# OFFICIAL JOURNAL of the CONSTITUTIONAL CONVENTION of the STATE OF TEXAS

THIRTY-SIXTH DAY (Friday, March 8, 1974)

13

#### AFTER RECESS

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

The roll was called and the following were recorded present: 157 Present, 22 Absent—excused, 2 Absent. (Record 1, Appendix)

Dr. Maurice Dodson, Pastor, First Baptist Church, Deer Park, Texas, offered the invocation as follows:

Almighty and Loving Father,

We thank Thee that Thou art the source of our every material, physical and spiritual blessing. We are alive because Thou has granted it so. We are here because Thou has willed it to be.

We envoke Thy particular illumination with divine wisdom for the minds of every person assembled here today. Grant us the vision, the insight, and the inspiration that will be demanded of this decision-making body. Grant that during these days when credibility could be questioned that we reflect the truth because we have sought the leadership of Him who is the Truth.

We ask this in the name and through the merits of Jesus Christ, our Lord and Saviour. Amen.

### LEAVES OF ABSENCE

Delegate Willis was granted leave of absence for today on account of illness on motion of Delegate Fox.

Delegate McKnight was granted leave of absence for today on account of important business on motion of Delegate Aikin.

Delegate Snelson was granted leave of absence for today on account of important business on motion of Delegate Sherman of Potter.

Delegate Andujar was granted leave of absence for today on account of important business on motion of Delegate Brooks.

Delegate Cooke was granted leave of absence for today on account of illness on motion of Delegate Coody.

Delegate Finnell was granted leave of absence for today on account of important business on motion of Delegate Green of

Navarro.

Delegate McDonald of Hidalgo was granted leave of absence for today on account of important business on motion of Delegate Murray.

Delegate Schwartz was granted leave of absence for today on account of illness on motion of Delegate Kubiak.

Delegate Olson was granted leave of absence for today on account of illness on motion of Delegate Schieffer.

Delegate Bales was granted leave of absence for today on account of important business on motion of Delegate Coleman.

Delegate McAlister was granted leave of absence for today on account of illness in family on motion of Delegate Blanchard.

Delegate Nabers was granted leave of absence for today on account of important business on motion of Delegate Adams of Jasper.

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

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

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

Delegate Reynolds was granted leave of absence for today on account of family business on motion of Delegate Adams of Hardin.

Delegate Evans was granted leave of absence for today on account of important business on motion of Delegate Earle.

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

Delegate Lee was granted leave of absence for today on account of illness on motion of Delegate Hoestenbach.

Delegate Waters was granted leave of absence for today on account of important business on motion of Delegate Nichols.

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

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

# ARTICLE IV ON SECOND READING

The Vice—President laid before the Convention on its second reading Article IV (full report having been printed on February 27).

Friday, March 8, 1974

Delegate Meier explained the full report on Article IV.

#### LEAVE OF ABSENCE

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

#### (President in the Chair)

Delegate Vecchio explained Section 1 of Article IV. There were no amendments offered to Section 1.

Delegate Von Dohlen explained Section 2 of Article IV.

Delegate Hale moved that Article IV be considered section by section as provided in Section 10 of Rule XIV.

The motion prevailed by the following vote: 136 Yeas, 5 Nays, 1 Present—Not Voting, 39 Not Voting. (Record 2, Appendix)

Accordingly, the President laid before the Convention Section 1 of Article IV.

Delegate Ogg offered the following amendment to Article IV:

Amend Article IV, Section 1 by making the following changes:

1) That Article IV, Section 1 read as follows:

Sec. 1. OFFICERS. The governor is the chief executive officer of the state. Officers of the executive department of the executive branch are the governor, lieutenant governor, attorney general, comptroller of public accounts, treasurer, commissioner of the general land office, secretary of state, and those other officers as provided by law.

2) That Article IV, Section 2(a) read as follows:

Sec. 2. SELECTION AND TERMS OF OFFICERS. (a) At general elections beginning in 1978 qualified voters of the state shall elect the governor, lieutenant governor, attorney general, comptroller of public accounts, treasurer, the commissioner of the general land office, and those other elected officers provided by law for four-year terms.

3) That a new section be added to read as follows:

Section \_\_\_\_. TREASURER. The treasurer shall perform the duties provided by law.

The amendment was read.

(Delegate Calhoun in the Chair)

# LEAVE OF ABSENCE

Delegate Harrington was granted leave of absence for the remainder of today on account of illness on motion of Delegate Clark.

Delegate Vecchio moved to table the amendment.

(President in the Chair)

The motion to table was lost by the following vote: 40 Yeas, 95 Nays, 1 Present-Not Voting, 45 Not Voting. (Record 3, Appendix)

Question recurring on the adoption of the amendment.

The amendment was adopted by a voice vote.

Delegate Gaston offered the following amendment to Article IV, Section 2:

1

Amend Article IV, Section 2, Subsection (a) to read as follows:

Section 2. SELECTION AND TERMS OF OFFICERS. (a) At general elections beginning in 1978 qualified voters of the state shall elect the governor, lieutenant governor, attorney general, comptroller of public accounts, the commissioner of the general land office, and those other elected officers provided by law for four—year terms. The governor may not serve more than two terms in succession.

The amendment was read.

(Delegate Temple in the Chair)

On motion of Delegate Gaston and by unanimous consent the amendment was withdrawn.

#### (President in the Chair)

Delegate Gaston offered the following amendment to Article IV, Section 2:

Amend Article IV, Section 2, Subsection (a) to read as follows:

Section 2. SELECTION AND TERMS OF OFFICERS. (a) At general elections beginning in 1978 qualified voters of the state shall elect the governor, lieutenant governor, attorney general, comptroller of public accounts, treasurer, the commissioner of the general land office, and those other elected officers provided by law for four-year terms. The governor may not serve more than two terms in succession.

The amendment was read.

(Delegate Adams of Jasper in the Chair)

Delegate Von Dohlen moved to table the amendment.

(President in the Chair)

# LEAVES OF ABSENCE

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

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

The motion to table was lost by the following vote: 42 Yeas, 98 Nays, 3 Present-Not Voting, 38 Not Voting. (Record 4, Appendix)

#### Friday, March 8, 1974

#### PAIRED VOTES

Delegate Truan (present), who would vote "Nay", with Delegate McKnight (absent), who would vote "Yea".

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

Question recurring on the adoption of the amendment.

1

Delegate Hall of Harris offered the following substitute for the amendment to Article IV, Section 2:

Amend Article IV, Section 2, Subsection (a) to read as follows:

Section 2. SELECTION AND TERMS OF OFFICERS. (a) At general elections beginning in 1978 qualified voters of the state shall elect the governor, lieutenant governor, attorney general, comptroller of public accounts, treasurer, the commissioner of the general land office, and those other elected officers provided by law for four-year terms. The governor may not serve more than two four-year terms in succession.

The substitute for the amendment was read and was adopted by a voice vote.

Question: Shall the amendment as substituted be adopted?

The amendment as substituted was adopted by the following vote: 102 Yeas, 39 Nays, 4 Present-Not Voting, 36 Not Voting. (Record 5, Appendix)

## PAIRED VOTES

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

Delegate Truan (present), who would vote "Yea", with Delegate McKnight (absent), who would vote "Nay".

Delegate McKinnon (present), who would vote "Nay", with Delegate Schwartz (absent), who would vote "Yea".

# UNANIMOUS CONSENT TO RECORD VOTES

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

Delegate Atwell requested to be recorded as voting "Yea" on Record Vote 7.

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

Delegate Bynum requested to be recorded as voting "Yea" on Record Votes 4, 5, 6, and 7.

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

Delegate Hutchison requested to be recorded as voting "Nay" on Record Vote 3.

Delegate Bird requested to be recorded as voting "Nay" on Record Vote 3.

Delegate Madla requested to be recorded as voting "Nay" on Record Vote 3.

Delegate Martin requested to be recorded as voting "Nay" on Record Vote 3.

Delegate Doyle requested to be recorded as voting "Nay" on Record Vote 3.

Delegate Rosson requested to be recorded as voting "Nay" on Record Vote 3.

Delegate Kubiak requested to be recorded as voting "Nay" on Record Vote 3,

Delegate Vick requested to be recorded as voting "Nay" on Record Vote 3.

Delegate Weddington requested to be recorded as voting "Yea" on Record Vote 2.

Delegate Wolff requested to be recorded as voting "Yea" on Record Vote 2.

#### MOTION TO RECESS

Delegate Bird moved the Convention take recess until 1:30 o'clock p.m. today.

The motion was lost by the following vote: 57 Yeas, 82 Nays, 1 Present-Not Voting, 41 Not Voting. (Record 6, Appendix)

Delegate Hubenak moved the Convention take recess until 1:30 o'clock p.m., Monday, March 11.

The motion was lost by the following vote: 38 Yeas, 100 Nays, 1 Present-Not Voting, 42 Not Voting, (Record 7, Appendix)

Delegate Coleman moved the Convention take recess until 2:00 o'clock p.m., Monday, March 11.

The motion prevailed by the following vote: 91 Yeas, 49 Nays, 1 Present-Not Voting, 40 Not Voting. (Record 8, Appendix)

# RECESS

Accordingly, the Convention at 12:01 o'clock p.m. took recess until 2:00 o'clock p.m. on Monday, March 11.

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# Friday, March 8, 1974

#### PAIRED VOTES

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#### MOTION TO RECESS

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The motion was lost by the following vote: 57 Yeas, 82 Nays, 1 Present-Not Voting, 41 Not Voting. (Record 6, Appendix)

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The motion prevailed by the following vote: 91 Yeas, 49 Nays, 1 Present-Not Voting, 40 Not Voting. (Record 8, Appendix)

# RECESS

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YEA N-V NAY

\_Mr. President Adams, D.
Adams, H.
Agnich
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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 .

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\_Doran

Doggett
 Donaldson

YEA	N-V	NAY

YEA	N-V	NAY
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_Evans_		_8_
_Finnell		_X_
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Geiger		
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_Hale =	к	
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_Johnson		

\_Jones, Gene \_ \_Jones, Grant

Jones, L.

\_Kothmann \_

\_Kubiak \_ \_ \_Laney \_

\_Kaster

Lary

\_Korioth

YEA	N-V	NAY

YEA N-V	NAY
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Lombardino	
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_Nabers	X
_Newton	
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_Nowlin	
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Ogg	
Olson	X
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Pentony	
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YEA	N-V	NAY

IEA M-A	INAI
_Russell	
_Sage	
_Salem	
Sanchez	X
Santiestevan	
Schieffer	
Schwartz	X
Scoggins	
_Semos	
Sherman, M.	
Sherman, W.	X
_Short	
_Simmons	
_Slack	
_Snelson	X
_Spurlock	
_Sullivant	
Sutton	
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Wolff	- (C)
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(-Excused	
Α.	

Absence

MitiON to table Ogg AMENAMENT to Art TV, Sec 1.

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Preston

\_Ragsdale

\_Rosson\_

\_Rodriguez

Yea- 40	TOTALS Nau-	95 PNU- / NI	1-45 _ART	ICLE	DATE: 1_
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1974

M D :I I	_Doyle	Lee X	_Russell
Mr. President		Leland	Sage
Adams, D.	• Dramberger	Lewis X	Salem
Adams, H.	_Edwards	Lombardino	Sanchez
Agnich	Edwards	Longoria	Santieste Jan
Aikin	_Evans	McAlister X	Schieffer
Allen, Jon	_Finnell	McDonals, F.	Schwartz
Allen, John	_FinneyX	McDonald, T.	_Scoggins
Allred	- Foreman	MaVinnon	_Semos
Andujar	Fox	McKnight X	Sherman, M.
Atwell	_Gammage	_Mcknight	Sherman, W. X
Bailey	_Garcia	• Madla	Short
Baker	_Gaston	Maloney	_Simmons
Bales X	• Geiger	_Martin	_Simmons
Barnhart	_Grant	_MasseyX	_Slack _Snelson
Bigham	Green, F.	_MattoxX	Snelson
Bird	Green, R.	_Mauzy	_Spurlock
Blake	Hale	• Meier	_Sullivant
Blanchar <sup>1</sup>	Hall. A.	Menefee	SuttonTarboxTemple
Blythe	_Hall, W	_Mengden	_Tarbox
Bock		_Miller	_Temple
Boone	Harrington X	_Montoya	_Thompson
Bowers X		Moore	Tranger
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Braecklein	Head	_Murray	Tupper
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Calhoun •	_Hendricks	_Nowlin	_Vick
_Canales	• Hernandez	Nugent	Von Dohlen
Cates Clark	_Hightower	_Ogg	• Wallace
_Clark	•_Hilliard	Olson	_Washington
Clayton	Hoestenbach	_Olson	_Waters
Clower	_Hollowell	Parker, C.	_Watson
Cobb	Howard	_Parker, W	_Weddington
Cole	• Hubenak	_Patman	
Coleman	_Hudson	_Pentony	_Whiteheud
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Craddick	Jones, Gene	• Poff	_Williams
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_Davis	_Kaster	Preston	_Wilson
_Davis	• Korioth	_Ragsdale	Wolff
Denson Denton Doggett	_Kothmann	Reves	•Wyatt
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Doggett	Laney	_Rodriguez	
Donaldson	Lary	_Rosson	X-Excused
_Doran	_Lary	_1/033011	Absence

# 4 Motion to table Gaston Amendment to Art TV Seco.

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YEA	N-V	NAY
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#5 Adoption of the Gaston Amendment, as substituted to Art TV, Sec 2.

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TEXAS CONSTITUTIONAL CONVENTION

NAY YEA N-V

\_Russell

Sage

YEA	N-V	NAY
_Mr. 1	President	Ne
_Ada	ms, D	
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_Allen	. Jon	10/5/17
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Barnhart Bigham

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\_Calhoun \_ Canales .

\_Cates .

Clayton

Clower .

Cobb \_

Cole Coleman

\_Coody \_

Cooke

Craddick

Daniel

• Davis

Denson

Denton

Doggett

Doran -

Donaldson

\_Creighton \_

\_Clark

\_Bynum Caldwell

Doyle	
• Dramberger _	(the
_Earle	
_Edwards	
_Evans	X
_Finnell	X
_Finney	X
• Foreman	Edwine.
_Fox	1
_Gammage	STATE OF

\_Garcia \_ ● Gaston Geiger

Grant Green, F. Green, R.

\_Hale

Hall, A. -Hall, W.

Hanna

\_Harris, E.

\_Harringt n

\_Harris, O. \_Head \_

\_Heatly \_\_ \_Henderson

Hendricks

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Hoestenbach

\_Hilliard

Hollowell

Howard

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Hudson \_Hutchison

Johnson

\_Jones, L.

Kothmann .

\_Kaster

Korioth

· Kubiak

\_Laney \_

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Jones, Gene \_ Jones, Grant

_Lee	X
_Leland	
_Lewis	X
_Lombardino	
<ul><li>Longoria</li></ul>	V
_McAlister	<b>V</b>
_McDonalJ, F.	
_McDonald, T.	
_McKinnon _McKnigh,	X
• Madla	
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Salem
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<ul><li>Scoggins</li></ul>
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Madla	
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● Nugent	
_Ogg	X
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Olson	X
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Parker, W.	6.6
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_Pentony	
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\_Rodriguez .

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A L falls	

\_Bryant . X-Excused Absence

Willis

Wilson

● Wolff

Wyatt

Motion to Recess untill 1:30 PM. today, March 8.

Yea - 57	TOTALS Nau -	82 PNV-1	NV-41 _ARTIC	LE MALA PARTENT	DATE: 1_
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1974

# TEXAS CONSTITUTIONAL CONVENTION

YEA N-V NAY		YEA N-V NAY	YEA N-V
_Mr. President	_Doyle	LeeX	_Russell
_Adams, D.	Dramberger	Leland	e Sage
Adams, H.	Forle	Leland X	@ Salem
Agnich Aikin Allen, Jo	EarleEdwards	l ombardino e	Sage Salem Sanchez
_Aikin	_EvansX	● Longoria	_Santieste_an
_Allen, Jo-	_Finnell	McAliste"	Schieffer
_Allen, Jo'.n	Finney	_McAliste	Schwartz
• AllredX	_Foreman	McDonald, T.	_Scoggins
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Atwell	● Gammage	McKnigh.	_Semos _Sherman, M
Bailey	Garcia	Madla	Sherman, W.
Baker	Gaston	_Maloney	Snerman, vv.
Baker X	Geiger	Martin	_Short
Barnhart	Grant	Massay	_Simmons
Bigham	Geiger — Grant — Green, F. — G	Martin  Massey  Mattox  Mauzy  Meier	_Slack Snelson
Bird	Graan R	Mauri	_Snelson
Blake	Hale	Mauzy	Spurlock
Blake Blanchar 1	Hall A	Meier	Sullivant
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P Roone	Hall, A. Hall, W. Hanna Harrington	_Miller	_Temple
Rowers		_Montoya	Thompson
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Boone Bowers Braecklein Brooks	Harris, O.	Munson	Thompson Traeger Truan Tupper Uher Vale Vecchio
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Calhoun	_Henderson	_Newton	_Vale
Canala	Hendricks	Nichols	_Vecchio
_Canales	_Hernandez	_Nowlin	_Vick _Von Dohlen
Cates	Hightow:	_Nugent	_Von Dohlen
_Clark	_Hilliard	_OggX	_Wallace
_Clayton	<ul><li>Hoestenbach</li></ul>	_OlsonX	_Washington
Cobb	_Hollowell	Parker, C.	_Washington _Waters
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_Donaldson Doran	Laney	_Rodriguez	Y. S.
_Doran	• Lary	_Rosson	X-Ercused Absence

#7 Motion to Recess till 1:30 PM.

Monday, March 11.

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Phone (1-804) 355-0872 International ROLL-CALL & Corporation, Richmond, Va. 23230

YEA

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1974

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\_Mr. President

\_Adams, D. \_

\_Adams, H.

Agnich \_\_\_\_\_Alkin \_\_\_\_\_Allen, Jc

Allred

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Bailey

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\_Andujar \_

10

YEA

Doyle Lee Dramberger \_ Leland • Earle Lewis Edwards Longoria \_ Evans McAliste. \_Finnell \_Finney . \_Foreman \_Fox \_ McKinnon McKnigh: Gammage Madla\_ Garcia . \_Maloney Gaston

Geiger \_Grant Green, F Green, R. • Hale -Hall, A

Hall, W. ● Hanna Harringt n Harris, E

• Harris, O. • Head \_ Henderson Hendrick

\_Hightower Hilliard Hoestenbach • Hollowell \_ Howard

Hernandez

\_Hubenak Hudson -Hutchison \_ \_Johnson \_ Jones, Gene Jones, Grant

Jones, L. \_Kaster \_Korioth \_Kothmann \_ \_Kubiak \_

Laney \_ Lary .

N-V NAY YEA X Lombardino McDonald, F. McDonald, T. Martin \_ Massey -Mattox Mauzy \_ ● Meier Menefee 🗈 Mengden \_ Miller\_ Montoya Moore Munson \_Murray X \_Nabers \_ Newton \_ Nichols \_ Nowlin

\_Nugent \_ Ogg \_\_ Olson\_ Parker, C. Parker, W. Patman \_ Pentony Peveto

\_Poerner \_ Poff \_ Powers Presnal . Preston Ragsdale . \_Reyes . Reynolds \_

● Rodriguez \_ Rosson\_

N-V NAY YEA \_Russell

\_Sage\_ Salem \_Sanchez Santieste Dan \_ 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

Motion to Recess until 2:00 PM Monday, March 11.

Yea -	91	TOTA	LS No	Ly-4	9 PM	1-ve	NV.	-40	ART	ICLE		DATE: 1
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_4 4_		_4	4		_4	4		Subm.	5	50	5	JUL 5
5 5	_	_5	5		5	5		Mino.	6	60	6	AUG 6
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