIONS AND ELECTIONS

Amend Article VI as follows: ARTICLE VI

Sec. 1. QUALIFIED VOTER. A qualified voter is a citizen of the United States 18 years of age or older who meets the registration and residence requirements provided by law; and who is not serving a sentence for a felony, on parole, or on probation for a felony, subject to such

Sec. 4. GENERAL ELECTIONS. General mentally incompetent as determined by a elections for state and county officials court. further limitations on felons as the

Sec. 2. ADDITIONAL QUALIFICATIONS. The

legislature by law:

(1) shall prescribe the registration and residence requirements for voting;

(2) may make property ownership an additional requirement for voting in elections held by political subdivisions for additional requirement for in the purpose of issuing bonds payable from property taxes, or levying or authorizing taxes on property; and for elections held by a special district or authority which has a Delegate Sullivant who had previously special or limited purpose and whose been recorded as "Absent-excused" was activities have a disproportionate effect on announced "Present". property owners.

Sec. 3. ELECTIONS. Elections by the qualified voters shall be by secret ballot. following vo The legislature by law shall provide Present-Not Vo requirements for absentee voting and the 10, Appendix) administration of elections and shall ensure the purity of elections and guard against abuses of the electoral process.

Sec. 4. GENERAL ELECTIONS. General Delegate Bryant (present), who would elections for state and county officials vote "Yea", with Delegate Mauzy (absent), who shall be held in even-numbered years on a would vote "Nay".

Sec. 5. No person shall be denied the national origin.

The substitute was read.

On motion of Delegate Rosson and by unanimous consent, the substitute was withdrawn.

Delegate Rosson offered the following be adopted? substitute for Article VI:

Amend Article VI as follows: ARTICLE VI

VOTER QUALIFICATIONS AND ELECTIONS Sec. 1. QUALIFIED VOTER. A qualified voter is a citizen of the United States 18 years of age or older who meets the registration and residence requirements provided by law; and who is not serving a sentence for a felony, on parole, or on probation for a felony, subject to such further limitations on felons as the legislature may provide; and who is not mentally incompetent as determined by a

Sec. 2. ADDITIONAL QUALIFICATIONS. The legislature by law:

(1) shall prescribe the registration and residence requirements for voting;

(2) may make property ownership additional requirement for voting voting in elections held by political subdivisions for the purpose of issuing bonds payable from property taxes, or levying or authorizing taxes on property; and for elections held by a special district or authority which has a special or limited purpose and whose activities have a disproportionate effect on property owners.

ELECTIONS. Elections by the Sec. 3. qualified voters shall be by secret ballot. The legislature by law shall provide requirements for absentee voting and the administration of elections and shall ensure the purity of elections and guard against abuses of the electoral process.

Sec. 4. GENERAL ELECTIONS. General elections for state and county officials General shall be held in even-numbered years on a

date provided by law. Elections in all other special districts or political subdivisions may be as provided by law.

The amendment was read.

Delegate Mattox moved to table the substitute.

DELEGATE PRESENT

The motion to table was lost by the following vote: 70 Yeas, 91 Nays, 2 Present-Not Voting, 18 Not Voting. (Record

PAIRED VOTE

Question recurring on the adoption of right to vote on basis of race, color or the substitute for Article VI, shall the substitute be adopted?

> The substitute was adopted by the following vote: 95 Yeas, 68 Nays, 1 Present-Not Voting, 17 Not Voting. (Record (Record 11, Appendix)

Question: Shall Article VI as amended

Article VI as amended was adopted by the following vote: 112 Yeas, 50 Nays, Present-Not Voting, 16 Not Voting. (Record 12, Appendix)

PAIRED VOTES

Delegate Adams (present), who would vote "Yea", with Delegate Nabers (absent), would vote "Nay".

Delegate Bryant (present), who would vote "Nay", with Delegate Mauzy (absent), who would vote "Yea".

Delegate Schwartz moved that the vote by which Article VI as amended was adopted be reconsidered and tabled.

The motion prevailed by a non-record vote.

ARTICLE VI REFERRED

The President then referred Article VI to the Committee on Style and Drafting.

UNANIMOUS CONSENT TO RECORD VOTES

delegates requested following The unanimous consent to be recorded as voting on the following record votes. There was no objection:

Delegate Kubiak requested to be recorded as voting "Yea" on Record Votes 2 and 7.

Delegate Brooks requested to be recorded as voting "Yea" on Record Vote 9.

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Delegate Bird requested to be recorded as voting "Yea" on Record Votes 7 and 8.

Delegate Allred requested to be recorded as voting "Nay" on Record Votes 6 and 7.

Delegate Wyatt requested to be recorded as voting "Yea" on Record Vote 6.

Delegate Cole requested to be recorded as voting "Yea" on Record Votes 6 and 7.

Delegate Creighton requested to be ded as voting "Yea" on Record Vote 5.

Delegate Bird requested to be recorded recorded as voting "Yea" on Record Vote 5.

as voting "Yea" on Record Vote 6.

Delegate Hudson requested to be recorded as voting "Nay" on Record Vote 6.

Delegate Massey requested to be recorded

as voting "Yea" on Record Vote 6.

Delegate Ogg requested to be recorded as voting "Nay" on Record Vote 5.

Delegate Bynum requested to be recorded as voting "Nay" on Record Vote 4.

Delegate Leland requested to be recorded as voting "Yea" on Record Vote 9.

President Daniel requested to be recorded as voting "Yea" on Record Vote 7.

RECESS

On motion of Delegate Aikin the Convention at 6:08 o'clock p.m. took recess until 9:00 o'clock a.m. tomorrow.

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YEA N-V NAY	YEA N-V NAY	YEA N-V NAY	YEA N-V NAY
Mr. Presi lent	Doyle	• Lee	Russell
Adams, D	• Dramber er	• Leland	● Sage
Adams, Ii.	• Earle	• LelandX	
• Agnich	• Edwards	Lombardino	Sanchez
Aikin	Evans	• Longoria	Santiesteban
• Allen, Joe	• FinnellX	 McÁlister 	Schieffer
• Allen, John	_FinneyX	McDonald, F.	Schwartz
• Allred	● Foreman	McDonald, T.	Scoggins
Andujar	• Fox	McKinnon	Semos
Atwell	•Gammaç >	McKnight	• Sherman, M. Sherman, W. X
Bailey	• Garcia	● Madla	Sherman, W. X
• Baker	• Gaston	Maloney	Short
Bales	Geiger	• Martin	Simmons
Barnhart Bigham Bird X	• Grant	Massey	_Slack
Bigham	Green, F.	Mattox	Snelson
Bird X	Green, R.	Mauzy	Spurlock
Blake	HaleHall, A.	• Meier	_SullivantX
Blake Blanchar' Blythe	•_Hall, A.	Menefee Mengden Mengden	Sutton
•_Blythe	• Hall, W.	Mengden	e Tarbox
Bock	• Hanna	• Miller	_Temple
Boone	 Harrington 	Montoya	Thompson
Bowers	•_Harris, E.	Moore	Thompson
Braecklein	•_Harris, O	Munson	Truan
Brooks	• Head	Murray	Tupper
Bynum	• Heatly	Nabers	• Uher
• Caldwell	• Henderson	• Newton	Vale Vecchio
CalhounX	Hendricks	Nichols	Vecchio
_CanalesX	• Hernand z	Nowlin	• Vick
• Cates	Hightower	Nugent	● Von Dohlen
• Clark	Hilliard	●Ogg	• Wallace
Clayton	 Hoestenk ach 	Olson	Washing on
• Clower	Hollowell	_Parker, CX_	Waters
_Cobb	Howard	LI CIKEL, V	Watson
• Cole	Hubenak	Patman	• Wedding on
Coleman	• Hudson	• Pentony	Whitehead
Coody	• Hutchison	Paveto	_WhitmireX_
Coody Cooke Craddick	_Johnson		• Wieting
Craddick	_Jones, Gene	Poff	• Williams
Creighton	Jones, Grant	Powers	• Williamson

Preston

Ragsdale

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4	4 131	_4	4	4	4		Subm.	5	50	5	JUL 5
5	5	5	5	5	5		Mino.	6	60	6	AUG 6
6	6_	6	6	6	6		Mot.	7	70	7	SEP 7
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• Wyatt _ • Bryant _

TEXAS CONSTITUTIONAL CONVENTION

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5			5	5	5		Mino.	_ 6	60	6	AUG 6
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9	9	9	9	_9	9		2 R	0	00	0	DEC 0

to table Maloney substitute amenament to the Schwartz Amendment to Art VI Sec 1

Yea- 77	TOTALS Nay.	-85 PNV-	3 NV-16_ARTIC	Tr	DATE: 1
YEA	N-V	NAY	Comm10		_JAN 2_
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Allen, Joe		_FinnellX	McDonald, F.	Schwartz
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Allred		-Foreman	_McDonald, T.	_Semos :
Andujar		_Fox	McKinnon	_Semos
Atwell		-Gammage	_McKnight	Sherman, M.
Bailey	•	Garcia	_Madla	Sherman, W. X
Baker	15 M	_Gaston	Maloney	_Short
Bales Barnhart Bigham	The second second	● Geiger	Martin	_Simmons
Barnhart	ALCOHOL:	• Grant	Maccay	_Slack
Bigham	ADDITION T	Green, F.	Mattox	_Snelson
Bird	THE PERSON	_Green, R	Maury	_Spurlock Sullivant
Blake			Maion	Sullivant
Blanchard	100101	Hall, A	Menetee	_Sutton
Blythe	610.0	Hall W	Menaden	Tarbox
Bock	again the	Hanna	Miller	a Temple
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Bowers	THE RESERVE	• Harris, E.	_Moore	Traeger Truan
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Clark	Patrico W.	_Hilliard	_OggX	● Wallace
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TEXAS CONSTITUTIONAL CONVENTION

Yea - 84	TOTALS Na 4	77 PNV-5	NV-15	ARTIC	LE	DATE: 1
YEA		NAY	Comm.	10		JAN 2
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Blanchard Blythe Bock Boone Bowers Braecklein Brooks _Bynum _ _Caldwell Calhoun _ Canales Cates_ Clark Clayton Clower _Cobb _ Cole _ Coleman . Coody Cooke ___ Craddick Creighton _ _Daniel_ Davis_ Denson Denton

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TEXAS CONSTITUTIONAL CONVENTION

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Jones,	Gene _	
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X-Excuse absence

Adoption of Schwartz Amendment as substituted to Art VI, See 1.

_Rosson .

Yea - 83	TOTALS Nay	-78 PNU-4	NU - 16 ART	ICLE	DATE: 1
YEA	N-V	NAY	Comm10		JAN 2
100-200	100-200	100-200	●Rep20	SECTION	FEB 3
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4 4	4 4	_4 4	Subm5	50 5	JUL 5
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99	_9 9_	9 9	2 R0	00 0	DEC 0

Yea-101	TOTALS Nay	- 57 PNV-2	NV-21 _ARTIG	TE	DATE: 1
YEA	N-V		Comm10	.56	_JAN 2_
100-200	100-200	100-200	Rep20	SECTION	FEB 3
0 0	_0 0_	0 0	Subs1	10 1	●_MAR 1
1 1	_1 1_	_1 1_	Amm2	20 2	APR 2
2 2	2 2	_2 2_	Quo3	30 3	MAY 3
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TEXAS CONSTITUTIONAL CONVENTION

YEA

NAY

YEA

YEA N-V NAY _Mr. President _ Adams, D. _ Adams, H. Agnich Aikin Allen, Jo-Allen, John Allred_ Andujar Atwell Bailey Baker Bales Barnhart • Bigham ___ Bird Blake Blanchard ●_Blythe ___ Bock _ Boone Bowers Braecklein _ Brooks ___ Bynum Caldwell Calhoun ___ Canales ___ Cates___ __Clark Clayton ___ Clower _ Cobb Cole _ Coleman _ Coody _ Cooke Craddick _ Creighton _ _Daniel _ Davis _ _Denson _ _Denton _ Doggett Donaldson_ Doran _

YEA N-V NAY Doyle Dramberger • Earle Edwards
Evans Finnell Finney • Foreman • Fox Gammage Garcia ___ Gaston @ Geiger Grant Green, F. Green, R. • Hale Hall, A • Hall, W. ● Hanna _ Harrington Harris, E. ● Harris, O. • Head_ Heatly -Henderson Hendricks _ _Hernandez Hightow : Hilliard Hoestenbach ● Hollowell Howard Hubenak Hudson _ · Hutchiso .. _ _Johnson _ Jones, Gene Jones, Grant Jones, L. Kaster Korioth _Kothmann __ Kubiak ___ Laney _

• Lee Leland _Lewis _ Lombardino Longoria McAlister McDonald, F. McDonald, T. McKinnon McKnight Madla Maloney Martin Massey Mattox __ Mauzy _ Meier Menefee Mengden Miller_ Montoya Moore_ Munson Murray Nabers Newton Nichols _ Nowlin Nugent Ogg Olson_ Parker, C Parker, W. Patman _ Pentony Peveto Poerner Poff _ Powers · Presnal Preston Ragsdale _ _Reyes __ Reynolds Rodriguez . Rosson _

Russell
Sage Salem Sanchez
Santiesteban Schieffer Schwartz Scoggins • Semos _ Sherman, M. Sherman, W. Short_ Simmons Slack _ Snelson Spurlock Sullivant Sutton _ Tarbox . Temple _ Thompson Traeger _ _Truan _ Tupper Uher _ Vale _ Vecchio _ · Vick Von Dohlen Wallace Washington _ Waters ___ Watson_ Weddington • Whitehead Whitmire _ Wieting __ Williams Williamson Willis _ Wilson Wolff __ Wyatt_ Bryant . X- Excused Absence

7 Adoption of the Hutchison Substitute

Amendment For the Schwartz Amendment
to Art VI, Sec 2.

Yea - / 3 4 YEA • 100-200_	7 TOTALS Nay	NAY	-21ARTIC		DATE: 1
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4 4	_4 4_	_4 4_	Subm5	50 5	JUL 5
5 5	5 5	5 5	Mino6	60 6	_AUG 6_
6 6	_6 6_	6 6	Mot7	70 7	SEP 7
77	7 7	7 7	Alt8	80 8	OCT 8
8 8	8 8	8 8	Sep9	90 9	NOV 9
9 9	9 9	9 9	2 R0	00	DEC O

Flone (Fi04) 355-0872 International ROLL-CALL & Corporation, Richmond, Va. 23230

N-V NAY Mr. President Adams, D.
Adams, H. Agnich Aikin

Allen, Joe Allen, John Allred Andujar Atwell
Bailey

Baker Bales Barnhart • Bigham Bird

Blake Blanchard Blanch Blythe · Bock Boone

Bowers Braecklein Brooks Bynum _ Caldwell

Calhoun Canales Cates Clark Clayton Clower

Cobb Coleman · Coody Cooke

Craddick Creighton Daniel Davis . Denson _Denton

Doggett Donaldson Doran

YEA N-V NAY

Doyle Dramberger Earle EdwardsEvans Finnell

Finney Foreman Fox Gammage Garcia

Gaston - Geiger Grant Green, F Green, R.

• Hale ● Hall, W. · Hanna Harrington

Harris, E. Harris, O. Head Heatly

Henderson . Hendricks Hernandez _Hightowa:

 Hoestenbach Hollowell Howard

Hubenak Hudson · Hutchiso _Johnson Jones, Gene

Jones, Grant Jones, L. Kaster Korioth

• Kothmann _ Kubiak

Laney

N-V NAY YEA

Lee Leland Lewis Lombardino Longoria McAlister McDonald, McDonald, T.

 McKinnon McKnight Madla Madla Maloney

Martin Massey Mattox Mauzy _

Meier Menefee Mengden Miller

Montoya Moore Munson

Murray Newton Nichols

● Nowlin Nugent • Ogg

Olson. Parker, C Parker, W. Patman

Pentony Peveto Poerner Poff . Powers Presnal

Ragsdale Reyes Reynolds

Rodriguez _ Rosson .

YEA N-V NAY

Russell Sage __ Salem

Sanchez Santiesteban Schieffer . Schwartz

Scoggins Semos Sherman, M Sherman, W. Short

Simmons Slack Snelson Spurlock Sullivant

Sutton ● Tarbox Temple Thompson Traeger

Truan Tupper • Uher Vale Vecchio

Vick Von Dohlen _Wallace Washington Waters Watson Weddington

Whitehead . Whitmire . Wieting Williams Williamson

Willis _ Wilson ● Wolff Wyatt Bryant ...

X-Excused Absence

8 Adoption of the Schwartz Amendment as Substituted to Art VI, Sec 2

Yea-129	TOTALS Nay-	37 PNU-2 N	N-13 _	_ARTICLE	DATE: 1
YEA	N-V	NAY	Comm	_10	JAN 2
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YEA

1974

N-V

_Mr. President

_Adams, D.

Adams, H.

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Allen, Joe

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Baker

Bales

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Blake

• Bigham

Barnhart

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Clayton

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Coleman

Cobb

Cole

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Creighton

Cates Clark

Bock

Andujar

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YEA N-V

Dramberger

Doyle

Earle

Edwards

Evans

Finnell

Finney

Fox

Foreman

Gammage

Garcia

Geiger

Grant

Green, F

Green, R.

Hall, A

Hall, W.

Hanna

Harris, E.

Head

Heatly

• Harrington

Harris, O.

Henderson

Hendricks

Hightower

Hoestenbach

• Hollowell

Howard

• Hudson

Johnson

Jones, L.

Korioth .

● Kothmann _

Kaster

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Lee

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McAlister

McDonald, F

McDonald, T.

McKinnon

McKnight

Maloney

Martin

Massey

Mauzy

Menefee

Miller

Montoya

Moore

Munson

Murray

Nabers

Newton

Nowlin

Nugent

Ogg _

Olson

Pentony

Peveto

Poff_

Powers

Presnal

Preston

Ragsdale

Reynolds

Rosson

Rodriguez _

Reyes

Poerner

Parker, C

Parker, W.

Patman _

Nichols

Mengden

Mattox

Meier

Madla

Lewis Lombardino Longoria

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Salem Santiesteban Schieffer Schwartz Scoggins

Semos

Sherman, M. Sherman, W. Short Simmons Slack _ Snelson Spurlock X Sullivant

Sutton Tarbox Temple Thompson Traeger

Truan Tupper Uher Vale Vecchio

· Vick Von Dohlen Wallace Washington

Waters Watson Weddington Whitehead _

Whitmire Wieting Williams Williamson _Willis _ Wilson

Wolff Wyatt Bryant

X-Excused Absence

Motion to table Jones of Taylor Amendment to Art VI, Sec 3

Yea - 90	TOTALS Nay	-70 PNU-1 N	U-20 _ARTIC	CLE	DATE: 1
YEA	N-V	NAY	Comm10		JAN 2
100-200	100-200	100-200	Rep20	SECTION	FEB 3
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YEA N-V NAY

_Mr. President Adams, D. _Allen, John _Allred ___ Atwell Bailey Baker Bales Barnhart • Bigham • Bird

_Agnich Allen, Joe Andujar

_Blake Blanchard Blythe _Bock _ Boone Bowers Braecklein Brooks

Caldwell Calhoun Canales CatesClark Clayton

Clower Cobb Cole Coleman Coody Cooke Craddick Creighton _

Daniel Davis _Denson Denton Doggett Donaldson _Doran

YEA N-V NAY Doyle Dramberger Earle Edwards Evans Finnell Finney Foreman Fox Gammage Garcia Gaston Geiger Grant Green, F. Green, R. • Hale Hall, A. Hall, W. Hanna Harrington Harris, E. Harris, C. Head Heatly Henderson Hendricks Hernandez Hightower Hilliard Hoestenbach Hollowell Howard Hubenak Hudson

_Hutchison

Jones, Gene

_Jones, Grant

Johnson

Jones, L.

Korioth

_Kothmann

· Kubiak _

Laney _

_Lary _

Kaster

N-V YEA NAY

• Lee Leland Lewis Lombardino Longoria McAlister _McDonald, McDonald, T McKinnon McKnight Madla Maloney _Martin _Massey _Mattox Mauzy Meier Menefee _Mengden

Miller Montoya Moore Munson Murray Nabers

Newton Nichols Nowlin _Nugent Ogg . Olson . Parker, C Parker, W.

Patman Pentony Peveto Poerner Poff _ Powers Presnal

Preston Ragsdale Reyes Reynolds

 Rodriguez _Rosson _

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Russell Sage Salem Sanchez _____Santiesteban Schieffer Schwartz Scoggins Semos

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Spurlock Sullivant Sutton Tarbox Temple Thompson

Traeger Truan Tupper Uher Vale

Vecchio Vick Von Dohlen Wallace Washington Waters

Watson Weddington Whitehead Whitmire Wieting Williams Williamson _ Willis . Wilson

Wolff Wyatt _Bryant _ X-Excused

Absence

Motion to table Rosson Substitute for Art VI

Yea - 70	TOTALS Nay	-91 PNV-2	NU-18_ARTIC	CLE	DATE: 1
YEA	N-V	NAY	Comm10		JAN 2
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Adoption of the Rosson amendment to Art VI

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Adoption of Art VI

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