

OFFICIAL JOURNAL
of the
CONSTITUTIONAL CONVENTION
of the
STATE OF TEXAS

FIFTEENTH DAY
(Thursday, January 31, 1974)

The Convention met at 1:00 o'clock p.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following were recorded present: 169 Present, 5 Absent, 7 Absent-excused. (Record 1, Appendix)

The Reverend Gordon Graham, Shearer Hills Baptist Church, San Antonio, offered the invocation as follows:

We thank you, Father, for creating us in your own image and we pray that today we might be blessed with wisdom that can only come from heaven. Bless each person today as we seek to accomplish your will during this session.

In Jesus' name we pray. Amen.

LEAVES OF ABSENCE

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

Delegate Gammage was granted leave of absence for today on account of important business on motion of Delegate Menefee.

Delegate Powers was granted leave of absence for today on account of important business on motion of Delegate Adams of Hardin.

Delegate Poff was granted leave of absence for today on account of illness on motion of Delegate Blake.

Delegate Washington was granted leave of absence for today on account of important business on motion of Delegate Reyes.

Delegate McAlister was granted leave of absence for today on account of important business on motion of Delegate Laney.

ESCORT COMMITTEE APPOINTED

The President announced the appointment of the following Committee to escort The Honorable John Bryant to the President's rostrum: Delegates Clower, Mauzy, Mattox and Semos.

**OATH OF OFFICE ADMINISTERED
TO NEWLY ELECTED DELEGATE**

The President administered the Oath of

Office to John Bryant as a Delegate to the Constitutional Convention of 1974.

LEAVE OF ABSENCE

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

**COMMUNICATION FROM PRESIDENT
OF CONVENTION**

January 31, 1974

The Honorable Charles Schnabel
Secretary of the Convention
Capitol Building
Austin, Texas

Dear Mr. Secretary:

Please be advised that, pursuant to Rule III, Section 3, and Rule VI, Sections 2 and 3, Rules of Procedure of the Constitutional Convention of Texas, I have, after consultation with the Vice-President, appointed Delegate John Bryant of Dallas to the Convention Committee on Rights and Suffrage.

Delegate Bryant was elected to the House of Representatives and therefore as a delegate to the Convention, to fill the vacancy created by the death of the Honorable Joe Hawn of Dallas.

I am, by copy of this letter, advising Delegate Bryant, the Chief Clerk, the Journal Clerk, and the Chairman of the Committee of the appointment.

Sincerely,

Price Daniel, Jr.

**REPORT OF THE
COMMITTEE ON RIGHTS AND SUFFRAGE**

The Honorable Price Daniel, Jr., President
Constitutional Convention of 1974

Sir:

We, your Committee on Rights, Suffrage, Amendments and Separation of Powers, to whom was referred Article I and the Preamble, have had the same under consideration and beg to report back with the recommendation that it do pass.

The proposal was reported from Committee by the following record vote: 19 Yeas.

Respectfully submitted,

SCHWARTZ
Chairman

Date Submitted: January 24, 1974

The Hon. Price Daniel, Jr.
President, Texas Constitutional Convention

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The Rights and Suffrage Committee submits herewith its report containing recommended provisions for the Bill of Rights Article in the Texas Constitution. The proposal retains in its entirety Article I (Bill of Rights) of the present Constitution, and the Preamble of the present Constitution.

The committee unanimously agreed on January 14 to instruct the Committee Chairman to request an expeditious decision from the Attorney General's office on whether additions or deletions could be made to the Bill of Rights. On January 17, 1974, Attorney General Opinion No. H-217 was issued. The opinion held that Article 17, Section 2, subsection (g) of the Constitution of 1876 requires that any new constitution proposed by the Constitutional Convention must retain the present Bill of Rights exactly as it is, without addition or deletion. Therefore, the Rights and Suffrage Committee recommends that the Bill of Rights and the Preamble be retained full.

SCHWARTZ
Chairman

BE IT PROPOSED BY THE RIGHTS AND SUFFRAGE COMMITTEE:

That the Article on the Bill of Rights be retained in full to read as follows:

PREAMBLE

Humbly invoking the blessings of Almighty God, the people of the State of Texas, do ordain and establish this Constitution.

ARTICLE I BILL OF RIGHTS

That the general, great and essential principles of liberty and free government may be recognized and established, we declare:

Sec. 1. FREEDOM AND SOVEREIGNTY OF STATE. Texas is a free and independent State, subject only to the Constitution of the United States, and the maintenance of our free institutions and the perpetuity of the Union depend upon the preservation of the right of local self-government, unimpaired to all the States.

Sec. 2. INHERENT POLITICAL POWER; REPUBLICAN FORM OF GOVERNMENT. All political power is inherent in the people, and all free governments are founded on their authority, and instituted for their benefit. The faith of the people of Texas stands pledged to the preservation of a republican form of government, and, subject to this limitation only, they have at all times the inalienable right to alter, reform or abolish their government in such manner as they may think expedient.

Sec. 3. EQUAL RIGHTS. All free men, when they form a social compact, have equal rights, and no man, or set of men, is entitled to exclusive separate public emoluments, or privileges, but in consideration of public services.

Sec. 3a. EQUALITY UNDER THE LAW. Equality under the law shall not be denied or abridged because of sex, race, color, creed, or national origin. This amendment is

self-operative. (Added Nov. 7, 1972).

Sec. 4. RELIGIOUS TESTS. No religious test shall ever be required as a qualification to any office, or public trust, in this State; nor shall any one be excluded from holding office on account of his religious sentiments, provided he acknowledge the existence of a Supreme Being.

Sec. 5. WITNESSES NOT DISQUALIFIED BY RELIGIOUS BELIEFS; OATHS AND AFFIRMATIONS. No person shall be disqualified to give evidence in any of the Courts of this State on account of his religious opinions, or for the want of any religious belief, but all oaths or affirmations shall be administered in the mode most binding upon the conscience, and shall be taken subject to the pains and penalties of perjury.

Sec. 6. FREEDOM OF WORSHIP. All men have a natural and indefeasible right to worship Almighty God according to the dictates of their own consciences. No man shall be compelled to attend, erect or support any place of worship, or to maintain any ministry against his consent. No human authority ought, in any case whatever, to control or interfere with the rights of conscience in matters of religion, and no preference shall ever be given by law to any religious society or mode of worship. But it shall be the duty of the Legislature to pass such laws as may be necessary to protect equally every religious denomination in the peaceable enjoyment of its own mode of public worship.

Sec. 7. APPROPRIATIONS FOR SECTARIAN PURPOSES. No money shall be appropriated, or drawn from the Treasury for the benefit of any sect, or religious society, theological or religious seminary; nor shall property belonging to the State be appropriated for any such purposes.

Sec. 8. FREEDOM OF SPEECH AND PRESS; LIBEL. Every person shall be at liberty to speak, write or publish his opinions on any subject, being responsible for the abuse of that privilege; and no law shall ever be passed curtailing the liberty of speech or of the press. In prosecutions for the publication of papers, investigating the conduct of officers, or men in public capacity, or when the matter published is proper for public information, the truth thereof may be given in evidence. And in all indictments for libels, the jury shall have the right to determine the law and the facts, under the direction of the court, as in other cases.

Sec. 9. SEARCHES AND SEIZURES. The people shall be secure in their persons, houses, papers and possessions, from all unreasonable seizures or searches, and no warrant to search any place, or to seize any person or thing, shall issue without describing them as near as may be, nor without probable cause, supported by oath or affirmation.

Sec. 10. RIGHTS OF ACCUSED IN CRIMINAL PROSECUTIONS. In all criminal prosecutions the accused shall have a speedy public trial by an impartial jury. He shall have the right to demand the nature and cause of the accusation against him, and to have a copy thereof. He shall not be compelled to give evidence against himself, and shall have the right of being heard by himself or counsel, or both, shall be confronted by the witnesses

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against him and shall have compulsory process for obtaining witnesses in his favor, except that when the witness resides out of the State and the offense charged is a violation of any of the anti-trust laws of this State, the defendant and the State shall have the right to produce and have the evidence admitted by deposition, under such rules and laws as the Legislature may hereafter provide; and no person shall be held to answer for a criminal offense, unless on an indictment of a grand jury, except in cases in which the punishment is by fine or imprisonment, otherwise than in the penitentiary, in cases of impeachment, and in cases arising in the army or navy, or in the militia, when in actual service in time of war or public danger. (Added Nov. 5, 1918.)

Sec. 11. BAIL. All prisoners shall be bailable by sufficient sureties, unless for capital offenses, when the proof is evident; but this provision shall not be so construed as to prevent bail after indictment found upon examination of the evidence, in such manner as may be prescribed by law.

Sec. 11a. MULTIPLE CONVICTIONS; DENIAL OF BAIL. Any person accused of a felony less than capital in this State, who has been theretofore twice convicted of a felony, the second conviction being subsequent to the first, both in point of time of commission of the offense and conviction therefor may, after a hearing, and upon evidence substantially showing the guilt of the accused, be denied bail pending trial, by any judge of a court of record or magistrate in this State; provided, however, that if the accused is not accorded a trial upon the accusation within sixty (60) days from the time of his incarceration upon such charge, the order denying bail shall be automatically set aside, unless a continuance is obtained upon the motion or request of the accused; provided, further, that the right of appeal to the Court of Criminal Appeals of this State is expressly accorded the accused for a review of any judgment or order made hereunder. (Added Nov. 6, 1956.)

Sec. 12. HABEAS CORPUS. The writ of habeas corpus is a writ of right, and shall never be suspended. The Legislature shall enact laws to render the remedy speedy and effectual.

Sec. 13. EXCESSIVE BAIL OR FINES; CRUEL AND UNUSUAL PUNISHMENT; REMEDY BY DUE COURSE OF LAW. Excessive bail shall not be required, nor excessive fines imposed, nor cruel or unusual punishment inflicted. All courts shall be open, and every person for an injury done him, in his lands, goods, person or reputation, shall have remedy by due course of law.

Sec. 14. DOUBLE JEOPARDY. No person, for the same offense, shall be twice put in jeopardy of life or liberty, nor shall a person be again put upon trial for the same offense, after a verdict of not guilty in a court of competent jurisdiction.

Sec. 15. RIGHT OF TRIAL BY JURY. The right of trial by jury shall remain inviolate. The Legislature shall pass such laws as may be needed to regulate the same, and to maintain its purity and efficiency. Provided, that the Legislature may provide for the temporary commitment, for observation

and/or treatment, of mentally ill persons not charged with a criminal offense, for a period of time not to exceed ninety (90) days, by order of the County Court without the necessity of a trial by jury. (As amended Aug. 24, 1935.)

Sec. 15-a. COMMITMENT OF PERSONS OF UNSOUND MIND. No person shall be committed as a person of unsound mind except on competent medical or psychiatric testimony. The Legislature may enact all laws necessary to provide for the trial, adjudication of insanity and commitment of persons of unsound mind and to provide for a method of appeal from judgments rendered in such cases. Such laws may provide for a waiver of trial by jury, in cases where the person under inquiry has not been charged with the commission of a criminal offense, by the concurrence of the person under inquiry, or his next of kin, and an attorney ad litem appointed by a judge of either the County or Probate Court of the county where the trial is being held, and shall provide for a method of service of notice of such trial upon the person under inquiry and of his right to demand a trial by jury. (Added Nov. 6, 1956.)

Sec. 16. BILLS OF ATTAINDER; EX POST FACTO OR RETROACTIVE LAWS; IMPAIRING OBLIGATION OF CONTRACTS. No bill of attainder, ex post facto law, retroactive law, or any law impairing the obligation of contracts, shall be made.

Sec. 17. TAKING, DAMAGING OR DESTROYING PROPERTY FOR PUBLIC USE; SPECIAL PRIVILEGES AND IMMUNITIES; CONTROL OF PRIVILEGES AND FRANCHISES. No person's property shall be taken, damaged or destroyed for or applied to public use without adequate compensation being made, unless by the consent of such person; and, when taken, except for the use of the State, such compensation shall be first made, or secured by a deposit of money; and no irrevocable or uncontrollable grant of special privileges or immunities, shall be made; but all privileges and franchises granted by the Legislature, or created under its authority shall be subject to the control thereof.

Sec. 18. IMPRISONMENT FOR DEBT. No person shall ever be imprisoned for debt.

Sec. 19. DEPRIVATION OF LIFE, LIBERTY, ETC.; DUE COURSE OF LAW. No citizen of this State shall be deprived of life, liberty, property, privileges or immunities, or in any manner disfranchised, except by the due course of the law of the land.

Sec. 20. OUTLAWRY OR TRANSPORTATION FOR OFFENSE. No citizen shall be outlawed, nor shall any person be transported out of the State for any offense committed within the same.

Sec. 21. CORRUPTION OF BLOOD; FORFEITURE; SUICIDES. No conviction shall work corruption of blood, or forfeiture of estate, and the estates of those who destroy their own lives shall descend or vest as in case of natural death.

Sec. 22. TREASON. Treason against the State shall consist only in levying war against it, or adhering to its enemies, giving them aid and comfort; and no person shall be convicted of treason except on the testimony of two witnesses to the same overt act, or on confession in open court.

Sec. 23. RIGHT TO KEEP AND BEAR ARMS. Every citizen shall have the right to keep

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and bear arms in the lawful defense of himself or the State; but the Legislature shall have power, by law, to regulate the wearing of arms, with a view to prevent crime.

Sec. 24. MILITARY SUBORDINATE TO CIVIL AUTHORITY. The military shall at all times be subordinate to the civil authority.

Sec. 25. QUARTERING SOLDIERS IN HOUSES. No soldier shall in time of peace be quartered in the house of any citizen without the consent of the owner, nor in time of war but in a manner prescribed by law.

Sec. 26. PERPETUITIES AND MONOPOLIES; PRIMOGENITURE OR ENTAILMENTS. Perpetuities and monopolies are contrary to the genius of a free government, and shall never be allowed, nor shall the law of primogeniture or entailments ever be in force in this State.

Sec. 27. RIGHT OF ASSEMBLY; PETITION FOR REDRESS OF GRIEVANCES. The citizens shall have the right, in a peaceable manner, to assemble together for their common good; and apply to those invested with the powers of government for redress of grievances or other purposes, by petition, address or remonstrance.

Sec. 28. SUSPENSION OF LAWS. No power of suspending laws in this State shall be exercised except by the Legislature.

Sec. 29. PROVISIONS OF BILL OF RIGHTS EXCEPTED FROM POWERS OF GOVERNMENT; TO FOREVER REMAIN INVIOLEATE. To guard against transgressions of the high powers herein delegated, we declare that everything in this "Bill of Rights" is excepted out of the general powers of government, and shall forever remain inviolate, and all laws contrary thereto, or to the following provisions, shall be void.

Delegate Schwartz moved adoption of the report of the Committee on Rights and Suffrage relative to the Preamble and Article I.

The motion prevailed by the following vote: 166 Yeas, 0 Nays, 7 Absent, 8 Absent-excused. (Record 2, Appendix)

PREAMBLE AND ARTICLE I REFERRED

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

DELEGATE PRESENT

Delegate Wyatt who was previously recorded as "Absent" was announced "Present" by the President.

REMARKS ORDERED PRINTED IN JOURNAL

The President recognized Delegate Reynolds to speak on Personal Privilege.

On motion of Delegate Brooks and by unanimous consent Delegate Reynolds' remarks were reduced to writing and printed in the Journal.

The President recognized Delegate Sherman of Tarrant to speak on Personal

Privilege.

Delegate Williamson moved that Delegate Sherman of Tarrant's remarks be reduced to writing and printed in the Journal. The motion prevailed by a non-record vote.

REMARKS OF DELEGATE REYNOLDS

Mr. President, Mr. Vice President, Delegates, in considered conscience, I humbly solicit your indulgence for the next few minutes during which time I will allay my distress, my distress of the moment. To a great degree I have always looked upon the press as a competitor. Calling on my broad powers of perspective from time to time, I have viewed the able Capitol Press in several ways. Most of the time I view the Press as a loving, hard-working spouse of the Legislature--a pat on the back when deserved, constructive criticism when needed and credible.

During the so-called "reform" period last spring, I viewed the Press as an ambitious, lovable passionate mistress of the Legislature. This past week I have viewed the Press as an indolent Convention mascot. I am distressed. I hope this view is acute. It could be that the Convention press and PR function has contributed to this indolence--I just don't know.

Let me read from several editorials and articles. Number One is from the Austin American:

"Where are we the people? The Constitutional Convention Committees meet day after day, crying for citizen input and time and again the committees adjourn early because there are no witnesses." (That's true, the editorial goes on.) "Your elected Representatives, faced with the biggest task in 100 years, are simply asking if the public has anything to say about what's going on or going in to the new Constitution for Texas, but they get no answers." But they get no answers. This statement is not true.

Times Herald, and I quote, "Although the Convention efforts will chart a new state government regulating the lives of millions of Texans for generations to come, citizen participation appears disappointing and low, at least during initial hearings. Several committees were forced to adjourn early or conduct their business without testimony when no witnesses materialized." That's true. "All the State's divergent special interests are well represented by lobbyists." True. "Grass roots participation from the average man in the street has been only minimal." "Grass roots participation from the average man in the street has been only minimal." Absolutely and unequivocally false.

Third article, appeared in the Dallas Morning News, leads off, "The biggest disappointment of the Constitutional Convention thus far has been the fact that the average Texan either is tongue-tied or simply not able to think for himself." The average Texan is either tongue-tied or simply not able to think for himself--deceiving, inaccurate and contrary to the truth. I could site into the record and comment on numerous editorials and news articles from all over this State carrying the same misleading and false themes. The three I have used are representative. I believe it

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appropriate to quote a statement attributed to President Truman. Harry Truman said, "Newspapermen, they are all a bunch of lazy cusses. Once one of them writes something, the others rewrite it and rewrite it and they keep on doing it without ever stopping to find out if the first fellow was telling the truth or not."

I do not agree they are all a bunch of lazy cusses and I would probably change "telling the truth" to "seeking the truth" in this instance. What is true with respect to a new Constitution for the State of Texas is that the Constitutional document adopted will reflect the general, prevailing governmental philosophy as influenced by current, social, moral and economic attitudes of all the people, and I repeat, of all the people of this great State, as of the time it is adopted.

Mr. Press, my reference to all the people includes the man in the street found in every Delegate district in this State. It is not, I repeat, it is not limited to the man in the Capitol building. The average man in the street, the average Texan cannot be limited to, and must not be confused with, the man in the Capitol building. In no way do I mean to belittle or downgrade that testimony that is being offered by witnesses before our Convention committees. In fact, much of the expert and technical testimony is extremely beneficial to Delegates. But we Delegates recognize and you, Mr. Press, must also recognize that the preponderance of testimony presented before committees by outsiders is that of organized interest groups or invitees of Delegates, and their testimony may or may not, and I suspect it may not in many instances, reflect the diverse and the desires and the opinions and the feelings of the man in the street spread proportionately all over the State of Texas.

I submit there is, or certainly may be, a great canyon of difference between the witnesses appearing before the Convention committees and communication to the 181 Delegates and Delegate representatives of all the people from all over this diverse State. I am not unique as a Delegate with respect to communication with my constituency.

Since the point in time of promoting Amendment 4, calling for this Convention, I have had direct, verbal communication with over 3,000 constituents and have received over 800 written communications from my district constituency.

I read this epigram last weekend and I quote, "At most drinking fountains you will find this is so--you get just a trickle or soaked head to toe." So it is with each Delegate to this Convention here in the Capitol we get just a trickle of communication. But from our respective delegate districts we are being soaked, head to toe, with man-in-the-street communication.

Mr. Press, I invite you, I implore you, to get out of your press room and out of the committee room and into individual Delegate's offices and districts. You might find that the man in the street, the average Texan has been and is providing an abundant amount of input to this Convention. If one is a bit adventurous, coupled with a minimum amount of initiative, the man in the street can be

found.

Now, while I'm on the subject of news articles and writers I will take this opportunity to speak to a couple of other points. I read a short article this week that stated, "Constitutional Convention Delegates will have a choice between polls." The article indicated two choices, but failed to mention a third choice. Now I discovered on my desk last week, as I'm sure you did, a rather large batch of disorganized papers with a letter and no index, followed by about a ream of editorials and other trash. These papers were in a gray binder. I must admit I was impressed because on the front cover it said, "Presented to Representative Richard F. Reynolds." After a proper review of about 15 minutes, or 15 seconds, I filed the report appropriately--in the wastebasket. The report had something to do with concrete or asphalt or something. Shortly thereafter along comes a common disaster promoting some poll so narrow and pointed in scope that the little meaning it had could only be compared to the little mind responsible for its design.

Let me add that these representations are typical of some of the outside, special interest material we are all receiving--much of which could cause a robust recycling machine to regurgitate. To top it all off, this past week I got around to reading the cover letter attached to a magazine that I never buy. The copy was delivered to me gratis.

The letter said, "I'm going to look over your shoulder and then I'm going to go tell Mama." I sat for some time pondering "look over your shoulder" and suddenly, with a broad smile on my face, I jumped out of my desk chair and threw my arms in the air and said, "impossible." The thought had come to me, and I believe it true of every Delegate to this Convention, when I am confronted by a vague combination I rise to 10 feet tall. That poor Mr. Publisher, when standing on the floor with any Delegate to this Convention, look over your shoulder, the best a little-minded man could do would be to wipe the dust from the top of your shoes.

Little-minded articles fit best in little wastebaskets.

That is the end of my remarks, Mr. President and Delegates. I thank you for your time.

REMARKS OF DELEGATE SHERMAN OF TARRANT

Mr. President, fellow Delegates, members of the fourth estate, I rise to speak in relation to the remarks that have just been uttered because I believe that I may have been responsible for some of the news stories and editorials that were circulated regarding the lack of witnesses, at least at the Committee on the Legislature. I think that some members of the fourth estate will agree that they heard me state that we adjourned after roll call because we did not have any witnesses. And as a matter of fact, I was even quoted at one time as saying that I thought maybe we ought to take up a collection in the Committee on the Legislature and place a want ad in the local paper, or any paper in Texas, saying, "Wanted, witnesses before Constitutional Convention committees. No qualifications

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required."

At the time that these editorials and these stories were printed they were true and I'm happy and thankful and I do thank the members of the fourth estate for picking up those stories, for being responsible for those editorials because I believe it is because they did this, that we do now have an abundance of witnesses. I think that perhaps the people of Texas were unaware of what exactly was going on down here and that they would be welcome. As late as yesterday we had witnesses in our Legislature Committee who came from over in Central Texas unsolicited and they came here to speak their piece and they were heard and they are still coming. We may have reached a cut-off point because we cannot submit anymore proposals. It's time now to get down to business.

But at the time that those editorials and those stories were printed they were true and they were correct, and I salute you members of the fourth estate for picking up that story and circulating it statewide so that we did stir up some interest. And I think you are responsible and I do thank you.

CONSTITUTIONAL CONVENTION PROPOSALS REFERRED

The following Constitutional Convention Proposals were referred to the Committee indicated:

CONSTITUTIONAL CONVENTION PROPOSAL 207

By Delegates Clark and Green of Harris:

To Committee on the Executive.

C.C.P. 207, A PROPOSAL FOR INCORPORATION IN THE CONSTITUTION OF TEXAS

Relating to the composition and selection of the Executive Department.

BE IT PROPOSED BY THE CONSTITUTIONAL CONVENTION OF TEXAS:

(1) That Sections 1, 2, 6, and 7 of Article IV read as follows:

Section 1. OFFICERS CONSTITUTING THE EXECUTIVE DEPARTMENT. The Governor shall be the Chief Executive Officer of the State. The Executive Department shall consist of a Governor, Lieutenant Governor, Attorney General, Comptroller of Public Accounts, Commissioner of the General Land Office, Treasurer, Commissioner of Agriculture, Secretary of State, and such other officers as may be provided by law.

Section 2. SELECTION, TERMS, AND RESIDENCE OF OFFICERS OF EXECUTIVE DEPARTMENT. The Governor, Lieutenant Governor, Attorney General, Comptroller of Public Accounts, Commissioner of the General Land Office, Treasurer, and Commissioner of Agriculture shall be elected by the qualified voters of the State at general elections beginning with 1978. The Secretary of State and other appointive officers of the Executive Department shall be appointed by the Governor with the advice and consent of the Senate and shall continue in office during the term of service of the Governor. Elective officers of the Executive Department

shall serve four-year terms. All officers of the Executive Department shall reside at the seat of government.

Section 6. DISABILITY OF ELECTIVE OFFICERS OF EXECUTIVE DEPARTMENT. The disability of any elected officer of the Executive Department to perform the duties of the office during the term for which elected shall be determined in a proceeding in the Supreme Court of the State under such rules of procedure as may be prescribed by that court. A majority vote of the Governor, Lieutenant Governor, Attorney General, Comptroller of Public Accounts, Commissioner of the General Land Office, Treasurer, Commissioner of Agriculture, Speaker of the House of Representatives, and President pro tempore of the Senate shall initiate such proceedings.

Section 7. COMPENSATION OF OFFICERS OF EXECUTIVE DEPARTMENT. The compensation of the Governor, Lieutenant Governor, Attorney General, Comptroller of Public Accounts, Commissioner of the General Land Office, Treasurer, Commissioner of Agriculture, Secretary of State, and such other officers as may be provided by law shall be as provided by law, not to exceed the amount recommended by the salary commission. The compensation of officers of the Executive Department shall not be diminished during their term of office. The Governor shall have the use of the Governor's Mansion.

(2) That the following sections be included in Article IV:

Section _____. TREASURER. The Treasurer shall perform the duties required by this Constitution and such other duties as may be provided by law.

Section _____. COMMISSIONER OF AGRICULTURE. The Commissioner of Agriculture shall perform the duties required by this Constitution and such other duties as may be provided by law.

CONSTITUTIONAL CONVENTION PROPOSAL 208

By Delegates Ragsdale and Thompson:

To Committee on Education.

C.C.P. 208, A PROPOSAL FOR INCORPORATION IN THE CONSTITUTION OF TEXAS

Relating to financing certain institutions of higher education.

BE IT PROPOSED BY THE CONSTITUTIONAL CONVENTION OF TEXAS:

That the following sections be included in Article VII:

Sec. _____. FIRST CLASS COLLEGES AND UNIVERSITIES. The Legislature shall provide for a system of higher education of the first class which shall include The University of Texas System, the Texas A&M University System, Prairie View A&M University, and other systems, universities, colleges, and community colleges, established by law.

Sec. _____. PERMANENT UNIVERSITY FUND, ITS ADMINISTRATION, ITS INVESTMENTS; AVAILABLE UNIVERSITY FUND AND ITS EXPENDITURE. (a) The Permanent University Fund consists of the two million acres of land set apart and appropriated for the establishment and maintenance of The

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University of Texas by the Constitution of 1876 and the Legislative Act of April 10, 1883, together with the proceeds of the sale of such land, including the sale of oil, gas, and other minerals from such land, and the securities and other assets purchased with the proceeds. All proceeds shall be invested, and only the income from the Permanent University Fund may be appropriated and expended.

(b) The Permanent University Fund shall be held in trust for the people of Texas and for the use and benefit of the Texas A&M University System, The University of Texas System, and Prairie View A&M University, each of which shall be governed by a separate governing board. The land set apart to the Permanent University Fund, if sold, shall be sold under such regulations, at such times, and on such terms as may be provided by law.

(c) The Board of Regents of The University of Texas System may invest the Permanent University Fund in securities, bonds, or other obligations issued, insured, or guaranteed in any manner by the United States Government, or any of its agencies, in bonds issued by the State of Texas or any political subdivision thereof, and in such bonds, debentures, obligations, preferred stocks, or common stocks issued by corporations, associations, or other institutions as the Board of Regents of The University of Texas System may deem to be proper investments for the Permanent University Fund. However, not more than one percent of the Fund shall be invested in the securities of any one corporation nor shall more than five percent of the voting stock of any one corporation be owned by the Fund. In making each and all investments, the Board of Regents shall exercise the judgment and care under the circumstances then prevailing that men of ordinary prudence, discretion, and intelligence exercise in the management of their own affairs, not in regard to speculation, but in regard to the permanent disposition of their funds, considering the probable income therefrom as well as the probable safety of their capital. The Board of Regents shall make quarterly reports on all transactions involving the Permanent University Fund as provided by law.

(d) The net income (that is, dividends, interest, and other income less administrative expense) of the Permanent University Fund, exclusive of net income attributable to grazing leases of Permanent University Fund land, shall constitute the Available University Fund. Out of one-sixth of the Available University Fund, the Legislature shall appropriate an annual sum sufficient to pay the principal and interest due on Permanent University Fund bonds or notes issued by the Board of Directors of the Texas A&M University System pursuant to the next section or its predecessor sections of prior constitutions, and the remainder of such one-sixth of the Available University Fund shall be appropriated by the Legislature for the support and maintenance of Texas A&M University at College Station. Out of one-sixth of the Available University Fund, the Legislature shall appropriate an annual sum sufficient to pay the principal and interest due on Permanent University Fund

bonds or notes issued by the Board of Regents of Prairie View A&M University pursuant to Section ____ of this constitution, and the remainder of such one-sixth of the Available University Fund shall be appropriated by the Legislature for the support and maintenance of Prairie View A&M University. Out of the other two-thirds of the Available University Fund, the Legislature shall appropriate an annual sum sufficient to pay the principal and interest due on Permanent University Fund bonds or notes issued by the Board of Regents of The University of Texas System pursuant to the next section or its predecessor sections of prior constitutions, and the remainder of such two-thirds of the Available University Fund, plus the net income (that is, income less administrative expense) from grazing leases of Permanent University Fund land, shall be appropriated by the Legislature for the support and maintenance of The University of Texas at Austin.

Sec. ____ TEXAS A&M UNIVERSITY SYSTEM; THE UNIVERSITY OF TEXAS SYSTEM; PRAIRIE VIEW A&M UNIVERSITY; PERMANENT UNIVERSITY FUND BONDS OR NOTES. (a) The governing boards of the Texas A&M University System, The University of Texas System, and Prairie View A&M University for the benefit of all the institutions under their respective control are each hereby authorized to issue in amounts not to exceed for the Texas A&M University System five percent, for Prairie View A&M University five percent, and for The University of Texas System twenty percent, of the value of the Permanent University Fund exclusive of real estate at the time of any issuance, negotiable bonds and notes for the following purposes: (1) acquiring land either with or without permanent improvements; (2) constructing new buildings or other permanent improvements; (3) repairing and rehabilitating existing buildings or other permanent improvements; (4) acquiring library books and materials; (5) acquiring capital equipment; and (6) refunding any bonds heretofore or hereafter issued.

(b) Any bonds or notes issued pursuant to this Section shall be payable solely out of the Available University Fund. Bonds or notes so issued shall mature serially or otherwise not more than thirty years from their respective dates.

(c) Prairie View A&M University and the institutions included in the Texas A&M University System and The University of Texas System, and entitled to participate in the Permanent University Fund, shall not receive any general revenue funds for acquiring land either with or without permanent improvements, or for constructing and equipping new buildings or other permanent improvements except in case of fire, flood, storm, or earthquake occurring at any such institution. In such an event an appropriation in an amount sufficient to replace the uninsured loss may be made by the Legislature from general revenue funds.

(d) For the purpose of securing the payment of the principal and interest of these bonds or notes, the Boards are severally authorized to pledge the whole or any part of the respective interests of Prairie View A&M University, the Texas A&M University System, and The University of Texas System in the Available University

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Fund. The Permanent University Fund may be invested in these bonds or notes. All bonds or notes issued pursuant to this Section shall be approved by the Attorney General of Texas and when so approved shall be incontestable.

CONSTITUTIONAL CONVENTION PROPOSAL 209

By Delegate Allred:

To Committee on General Provisions.

C.C.P. 209, A PROPOSAL FOR INCORPORATION IN THE CONSTITUTION OF TEXAS

Relating to defamation.

BE IT PROPOSED BY THE CONSTITUTIONAL CONVENTION OF TEXAS:

That the following section be included in Article X:

Section _____. DEFENSE IN CASES OF DEFACTION. In a criminal or civil action based on defamation it is a complete defense that the statement on which the action is based was true or that the maker of the statement exercised reasonable care under the circumstances to ascertain the truth of the statement and believed it to be true when he made it.

CONSTITUTIONAL CONVENTION PROPOSAL 210

By Delegate Finney:

To Committees on the Executive and Education.

C.C.P. 210, A PROPOSAL FOR INCORPORATION IN THE CONSTITUTION OF TEXAS

Relating to the election of a Commissioner of Education.

BE IT PROPOSED BY THE CONSTITUTIONAL CONVENTION OF TEXAS:

That the following sections be added to Article IV:

Section 1. OFFICERS CONSTITUTING THE EXECUTIVE DEPARTMENT. The Governor shall be the Chief Executive Officer of the State. The Executive Department shall consist of a Governor, Lieutenant Governor, Attorney General, Comptroller of Public Accounts, Secretary of State, Commissioner of the General Land Office, Commissioner of Education, and such other officers as may be provided by law.

Section 2. SELECTION, TERMS, AND RESIDENCE OF OFFICERS OF EXECUTIVE DEPARTMENT. The Governor, Lieutenant Governor, Attorney General, Comptroller of Public Accounts, and Commissioner of Education shall be elected by the qualified voters of the State at general elections beginning with 1978. The Secretary of State shall be appointed by the Governor. The Commissioner of the General Land Office shall be elected or appointed as provided by law. Appointive officers of the Executive Department shall be appointed by the Governor with the advice and consent of the Senate and

shall serve at the pleasure of the Governor. Elective officers of the Executive Department shall serve four-year terms. All officers of the Executive Department shall reside at the seat of government.

CONSTITUTIONAL CONVENTION PROPOSAL 211

By Delegate Ogg:

To Committee on Education.

C.C.P. 211, A PROPOSAL FOR INCORPORATION IN THE CONSTITUTION OF TEXAS

Relating to the funding of institutions of higher education.

BE IT PROPOSED BY THE CONSTITUTIONAL CONVENTION OF TEXAS:

Section 1. That the following sections be included in Article VII:

Section _____. PERMANENT UNIVERSITY FUND, ITS ADMINISTRATION, ITS INVESTMENTS, AVAILABLE UNIVERSITY FUND AND ITS EXPENDITURE. (a) The Permanent University Fund consists of the two million acres of land set apart and appropriated for the establishment and maintenance of The University of Texas by the Constitution of 1876 and the Legislative Act of April 10, 1883, together with the proceeds of the sale of such land, including the sale of oil, gas, and other minerals from such land, and the securities and other assets purchased with the proceeds. All proceeds shall be invested, and only the income from the Permanent University Fund may be appropriated and expended.

(b) The Permanent University Fund shall be held in trust for the people of Texas and for the use and benefit of all state institutions of higher education except public junior colleges and technical institutes. The land set apart to the Permanent University Fund, if sold, shall be sold under such regulations, at such times, and on such terms as may be provided by law.

(c) The Coordinating Board, Texas College and University System, may invest the Permanent University Fund in securities, bonds, or other obligations issued, insured, or guaranteed in any manner by the United States Government, or any of its agencies, in bonds issued by the State of Texas or any political subdivision thereof, and in such bonds, debentures, obligations, preferred stocks, or common stocks issued by corporations, associations, or other institutions as the board may deem to be proper investments for the Permanent University Fund. However, not more than one percent of the Fund shall be invested in the securities of any one corporation nor shall more than five percent of the voting stock of any one corporation be owned by the Fund. In making each and all investments, the board shall exercise the judgment and care under the circumstances then prevailing that men of ordinary prudence, discretion, and intelligence exercise in the management of their own affairs, not in regard to speculation, but in regard to the permanent disposition of their funds, considering the probable income therefrom as well as the probable safety of their capital. The board

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shall make full disclosure of all investments as provided by law.

(d) The net income (that is, dividends, interest, and other income less administrative expense) of the Permanent University Fund shall constitute the Available University Fund. Out of the Available University Fund, the Legislature shall appropriate an annual sum sufficient to pay the principal and interest due on Permanent University Fund bonds or notes issued pursuant to the next section or its predecessor sections of prior constitutions. The remainder of the Available University Fund shall be appropriated by the Legislature for the support and maintenance of all State institutions of higher education except public junior colleges and technical institutes.

Section ____ PERMANENT UNIVERSITY FUND BONDS OR NOTES. (a) The Available University Fund may be pledged to secure or refund bonds issued heretofore or hereafter for acquiring land, either with or without permanent improvements thereon, constructing, equipping, repairing, rehabilitating buildings or other permanent improvements, and for acquiring capital equipment and library books and materials at the institutions for which the Fund is dedicated.

(b) The Legislature shall provide by law for each issue of bonds authorized by this Section and for equitable distribution of the proceeds on the basis of statewide needs. Responsibility for issuance of bonds and allocation of proceeds shall be vested as provided by law.

(c) Any bonds or notes issued pursuant to this Section shall be payable solely out of the Available University Fund. Bonds or notes so issued shall mature serially or otherwise not more than thirty years from their respective dates.

(d) The Permanent University Fund may be invested in the bonds or notes issued pursuant to this Section. All bonds or notes shall be approved by the Attorney General of Texas and when so approved shall be incontestable.

Section 2. That the following section be excluded from the constitution:

Section ____ STATE HIGHER EDUCATION TAX FUND FOR THE BENEFIT OF CERTAIN INSTITUTIONS OF HIGHER EDUCATION. (a) The Legislature shall levy a State ad valorem tax on property at a rate not less than ten cents on the one hundred dollars valuation sufficient to provide a level of support necessary to promote the attainment of first class status for all State institutions of higher education except those institutions included in the Texas A&M University System and The University of Texas System, all public community colleges, and all State technical institutes.

(b) The proceeds of this tax shall comprise the Higher Education Tax Fund.

(c) The Higher Education Tax Fund may be pledged to secure or refund bonds issued heretofore or hereafter for acquiring land, either with or without permanent improvements thereon, constructing, equipping, repairing, rehabilitating buildings or other permanent improvements, and for acquiring capital equipment and library books and materials at

the institutions for which the Fund is created. After appropriating an annual sum sufficient to pay the principal and interest due on such bonds, the Legislature shall appropriate the remainder of the Fund for the support and maintenance of State institutions of higher education other than The University of Texas at Austin, Texas A&M University at College Station, the public community colleges, and the State technical institutes.

(d) The Legislature shall provide by law for each issue of bonds authorized by this Section and for equitable distribution of the proceeds on the basis of statewide needs. Responsibility for issuance of bonds and allocation of proceeds shall be vested as provided by law.

(e) From the date on which they became eligible to participate in the special tax fund established in this Section, the institutions participating in this fund shall not receive any general revenue funds for acquiring land or permanent improvements, or for constructing and equipping new buildings or other permanent improvements, except that in the case of fire or natural disaster the Legislature may appropriate from general revenue an amount sufficient to replace the uninsured loss.

(f) If for any reason the tax authorized by this Section is held invalid, the Legislature shall provide an equal amount of revenue from other sources.

CONSTITUTIONAL CONVENTION PROPOSAL 212

By Delegates Bales and Earle:

To Committees on the Judiciary and Local Government.

C.C.P. 212, A PROPOSAL FOR INCORPORATION IN THE CONSTITUTION OF TEXAS

Relating to prosecuting attorneys.

BE IT PROPOSED BY THE CONSTITUTIONAL CONVENTION OF TEXAS:

That the following sections be included in Article V and Transition Schedule, respectively:

Section ____ PROSECUTING ATTORNEYS

Except in the case of disability, disqualification, or upon the finding of good cause by the Supreme Court as provided by law, the State shall be represented in all criminal suits in the courts of this State by licensed attorneys elected as provided by law from a county or a district composed of not more than four counties.

Section ____ PROSECUTING ATTORNEYS

All laws pertaining to the offices of County Attorney, District Attorney, and Criminal District Attorney shall continue in force and effect until altered by law.

CONSTITUTIONAL CONVENTION PROPOSAL 213

By Delegate Whitehead:

To Committee on Finance.

C.C.P. 213, A PROPOSAL FOR INCORPORATION IN THE CONSTITUTION OF TEXAS

Relating to the exemption of certain

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property from ad valorem taxes.

BE IT PROPOSED BY THE CONSTITUTIONAL CONVENTION OF TEXAS:

That the following provision be included in Article VIII, Section 2:

The Legislature by general law may exempt from ad valorem taxation:

Property, not held for profit, owned by a nonprofit water supply corporation which is reasonably necessary for, and is used in the acquisition, storage, transportation and distribution of water or is used in providing sewage or waste water treatment service.

CONSTITUTIONAL CONVENTION PROPOSAL 214

By Delegates Grant, Earle, Bales and Baker:

To Committee on the Judiciary.

C.C.P. 214, A PROPOSAL FOR INCORPORATION IN THE CONSTITUTION OF TEXAS

Providing an Article V on the Judiciary.

BE IT PROPOSED BY THE CONSTITUTIONAL CONVENTION OF TEXAS:

That Article V read as follows:

ARTICLE V. THE JUDICIARY

Section 1. JUDICIAL SYSTEM. Courts shall be established by law to provide for the efficient and effective administration of justice. The duties, venue, jurisdiction, qualifications of judges and provisions for removal shall be provided by law.

Section 2. JURIES. (a) There shall be trial juries and grand juries as provided by law.

(b) A party shall have a right to a jury trial upon demand, as provided by law.

Section 3. JUDICIAL COUNCIL. There shall be a Judicial Council with such authority and functions as shall be provided by law.

Section 4. CLERKS. The courts of the state shall have clerks with such qualifications, functions, and provisions for removal as shall be required by law.

CONSTITUTIONAL CONVENTION PROPOSAL 215

By Delegate Pentony:

To Committee on Education.

C.C.P. 215, A PROPOSAL FOR INCORPORATION IN THE CONSTITUTION OF TEXAS

Providing an article on education.

BE IT PROPOSED BY THE CONSTITUTIONAL CONVENTION OF TEXAS:

That Article VII read as follows:

ARTICLE VII EDUCATION

Sec. 1. EQUITABLE SUPPORT OF FREE PUBLIC SCHOOLS. (a) A general diffusion of knowledge being essential to the preservation of the liberties and rights of the people, it shall be the duty of the Legislature to establish and make suitable provision for the

equitable support and maintenance of an efficient system of free public schools and to provide equal educational opportunity for each person in this State.

(b) In distributing State resources in support of the free public schools, the Legislature shall ensure that the quality of education made available shall not be based on wealth other than the wealth of the State as a whole and that State supported educational programs shall recognize variations in the backgrounds, needs, and abilities of all students. In distributing State resources, the Legislature may take into account the variations in local tax burden to support other local government services.

Sec. 2. PERMANENT AND AVAILABLE SCHOOL FUND. (a) The Permanent School Fund consists of all property set apart for support of the free public schools. The Permanent Fund shall not be expended but shall be preserved and invested at the direction of the State Board of Education in the manner prescribed by law.

(b) The Available School Fund consists of income from the Permanent Fund together with all State taxes dedicated to support the free public schools.

(c) The Available Fund shall be appropriated by the Legislature to support the free public schools, including the provision of free textbooks and such other instructional materials as may be required in academic programs.

Sec. 3. PROHIBITION OF AID TO NON-PUBLIC SCHOOLS. Public funds shall not be used for support of religious, church-affiliated, or proprietary schools that provide education below the college level; nor shall public funds be provided to any students for payment of expenses incurred by attending such schools.

Sec. 4. DEDICATED SCHOOL TAX. One-fourth of the revenue from State occupation taxes and one-fourth of the net revenue from the State motor fuel tax are dedicated to the Available School Fund.

Sec. 5. STATE BOARD OF EDUCATION. There shall be a State Board of Education which shall have the duties provided in this Article and by law. The Legislature may provide either for appointed or elected members whose terms shall not exceed six years. If the board is elective, the Governor shall appoint four additional members to the board. In making appointments the Governor shall give consideration to fair and equitable representation of the sexes, ethnic groups, social groups, and economic groups.

Sec. 6. SCHOOL AND COMMUNITY COLLEGE DISTRICTS. The Legislature shall define by general law the duties and functions of school and community college districts and shall provide for establishing, financing, altering, consolidating, and abolishing such districts.

Sec. 7. FIRST CLASS COLLEGES AND UNIVERSITIES. The Legislature shall provide for a system of higher education of the first class and shall insure that State support of higher education, in whatever form, is distributed equitably on the basis of statewide needs.

Sec. 8. PERMANENT AND AVAILABLE UNIVERSITY FUNDS. (a) The Permanent

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University Fund consists of all property set apart for the establishment and maintenance of any institution of higher education in the State. The Permanent Fund shall be held in trust for the People of Texas and for the benefit and furtherance of higher education in Texas and shall be preserved and invested at the direction of the Coordinating Board, Texas College and University System, in the manner prescribed by law.

(b) The Available University Fund consists of the net income (that is, dividends, interest, and other income less administrative expense) of the Permanent University Fund, together with any taxes appropriated or dedicated to higher education in Texas.

(c) Out of the Available University Fund, the Legislature shall appropriate an annual sum sufficient to pay the principal and interest due on Permanent University Fund bonds or notes issued by the Coordinating Board pursuant to the next Section or its predecessors and the remainder shall be subject to appropriation by the Legislature for the support, maintenance, and furtherance of higher education in Texas.

Sec. 9. PERMANENT UNIVERSITY FUND BONDS OR NOTES. (a) The Coordinating Board, Texas College and University System, is hereby authorized to issue in an amount not to exceed thirty percent of the value of the Permanent University Fund exclusive of real estate at the time of any issuance, negotiable bonds and notes for the following purposes: (1) acquiring land either with or without permanent improvements; (2) constructing new buildings or other permanent improvements; (3) repairing and rehabilitating existing buildings or other permanent improvements; (4) acquiring library books and materials; (5) acquiring capital equipment; (6) providing financial assistance to students; and (7) refunding any bonds heretofore or hereafter issued.

(b) Any bonds or notes issued pursuant to this Section shall be payable solely out of the Available University Fund. Bonds or notes so issued shall mature serially or otherwise not more than thirty years from their respective dates.

(c) The Coordinating Board shall equitably distribute the proceeds of bonds and notes issued pursuant to this Section for the benefit of institutions of higher education on the basis of statewide need.

(d) All bonds or notes issued pursuant to this Section shall be approved by the Attorney General of Texas and when so approved shall be incontestable.

CONSTITUTIONAL CONVENTION PROPOSAL 216

By Delegate Patman:

To Committee on General Provisions.

C.C.P. 216, A PROPOSAL FOR INCORPORATION IN THE CONSTITUTION OF TEXAS

Providing that the Legislature may define interest and fix maximum rates of interest; and providing that the power of the Legislature to define interest and fix maximum rates of interest shall not be

delegated by the Legislature to any board or agency of the government.

BE IT PROPOSED BY THE CONSTITUTIONAL CONVENTION OF TEXAS:

That the following section be included in Article III:

Section ____ AUTHORITY OF THE LEGISLATURE TO DEFINE INTEREST AND FIX THE MAXIMUM RATES OF INTEREST; CERTAIN POWERS OF THE LEGISLATURE NON-DELEGABLE TO ANY BOARD OR GOVERNMENTAL AGENCY.

The Legislature shall have the authority to classify loans and lenders, license and regulate lenders, define interest and fix maximum rates of interest.

The powers of the Legislature to define interest and fix maximum rates of interest shall not be subject to delegation by the Legislature to any board or governmental agency.

CONSTITUTIONAL CONVENTION PROPOSAL 217

By Delegate Denson:

To Committee on the Judiciary.

C.C.P. 217, A PROPOSAL FOR INCORPORATION IN THE CONSTITUTION OF TEXAS

Relating to merit selection and partisan election.

BE IT PROPOSED BY THE CONSTITUTIONAL CONVENTION OF TEXAS:

That Article V, Section 8 read as follows:

(a) There is hereby created a Judicial Selection Committee which shall be composed of the Governor, Lieutenant Governor and Speaker of the House of Representatives.

(b) When a vacancy occurs in the office of the Chief Justice of Texas, a supreme court justice, or a court of appeals judge, the vacancy shall be filled within 60 days by the Judicial Selection Committee with the advice and consent of the Senate, from judges of the unified judicial system presiding at the time of the vacancy. In making a selection, the Committee shall consider only those who have demonstrated judicial talent and temperament, efficiency in court operations, and are well qualified from experience and knowledge of the law, but among those so qualified, shall give fair consideration to the sexes, ethnic groups and geographical regions of the State. A justice or judge appointed pursuant to this Subsection shall be subject, in the manner provided by law, to approval or rejection on a partisan ballot at the first general election held more than ten months after the appointment is made, and every sixth year thereafter.

(c) If the Supreme Court determines that the Chief Justice is temporarily disabled, it shall designate another justice of the Supreme Court to serve temporarily as acting Chief Justice until the disability ends.

(d) District and county judges shall be elected on a partisan ballot by the qualified voters as provided by law. Judges of the district courts shall serve six-year terms,

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and judges of the county courts shall serve four-year terms. Vacancies in the office of judge of the district and county courts shall be filled until the next succeeding general election by the Governor with the advice and consent of the Senate.

(e) Justices of the peace shall be elected every four years by the qualified voters of the county or precinct. Vacancies in the office shall be filled by the County Commission for the remainder of the term.

(f) No active justice or judge in the unified judicial system may engage in the practice of law. If any justice or judge files as a candidate for any elective nonjudicial office, the judicial office shall immediately become vacant.

CONSTITUTIONAL CONVENTION PROPOSAL 218

By Delegate Munson:

To Committee on General Provisions.

C.C.P. 218, A PROPOSAL FOR INCORPORATION IN THE CONSTITUTION OF TEXAS

Relating to separate and community property of husband and wife.

BE IT PROPOSED BY THE CONSTITUTIONAL CONVENTION OF TEXAS:

That the section on separate and community property of husband and wife read as follows:

Section ____ SEPARATE AND COMMUNITY PROPERTY OF HUSBAND AND WIFE. All property owned or claimed by each spouse before marriage, and that acquired afterward by gift, devise, or descent, shall be the separate property of that spouse; and laws shall be passed more clearly defining the rights of each spouse in relation to separate property as well as to that held in common with one another. A husband and wife may from time to time and by written instrument partition between themselves in severalty or into equal undivided interests all or any part of their existing community property. In like manner, they may exchange between themselves the community interest of one in any property for the community interest of the other in other community property. The portion or interest set aside to each by partition or exchange shall be and constitute a part of the separate property of such spouse. A partition or exchange under this Section shall not prejudice the rights of preexisting creditors. A husband and wife by written agreement may create from their community property a joint estate with rights of survivorship in a homestead, without partitioning. This provision is self-operative, but laws may be passed prescribing reasonable requirements not inconsistent herewith.

CONSTITUTIONAL CONVENTION PROPOSAL 219

By Delegates Waters, Sutton, Vick, Watson, Denton, Green of Harris, Miller and Baker:

To Committee on the Executive.

C.C.P. 219, A PROPOSAL FOR INCORPORATION IN THE CONSTITUTION OF TEXAS

Relating to the Governor's general veto power.

BE IT PROPOSED BY THE CONSTITUTIONAL CONVENTION OF TEXAS:

That Subsection (a), Section 13, of Article IV read as follows:

(a) Every bill that passes both houses of the Legislature shall be presented to the Governor. The Governor may approve the bill by signing it in which event it shall become law and shall be filed with the Secretary of State. The Governor may veto the bill by returning it with objections to the house in which it originated. That house shall enter the objections in its journal and reconsider the bill for passage over the veto. If the bill passes that house by a two-thirds record vote of the membership present and voting, it shall be sent with the Governor's objections to the other house which shall enter the objections in its journal and reconsider the bill for passage over the veto. If the bill likewise passes that house by a two-thirds record vote of the membership present and voting, the bill shall become a law and shall be filed with the Secretary of State. If the Governor fails to veto a bill within ten days (Sundays excepted) after it is presented, the bill shall become a law and shall be filed with the Secretary of State. If the Legislature by its adjournment prevents a veto, the bill shall become a law and shall be filed with the Secretary of State unless within twenty days after adjournment the Governor files the bill and objections with the Secretary of State and gives public notice thereof by proclamation. If the same Legislature meets again, the Secretary of State shall return the bill with the Governor's objections to the house in which the bill originated for reconsideration in the manner provided above.

CONSTITUTIONAL CONVENTION PROPOSAL 220

By Delegates Waters, Baker, Sutton, Vick and Watson:

To Committee on the Executive.

C.C.P. 220, A PROPOSAL FOR INCORPORATION IN THE CONSTITUTION OF TEXAS

Relating to clemency.

BE IT PROPOSED BY THE CONSTITUTIONAL CONVENTION OF TEXAS:

That Section 18 of Article IV read as follows:

Section 18. REPRIEVES, COMMUTATIONS, AND PARDONS; REMISSION OF FINES AND FORFEITURES. The Governor shall have power as provided by law to grant reprieves relating to the execution of death sentences, and to grant commutations, pardons, and the remission of fines and forfeitures. The Legislature, by General Law, may provide for reduction of punishment, removal of conviction, or restoration of rights after conviction.

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CONSTITUTIONAL CONVENTION PROPOSAL 221

By Delegates Waters, Baker, Sutton, Vick and Watson:

To Committee on the Executive.

C.C.P. 221, A PROPOSAL FOR INCORPORATION IN THE CONSTITUTION OF TEXAS

Excluding the Governor's power to veto resolutions and orders.

BE IT PROPOSED BY THE CONSTITUTIONAL CONVENTION OF TEXAS:

That the following language be excluded from Section 13 of Article IV:

(c) All orders and resolutions requiring the concurrence of both houses of the Legislature, except those concerning adjournment and legislative rules and those proposing amendments to the Constitution or a referendum on incurring State debt, shall be presented to the Governor. If the Governor disapproves an order or resolution, it shall not become effective unless repassed in the manner provided for in Subsection (a).

CONSTITUTIONAL CONVENTION PROPOSAL 222

By Delegates Waters, Baker, Sutton, Vick and Watson:

To Committee on the Executive.

C.C.P. 222, A PROPOSAL FOR INCORPORATION IN THE CONSTITUTION OF TEXAS

Relating to the Governor's power to veto appropriations items.

BE IT PROPOSED BY THE CONSTITUTIONAL CONVENTION OF TEXAS:

That Subsection (b), Section 13, of Article IV read as follows:

(b) The Governor may veto any item of appropriation in a bill. Portions of a bill not vetoed shall become law. Items vetoed together with the Governor's objections shall be returned to the house in which the bill originated for reconsideration in the manner provided in Subsection (a).

CONSTITUTIONAL CONVENTION PROPOSAL 223

By Delegate Mauzy:

To Committee on the Legislature.

C.C.P. 223, A PROPOSAL FOR INCORPORATION IN THE CONSTITUTION OF TEXAS

Relating to the qualification of members of the legislature.

BE IT PROPOSED BY THE CONSTITUTIONAL CONVENTION OF TEXAS:

That the following section, appropriately numbered, of Article III read as follows:

Section ____ QUALIFICATION OF MEMBERS.
(a) A person shall be eligible for

election to the Senate if a citizen of the United States, a qualified voter, eighteen years of age or older, and a resident of this State for five years and of the senatorial district for one year immediately preceding the election.

(b) A person shall be eligible for election to the House of Representatives if a citizen of the United States, a qualified voter, eighteen years of age or older, and a resident of this State for two years and of the representative district for one year immediately preceding the election.

(c) In the general election following a redistricting, a person shall be eligible to be elected to the Legislature from any new district that contains a part of the district in which that person was eligible for election on the effective date of the redistricting, but only if within thirty days after the date of the filing as a candidate in the primary election that person becomes a resident of the new district.

(d) A member of the Legislature may not hold any other office or position of profit or trust under this State, the United States, or any foreign government, except as a member of the National Guard, National Guard Reserve, or any of the armed forces of the United States, or as a notary public.

CONSTITUTIONAL CONVENTION PROPOSAL 224

By Delegate Mauzy:

To Committee on the Judiciary.

C.C.P. 224, A PROPOSAL FOR INCORPORATION IN THE CONSTITUTION OF TEXAS

Relating to the charge to the jury in all actions for damages.

BE IT PROPOSED BY THE CONSTITUTIONAL CONVENTION OF TEXAS:

That Section 19 of Article V read as follows:

Section 19. General charge or charge to jury in all actions for damages. In all actions for damages the court shall submit the issue to the jury in a general charge, which shall read either, "We find for the plaintiff in the amount of ____ dollars" or "We find for the defendant."

CONSTITUTIONAL CONVENTION PROPOSAL 225

By Delegate Mauzy:

To Committee on the Judiciary.

C.C.P. 225, A PROPOSAL FOR INCORPORATION IN THE CONSTITUTION OF TEXAS

Relating to damages for pain and anguish resulting from the wrongful death of a child.

BE IT PROPOSED BY THE CONSTITUTIONAL CONVENTION OF TEXAS:

That the following section, appropriately numbered, be included in the appropriate article:

Section ____ DAMAGES FOR WRONGFUL DEATH OF A CHILD. In litigation involving the wrongful death of a minor child, mental pain

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and anguish suffered by a parent of the child as a result of the child's death shall be considered in determining the amount of damages to be awarded.

CONSTITUTIONAL CONVENTION PROPOSAL 226

By Delegate Mauzy:

To Committee on the Judiciary.

C.C.P. 226, A PROPOSAL FOR INCORPORATION IN THE CONSTITUTION OF TEXAS

Relating to the submission of cases to juries on general charge.

BE IT PROPOSED BY THE CONSTITUTIONAL CONVENTION OF TEXAS:

That the following section, appropriately numbered, be included in the appropriate article:

Section _____. GENERAL CHARGE. In all civil cases tried with the aid of a jury, the court's charge to the jury shall be submitted on a general charge rather than on special issues.

CONSTITUTIONAL CONVENTION PROPOSAL 227

By Delegate Mauzy:

To Committee on the Executive.

C.C.P. 227, A PROPOSAL FOR INCORPORATION IN THE CONSTITUTION OF TEXAS

Relating to the creation of a Department of Labor and Industry.

BE IT PROPOSED BY THE CONSTITUTIONAL CONVENTION OF TEXAS:

That the following section be included in the appropriate article:

Section _____. LABOR. (a) The legislature shall provide for a Department of Labor and Industry, headed by a Commissioner appointed by the governor and confirmed by the senate.

(b) A maximum period of 8 hours is a regular day's work in all industries and employment except agriculture and stock raising. The legislature may change this maximum period to promote the general welfare.

CONSTITUTIONAL CONVENTION PROPOSAL 228

By Delegate Mauzy:

To Committee on the Judiciary.

C.C.P. 228, A PROPOSAL FOR INCORPORATION IN THE CONSTITUTION OF TEXAS

Relating to civil litigation in which a real party in interest is an insurance company.

BE IT PROPOSED BY THE CONSTITUTIONAL CONVENTION OF TEXAS:

That the following section,

appropriately numbered, be included in the appropriate article:

Section _____. DIRECT ACTION. In civil litigation in which an insurance company is a real party in interest, the injured party shall have a right of direct action against the insurance company and suit may be brought against the insured alone or against the insured and the insurer jointly, at the option of the injured party.

CONSTITUTIONAL CONVENTION PROPOSAL 229

By Delegate Mauzy:

To Committee on General Provisions.

C.C.P. 229, A PROPOSAL FOR INCORPORATION IN THE CONSTITUTION OF TEXAS

Relating to the right to privacy.

BE IT PROPOSED BY THE CONSTITUTIONAL CONVENTION OF TEXAS:

That the following section be included in the appropriate article:

Section _____. RIGHT TO PRIVACY. The absolute necessity of a right of privacy to the free exercise of rights and liberties is recognized. The State and its political subdivisions shall not pass any law, make any policy, issue any regulations, or spend any public funds in a manner which infringes on a person's right to privacy, except that the State and its political subdivisions may collect, maintain, and disseminate information for legitimate governmental purposes to the extent necessary to achieve those purposes. No private person may infringe on a person's right to privacy.

CONSTITUTIONAL CONVENTION PROPOSAL 230

By Delegate Mauzy:

To Committee on Education.

C.C.P. 230, A PROPOSAL FOR INCORPORATION IN THE CONSTITUTION OF TEXAS

Providing an article on education.

BE IT PROPOSED BY THE CONSTITUTIONAL CONVENTION OF TEXAS:

That Article VII read as follows:

Article VII. EDUCATION

Section 1. EQUITABLE SYSTEM OF PUBLIC EDUCATION.

(a) A general diffusion of knowledge being essential to the preservation of the liberties and rights of the people, the Legislature shall establish and equitably support and maintain an efficient system of public education which provides educational opportunities for each person in this State.

(b) Equality of educational opportunity is guaranteed to each person of the State. No person shall be discriminated against in the educational opportunities provided by public educational institutions, either with respect to services or resources, because of race, religion, color, national origin, sex, individual wealth, or other criteria unrelated to educational needs.

Sec. 2. FREE PUBLIC SCHOOLS.

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(a) The Legislature shall provide for a basic system of free public elementary and secondary schools. No person may be deprived of an elementary and secondary education unless he is unable to benefit from attendance at a public school. No person may be required to pay school fees or tuition, or otherwise be charged for any materials or services incident to public elementary and secondary education.

(b) In providing for the equitable support of the free public schools, the Legislature shall ensure that each student enrolled in a public school has access to programs and services which are appropriate to the student's educational needs and which are substantially equal to those available to any similar student, notwithstanding geographic differences and varying local economic factors.

Sec. 3. STATE BOARD OF EDUCATION. The governance of the free public schools is vested in the State Board of Education whose members shall be elected in the manner prescribed by law.

Sec. 4. SCHOOL AND COMMUNITY COLLEGE DISTRICTS. The Legislature shall provide by general law for the establishing, financing, altering, consolidating, and abolishing of school and community college districts and shall define their duties and functions.

Sec. 5. PROHIBITION OF AID TO NONPUBLIC SCHOOLS. Public funds shall not be used for support of religious or church affiliated schools, nor shall public funds be provided to any students for payment of expenses incurred by attending such schools.

CONSTITUTIONAL CONVENTION PROPOSAL 231

By Delegate Vick:

To Committee on Finance.

C.C.P. 231, A PROPOSAL FOR INCORPORATION IN THE CONSTITUTION OF TEXAS

Relating to the assessment of lands classified for open-space use.

BE IT PROPOSED BY THE CONSTITUTIONAL CONVENTION OF TEXAS:

That the following section be included in Article VIII:

Section _____. ASSESSMENT OF LANDS CLASSIFIED FOR OPEN-SPACE USE. The Legislature, by general law, may classify qualified property as open-space land and provide that all land so qualified and classified be assessed for any tax purposes on the basis of the income producing capacity of the land. The income producing capacity shall be determined on the basis of the use to which the land is put in order to qualify as open-space land.

CONSTITUTIONAL CONVENTION PROPOSAL 232

By Delegates Harris of Galveston, Baker, Sutton, Nichols, Green of Harris, Watson and Denton:

To Committee on the Executive.

C.C.P. 232, A PROPOSAL FOR INCORPORATION IN THE CONSTITUTION OF TEXAS

Relating to the eligibility and installation of the Governor.

BE IT PROPOSED BY THE CONSTITUTIONAL CONVENTION OF TEXAS:

That Section 4 of Article IV read as follows:

Section 4. GOVERNOR'S ELIGIBILITY AND INSTALLATION. (a) The Governor shall be at least thirty years of age, shall be a citizen of the United States, and shall have been a resident of this State at least five years immediately preceding election.

(b) The Legislature shall provide appropriations for a staff and office space for a new Governor-elect prior to inauguration. A new Governor-elect shall be entitled to receive from governmental agencies those reports to which an incumbent Governor is entitled.

(c) The Governor shall be inaugurated on the second Tuesday in January or as soon thereafter as practicable.

CONSTITUTIONAL CONVENTION PROPOSAL 233

By Delegate Doran:

To Committee on Finance.

C.C.P. 233, A PROPOSAL FOR INCORPORATION IN THE CONSTITUTION OF TEXAS

Relating to the imposition of income taxes.

BE IT PROPOSED BY THE CONSTITUTIONAL CONVENTION OF TEXAS:

That Section 4, Article VIII, read as follows:

Section 4. STATE TAXES ON INCOME. (a) No personal income tax may be imposed or increased except on approval of four-fifths of the membership of each house of the Legislature.

(b) Income taxes may be imposed on personal or corporate income or both and may be calculated through graduated rates or other methods, and the law may define income by reference to the laws of the United States as they then exist or as thereafter changed.

CONSTITUTIONAL CONVENTION PROPOSAL 234

By Delegate Nowlin:

To Committee on General Provisions.

C.C.P. 234, A PROPOSAL FOR INCORPORATION IN THE CONSTITUTION OF TEXAS

Relating to the protection of homesteads of persons 65 years of age or over.

BE IT PROPOSED BY THE CONSTITUTIONAL CONVENTION OF TEXAS:

The the following sub-section be included in Article X, Section 12:

(____) The Legislature may by law provide for the protection from forced sale for taxes due on the homesteads of persons

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sixty-five (65) years of age or older.

CONSTITUTIONAL CONVENTION PROPOSAL 235

By Delegates Wilson, Hubenak and Moore:

To Committee on General Provisions.

C.C.P. 235, A PROPOSAL FOR INCORPORATION
IN THE CONSTITUTION OF TEXAS

Relating to separate and community
property of husband and wife.

BE IT PROPOSED BY THE CONSTITUTIONAL
CONVENTION OF TEXAS:

That the section on separate and
community property of husband and wife read
as follows:

Section ____ SEPARATE AND COMMUNITY
PROPERTY OF HUSBAND AND WIFE. (a) All
property owned or claimed by each spouse
before marriage, and that acquired afterward
by gift, devise, or descent, shall be the
separate property of that spouse; within the
principles of that definition, more precise
rules and definitions may be prescribed by
law, and laws may be passed more clearly
defining the rights of each spouse in
relation to separate and community property.

(b) The above definition does not limit
the power of the spouses to enter into
contracts or other transactions between
themselves which affect their property
rights. Subject to restrictions imposed by
law, the spouses may enter into contracts or
other transactions which change community
property into separate property or separate
property into community property. Without
prejudice to the rights of preexisting
creditors, a husband and wife may change
existing community property into separate
property by a gift or sale to either of them,
by a partition between themselves in
severalty or into equal undivided interests,
or by an exchange between themselves of the
community interest of one in any property for
the community interest of the other in other
community property. Without a partition or
exchange, they may, by an express provision
in a document of title, dispositive
instrument, or written agreement, change
community property into property owned by
them as joint tenants with right of
survivorship or create between themselves a
right of survivorship in community property.
Separate property of a spouse may be changed
into community property either by a gift or
by a contract between the spouses.

CONSTITUTIONAL CONVENTION PROPOSAL 236

By Delegates Gammage and Hubenak:

To Committee on General Provisions.

C.C.P. 236, A PROPOSAL FOR INCORPORATION
IN THE CONSTITUTION OF TEXAS

Relating to homesteads.

BE IT PROPOSED BY THE CONSTITUTIONAL
CONVENTION OF TEXAS:

That the section on homesteads read as
follows:

Section ____ HOMESTEAD. (a) The
homestead of a family and of such other
persons as may be designated by law is
protected from forced sale for the payment of
all debts, except for purchase money
therefor, taxes due thereon, and work and
material used in constructing improvements
thereon when the work and material are
contracted for in writing by the owner but,
in the case of married persons, only if both
spouses consent to the contract in the manner
required when a homestead is sold. A
homestead of married persons may be sold only
with the consent of both spouses, except that
when the homestead is the community property
or the separate property of the spouse
desiring to sell, it may be sold as provided
by law without the consent of the other
spouse if the latter is incompetent, has
disappeared, or has abandoned the homestead,
as provided by law. No mortgage, trust deed,
or other lien on a residential homestead
shall be valid except for the purchase money
therefor or for improvements made thereon, as
provided above. Liens may be created on
non-residential homesteads but only in the
manner required for a conveyance thereof.
All pretended sales of the homestead
involving any condition of defeasance shall
be void.

(b) The homestead not in a city, town,
or village shall consist of not more than two
hundred acres of land, which may be in one or
more parcels with the improvements thereon.
Of the two hundred acres, only fifty acres on
which the home is located shall be classified
as residential and the remainder shall be
classified as non-residential. Once
acquired, a homestead not in a city, town, or
village may not lose its status as a rural
homestead without the owner's consent. The
homestead in a city, town, or village shall
consist of land valued at the time of
establishment thereof, and without reference
to the value of any improvements thereon, at
not more than ten thousand dollars or any
larger sum as may be provided by law. A
homestead in a city, town, or village is a
residential homestead if used as a home and
is non-residential if used as a place for the
exercise of the calling or business of the
head of a family or such other person as may
be designated by law. A home remains a
homestead while temporarily rented only so
long as no other homestead is acquired.

(c) The homestead of married persons
shall descend and vest like any other real
property, except that the homestead shall not
be partitioned so long as it is used and
occupied as a home either by the surviving
spouse, or by minor children if the use and
occupancy have been granted by the court.

CONSTITUTIONAL CONVENTION PROPOSAL 237

By Delegate Leland:

To Committee on General Provisions.

C.C.P. 237, A PROPOSAL FOR INCORPORATION
IN THE CONSTITUTION OF TEXAS

Relating to the right to health care.

BE IT PROPOSED BY THE CONSTITUTIONAL

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CONVENTION OF TEXAS:

That the following section be included in the appropriate article:

Section _____. RIGHT TO HEALTH CARE. Every person, regardless of race, sex, color, national origin, sexual orientation, or economic condition, is entitled to adequate, comprehensive health care of high quality.

CONSTITUTIONAL CONVENTION PROPOSAL 238

By Delegate Jones of Taylor:

To Committee on Finance.

C.C.P. 238, A PROPOSAL FOR INCORPORATION IN THE CONSTITUTION OF TEXAS

Relating to a mass transportation fund.

BE IT PROPOSED BY THE CONSTITUTIONAL CONVENTION OF TEXAS:

That Article VIII on finance include the following provision:

Section _____. MASS TRANSPORTATION FUND.

(a) The legislature, by a two-thirds vote of the membership of each house, may authorize the issuance of bonds the receipts from the sale of which shall be deposited in the mass transportation fund to be used by the state, political subdivisions, or transportation authorities solely for the support of mass transportation.

(b) The legislature may not authorize the issuance of, nor may there be issued, bonds in an amount which would require more than one-fourth of the sales and use taxes on motor vehicles, trailers, and semitrailers to be used for debt retirement in any year.

(c) After the issuance of bonds authorized as provided in this section, the comptroller shall set aside from the first money received from the imposition of sales and use taxes on motor vehicles, trailers, and semitrailers a sufficient amount each year to meet the principal and interest requirements on the bonds for that year.

CONSTITUTIONAL CONVENTION PROPOSAL 239

By Delegate Reynolds:

To Committee on Finance.

C.C.P. 239, A PROPOSAL FOR INCORPORATION IN THE CONSTITUTION OF TEXAS

Relating to a dedicated school tax.

BE IT PROPOSED BY THE CONSTITUTIONAL CONVENTION OF TEXAS:

That the following section be included in Article VII:

Section _____. DEDICATED SCHOOL TAX. (a) Except as provided in Subsection (b) and subject to legislative appropriation, allocation, and direction, one-fourth of the revenue from State occupation taxes and one-fourth of the net revenue from the State motor fuel tax are dedicated to the Available School Fund.

(b) That portion of the revenue from

State occupation taxes and of the net revenue from the State motor fuel tax derived from any increase in the respective rates of these taxes over the rates in effect at the time of adoption of this Constitution may be allocated as provided by law.

CONSTITUTIONAL CONVENTION PROPOSAL 240

By Delegate Reynolds:

To Committee on Rights and Suffrage.

C.C.P. 240, A PROPOSAL FOR INCORPORATION IN THE CONSTITUTION OF TEXAS

Relating to amendment of the Constitution by constitutional conventions.

BE IT PROPOSED BY THE CONSTITUTIONAL CONVENTION OF TEXAS:

That Article XI, Section 2, read as follows:

Section 2. CONSTITUTIONAL CONVENTION.

(a) The Legislature by a record vote of two-thirds of the membership of each house may submit to the qualified voters of the State the question of whether to call a constitutional convention. The question shall be submitted at the first general election occurring at least six months after the Legislature proposes the question. A constitutional convention shall be called if approved by a majority of the qualified voters voting on the question.

(b) The Legislature shall, at the next legislative session following approval of a constitutional convention by the qualified voters, provide by law for the time, place, and duration of the convention; fix and provide for the pay, allowances, and expenses of delegates and officers; and provide for the expenses of the convention. The first meeting of the convention shall be within three months after the election of delegates.

(c) The constitutional convention may, by a two-thirds vote of its membership, propose any revision or amendments to the Constitution. The convention shall determine the manner of submission, the date of the election, which shall be not less than two nor more than six months after the convention adjourns, and the manner of publicizing the proposals to be voted on.

(d) Any proposed revision or amendments shall become effective, as the convention provides, if approved by a majority of qualified voters voting on the question.

CONSTITUTIONAL CONVENTION PROPOSAL 241

By Delegate Reynolds:

To Committee on the Judiciary.

C.C.P. 241, A PROPOSAL FOR INCORPORATION IN THE CONSTITUTION OF TEXAS

Providing a Section 8 of Article V relating to selection of justices and judges.

BE IT PROPOSED BY THE CONSTITUTIONAL CONVENTION OF TEXAS:

That Section 8 of Article V read as follows:

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Section 8. SELECTION OF JUSTICES AND JUDGES. (a) When a vacancy occurs in the office of the Chief Justice of Texas, a supreme court justice, or a court of appeals judge, the vacancy shall be filled by the governor with the advice and consent of the Senate. A justice or judge appointed pursuant to this Subsection shall be subject, in the manner provided by law, to approval or rejection on a nonpartisan ballot at the first general election held more than ten months after the appointment is made, and every sixth year thereafter.

(b) If the Supreme Court determines that the Chief Justice is temporarily disabled, it shall designate another justice of the Supreme Court to serve temporarily as acting Chief Justice until the disability ends.

(c) District and county judges shall be elected on a nonpartisan ballot by the qualified voters as provided by law. Judges of the district courts shall serve six-year terms, and judges of the county courts shall serve four-year terms. Vacancies in the office of judge of the district and county courts shall be filled until the next succeeding general election by the Governor with the advice and consent of the Senate.

(d) Justices of the peace shall be elected every four years by the qualified voters of the county or precinct. Vacancies in the office shall be filled by the County Commission for the remainder of the term.

(e) No active justice or judge may engage in the practice of law. If any justice or judge files as a candidate for any elective nonjudicial office, the judicial office shall immediately become vacant.

CONSTITUTIONAL CONVENTION PROPOSAL 242

By Delegate Truan:

To Committee on General Provisions.

C.C.P. 242, A PROPOSAL FOR INCORPORATION IN THE CONSTITUTION OF TEXAS

Relating to adult rights and rights of persons not adults.

BE IT PROPOSED BY THE CONSTITUTIONAL CONVENTION OF TEXAS:

That the following sections be included in Article X:

Section _____. ADULT RIGHTS. A person eighteen years of age or older is an adult for all purposes.

Section _____. RIGHTS OF PERSONS NOT ADULTS. The rights of persons under eighteen years of age shall include, but not be limited to, all the fundamental rights of Article I of this Constitution unless specifically precluded by laws which enhance the protection of or opportunities for such persons.

CONSTITUTIONAL CONVENTION PROPOSAL 243

By Delegates Garcia and Vecchio:

To Committees on Local Government and the Judiciary.

C.C.P. 243, A PROPOSAL FOR INCORPORATION IN THE CONSTITUTION OF TEXAS

Relating to District and County Attorneys.

BE IT PROPOSED BY THE CONSTITUTIONAL CONVENTION OF TEXAS:

That the following sections be included in Article IV, Article IX, and the Transition Schedule respectively:

Section _____. DISTRICT ATTORNEYS

(a) District Attorneys shall represent the State in all criminal suits in the Courts of this State, except:

(1) in the case of disability or disqualification;

(2) upon the finding of good cause by the Supreme Court as provided by law; or

(3) in cases where a county attorney represents the State as provided by law.

(b) District Attorneys shall be elected for four-year terms by the qualified voters in the district and shall have such other qualifications as provided by law.

Section _____. COUNTY OFFICIALS

() A County Attorney shall be elected for each county.

Section _____. COUNTY ATTORNEYS

The office of County Attorney shall be deemed abolished in accordance with this Constitution in all counties without a County Attorney upon the effective date of this Constitution.

CONSTITUTIONAL CONVENTION PROPOSAL 244

By Delegates Vecchio and Garcia:

To Committee on the Legislature.

C.C.P. 244, A PROPOSAL FOR INCORPORATION IN THE CONSTITUTION OF TEXAS

Relating to the election of the President of the Senate.

BE IT PROPOSED BY THE CONSTITUTIONAL CONVENTION OF TEXAS:

That the following section be included in the Legislative Article:

Section _____. At the beginning and end of each session the Senate shall elect from its members a President of the Senate as presiding officer.

CONSTITUTIONAL CONVENTION PROPOSAL 245

By Delegates Sutton and Thompson:

To Committee on Finance.

C.C.P. 245, A PROPOSAL FOR INCORPORATION IN THE CONSTITUTION OF TEXAS

Relating to Property Tax Exemptions.

BE IT PROPOSED BY THE CONSTITUTIONAL CONVENTION OF TEXAS:

That Article VIII, Section 2, read as follows:

Section 2. PROPERTY TAX EXEMPTIONS

(a) There shall be exempt from all ad valorem taxation: (1) The property of the

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State except as provided by law and all other public property used for public purposes; (2) All household goods and personal effects not used for the production of income; and (3) All farm products in the hands of the producer and family supplies for home and farm use.

(b) There shall be exempt from State ad valorem taxation: (1) Three thousand dollars of the assessed value of all residence homesteads; and (2) The property of political subdivisions of the State.

(c) The Legislature by general law may exempt from ad valorem taxation: (1) Property used exclusively for educational or charitable purposes or places of burial not held for profit; (2) Up to three thousand dollars of the assessed value of property owned by a disabled veteran of the armed services of the United States or by the surviving spouse and surviving minor children of a disabled veteran of the armed services of the United States; (3) Up to three thousand dollars of the assessed value of property owned by the surviving spouse or surviving minor children of any member of the armed services of the United States whose life was lost while on active duty; (4) Actual places of religious worship; (5) Any property owned by a church or by a strictly religious society for the exclusive use as a dwelling place for the ministry of such church or religious society if the property yields no revenue to the church or religious society, but such exemption shall not extend to more property than is reasonably necessary for a dwelling place and in no event more than one acre of land; and (6) Any other property validly exempt at the time of adoption of this Constitution.

(d) The governing body of any political subdivision may exempt from ad valorem taxes not less than three thousand dollars of the assessed value of a residence owned and occupied by persons sixty-five years of age or over. If no exemption has been granted, the governing body, upon a petition signed by qualified voters equal in number to at least twenty percent of those voting in the last preceding election held by the political subdivision, shall call an election to determine by majority vote whether to grant such an exemption in the amount, not less than three thousand dollars, specified in the petition.

(e) The Legislature by general law may provide relief from residential ad valorem for persons determined to be in need of such relief because of age, disability, or economic circumstances.

(f) No exemptions from ad valorem taxation shall be granted except as authorized under this Section.

CONSTITUTIONAL CONVENTION PROPOSAL 246

By Delegate Massey:

To Committee on Local Government.

C.C.P. 246, A PROPOSAL FOR INCORPORATION IN THE CONSTITUTION OF TEXAS

Relating to the consolidation of political subdivisions and of offices and

functions of political subdivisions.

BE IT PROPOSED BY THE CONSTITUTIONAL CONVENTION OF TEXAS:

Section 1. That Article IX, Section 1, read as follows:

"Section 1. COUNTIES The counties of the State are those that exist on the date of adoption of this Constitution. The division of counties and the removal of county seats shall be subject to the approval of a two-thirds majority of the qualified voters voting on the question in each county affected."

Sec. 2. That Article IX, Section 7, read as follows:

"Section 7. SPECIAL DISTRICTS AND AUTHORITIES. The Legislature shall provide by general law for establishing, financing, and abolishing special districts and authorities and shall define their powers by general law."

Sec. 3. That Article IX, Section 12, read as follows:

"Section 12. INTERGOVERNMENTAL COOPERATION AND CONSOLIDATION. (a) A political subdivision may, by act of its governing body, cooperate or contract with one or more other political subdivisions, the State, or the United States with respect to the exercise of any function, power, or responsibility, or the use of public funds and credit for public purposes.

"(b) The Legislature by general law may permit the consolidation of counties and other political subdivisions or of offices or functions of counties or other political subdivisions. Any such consolidation must be approved by a majority of the qualified voters voting on the question in each political subdivision affected, and if the consolidation involves a county and one or more cities or towns located in the county, the consolidation must also be approved by a majority of the qualified voters voting on the question who do not reside in any of the cities or towns involved. The Legislature shall provide by general law an equitable method for retiring the indebtedness of political subdivisions that are consolidated with other political subdivisions."

CONSTITUTIONAL CONVENTION PROPOSAL 247

By Delegate Mengden:

To Committee on the Executive.

C.C.P. 247, A PROPOSAL FOR INCORPORATION IN THE CONSTITUTION OF TEXAS

Relating to the duration of state agencies created by statute.

BE IT PROPOSED BY THE CONSTITUTIONAL CONVENTION OF TEXAS:

That the following section be included in the Executive Article:

Section _____. DURATION OF EXECUTIVE AGENCIES. A statute creating an executive or administrative office, agency, or other instrumentality of State government shall expire at the end of ten years.

CONSTITUTIONAL CONVENTION PROPOSAL 248

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By Delegate Mengden:

To Committee on the Legislature.

C.C.P. 248, A PROPOSAL FOR INCORPORATION
IN THE CONSTITUTION OF TEXAS

Relating to conflict of interest.

BE IT PROPOSED BY THE CONSTITUTIONAL
CONVENTION OF TEXAS:

That Article III, Section 10, read as
follows:

Section 10. CONFLICT OF INTEREST. (a) No member may vote for the appointment of another member to any office filled by the Legislature.

(b) During the term for which elected a member shall be ineligible for (1) any civil office of profit under this State which shall have been created during such term, or (2) any office or position the appointment to which may be made, in whole or in part, by either house of the Legislature. The ineligibility shall terminate on the last day in December of the last full calendar year of the term for which the member was elected.

(c) A member privately interested in a bill, resolution, or other matter before the Legislature shall disclose the interest and shall not vote on the bill, resolution, or other matter.

(d) No member may have a pecuniary interest in any contract with the State.

(e) No member shall for compensation other than the emoluments of office appear before or have dealings with an executive or administrative unit of State government; and no member shall directly or indirectly share in any fee paid to any other person for such appearance or dealings.

(f) A continuance shall not be granted in any judicial proceeding solely because a party or attorney is a member of the Legislature.

CONSTITUTIONAL CONVENTION PROPOSAL 249

By Delegate Mengden:

To Committee on Finance.

C.C.P. 249, A PROPOSAL FOR INCORPORATION
IN THE CONSTITUTION OF TEXAS

Relating to taxation on real property.

BE IT PROPOSED BY THE CONSTITUTIONAL
CONVENTION OF TEXAS:

That Article VIII, Section 1, read as
follows:

Section 1. Taxation on real property. (a) All governmental bodies in the State of Texas with authority to tax real property shall revalue all such property within their boundaries every third year, commencing with the year beginning the first day of January following the adoption of this Constitution, but shall not revalue such property more often than herein provided.

Any taxpayers who disagree with the "taxable value" of his or her property as

determined by any governmental body in this State, and litigates such value in any court of this State and prevails over such governmental body shall be compensated for all costs of court and reasonable attorney's fees incurred in such litigation.

(b) "Inventory of property" forms of all governmental bodies in the State of Texas with authority to tax real property shall be uniform as to size, form, and substantive content, and shall include the following information:

(1) Taxable value of land.

(2) Taxable value of improvements, if any.

(3) Total taxable value of land and improvements.

(4) Percentage of actual market value used in determining (1) above.

(5) Percentage of "taxable value of land", (1) above, used in computing and/or assessing any tax.

(6) Such other matters as the Legislature shall provide.

CONSTITUTIONAL CONVENTION PROPOSAL 250

By Delegates Waters, Vecchio, Temple, Mattox, Green of Harris, Garcia, Hall of Harris, Clark, Weddington, Ragsdale, Hernandez, Hudson, Harris of Galveston, Miller, Jones of El Paso, Parker of Jefferson, Leland, Brooks, Pentony, Menefee, McDonald of Dallas, Thompson, Sutton, Baker, Coleman, Hall of Webb, Denson, Grant, Reyes, Watson, Vick, Reynolds, Denton and Bales:

To Committee on the Executive.

C.C.P. 250, A PROPOSAL FOR INCORPORATION
IN THE CONSTITUTION OF TEXAS

Relating to the organization of the
executive branch.

BE IT PROPOSED BY THE CONSTITUTIONAL
CONVENTION OF TEXAS:

(1) That the following sections be
included in the Executive Article:

Section --- ADMINISTRATIVE DEPARTMENTS. All executive and administrative offices, agencies, and instrumentalities of the executive branch (except for the office of Governor and Lieutenant Governor) and their respective functions, powers, and duties, shall be allocated by law among and within not more than twenty principal departments, including departments headed by the Attorney General, Comptroller of Public Accounts, Secretary of State, and Commissioner of the General Land Office, so as to group them as far as practicable according to major purposes. Regulatory, quasi-judicial, and temporary agencies established by law may, but need not, be allocated within a principal department. The Legislature shall by law prescribe the functions, powers, and duties of the principal departments and of all other agencies of the state and may from time to time reallocate offices, agencies, and instrumentalities among the principal departments, may increase, modify, diminish, or change their functions, powers, and duties and may assign new functions, powers, and duties to them; but the Governor may make

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such changes in the allocation of offices, agencies, and instrumentalities among departments, and in the allocation of such functions, powers, and duties, as he considers necessary for efficient administration. If such changes affect existing law, they shall be set forth in executive orders, which shall be submitted to the Legislature while it is in session, and shall become effective, and shall have the force of law, sixty days after submission or sixty days after the Legislature can act as a deliberative body, whichever comes later, unless specifically modified or disapproved by a resolution of either house.

Section _____. APPOINTING POWER. (a) Except for the departments headed by an elective executive officer, all departments of the State shall be under the supervision of the Governor. Except as otherwise provided by law, each department shall be headed by a single executive appointed by the Governor subject to confirmation by the Senate to hold office at the pleasure of the Governor.

(b) The Governor shall appoint, subject to confirmation by the Senate, all officers provided for in this Constitution or by law whose appointment or election is not otherwise provided. They shall hold office at the pleasure of the Governor.

(c) If a vacancy occurs in an appointive office when the Legislature is not in session, the Governor shall appoint a qualified person to discharge the duties until the office is filled by appointment and confirmation.

(d) A person not confirmed by the Senate for an office shall not, except at its request, be nominated again for that office at the same session, or be appointed to that office when the Legislature is not in session.

(2) That the following language be excluded from the Executive Article:

Section 17. ADMINISTRATIVE REORGANIZATION. The Governor may from time to time submit to the Legislature written reorganization plans reassigning functions among or consolidating or abolishing any State governmental agencies. Within sixty days after submission or within sixty days after the Legislature can act as a deliberative body, whichever comes later, either house may reject a plan by resolution. Unless rejected the plan shall become effective by its terms.

Section 25. STATE AGENCIES. (a) The length of the term of members appointed by the Governor to State governmental agencies created by statute and with a life of not less than six years shall be two years, unless the number of appointed members is three or a whole multiple thereof in which case the length of the term shall be six years. Two-year terms shall expire between February 1 and April 1 of odd-numbered years. In the case of agencies with members who serve six-year terms, the terms of the members appointed by the Governor shall be staggered. The terms of one-third of such members shall expire between February 1 and April 1 of odd-numbered years.

(b) At the time of appointing members of multi-member agencies with six-year terms,

the Governor may designate the chairman. If the Governor fails to designate a chairman prior to April 1, the members of an agency shall choose the chairman from among its membership.

CONSTITUTIONAL CONVENTION PROPOSAL 251

By Delegate Hightower:

To Committee on Local Government.

C.C.P. 251, A PROPOSAL FOR INCORPORATION IN THE CONSTITUTION OF TEXAS

Relating to local redistricting.

BE IT PROPOSED BY THE CONSTITUTIONAL CONVENTION OF TEXAS:

That Article IX, Section 10, read as follows:

Section 10. LOCAL REDISTRICTING. Within the calendar year following that in which each federal decennial census is published, and at such other times as the governing body of any political subdivision may deem necessary, each governing body not entirely elected at large shall divide its geographical area into districts for the election of those representatives to the governing body not elected at large. The districts shall be composed of contiguous territory and shall be as compact and as nearly equal in population as practicable, except for those special districts primarily concerned with the development, regulation, or management of natural resources where the boundaries of the districts are delineated on the basis of the natural resource being developed, regulated, or managed. Those districts shall be subdivided in such a manner as to give representation on the governing body as may be provided by law.

CONSTITUTIONAL CONVENTION PROPOSAL 252

By Delegate Baker:

To Committee on the Judiciary.

C.C.P. 252, A PROPOSAL FOR INCORPORATION IN THE CONSTITUTION OF TEXAS

Relating to the Judicial Branch.

BE IT PROPOSED BY THE CONSTITUTIONAL CONVENTION OF TEXAS:

That the following be substituted for Article V:

Section 1. The judicial power of the State shall be vested in a Supreme Court, and in such other courts as may be provided by law.

Sec. 2. The Legislature shall provide for Criminal District Attorneys and County Attorneys and shall prescribe the jurisdiction and organization of the various courts.

CONSTITUTIONAL CONVENTION PROPOSAL 253

By Delegate Baker:

To Committee on the Legislature.

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C.C.P. 253, A PROPOSAL FOR INCORPORATION
IN THE CONSTITUTION OF TEXAS

Proposing an article on the Legislature.

BE IT PROPOSED BY THE CONSTITUTIONAL
CONVENTION OF TEXAS:

That the article on the Legislature read
as follows:

ARTICLE III. THE LEGISLATURE.

Section 1. LEGISLATIVE POWER. The
legislative power of the State of Texas shall
be vested in one house which shall be styled
"The Legislature of the State of Texas."

Section 2. COMPOSITION. The
Legislature of the State of Texas shall
consist of not more than one hundred fifty
members.

Section 3. QUALIFICATION OF MEMBERS.
(a) A person shall be eligible for election
to the Legislature if a citizen of the United
States, a qualified voter, twenty-one years
of age or older, and a resident of this State
for one year and of the district for six
months immediately preceding the election.

(b) In the general election following a
redistricting, a person shall be eligible to
be elected to the Legislature from any new
district that contains a part of the district
in which that person was eligible for
election on the effective date of the
redistricting, but only if within thirty days
after the date of filing as a candidate in
the primary election that person becomes a
resident of the new district.

(c) A member of the Legislature may not
hold any other office or position of profit
or trust under this State, the United States,
or any foreign government, except as a member
of the armed forces reserves of the United
States, or as a retired member of the armed
forces of the United States, or the National
Guard, or the National Guard Reserve, or as a
notary public.

Section 4. ELECTION AND TERMS OF
MEMBERS. (a) Members of the Legislature
shall be elected at a general election.

(b) Each member of the Legislature
shall serve a term of four years beginning on
the date provided in this Constitution or by
law for convening the Legislature in regular
session.

(c) Vacancies in the Legislature shall
be filled by special election as provided by
law.

Section 5. REDISTRICTING. (a) Before
August 15 following publication of each
federal decennial census, the Legislature
shall divide the State into equal
single-member legislative districts.

(b) All legislative districts shall
contain as nearly as practicable an equal
number of inhabitants. All districts shall
be composed of compact and contiguous
territory.

(c) A county entitled to more than one
member of the Legislature shall be divided
into the required number of districts.
Population in excess of that required for
complete districts within the county, or the
population of a county insufficient to
comprise a district, shall be joined with
population of another county or counties to
form one district.

(d) Legislative districts shall not
divide counties unless necessary to prevent a
significant population variance between
districts.

(e) A Legislative Redistricting Board
shall be constituted within twenty days after
August 15. The board shall consist of the
Governor, Lieutenant Governor, Chairman of
the Legislature, Attorney General, and five
members appointed by the Governor. The
appointed members shall be from different
geographical regions of the State, and due
regard shall be given to the division between
urban and rural areas. No appointed member
shall be a public officeholder, and not more
than three shall be from the same political
party. The Legislature shall provide funds
for the board's clerical, technical, and
other expenses.

(f) If the Legislature fails to
redistrict by August 15 or if its
redistricting plan is declared invalid, the
State shall be redistricted by the board. In
the event of failure to redistrict, the board
shall convene as soon as practicable after it
is constituted. In the event the legislative
redistricting plan is declared invalid, the
board shall convene as soon thereafter as is
practicable. The board shall make and file
its redistricting plan with the Secretary of
State within twenty-five days after its first
meeting.

(g) If the board fails to complete its
redistricting in accordance with the
requirements of this Section, the Supreme
Court of Texas shall have original
jurisdiction to compel the board to perform
its duties and may provide such remedies and
penalties as may be appropriate.

(h) The board shall be dissolved
immediately following the first general
election held in accordance with a valid
redistricting plan.

Section 6. COMPENSATION. Each member
of the Legislature shall receive compensation
and allowances as provided by law, not to
exceed the amount recommended by the salary
commission. Any increase in compensation
shall become effective only at the first
regular session following the next general
election.

Section 7. SESSIONS. (a) The
Legislature shall meet at least once every
two years and at such times and for such
duration as provided by law.

(b) All legislative proceedings shall
be open to the public.

(c) The Legislature shall meet at the
seat of government unless otherwise provided
by law.

Section 8. ORGANIZATION AND PROCEDURE.
(a) The Legislature shall be the judge of
the qualifications and election of its own
members, but contested elections shall be
determined as provided by law.

(b) The Legislature by majority vote of
the membership shall adopt rules of
procedure. Rules, once adopted, shall remain
in effect until amended, repealed, or
otherwise changed by the same or succeeding
Legislatures.

(c) When first assembled the
Legislature shall organize and elect a
chairman from its members.

(d) All elections held by the
Legislature shall be by individual voice
votes to be recorded in the journal.

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(e) Two-thirds of the membership of the Legislature shall constitute a quorum for transacting business, but fewer members may recess or adjourn from day to day and compel the attendance of absent members.

(f) The Legislature shall prepare and publish a journal of its proceedings. At the request of any three members present, the votes on any question shall be recorded in the journal.

(g) The Legislature may punish a member for disorderly conduct or for cause deemed sufficient by that body and may expel a member by two-thirds vote of its membership, but not a second time for the same offense.

Section 9. LEGISLATIVE IMMUNITY. No member shall be questioned in any other place for speech or debate during a legislative proceeding.

Section 10. CONFLICT OF INTEREST. (a) No member may vote for the appointment of another member to any office filled by the Legislature.

(b) During the term for which elected, a member shall be ineligible for (1) any civil office of profit under this State which shall have been created, or the emoluments of which may have been increased, during such term, or (2) any office or position the appointment to which may be made by the Legislature. The ineligibility shall terminate on the last day in December of the last full calendar year of the term for which the member was elected.

(c) A member privately interested in a bill, resolution, or other matter before the Legislature shall disclose the interest and shall not vote on the bill, resolution, or other matter.

(d) No member may have a pecuniary interest in any contract with the State.

(e) No member shall for compensation other than the emoluments of office appear before or have dealings with an executive or administrative unit of State government; and no member shall directly or indirectly share in any fee paid to any other person for such appearance or dealings.

Section 11. BILLS. (a) The Legislature shall enact no law except by bill.

(b) Every bill shall be limited to a single subject, which shall be expressed in its title. A general appropriation bill shall be limited to the subject of appropriations. A statutory revision bill shall be limited to that subject.

(c) A bill, amendatory in form, shall set out the complete section, as amended, of the statute it amends.

(d) Before the Legislature considers a bill it must have been referred to a committee and reported at least five days before adjournment of the session.

(e) Before a bill becomes law it must be read on three separate days. The Legislature by four-fifths record vote of the members present and voting may suspend this requirement.

(f) If a bill or resolution is defeated by a vote of the Legislature, no bill or resolution containing the same substance shall be passed during the same session.

(g) The chairman shall in the presence of the Legislature certify the final passage

of each bill or resolution. The fact of certification shall be recorded in the journal.

(h) No law except the General Appropriation Act and redistricting acts shall take effect until ninety days after it becomes a law or ninety days after adjournment of the session at which it was enacted, whichever is earlier. The Legislature, by three-fourths record vote of the membership, may authorize an earlier effective date.

Section 12. LOCAL OR SPECIAL LEGISLATION. The Legislature may not enact a local or special law if a general law is or can be made applicable. Whether a general law is or can be made applicable shall be a matter for judicial determination.

Section 13. IMPEACHMENT. (a) The Legislature shall have the sole power to conduct legislative investigations to determine the existence of cause for impeachment and, by the record vote of two-thirds of its membership, to impeach executive officers and justices of the Supreme Court.

(b) Any officer against whom articles of impeachment have been preferred shall be suspended from the exercise of the duties of the office during the pendency of the impeachment. The Governor may make a temporary appointment to fill the vacancy occasioned by the suspension of the officer until the decision on the impeachment.

(c) Impeachments shall be tried by the Legislature. When sitting for that purpose, members of the Legislature shall affirm or take an oath to try impartially the party impeached. If the Governor or Lieutenant Governor is tried, the Chief Justice of the Supreme Court shall preside. A person may be convicted of impeachment charges only by a record vote of two-thirds of the membership of the Legislature.

(d) A judgment of conviction by the Legislature shall not extend beyond removal from office and disqualification to hold any office of honor, trust, or profit of this State. An impeached person, whether convicted or acquitted, shall be amenable to prosecution, trial, judgment, and punishment according to law.

Section 14. ADVICE AND CONSENT OF THE LEGISLATURE. Two-thirds of the members present and voting shall constitute consent to any appointment which this Constitution requires to be with the advice and consent of the Legislature. The Legislature may provide by law for interim appointments made when the Legislature is not in session.

CONSTITUTIONAL CONVENTION PROPOSAL 254

By Delegate Coleman:

To Committee on the Legislature.

C.C.P. 254, A PROPOSAL FOR INCORPORATION IN THE CONSTITUTION OF TEXAS

Relating to special sessions of the Legislature.

BE IT PROPOSED BY THE CONSTITUTIONAL CONVENTION OF TEXAS:

That the following section be included

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in Article III:

Section _____. SPECIAL SESSIONS. The Legislature may be convened in special session on the written request of a majority of the membership of each house of the Legislature.

CONSTITUTIONAL CONVENTION PROPOSAL 255

By Delegates Thompson and Sutton:

To Committee on Rights and Suffrage.

C.C.P. 255, A PROPOSAL FOR INCORPORATION
IN THE CONSTITUTION OF TEXAS

Relating to Elections.

BE IT PROPOSED BY THE CONSTITUTIONAL
CONVENTION OF TEXAS:

That the following section be included
in Article VI:

Section _____. ELECTIONS. (a) All elections by the qualified voters shall be by secret ballot. The ballot shall contain no number, signature, or other marking which may serve to identify how a voter cast the ballot. The Legislature by law shall provide the requirements for residence, registration, absentee voting, and administration of elections.

(b) To ensure the purity of elections and guard against abuses of the electoral process, the Legislature shall enact laws including, but not limited to, the limitation of amounts of money which can be expended to aid or defeat candidates for election to public office created by this constitution, by state statute, or political subdivisions of the state, candidates for nominations made by public election to such offices, and measures decided by elections.

CONSTITUTIONAL CONVENTION PROPOSAL 256

By Delegate Sutton:

To Committee on the Executive.

C.C.P. 256, A PROPOSAL FOR INCORPORATION
IN THE CONSTITUTION OF TEXAS

Relating to State agencies.

BE IT PROPOSED BY THE CONSTITUTIONAL
CONVENTION OF TEXAS:

That the following section be included
in Article IV:

Section _____. STATE AGENCIES. (a) State governmental agencies created by statute shall have a life of no more than two years unless renewed for another two years by the Legislature. The period of life for agencies created by statute shall commence on September 1 of odd-numbered years and shall end on August 31 of the first odd-numbered year following an agency's creation or renewal.

(b) The length of the term of members appointed by the Governor to State governmental agencies created by statute shall be two years, unless the number of appointed members is three or a whole

multiple thereof in which case the length of the term shall be six years. Two-year terms shall expire between February 1 and April 1 of odd-numbered years. In the case of agencies with members who serve six-year terms, the terms of the members appointed by the Governor shall be staggered. The terms of one-third of such members shall expire between February 1 and April 1 of odd-numbered years.

(c) At the time of appointing members of multi-member agencies with six-year terms, the Governor may designate the chairman. If the Governor fails to designate a chairman prior to April 1, the members of an agency shall choose the chairman from among its membership.

CONSTITUTIONAL CONVENTION PROPOSAL 257

By Delegate Patman:

To Committee on General Provisions.

C.C.P. 257, A PROPOSAL FOR INCORPORATION
IN THE CONSTITUTION OF TEXAS

Providing that the Legislature may define interest, fix maximum rates of interest, may define usury, and may specify the rate of interest in the absence of contract.

BE IT PROPOSED BY THE CONSTITUTIONAL
CONVENTION OF TEXAS:

That the following section be included
in Article III:

Section _____. AUTHORITY OF THE LEGISLATURE TO DEFINE INTEREST AND FIX THE MAXIMUM RATES OF INTEREST; USURY; RATE OF INTEREST IN ABSENCE OF CONTRACT.

The Legislature shall have the authority to classify loans and lenders, license and regulate lenders, define interest and fix maximum rates of interest.

In the absence of legislation fixing maximum rates of interest, all contracts for a greater rate of interest than ten per centum (10%) per annum shall be deemed usurious.

In contracts where no rate of interest is agreed upon, the rate shall not exceed six per centum (6%) per annum.

CONSTITUTIONAL CONVENTION PROPOSAL 258

By Delegate Evans:

To Committee on Finance.

C.C.P. 258, A PROPOSAL FOR INCORPORATION
IN THE CONSTITUTION OF TEXAS

Relating to taxation and Section 1 of
Article VIII.

BE IT PROPOSED BY THE CONSTITUTIONAL
CONVENTION OF TEXAS:

That Section 1, Article VIII, read as
follows:

Section 1. TAXATION. Taxes shall be levied and collected by general law; provided and except, however, no State ad valorem taxes shall be levied upon any property within this State for State purposes.

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CONSTITUTIONAL CONVENTION PROPOSAL 259

By Delegates Poerner, Sutton, Garcia, Sage, Wolff, Hernandez, Traeger, Truan, Madla, Schwartz, Lombardino, Menefee, Simmons, Nowlin, Thompson, Kothmann, McAlister and Bird:

To Committee on Finance.

C.C.P. 259, A PROPOSAL FOR INCORPORATION IN THE CONSTITUTION OF TEXAS

Relating to the preservation and conservation of cultural, historical, and natural history resources, and authorizing the legislature to grant tax incentives for such resources.

BE IT PROPOSED BY THE CONSTITUTIONAL CONVENTION OF TEXAS:

That Article VIII on finance include the following provision:

Section _____. HISTORICAL PRESERVATION. The Legislature by general law shall provide for the preservation and conservation of cultural, historical, and natural history resources of the State, and may grant, or authorize political subdivisions to grant, tax incentives for such resources, including, but not limited to, exemptions, credits, reductions, refunds, and valuation adjustments.

CONSTITUTIONAL CONVENTION PROPOSAL 260

By Delegate Lombardino:

To Committee on General Provisions.

C.C.P. 260, A PROPOSAL FOR INCORPORATION IN THE CONSTITUTION OF TEXAS

Relating to women's right.

BE IT PROPOSED BY THE CONSTITUTION CONVENTION OF TEXAS:

The provisions of this Constitution shall not be construed to impair any rights, benefits, or exemptions conferred by law upon any persons.

CONSTITUTIONAL CONVENTION PROPOSAL 261

By Delegate Bock:

To Committee on Local Government.

C.C.P. 261, A PROPOSAL FOR INCORPORATION IN THE CONSTITUTION OF TEXAS

Relating to Special Districts and Authorities.

BE IT PROPOSED BY THE CONSTITUTIONAL CONVENTION OF TEXAS:

That Article IX, Section 7, read as follows:

"Section 7. Special Districts and Authorities.

The Legislature may provide by general law for establishing, financing,

consolidating and abolishing special districts and authorities and may define their powers by general law. The Legislature shall determine the need for the special districts and authorities, giving appropriate consideration to those services provided by existing special districts and authorities."

CONSTITUTIONAL CONVENTION PROPOSAL 262

By Delegate Bock:

To Committee on the Executive.

C.C.P. 262, A PROPOSAL FOR INCORPORATION IN THE CONSTITUTION OF TEXAS

Relating to the Executive Branch.

BE IT PROPOSED BY THE CONSTITUTIONAL CONVENTION OF TEXAS:

That Article IV, Section 5, gubernatorial Succession, be amended to read as follows:

Section 5. Gubernatorial Succession.

(a) If before inauguration the person elected Governor fails to qualify, is disabled, or dies, the person elected Lieutenant Governor shall be inaugurated and shall serve as Governor until the person elected Governor at the next general election assumes office for the remainder of the term.

(b) If, after inauguration, the Governor dies, resigns, becomes disabled, or is removed from office, the Lieutenant Governor shall become Governor and shall serve for the remainder of the term unless the vacancy occurs within sixteen months after inauguration, in which event the Lieutenant Governor shall serve only until the person elected Governor at the next general election assumes office for the remainder of the term.

(c) If, after a vacancy occurs in the office of Governor and the Lieutenant Governor becomes Governor and thereafter dies, resigns, becomes disabled, or is removed from office, the President Pro Tempore of the Senate, if qualified, shall become Governor under the same conditions and for the same term as provided for the Lieutenant Governor.

(d) If the Governor is absent from the Senate, the Lieutenant Governor shall act as Governor until the Governor returns. If both the Governor and Lieutenant Governor are absent from the State, the President Pro Tempore of the Senate shall act as Governor during such absences.

(e) while serving or acting as Governor, the Lieutenant Governor or President Pro Tempore of the Senate shall receive only the compensation payable to a Governor.

(f) The Legislature may provide by law for further succession to the office of Governor. No person shall serve as Governor unless qualified for that office.

CONSTITUTIONAL CONVENTION PROPOSAL 263

By Delegate Bock:

To Committees on the Legislature and the Executive.

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C.C.P. 263, A PROPOSAL FOR INCORPORATION
IN THE CONSTITUTION OF TEXAS

Relating to the Legislature.

BE IT PROPOSED BY THE CONSTITUTIONAL
CONVENTION OF TEXAS:

That Article III, Section 14, Advice and
Consent of the Senate, be amended to read as
follows:

"Section 14. Advice and Consent of the
Senate.

(a) Two-thirds of the members present
and voting shall constitute consent to any
appointment which this Constitution requires
to be with the advice and consent of the
Senate. The Legislature may provide by law
for interim appointments made when the Senate
is not in session.

(b) Upon written request by the
Governor to re-examine an appointment
previously confirmed with the advice and
consent of the Senate, four-fifths of the
Senate members shall constitute consent to
vacate the office for which appointment has
been previously made, and re-examine such
appointment.

(c) Within 72 hours of such vacation of
office, the Governor may submit a name for
appointment to the particular post declared
vacated as in subsection (b), in which case
the procedures in subsection (a) shall
prevail.

CONSTITUTIONAL CONVENTION PROPOSAL 264

By Delegate Bock:

To Committees on Local Government and
Submission and Transition.

C.C.P. 264, A PROPOSAL FOR INCORPORATION
IN THE CONSTITUTION OF TEXAS

Relating to Transition Schedule.

BE IT PROPOSED BY THE CONSTITUTIONAL
CONVENTION OF TEXAS:

That Section 4 of the Transition
Schedule be amended to read as follows:

"Section 4. Continuation of Grants of
Powers to Counties and Districts.

The powers directly granted by the
following designated provisions of the
Constitution of 1876, as amended, are
continued in force and effect until the
effective date of a general law that
continues the power or by its terms
diminishes or discontinues the powers.

(a) Subsection (c) of Section 52 of
Article III;

(b) Section 52d of Article III;

(c) That Section 52e of Article III
that was added in 1967;

(d) That Section 52e of Article III
that was added in 1968;

(e) Section 6b of Article VII; and

(f) Section 59 of Article XVI."

CONSTITUTIONAL CONVENTION PROPOSAL 265

By Delegate Bock:

To Committee on General Provisions.

C.C.P. 265, A PROPOSAL FOR INCORPORATION
IN THE CONSTITUTION OF TEXAS

Relating to Appointment to State
Agencies.

BE IT PROPOSED BY THE CONSTITUTIONAL
CONVENTION OF TEXAS:

That Article X, Section 8, read as
follows:

"Section 8. Appointment to State
Agencies.

The authority responsible for appointing
the members of filling vacancies for
governmental agencies which exercise
authority throughout the State, shall
consider appointments that fairly and
equitably represent the sexes, ethnic groups,
economic groups, and geographical regions of
the State."

CONSTITUTIONAL CONVENTION PROPOSAL 266

By Delegate Bock:

To Committee on the Executive.

C.C.P. 266, A PROPOSAL FOR INCORPORATION
IN THE CONSTITUTION OF TEXAS

Relating to the Executive Branch.

BE IT PROPOSED BY THE CONSTITUTIONAL
CONVENTION OF TEXAS:

That Article IV, Section 13, Action on
Bills and Resolutions, should be amended to
read as follows:

"Section 13. Action on Bills and
Resolutions.

(a) Every bill that passes both houses
of the Legislature shall be presented to the
Governor. The Governor may approve the bill
by signing it, in which event it shall become
law and shall be filed with the Secretary of
State. The Governor may veto the bill by
returning it with objections to the house in
which it originated. That house shall enter
the objections in its journal and reconsider
the bill for passage over the veto. If the
bill passes that house by a two-thirds record
vote of the membership, it shall be sent with
the Governor's objections to the other house,
which shall enter the objections in its
journal and reconsider the bill for passage
over the veto. If the bill likewise passes
that house by a two-thirds record vote of the
membership, the bill shall become a law and
shall be filed with the Secretary of State.
If the Governor fails to veto a bill within
ten days (Sundays excepted) after it is
presented, the bill shall become a law and
shall be filed with the Secretary of State.
If the Legislature by adjournment prevents a
veto, the bill shall become a law and shall
be filed with the Secretary of State unless,
within twenty days after adjournment, the
Governor files the bill and objections with
the Secretary of State and gives public
notice thereof by proclamation. If the same
Legislature meets again, the Secretary of
State shall return the bill with the
Governor's objections to the house in which
the bill originated for reconsideration in

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the manner provided above.

(b) The Governor may veto any item of appropriation in a bill, except that no item consisting of an appropriation for the salary of a single office or position may be vetoed. Portions of a bill not vetoed shall become law. Items vetoed, together with the Governor's objections, shall be returned to the house in which the bill originated for reconsideration in the manner provided in subsection (a).

(c) All orders and resolutions requiring the concurrence of both houses of the Legislature, except those concerning adjournment and legislative rules and those proposing amendments to the Constitution or a referendum on incurring State debt, shall be presented to the Governor. If the Governor disapproves an order or resolution, it shall not become effective unless repassed in the manner provided for in subsection (a).

CONSTITUTIONAL CONVENTION PROPOSAL 267

By Delegate Bock:

To Committee on the Legislature.

C.C.P. 267, A PROPOSAL FOR INCORPORATION IN THE CONSTITUTION OF TEXAS

Relating to the Legislature.

BE IT PROPOSED BY THE CONSTITUTIONAL
CONVENTION OF TEXAS:

That Article III relating to The
Legislature be amended to read as follows:

"ARTICLE III. THE LEGISLATURE

"PART A. COMPOSITION AND MEMBERSHIP

"Section 3.01. Legislative Power.

The legislative power of the State is
vested in the Legislature.

"Section 3.02. Composition.

(a) The Legislature consists of a
Senate and a House of Representatives,
together styled "The Legislature of the State
of Texas".

(b) The Senate is composed of 31
members, the House of Representatives - 150
members, unless provided otherwise by law.

"Section 3.03. Qualifications of Members.

(a) An individual is eligible for
election to the Senate if he is a qualified
voter, is 26 or older, and has resided in
this State for five years, and in his
senatorial district for one year, next
preceding his election.

(b) An individual is eligible for
election to the House if he is a qualified
voter, is 21 or older, and has resided in
this State for two years, and in his
representative district for one year, next
preceding his election.

(c) An individual holding or exercising
an office of profit or trust under this
State, the United States, or a foreign
government is not eligible for election to
the Legislature during the term for which he
was elected or appointed to that office.

(d) An individual who is now or has
been a tax collector or otherwise entrusted
with public money is not eligible for
election to the Legislature until he obtains

a discharge for the taxes collected or other
public money entrusted.

"Section 3.04. Election and Terms of Members.

(a) Senators and representatives are
elected at a general election.

(b) Senators serve four years following
their election, beginning on the date
prescribed by law for convening the
Legislature in regular session. The
qualified voters shall elect a new Senate
after every senatorial apportionment, with
the new senators deciding by lot which 16
will serve four-year terms and which 15 will
serve two-year terms. Senators elected at
the second and subsequent elections after an
apportionment serve their full four-year
terms.

(c) Representatives serve two years
following their election, beginning on the
date prescribed by law for convening the
Legislature in regular session.

(d) Vacancies in the Senate and House
are filled by special election. When a
vacancy occurs, the Governor shall issue a
writ of election to the election officer of
the vacant district ordering a special
election. If the Governor does not issue the
writ within 20 days after the vacancy occurs,
the election officer shall order the special
election.

"Section 3.05. Apportionment.

(a) At its regular session following
each decennial census, the Legislature shall
apportion the State into senatorial and
representative districts in accordance with
the requirements of subsections (b)-(d).

(b) Senatorial districts shall be
single member, as nearly of equal population
as practicable, and shall contain the number
of persons obtained by dividing 31 into the
total population of the State as determined
by the most recent final officially published
decennial Federal census.

(c) Representative districts shall be
apportioned among the counties of the State,
shall be (single member) as nearly of equal
population as practicable, and shall contain
the number of persons obtained by dividing
150 into the total population of the State as
determined by the most recent final
officially published decennial Federal
census. A county whose population entitles
it to a representative constitutes a separate
district. A county whose population is
smaller than that required for a
representative shall be joined in whole or
part to another county or counties to achieve
a population total entitled to a
representative. The portion of a county's
population insufficient for entitlement to a
representative, and not included in another
district, shall be joined to another county
to achieve a population total entitled to a
representative.

(d) Each senatorial and representative
district shall consist of contiguous
territory.

(e) If the Legislature does not
apportion the State when and in the manner
required by subsection (a), the Legislative
Redistricting Board shall do so. The Board
consists of the Lieutenant Governor, Speaker
of the House, Attorney General, Comptroller
of Public Accounts, and Commissioner of the
General Land Office; any three of these
members constitute a quorum of the Board.

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The Legislature shall provide funds for the Board's clerical, technical and other expenses, and the Lieutenant Governor and Speaker are entitled to receive the per diem and travel allowances provided in Section 3.06 while serving on the Board. The Board shall convene in Austin within 90 days after adjournment of the regular session at which the Legislature failed to apportion itself. The Board shall complete its apportionment within 60 days after convening, and the written apportionment, when filed with the Secretary of State, governs succeeding general elections. The Texas Supreme Court has jurisdiction to compel the Board to comply with this subsection by extraordinary writ.

"Section 3.06. Compensation and Expenses.

(a) Each senator and representative is entitled to salary at an annual rate not exceeding \$4,800.00.

(b) Each senator and representative is entitled to a per diem as provided by law for each session of the Legislature.

(c) Each senator and representative is entitled to an allowance not exceeding 12¢ a mile for traveling to and from the seat of government, except for travel to attend a special session called within one day after adjournment of any regular or special session. The travel allowance is computed from a table of distances prepared by the Comptroller of Public Accounts to reflect the most direct travel route between the seat of government and the county seat of the county where the senator or representative resides.

"PART B. MEETINGS

"Section 3.21. Sessions.

(a) The Legislature meets at least once every two years in regular session, and at such times and duration as provided by law, convening on a date fixed by law.

(b) The Governor may convene the Legislature in special session not to exceed 30 days. The Legislature in special session may legislate only on subjects submitted by the Governor, unless four-fifths of the members of both houses consent to the introduction of other bills or resolutions.

(c) The Legislature meets in Austin unless the Governor designates a different meeting place in time of emergency or disaster, or unless otherwise provided by law.

(d) All sessions of each house are open to the public.

(e) Neither house, without the other's consent, may adjourn or recess for more than three days.

"Section 3.22. Procedure and Organization.

(a) Each house is the judge of the qualifications and election of its own members, but contested elections are determined as provided by law.

(b) Each house may determine the rules of its own proceedings, and by secret vote elect its own officers.

(c) The Lieutenant Governor is president of the Senate; while so serving he is entitled to the same compensation, per diem, and travel allowance of a senator. While serving as president, he is entitled to debate and vote on matters before the Senate

when convened in committee of the whole, and at other times to cast the deciding vote when the Senate is equally divided. At the beginning and end of each regular session, the Senate shall elect from its members a president pro tempore, who shall perform the duties of president when the Lieutenant Governor is absent, disabled, or his office is vacant.

(d) When it first assembles, the House shall organize temporarily and elect a Speaker.

(e) Each house may punish a member for disorderly conduct. It may expel or impeach a member, with consent of two-thirds of the membership, (but not a second time for the same offense) under such standards as provided by general law. It may imprison a non-member during a session, for not more than 48 hours, for disrespectful or disorderly conduct in its presence, or for obstruction of its proceedings.

"Section 3.23. Transaction of Business.

(a) Two-thirds of the membership of each house constitute a quorum for transacting business, but fewer members may recess from day to day and compel the attendance of absent members.

(b) Each house shall prepare and publish a journal of its proceedings. At the request of any five members present in the House and any three members present in the Senate, the votes on any questions shall be recorded in the journal of the house in which the vote was taken.

(c) Each house may determine its order of business by four-fifths vote of its membership.

"Section 3.24. Legislative Immunity.

(a) A member may not be questioned in any other place for speech or debate during a legislative proceeding.

(b) A member is privileged from arrest, except for treason, felony, or breach of the peace, while attending a session of the Legislature and while traveling to the from its meeting place for that purpose.

"Section 3.25. Conflict of Interest.

(a) A member may not vote for the appointment of another member to any office filled by the Legislature.

(b) During his elected term, a member is not eligible to hold (1) a civil office of profit under this State if the office was created or its compensation increased during his term; or (2) an office or position the appointment to which is made or confirmed by either house. For purposes of this subsection, a member's term expire on December 31 of the last full calendar year of his term.

(c) A member may not hold or exercise another office or position of profit under this State or the United States, except that of Notary Public or reserve (including National Guard), or retired member of the armed forces of the United States.

(d) A member privately interested in a bill, resolution, or other matter before the Legislature shall disclose his interest to the house of which he is a member and not vote on the bill, resolution, or other matter, as provided and defined by general laws.

(e) A member may not have a pecuniary interest in a contract with the State that was authorized by law enacted during the term

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for which he was elected, as provided and defined by general law.

"PART C. LEGISLATIVE PROCESS

"Section 3.31. Bills.

(a) The Legislature shall not enact a law except by bill, and every law shall contain the following enacting clause: "Be it enacted by the Legislature of the State of Texas".

(b) Every bill shall be limited to a single subject, which must be expressed in its title, and a subject not expressed in the bill's title does not become law. A general appropriation bill is limited to the subject of appropriations; a statutory revision bill is limited to that subject.

(c) A bill amendatory in form shall set out the complete sentence or sentences, as amended, of the statute it amends.

(d) If a bill or resolution is defeated on final vote by either house, no bill or resolution containing the same substance may become law during the same session.

"Section 3.32. Local or Special Legislation.

Except as otherwise authorized by this Constitution, the Legislature may not enact a local or special law if a general law is or can be made applicable. Whether a general law is or can be made applicable is a question for legislative determination.

"Section 3.33. Consideration.

(a) Before a house considers a bill it must have been referred to a committee of either house.

(b) Before a bill becomes law, it must be read on three separate days in each house and free discussion of it allowed. Either house, by four-fifths record vote of the members present, may suspend this requirement in case of imperative public necessity, which necessity must be stated in the bill.

(c) Before a bill becomes law, it must have been reported by a committee of either house at least three days before the Legislature adjourns.

"Section 3.34. Passage.

(a) The presiding officer of each house shall certify the final passage of each bill and joint resolution, in the presence of the house over which he presides, after the title of the bill or joint resolution is publicly read. The fact of certification shall be recorded in the journal.

(b) No law except the general appropriation act takes effect earlier than 90 days after adjournment of the session at which it was enacted. The Legislature, by two-thirds record vote of the membership of each house, may authorize an earlier effective date in case of imperative public necessity, which necessity must be stated in the law.

"PART D. IMPEACHMENT

"Section 3.41. Impeachment by House.

(a) The House of Representatives shall have the sole power to conduct legislative investigation to determine the existence of cause for impeachment and, by record vote of two-thirds of its membership, to impeach executive officers, members of State agencies, members of the Legislature, and Justices of the Supreme Court, as may be provided by law.

(b) An officer against whom articles of

impeachment have been preferred shall be suspended from the exercise of the duties of the office during the pendency of the impeachment. The Governor may make a temporary appointment to fill the vacancy occasioned by the suspension of the officer until the decision on the impeachment.

(c) Impeachments shall be tried by the Senate. When sitting for that purpose, Senators shall affirm or take an oath to try impartially the party impeached. If the Governor or Lieutenant Governor is tried, the Chief Justice of the Supreme Court shall preside. A person may be convicted of impeachment charges only by record vote of two-thirds of the membership of the Senate.

(d) A judgment of conviction by the Senate shall not extend beyond removal from office and disqualification to hold any office of honor, trust or profit of this State. An impeached person, whether convicted or acquitted, shall be amenable to prosecution, trial, judgment and punishment according to law.

"Section 3.42. Advice and Consent of the Senate.

(a) Two-thirds of the members present and voting shall constitute consent to any appointment which this Constitution requires to be with the advice and consent of the Senate. The Legislature may provide by law for interim appointments made when the Senate is not in session.

(b) Four-fifths of the Senate members shall constitute consent to vacate the office for which appointment has been previously made, and re-examine such appointment.

(c) Within 72 hours of such vote, the Governor may submit a name for appointment to the particular post declared vacated as in subsection (b), in which case the procedures in subsection (a) shall prevail.

CONSTITUTIONAL CONVENTION PROPOSAL 268

By Delegate Lee:

To Committee on the Legislature.

C.C.P. 268, A PROPOSAL FOR INCORPORATION IN THE CONSTITUTION OF TEXAS

Relating to the term of office of State Representative.

BE IT PROPOSED BY THE CONSTITUTIONAL CONVENTION OF TEXAS:

That the following section be included in Article III:

Section _____. (a) Senators and Representatives shall be elected at a general election.

(b) Each Senator shall serve a term of four years beginning on the date provided in this Constitution or by law for convening the Legislature in regular session. The qualified voters shall elect a new Senate after each statewide senatorial redistricting.

(c) Each Representative shall serve a term of four years beginning on the date provided in this Constitution or by law for convening the Legislature in regular session.

(d) Vacancies in the Senate and House of Representatives shall be filled by special elections as provided by law.

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CONSTITUTIONAL CONVENTION PROPOSAL 269

By Delegate Lee:

To Committee on General Provisions.

C.C.P. 269, A PROPOSAL FOR INCORPORATION
IN THE CONSTITUTION OF TEXAS

Relating to corporations with banking
and discounting privileges.

BE IT PROPOSED BY THE CONSTITUTIONAL
CONVENTION OF TEXAS:

That the following section be included
in the appropriate article:

Section _____. The Legislature shall by
general laws, authorize the incorporation of
corporate bodies with banking and discounting
privileges, and shall provide for a system of
State supervision, regulation and control of
such bodies which will adequately protect and
secure the depositors and creditors thereof.

No such corporate body shall be
chartered until all of the authorized capital
stock has been subscribed and paid for in
full in cash. Such body corporate shall not
be authorized to engage in business at more
than one place which shall be designated in
its charter.

No foreign corporation, other than
national banks of the United States, shall be
permitted to exercise banking or discounting
privileges in this State.

CONSTITUTIONAL CONVENTION PROPOSAL 270

By Delegate Lee:

To Committee on the Legislature.

C.C.P. 270, A PROPOSAL FOR INCORPORATION
IN THE CONSTITUTION OF TEXAS

Relating to the term of office of State
Representative.

BE IT PROPOSED BY THE CONSTITUTIONAL
CONVENTION OF TEXAS:

That the following section be included
in Article III:

Section _____. (a) Senators and
Representatives shall be elected at a general
election.

(b) Each Senator shall serve a term of
six years beginning on the date provided in
this Constitution or by law for convening the
Legislature in regular session. The
qualified voters shall elect a new Senate
after each statewide senatorial
redistricting, and the Senators shall decide
by lot which shall serve six-year terms,
which shall serve four-year terms, and which
shall serve two-year terms so that one-third
shall be chosen every 2 years thereafter.

(c) Each Representative shall serve a
term of four years beginning on the date
provided in this Constitution or by law for
convening the Legislature in regular session.

(d) Vacancies in the Senate and House
of Representatives shall be filled by special
elections as provided by law.

CONSTITUTIONAL CONVENTION PROPOSAL 271

By Delegate Lee:

To Committee on General Provisions.

C.C.P. 271, A PROPOSAL FOR INCORPORATION
IN THE CONSTITUTION OF TEXAS

Relating to gambling enterprises.

BE IT PROPOSED BY THE CONSTITUTIONAL
CONVENTION OF TEXAS:

That the following section be included
in Article X:

Section _____. Neither the State nor any
political subdivision thereof nor any person
or entity shall sponsor or operate lotteries
or any other gambling enterprises.

CONSTITUTIONAL CONVENTION PROPOSAL 272

By Delegate Lee:

To Committee on the Executive.

C.C.P. 272, A PROPOSAL FOR INCORPORATION
IN THE CONSTITUTION OF TEXAS

Relating to the selection, terms, and
residence of officers of Executive
Department.

BE IT PROPOSED BY THE CONSTITUTIONAL
CONVENTION OF TEXAS:

That the following section be included
in Article IV:

Section _____. The Governor, Lieutenant
Governor, Attorney General, and Comptroller
of Public Accounts shall be elected by the
qualified voters of the State at general
elections beginning with 1978. The Secretary
of State shall be appointed by the Governor.
The Commissioner of the General Land Office
shall be elected or appointed as provided by
law. Appointive officers of the Executive
Department shall be appointed by the Governor
with the advice and consent of the Senate and
shall serve at the pleasure of the Governor.
Elective officers of the Executive Department
shall serve four-year terms but may serve in
any one office no more than two terms. All
officers of the Executive Department shall
reside at the seat of government.

CONSTITUTIONAL CONVENTION PROPOSAL 273

By Delegate Reynolds:

To Committee on Education.

C.C.P. 273, A PROPOSAL FOR INCORPORATION
IN THE CONSTITUTION OF TEXAS

Relating to school and community college
districts and to higher education.

BE IT PROPOSED BY THE CONSTITUTIONAL
CONVENTION OF TEXAS:

That the following sections be included
in Article VII:

Section _____. SCHOOL AND COMMUNITY
COLLEGE DISTRICTS. The Legislature shall
define by general law the duties and

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functions of school and community college districts and shall provide for establishing, financing, altering, consolidating, and abolishing such districts.

Section ____ COLLEGES AND UNIVERSITIES. The Legislature shall provide for a system of higher education which shall include universities, colleges, community colleges, and other institutions as may be provided by law.

Section ____ PERMANENT UNIVERSITY FUND. The Permanent University Fund consists of two million acres of land set aside for the support of the University of Texas System and the Texas A&M University System, the proceeds from the sale of the land, and the securities and assets purchased with the proceeds. The Permanent University Fund shall be administered as provided by law except that the land set apart may not be sold, exchanged, or otherwise disposed of in any manner other than the sale of oil, gas, and other minerals. Only the income from the Permanent University Fund may be appropriated and expended in support of the University of Texas System and the Texas A&M University System.

Section ____ PERMANENT UNIVERSITY FUND BONDS OR NOTES. Bonds or notes secured by the Permanent University Fund or income from the fund shall be issued and administered as provided by law.

Section ____ TAXES FOR HIGHER EDUCATION. The Legislature shall levy taxes and collect revenues to support a system of higher education.

CONSTITUTIONAL CONVENTION PROPOSAL 274

By Delegate Gaston:

To Committee on the Executive.

C.C.P. 274, A PROPOSAL FOR INCORPORATION IN THE CONSTITUTION OF TEXAS

Relating to the officers of the Executive Department.

BE IT PROPOSED BY THE CONSTITUTIONAL CONVENTION OF TEXAS:

That Article IV, Section 1, read as follows:

Section 1. OFFICERS CONSTITUTING THE EXECUTIVE DEPARTMENT. The Governor shall be the Chief Executive Officer of the State. The Executive Department shall consist of a Governor, Lieutenant Governor, Attorney General, and such other officers as may be provided by law.

CONSTITUTIONAL CONVENTION PROPOSAL 275

By Delegate Gaston:

To Committee on the Executive.

C.C.P. 275, A PROPOSAL FOR INCORPORATION IN THE CONSTITUTION OF TEXAS

Relating to the selection, terms, and residence of officers of the Executive Department.

BE IT PROPOSED BY THE CONSTITUTIONAL CONVENTION OF TEXAS:

That Article IV, Section 2, read as follows:

Section 2. SELECTION, TERMS, AND RESIDENCE OF OFFICERS OF THE EXECUTIVE DEPARTMENT. (a) The Governor, Lieutenant Governor, and Attorney General shall be elected by the qualified voters of the State at general elections beginning in 1978.

(b) In the general election for Governor and Lieutenant Governor, one vote shall be cast jointly for the candidates nominated by the same political party.

(c) Appointive officers in the Executive Department shall be appointed by the Governor with the advice and consent of the Senate and shall serve at the pleasure of the Governor.

(d) Elective officers of the Executive Department shall serve four year terms.

(e) All officers of the Executive Department shall reside at the seat of government.

CONSTITUTIONAL CONVENTION PROPOSAL 276

By Delegate Gaston:

To Committee on the Executive.

C.C.P. 276, A PROPOSAL FOR INCORPORATION IN THE CONSTITUTION OF TEXAS

Relating to the election, declaration of election, tie votes, and contested elections of executive officers.

BE IT PROPOSED BY THE CONSTITUTIONAL CONVENTION OF TEXAS:

That Article IV, Section 3, read as follows:

Section 3. RETURNS OF ELECTION; DECLARATION OF ELECTION; TIE VOTES; CONTESTS. Election returns for executive officers shall, until otherwise provided by law, be sealed and transmitted to the Secretary of State, who shall open the returns in a public forum as prescribed by law, and promptly certify the winner but shall do so no later than the first Monday in January. The person receiving the highest number of votes for an office shall be declared elected. If two or more persons shall have the highest and an equal number of votes for an office, one of them shall be chosen immediately by joint vote of both houses of the Legislature. Contested elections for executive offices specifically named in Section 1 of this Article shall be determined by both houses of the Legislature in joint session.

CONSTITUTIONAL CONVENTION PROPOSAL 277

By Delegate Gaston:

To Committee on the Executive.

C.C.P. 277, A PROPOSAL FOR INCORPORATION IN THE CONSTITUTION OF TEXAS

Relating to the Governor's eligibility and installation.

BE IT PROPOSED BY THE CONSTITUTIONAL

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CONVENTION OF TEXAS:

That Article IV, Section 4, read as follows:

Section 4. GOVERNOR'S ELIGIBILITY AND INSTALLATION. (a) The Governor shall be at least thirty years of age, shall be a citizen of the United States, and shall have been a resident of this State at least five years immediately preceding election.

(b) The Legislature shall provide appropriations for a staff and office space for a new Governor-elect prior to inauguration. A new Governor-elect shall be entitled to receive from governmental agencies those reports to which an incumbent Governor is entitled.

(c) The Governor shall be inaugurated on the Second Tuesday in January or as soon thereafter as practicable.

CONSTITUTIONAL CONVENTION PROPOSAL 278

By Delegate Gaston:

To Committee on the Executive.

C.C.P. 278, A PROPOSAL FOR INCORPORATION IN THE CONSTITUTION OF TEXAS

Relating to gubernatorial succession.

BE IT PROPOSED BY THE CONSTITUTIONAL CONVENTION OF TEXAS:

That Article IV, Section 5, read as follows:

Section 5. GUBERNATORIAL SUCCESSION. (a) If before inauguration the person elected Governor fails to qualify, is disabled, or dies, the person elected Lieutenant Governor shall be inaugurated and shall serve as Governor until the person elected Governor at the next general election assumes office for the remainder of the term.

(b) If after inauguration the Governor dies, resigns, becomes disabled, or is removed from office, the Lieutenant Governor shall become Governor and shall serve for the remainder of the term.

(c) If after a vacancy occurs in the office of Governor and the Lieutenant Governor becomes Governor and thereafter dies, resigns, becomes disabled, or is removed from office, the Speaker of the House of Representatives, if qualified, shall become Governor under the same conditions and for the same term as provided for the Lieutenant Governor. If the Speaker of the House of Representatives is not qualified, the line of succession shall pass to the President pro tempore of the Senate, if qualified.

(d) The Legislature may provide by law for further succession to the office of Governor. No person shall serve as Governor unless qualified for that office.

CONSTITUTIONAL CONVENTION PROPOSAL 279

By Delegate Gaston:

To Committee on the Executive.

C.C.P. 279, A PROPOSAL FOR INCORPORATION

IN THE CONSTITUTION OF TEXAS

Relating to the disability of elective executive officials.

BE IT PROPOSED BY THE CONSTITUTIONAL CONVENTION OF TEXAS:

That Article IV, Section 6, read as follows:

Section 6. DISABILITY OF ELECTIVE OFFICERS OF THE EXECUTIVE DEPARTMENT. The disability of any elected officer of the Executive Department to perform the duties of the office during the term for which elected shall be determined in a proceeding in the Supreme Court of the State under such rules of procedure as may be prescribed by that court. A majority vote of the Governor, Lieutenant Governor, Attorney General, Speaker of the House of Representatives, and President pro tempore of the Senate shall initiate such proceedings.

CONSTITUTIONAL CONVENTION PROPOSAL 280

By Delegate Gaston:

To Committee on the Executive.

C.C.P. 280, A PROPOSAL FOR INCORPORATION IN THE CONSTITUTION OF TEXAS

Relating to compensation of executive officers.

BE IT PROPOSED BY THE CONSTITUTIONAL CONVENTION OF TEXAS:

That Article IV, Section 7, read as follows:

Section 7. COMPENSATION OF OFFICERS OF THE EXECUTIVE DEPARTMENT. The compensation of the Governor, Lieutenant Governor, and Attorney General, and other officers of the Executive Department shall be as provided by law, not to exceed the amount recommended by the salary commission. The compensation of officers of the Executive Department shall not be diminished during their term of office. The Governor shall have the use of the Governor's Mansion.

CONSTITUTIONAL CONVENTION PROPOSAL 281

By Delegate Gaston:

To Committee on the Executive.

C.C.P. 281, A PROPOSAL FOR INCORPORATION IN THE CONSTITUTION OF TEXAS

Relating to dual office holding.

BE IT PROPOSED BY THE CONSTITUTIONAL CONVENTION OF TEXAS:

That Article IV, Section 8, read as follows:

Section 8. DUAL OFFICE HOLDING; OTHER COMPENSATION. No officer of the Executive Department shall hold any other civil or corporate office or practice any profession; nor shall any such officer receive any salary, reward, or compensation from non-governmental sources for the performance or promise of the performance of any service.

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CONSTITUTIONAL CONVENTION PROPOSAL 282

By Delegate Gaston:

To Committee on the Executive.

C.C.P. 282, A PROPOSAL FOR INCORPORATION
IN THE CONSTITUTION OF TEXAS

Relating to the Governor's power to call
special sessions.

BE IT PROPOSED BY THE CONSTITUTIONAL
CONVENTION OF TEXAS:

That Article IV, Section 11, read as
follows:

Section 11. CONVENING THE LEGISLATURE
IN SPECIAL SESSION. The Governor may, on
extraordinary occasions, convene the
Legislature in special session not to exceed
thirty days. The Legislature in special
session may legislate only on subjects
submitted by the Governor.

CONSTITUTIONAL CONVENTION PROPOSAL 283

By Delegate Gaston:

To Committee on the Executive.

C.C.P. 283, A PROPOSAL FOR INCORPORATION
IN THE CONSTITUTION OF TEXAS

Relating to the Governor's veto power of
appropriation bills.

BE IT PROPOSED BY THE CONSTITUTIONAL
CONVENTION OF TEXAS:

That Article IV, Section 13, (b) read as
follows:

(b) The Governor may veto any item of
appropriation in a bill, except that no item
consisting of an appropriation for the salary
for a single office or position may be
vetoed. Portions of a bill not vetoed shall
become law. Items vetoed with the Governor's
objections shall be returned to the house in
which the bill originated for reconsideration
in the manner provided in Subsection (a).

CONSTITUTIONAL CONVENTION PROPOSAL 284

By Delegate Gaston:

To Committee on the Executive.

C.C.P. 284, A PROPOSAL FOR INCORPORATION
IN THE CONSTITUTION OF TEXAS

Relating to the Governor's power as the
chief planning officer and budget officer.

BE IT PROPOSED BY THE CONSTITUTIONAL
CONVENTION OF TEXAS:

That the following section be included
in Article IV:

Section ____ CHIEF PLANNING AND BUDGET
OFFICER. The Governor shall be the chief
planning officer of the State and shall be
responsible as provided by law for the proper
execution and administration of the total

State budget and shall require information in
writing and reports from all State agencies
and officers upon any subject relating to
their duties, conditions, management, and
expenditures.

CONSTITUTIONAL CONVENTION PROPOSAL 285

By Delegate Gaston:

To Committee on the Executive.

C.C.P. 285, A PROPOSAL FOR INCORPORATION
IN THE CONSTITUTION OF TEXAS

Relating to the organization of the
Executive Department.

BE IT PROPOSED BY THE CONSTITUTIONAL
CONVENTION OF TEXAS:

That Article IV, Section 17, read as
follows:

Section 17. ORGANIZATION OF THE
EXECUTIVE DEPARTMENT. (a) The Executive
Department shall consist of not more than ten
departments. All executive and
administrative offices, departments, and
agencies of the State government and their
respective functions, powers, and duties
shall be allocated by law among and within
these departments so as to group them as far
as possible according to major purposes.

(b) Regulatory, quasi-judicial and
temporary agencies may be established by law
and need not be allocated within a principal
department.

(c) The Governor may from time to time
submit to the Legislature written
reorganization plans reassigning functions
among or consolidating or abolishing any
State governmental agencies. Within sixty
days after submission or within sixty days
after the Legislature can act as a
deliberative body, whichever comes later,
either house may reject a plan by resolution.
Unless rejected the plan shall become
effective by its terms.

CONSTITUTIONAL CONVENTION PROPOSAL 286

By Delegate Gaston:

To Committee on the Executive.

C.C.P. 286, A PROPOSAL FOR INCORPORATION
IN THE CONSTITUTION OF TEXAS

Relating to the office of the Lieutenant
Governor.

BE IT PROPOSED BY THE CONSTITUTIONAL
CONVENTION OF TEXAS:

That Article IV, Section 19, read as
follows:

Section 19. THE LIEUTENANT GOVERNOR.
The Lieutenant Governor shall possess the
same qualifications as provided for the
Governor. The Lieutenant Governor shall, by
virtue of the office, be President of the
Senate and when the Senate is equally divided
may cast a deciding vote.

CONSTITUTIONAL CONVENTION PROPOSAL 287

By Delegate Gaston:

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To Committee on the Executive.

C.C.P. 287, A PROPOSAL FOR INCORPORATION
IN THE CONSTITUTION OF TEXAS

Relating to the Secretary of State.

BE IT PROPOSED BY THE CONSTITUTIONAL
CONVENTION OF TEXAS:

That Article IV, Section 20, read as
follows:

Section 20. SECRETARY OF STATE. The
Secretary of State shall be an officer of the
Governor's office, appointed and serving at
the pleasure of the Governor, and shall
perform the duties required by this
Constitution and such other duties as may be
provided by law.

CONSTITUTIONAL CONVENTION PROPOSAL 288

By Delegate Gaston:

To Committee on the Executive.

C.C.P. 288, A PROPOSAL FOR INCORPORATION
IN THE CONSTITUTION OF TEXAS

Relating to the appointment and removal
of officers to state agencies.

BE IT PROPOSED BY THE CONSTITUTIONAL
CONVENTION OF TEXAS:

That Article IV, Section 25, include the
following Subsections:

(c) The Governor shall have the power
of review over the selection of chief
executive officers appointed by boards and
agencies. These officers shall fall within
the jurisdiction of the power of removal as
described in Subsection (d).

(d) The Governor may remove for
incompetence, neglect of duty, or malfeasance
in office any officer appointed by the
Governor or officials of the Executive
Department. The procedure for removal shall
be prescribed by law.

CONSTITUTIONAL CONVENTION PROPOSAL 289

By Delegate Gaston:

To Committee on the Executive.

C.C.P. 289, A PROPOSAL FOR INCORPORATION
IN THE CONSTITUTION OF TEXAS

Relating to the selection of the
Comptroller of Public Accounts and the
Commissioner of the General Land Office.

BE IT PROPOSED BY THE CONSTITUTIONAL
CONVENTION OF TEXAS:

That Article IV include the following
Section.

Section _____. SELECTION OF THE
COMPTROLLER OF PUBLIC ACCOUNTS AND THE
COMMISSIONER OF THE GENERAL LAND OFFICE. The
qualified voters of the State shall determine
whether the Comptroller of Public Accounts
and the Commissioner of the General Land

Office shall be elected to office or
appointed by the Governor with the advice and
consent of the Senate.

CONSTITUTIONAL CONVENTION PROPOSAL 290

By Delegate Gaston:

To Committee on the Judiciary.

C.C.P. 290, A PROPOSAL FOR INCORPORATION
IN THE CONSTITUTION OF TEXAS

Relating to the merit selection of
judges.

BE IT PROPOSED BY THE CONSTITUTIONAL
CONVENTION OF TEXAS:

That Article V, Section 8, (d) read as
follows:

(d) When a vacancy occurs in the office
of the Chief Justice of Texas, a supreme
court justice, or a court of appeals judge,
the vacancy shall be filled by the Governor,
with the advice and consent of the Senate,
from a list of three nominees submitted by
the commission within forty-five days after
the vacancy occurs. In selecting nominees,
the commission shall consider only those who
are well qualified from experience and
knowledge of the law. If the Governor fails
to make the appointment within sixty days
after receiving the list of nominees, the
Lieutenant Governor shall make the
appointment from the list. A justice or
judge appointed pursuant to this Subsection
is subject to review by the Senate for
reconfirmation or rejection every sixth year
thereafter at the first session of the
legislature after the end of the sixth year.
If no resolution for removal is forthcoming,
the Judge's position will be considered
reconfirmed.

CONSTITUTIONAL CONVENTION PROPOSAL 291

By Delegate Meier:

To Committee on General Provisions.

C.C.P. 291, A PROPOSAL FOR INCORPORATION
IN THE CONSTITUTION OF TEXAS

Relating to the establishment of a
central procurement system for certain
purchases with State funds, and requiring
such purchases to be made by competitive
bidding.

BE IT PROPOSED BY THE CONSTITUTIONAL
CONVENTION OF TEXAS:

That the following Section be included
in Article X:

Section _____. STATE PURCHASING BY
COMPETITIVE BIDDING. The Legislature shall
establish by law a central procurement system
for the purchase of supplies, materials and
equipment, paid for out of State funds, for
all agencies in the Executive, Legislative
and Judicial branches of State Government.
All such purchases, except those products
manufactured by State agencies, shall be
based on competitive bids unless otherwise
specified by statutory law. No responsible
bidder, or group of bidders, who desire to

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bid, shall be excluded. The Legislature shall enact laws consistent with the provisions of this Section.

CONSTITUTIONAL CONVENTION PROPOSAL 292

By Delegate Lee:

To Committee on Finance.

C.C.P. 292, A PROPOSAL FOR INCORPORATION IN THE CONSTITUTION OF TEXAS

Relating to state taxes on income.

BE IT PROPOSED BY THE CONSTITUTIONAL CONVENTION OF TEXAS:

That the following section be included in Article VIII:

Section _____. STATE TAXES ON INCOME. If a law is enacted levying an income tax, the tax may be on personal or corporate income, or both, and may be graduated or otherwise. No such law shall be in effect until after it has been submitted and approved by a statewide referendum vote in the general election following enactment. The law may define income by reference to the laws of the United States as they then exist or may thereafter be changed.

CONSTITUTIONAL CONVENTION PROPOSAL 293

By Delegate Cates:

To Committee on Local Government.

C.C.P. 293, A PROPOSAL FOR INCORPORATION IN THE CONSTITUTION OF TEXAS

Relating to local redistricting and providing for certain special districts.

BE IT PROPOSED BY THE CONSTITUTIONAL CONVENTION OF TEXAS:

That Section 10, Article IX, Local Government, of C.C.P. No. 1, read as follows:

Section 10. LOCAL REDISTRICTING. (a) Within the calendar year following that in which each federal decennial census is published, and at such other times as the governing body of any political subdivision may deem necessary, each governing body not entirely elected at large shall divide its geographical area into districts for the election of those representatives to the governing body not elected at large. Except as provided in Subsection (b), the districts shall be composed of contiguous territory and shall be as compact and as nearly equal in population as practicable.

(b) Special districts which are primarily concerned with the development, regulation, or management of natural resources and which have boundaries delineated on the basis of the natural resource being developed, regulated, or managed shall be subdivided in such manner as to give equal or near equal area representation on the governing body.

CONSTITUTIONAL CONVENTION PROPOSAL 294

By Delegate Nugent:

To Committee on Finance.

C.C.P. 294, A PROPOSAL FOR INCORPORATION IN THE CONSTITUTION OF TEXAS

Relating to dedicating certain revenues for mass, rapid or school transit.

BE IT PROPOSED BY THE CONSTITUTIONAL CONVENTION OF TEXAS:

That Article VIII on finance include the following provision:

Section _____. Mass, Rapid or School Transit. Subject to legislative appropriation, allocation and direction, one-third of the net revenue from sales, use, excise or other transaction taxes on motor vehicles, trailers and semitrailers shall be used solely for the support of mass, rapid or school transit either inter or intra city. Any county, city, school district or other political subdivision of the State may be the subject of a grant from such revenues for the purposes set out above.

The phrase "mass, rapid or school transit" shall be broadly interpreted to permit the use of such revenues to provide for the present and future transportation needs of the people of Texas.

CONSTITUTIONAL CONVENTION PROPOSAL 295

By Delegate Doran:

To Committee on General Provisions.

C.C.P. 295, A PROPOSAL FOR INCORPORATION IN THE CONSTITUTION OF TEXAS

Prohibiting preference or favoritism because of sex, race, color, creed, or national origin.

BE IT PROPOSED BY THE CONSTITUTIONAL CONVENTION OF TEXAS:

That the following section be included in Article X:

Section _____. EQUALITY UNDER THE LAW. No preference or favoritism shall be granted to any person because of sex, race, color, creed, or national origin. This section is self-operative.

CONSTITUTIONAL CONVENTION PROPOSAL 296

By Delegate Doran:

To Committee on the Legislature.

C.C.P. 296, A PROPOSAL FOR INCORPORATION IN THE CONSTITUTION OF TEXAS

Relating to the composition and compensation of the Legislature.

BE IT PROPOSED BY THE CONSTITUTIONAL CONVENTION OF TEXAS:

That the following be submitted to the voters as an alternative issue:

Section _____. COMPOSITION. The Senate shall consist of thirty-one members and the House of Representatives shall consist of one

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hundred members.

Section _____. COMPENSATION. Each member of the Legislature shall receive a salary of fourteen thousand dollars a year.

CONSTITUTIONAL CONVENTION PROPOSAL 297

By Delegate Doran:

To Committee on Finance.

C.C.P. 297, A PROPOSAL FOR INCORPORATION IN THE CONSTITUTION OF TEXAS

Relating to investment of state funds.

BE IT PROPOSED BY THE CONSTITUTIONAL CONVENTION OF TEXAS:

That a section be included in the appropriate article to read as follows:

Sec. _____. INVESTMENT OF STATE FUNDS. Investment of funds in the custody of any state agency, institution, or officer shall be according to uniform policies and procedures prescribed by law.

CONSTITUTIONAL CONVENTION PROPOSAL 298

By Delegate Coleman:

To Committee on the Executive.

C.C.P. 298, A PROPOSAL FOR INCORPORATION IN THE CONSTITUTION OF TEXAS

Relating to the Governor's veto powers.
BE IT PROPOSED BY THE CONSTITUTIONAL CONVENTION OF TEXAS:

That Article IV, Section 13, read as follows:

Section 13. ACTION ON BILLS AND RESOLUTIONS. (a) Every bill that passes both houses of the Legislature shall be presented to the Governor. The Governor may approve the bill by signing it in which event it shall become law and shall be filed with the Secretary of State. The Governor may veto the bill by returning it with objections to the house in which it originated. That house shall enter the objections in its journal and reconsider the bill for passage over the veto. If the bill passes that house by a two-thirds record vote of the members present and voting, it shall be sent with the Governor's objections to the other house which shall enter the objections in its journal and reconsider the bill for passage over the veto. If the bill likewise passes that house by a two-thirds record vote of the members present and voting, the bill shall become a law and shall be filed with the Secretary of State. If the Governor fails to veto a bill within ten days (Sundays excepted) after it is presented, the bill shall become a law and shall be filed with the Secretary of State. If the Legislature by its adjournment prevents a veto, the bill shall become a law and shall be filed with the Secretary of State unless within twenty days after adjournment the Governor files the bill and objections with the Secretary of State and gives public notice thereof by proclamation. The Legislature may reconvene

to reconsider any bill vetoed while the Legislature is not in session. If the Legislature reconvenes, the Governor shall return the bill, with his objections, to the house in which it originated as provided by law.

(b) The Governor may veto any item of appropriation in a bill. Portions of a bill not vetoed shall become law. Items vetoed together with the Governor's objections shall be returned to the house in which the bill originated for reconsideration in the manner provided in Subsection (a).

(c) All orders and resolutions requiring the concurrence of both houses of the Legislature, except those concerning adjournment and legislative rules and those proposing amendments to the Constitution or a referendum on incurring State debt, shall be presented to the Governor. If the Governor disapproves an order or resolution, it shall not become effective unless repassed in the manner provided for in Subsection (a).

CONSTITUTIONAL CONVENTION PROPOSAL 299

By Delegate Denton:

To Committee on the Legislature.

C.C.P. 299, A PROPOSAL FOR INCORPORATION IN THE CONSTITUTION OF TEXAS

Relating to the sessions of the Legislature.

BE IT PROPOSED BY THE CONSTITUTIONAL CONVENTION OF TEXAS:

That the following section be included in Article III:

Section _____. SESSIONS. (a) The Legislature shall meet at least once every two years and at such times and for such duration as provided by law.

(b) Special sessions of the Legislature may be called by petition of a majority of the membership of each house to consider matters submitted by a majority of the membership of each house.

(c) All legislative proceedings shall be open to the public.

(d) Neither house may adjourn or recess for more than three days without the consent of the other.

(e) The Legislature shall meet at the seat of government unless otherwise provided by law.

(f) In the event of a gubernatorial veto, after final adjournment of any session, the legislature shall convene within thirty days of the veto, for the purpose of reconsidering the legislation which was vetoed.

CONSTITUTIONAL CONVENTION PROPOSAL 300

By Delegate Denton:

To Committee on the Legislature.

C.C.P. 300, A PROPOSAL FOR INCORPORATION IN THE CONSTITUTION OF TEXAS

Relating to legislative bills.

BE IT PROPOSED BY THE CONSTITUTIONAL

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CONVENTION OF TEXAS:

That the following section be included in Article III:

Section ---. **BILLS.** (a) The Legislature shall enact no law except by bill.

(b) A bill may originate in either house. After a bill passes either house, the other may amend or reject it, but neither house may so amend a bill as to change its original purpose.

(c) Every bill shall be limited to a single subject, which shall be expressed in its title. A general appropriation bill shall be limited to the subject of appropriations. A statutory revision bill shall be limited to that subject.

(d) A bill, amendatory in form, shall set out the complete section, as amended, of the statute it amends.

(e) Before a house considers a bill it must have been referred to a committee of that house. Before a bill becomes law it must be read on three separate days in each house. Either house by four-fifths record vote of the members present and voting may suspend this requirement.

(f) If a bill or resolution is defeated by a vote of either house, no bill or resolution containing the same substance shall be passed during the same session.

(g) The presiding officer of each house shall, in the presence of that house, certify the final passage of each bill or resolution requiring the concurrence of both houses. The fact of certification shall be recorded in the journal.

(h) No law except the General Appropriation Act and redistricting acts shall take effect until ninety days after it becomes a law or ninety days after adjournment of the session at which it was enacted, whichever is earlier. The Legislature, by three-fourths record vote of the membership of each house, may authorize an earlier effective date.

CONSTITUTIONAL CONVENTION PROPOSAL 301

By Delegate Denton:

To Committee on the Executive.

C.C.P. 301, A PROPOSAL FOR INCORPORATION IN THE CONSTITUTION OF TEXAS

Relating to the officers constituting the Executive Department.

BE IT PROPOSED BY THE CONSTITUTIONAL CONVENTION OF TEXAS:

(1) That the following language be excluded from Article IV:

Section 22. **COMPTROLLER OF PUBLIC ACCOUNTS.** The Comptroller of Public Accounts shall perform the duties required by this Constitution and such other duties as may be provided by law.

(2) That Sections 1, 2, 6, and 7 of the Executive Article read as follows:

Section 1. **OFFICERS CONSTITUTING THE EXECUTIVE DEPARTMENT.** The Governor shall be the Chief Executive Officer of the State.

The Executive Department shall consist of a Governor, Lieutenant Governor, Attorney General, Secretary of State, Commissioner of the General Land Office, and such other officers as may be provided by law.

Section 2. **SELECTION, TERMS, AND RESIDENCE OF OFFICERS OF EXECUTIVE DEPARTMENT.** The Governor, Lieutenant Governor, and Attorney General shall be elected by the qualified voters of the State at general elections beginning with 1978. The Secretary of State shall be appointed by the Governor. The Commissioner of the General Land Office shall be elected or appointed as provided by law. Appointive officers of the Executive Department shall be appointed by the Governor with the advice and consent of the Senate and shall serve at the pleasure of the Governor. Elective officers of the Executive Department shall serve four-year terms. All officers of the Executive Department shall reside at the seat of government.

Section 6. **DISABILITY OF ELECTIVE OFFICERS OF EXECUTIVE DEPARTMENT.** The disability of any elected officer of the Executive Department to perform the duties of the office during the term for which elected shall be determined in a proceeding in the Supreme Court of the State under such rules of procedure as may be prescribed by that court. A majority vote of the Governor, Lieutenant Governor, Attorney General, Commissioner of the General Land Office, Speaker of the House of Representatives, and President pro tempore of the Senate shall initiate such proceedings.

Section 7. **COMPENSATION OF OFFICERS OF EXECUTIVE DEPARTMENT.** The compensation of the Governor, Lieutenant Governor, Attorney General, Secretary of State, and Commissioner of the General Land Office shall be as provided by law, not to exceed the amount recommended by the salary commission. The compensation of officers of the Executive Department shall not be diminished during their term of office. The Governor shall have the use of the Governor's Mansion.

(3) That Section 6 of Article VIII read as follows:

Section 6. **APPROPRIATIONS.** (a) Money may not be drawn from the State Treasury except in accordance with specific appropriations made by law.

(b) Any appropriation from the State Treasury expires two years after its effective date.

(c) No bill containing an appropriation may be considered as passed or be sent to the Governor for consideration until and unless an officer designated by law certifies that the amount appropriated is within the estimated revenue for the applicable fiscal period.

(d) No appropriation in excess of the estimated revenue shall be valid unless it is made in response to imperative public necessity and approved by four-fifths vote of the membership of each house of the Legislature.

CONSTITUTIONAL CONVENTION PROPOSAL 302

By Delegate Clayton:

To Committee on Local Government.

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C.C.P. 302, A PROPOSAL FOR INCORPORATION
IN THE CONSTITUTION OF TEXAS

Relating to Local Debt.

BE IT PROPOSED BY THE CONSTITUTIONAL
CONVENTION OF TEXAS:

That Article IX, Section 11, read as
follows:

Section 11. Local Debt. Political
subdivisions shall not issue general
obligation bonds, except refunding bonds,
unless approved in an election in a manner
prescribed by law. No debt shall be created
by the political subdivision unless at the
same time provision is made for buying the
interest and principal when due.

CONSTITUTIONAL CONVENTION PROPOSAL 303

By Delegate Clayton:

To Committee on Local Government.

C.C.P. 303, A PROPOSAL FOR INCORPORATION
IN THE CONSTITUTION OF TEXAS

Relating to special districts and
authorities.

BE IT PROPOSED BY THE CONSTITUTIONAL
CONVENTION OF TEXAS:

That Article IX, Section 7, read as
follows:

Section 7. Special Districts and
Authorities. The Legislature may provide by
law for establishing, financing,
consolidating, and abolishing special
districts and authorities and shall define
their powers by law. The provisions of this
Section shall not be applicable to school and
community college districts.

CONSTITUTIONAL CONVENTION PROPOSAL 304

By Delegate Clayton:

To Committee on Finance.

C.C.P. 304, A PROPOSAL FOR INCORPORATION
IN THE CONSTITUTION OF TEXAS

Relating to the property tax exemption.

BE IT PROPOSED BY THE CONSTITUTIONAL
CONVENTION OF TEXAS:

That Article VIII, Section 2, read as
follows:

Section 2. Property Tax Exemptions.

(a) There shall be exempt from all ad
valorem taxation:

(1) The property of the State except as
provided by law and all other property used
for public purposes;

(2) All household goods and personal
effects not used for the production of
income;

(3) All farm products in the hands of
the producer and family supplies for home and
farm use;

(4) The property of political
subdivisions of the State, except as provided

by law.

(b) There shall be exempt from State ad
valorem taxation:

(1) Three thousand dollars of the
assessed value of all residence homesteads.

(c) The Legislature by general law may
exempt from ad valorem taxation:

(1) Property used exclusively for
educational or charitable purposes or places
of burial not held for profit;

(2) Up to three thousand dollars of the
assessed value of property owned by a
disabled veteran of the armed services of the
United States or by the surviving spouse and
surviving minor children of a disabled
veteran of the armed services of the United
States;

(3) Up to three thousand dollars of the
assessed value of property owned by the
surviving spouse or surviving minor children
of any member of the armed services of the
United States whose life was lost while on
active duty;

(4) Actual places of religious worship;

(5) Any property owned by a church or
by a strictly religious society for the
exclusive use as a dwelling place for the
ministry of such church or religious society
if the property yields no revenue to the
church or religious society, but such
exemption shall not extend to more property
than is reasonably necessary for a dwelling
place and in no event more than one acre of
land;

(6) All real and personal property used
by a nonprofit water supply corporation or a
nonprofit water supply cooperative or a
nonprofit sewage treatment corporation or a
nonprofit sewage treatment cooperative which
is reasonably necessary for, and used in, the
operation of the corporation or cooperative
in the acquisition, storage, transportation,
sale, and distribution of water, or the
protection, preservation, and restoration of
the purity and sanitary condition of water
within the State; and

(7) Any other property validly exempt
at the time of adoption of this Constitution.
Subsections (d), (e), and (f) are
unchanged.

CONSTITUTIONAL CONVENTION PROPOSAL 305

By Delegate Clayton:

To Committee on Local Government.

C.C.P. 305, A PROPOSAL FOR INCORPORATION
IN THE CONSTITUTION OF TEXAS

Relating to local redistricting.

BE IT PROPOSED BY THE CONSTITUTIONAL
CONVENTION OF TEXAS:

That Article IX, Section 10, read as
follows:

Section 10. Local redistricting.
Within the calendar year following that in
which each federal decennial census is
published, and at such other times as the
governing body of any political subdivision
may deem necessary, each governing body not
entirely elected at large shall divide its
geographical area into districts for the
election of those representatives to the
governing body not elected at large.

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CONSTITUTIONAL CONVENTION PROPOSAL 306

By Delegate Clayton:

To Committee on General Provisions.

C.C.P. 306, A PROPOSAL FOR INCORPORATION
IN THE CONSTITUTION OF TEXAS

Relating to the residence of civil
officials.

BE IT PROPOSED BY THE CONSTITUTIONAL
CONVENTION OF TEXAS:

That Article X, Section 2, read as
follows:

Section 2. Residence of Civil
Officials. All elected and appointed
officials shall reside within the State.
Unless otherwise provided by law, all elected
and appointed officials of a political
subdivision shall reside within the political
subdivision which they serve, and shall keep
their offices at such place as required by
law. Failure to comply with these conditions
shall vacate the office.

CONSTITUTIONAL CONVENTION PROPOSAL 307

By Delegate Clayton:

To Committee on General Provisions.

C.C.P. 307, A PROPOSAL FOR INCORPORATION
IN THE CONSTITUTION OF TEXAS

Relating to natural resources.

BE IT PROPOSED BY THE CONSTITUTIONAL
CONVENTION OF TEXAS:

That Article X, Section 10, read as
follows:

Section 10. Natural Resources, Energy
and the Environment. The State and each
person shall maintain and improve a clean and
healthful environment in Texas for present
and future generations. The Legislature
shall provide for the administration and
enforcement of this duty. The conservation
and development of the natural resources of
this State including the control, storing,
preservation, and distribution of the State's
storm and flood water, waters of its rivers,
and streams for all useful purposes; the
preservation and improvement of the ambient
air of the State and the collection and
disposal or recycling of solid wastes; the
development of all energy resources of the
State including hydroelectric power and
fossil and other fuel sources; the
conservation and development of the State's
forests; the navigation of its inland and
coastal waters; and the preservation and
conservation of all such natural resources of
the State are each and all hereby declared
public rights and duties and the Legislature
shall pass all such laws as may be
appropriate thereto. The Legislature shall
provide adequate remedies for the protection
of the environmental life support system from
degradation and provide adequate remedies to
prevent unreasonable depletion and
degradation of natural resources.

CONSTITUTIONAL CONVENTION PROPOSAL 308

By Delegate Clayton:

To Committee on General Provisions.

C.C.P. 308, A PROPOSAL FOR INCORPORATION
IN THE CONSTITUTION OF TEXAS

Relating to natural resources.

BE IT PROPOSED BY THE CONSTITUTIONAL
CONVENTION OF TEXAS:

That Article X, Section 10, read as
follows:

Section 10. Natural Resources, Energy
and the Environment. The State and each
person shall maintain and improve a clean and
healthful environment in Texas for present
and future generations. The Legislature
shall provide for the administration and
enforcement of this duty. The conservation
and development of the natural resources of
this State including the control, storing,
preservation and distribution of the State's
storm and flood waters, waters of its rivers
and streams for all useful purposes; the
development of all energy resources of the
State including hydroelectric power and
fossil and other fuel sources; the
conservation and development of the State's
forests; the navigation of its inland and
coastal waters; and, the preservation and
conservation of all such natural resources of
the State are each and all hereby declared
public rights and duties and the Legislature
shall pass all such laws as may be
appropriate thereto. The Legislature shall
provide adequate remedies for the protection
of the environmental life support system from
degradation and provide adequate remedies to
prevent unreasonable depletion and
degradation of natural resources.

CONSTITUTIONAL CONVENTION PROPOSAL 309

By Delegate Clayton:

To Committee on the Legislature.

C.C.P. 309, A PROPOSAL FOR INCORPORATION
IN THE CONSTITUTION OF TEXAS

Relating to local or special
legislation.

BE IT PROPOSED BY THE CONSTITUTIONAL
CONVENTION OF TEXAS:

(a) That Article III, Section 12 read
as follows:

Section 12. Local or Special
Legislation. The Legislature may not enact a
local or special law if a general law is or
can be made applicable. Whether a general
law is or can be made applicable shall be a
matter for legislative determination.

CONSTITUTIONAL CONVENTION PROPOSAL 310

By Delegate Clayton:

To Committee on General Provisions.

C.C.P. 310, A PROPOSAL FOR INCORPORATION
IN THE CONSTITUTION OF TEXAS

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Relating to the conservation and development of natural resources and the environment.

BE IT PROPOSED BY THE CONSTITUTIONAL CONVENTION OF TEXAS:

That Article X, Section 10, read as follows:

Section 10. NATURAL RESOURCES AND ENVIRONMENT. The State and each person shall maintain and improve a clean and healthful environment in Texas for present and future generations. The Legislature shall provide for the administration and enforcement of this duty. The conservation and development of all of the natural resources of this State, including the control, storing, preservation and distribution of its storm and flood waters, the waters of its rivers and streams, for irrigation, power and all other useful purposes, the reclamation and irrigation of its arid, semi-arid and other lands needing irrigation, the reclamation and drainage of its overflowed lands, and other lands needing drainage, the conservation and development of its forests, water and hydro-electric power, the navigation of its inland and coastal waters, and the preservation and conservation of all such natural resources of the State are each and all hereby declared public rights and duties; and the Legislature shall pass all such laws as may be appropriate thereto.

CONSTITUTIONAL CONVENTION PROPOSAL 311

By Delegates Garcia and Vecchio:

To Committee on the Judiciary.

C.C.P. 311, A PROPOSAL FOR INCORPORATION IN THE CONSTITUTION OF TEXAS

Providing a Section 10 of Article V relating to mandatory retirement of judges.

BE IT PROPOSED BY THE CONSTITUTIONAL CONVENTION OF TEXAS:

That Section 10 of Article V read as follows:

Section 10. MANDATORY RETIREMENT OF JUDGES. The mandatory retirement age of each justice and judge in the unified judicial system shall be as provided by law.

CONSTITUTIONAL CONVENTION PROPOSAL 312

By Delegates Garcia and Vecchio:

To Committee on General Provisions.

C.C.P. 312, A PROPOSAL FOR INCORPORATION IN THE CONSTITUTION OF TEXAS

Relating to a salary commission.

BE IT PROPOSED BY THE CONSTITUTIONAL CONVENTION OF TEXAS:

That the section in Article X on a salary commission read as follows:

Section _____. SALARY COMMISSION. (a) A salary commission shall be established to

recommend rates of compensation for members of the Legislature, judges in the State unified judicial system, and officials of the executive branch, and to perform such other duties pertaining to compensation as may be provided by law. Compensation paid by the State shall not exceed the rates recommended by the commission.

(b) The salary commission shall consist of nine members appointed by the Governor with the advice and consent of the Senate. The Governor shall make appointments that fairly and equitably represent the sexes, ethnic groups, economic groups, and geographical regions of the State. Members of the commission shall serve six-year terms. Vacancies shall be filled by the Governor for the remainder of the term with the advice and consent of the Senate. No member of the commission may hold another public office at the same time.

CONSTITUTIONAL CONVENTION PROPOSAL 313

By Delegates Garcia and Vecchio:

To Committee on General Provisions.

C.C.P. 313, A PROPOSAL FOR INCORPORATION IN THE CONSTITUTION OF TEXAS

Relating to homesteads.

BE IT PROPOSED BY THE CONSTITUTIONAL CONVENTION OF TEXAS:

That the section on homesteads read as follows:

Section _____. HOMESTEAD. (a) The homestead of a family and of such other persons as may be designated by law is protected from forced sale for the payment of all debts, except for purchase money therefor, taxes due thereon, and work and material used in constructing improvements thereon when the work and material are contracted for in writing by the owner but, in the case of married persons, only if both spouses consent to the contract in the manner required when a homestead is sold. A homestead of married persons may be sold only with the consent of both spouses, except that when the homestead is the community property or the separate property of the spouse desiring to sell, it may be sold as provided by law without the consent of the other spouse if the latter is incompetent, has disappeared, or has abandoned the homestead, as provided by law. No mortgage, trust deed, or other lien on a residential homestead shall be valid except for the purchase money therefor or for improvements made thereon, as provided above. Liens may be created on non-residential homesteads but only in the manner required for a conveyance thereof. All pretended sales of the homestead involving any condition of defeasance shall be void.

(b) The homestead not in a city, town, or village shall consist of not more than two hundred acres of land, which may be in one or more parcels with the improvements thereon. Of the two hundred acres, only fifty acres on which the home is located shall be classified as residential and the remainder shall be classified as non-residential. The homestead in a city, town, or village shall consist of

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land valued at the time of establishment thereof, and without reference to the value of any improvements thereon, at no more than fifteen thousand dollars or any larger sum as may be provided by law. A homestead in a city, town, or village is a residential homestead if used as a home and is non-residential if used as a place for the exercise of the calling or business of the head of a family or such other person as may be designated by law. A home remains a homestead while temporarily rented only so long as no other homestead is acquired.

(c) The homestead of married persons shall descend and vest like any other real property, except that the homestead shall not be partitioned so long as it is used and occupied as a home either by the surviving spouse, or by minor children if the use and occupancy have been granted by the court.

CONSTITUTIONAL CONVENTION PROPOSAL 314

By Delegates Garcia and Vecchio:

To Committee on Local Government.

C.C.P. 314, A PROPOSAL FOR INCORPORATION IN THE CONSTITUTION OF TEXAS

Relating to counties.

BE IT PROPOSED BY THE CONSTITUTIONAL CONVENTION OF TEXAS:

That Article IX, Section 1, read as follows:

Section 1. COUNTIES. The counties of the State are those that exist on the date of adoption of this Constitution. Changes in county boundaries, the merger and division of counties, and the removal of county seats shall be subject to the approval of a two-thirds majority of the qualified voters voting on the question in each county affected.

CONSTITUTIONAL CONVENTION PROPOSAL 315

By Delegates Garcia and Vecchio:

To Committee on General Provisions.

C.C.P. 315, A PROPOSAL FOR INCORPORATION IN THE CONSTITUTION OF TEXAS

Relating to separate and community property of husband and wife.

BE IT PROPOSED BY THE CONSTITUTIONAL CONVENTION OF TEXAS:

That the section on separate and community property of husband and wife read as follows:

Section _____. SEPARATE AND COMMUNITY PROPERTY OF HUSBAND AND WIFE. All property owned or claimed by each spouse before marriage, that acquired afterward by gift, devise, or descent, and any recovery for personal injuries sustained by the spouse during marriage, except any recovery for loss of earning capacity during marriage, is the separate property of that spouse. Laws shall be passed more clearly defining the rights of

each spouse in relation to separate property as well as to that held in common with one another. A husband and wife may from time to time and by written instrument partition between themselves in severalty or into equal undivided interests all or any part of their existing community property. In like manner, they may exchange between themselves the community interest of one in any property for the community interest of the other in other community property. The portion or interest set aside to each by partition or exchange shall be and constitute a part of the separate property of such spouse. A partition or exchange under this Section shall not prejudice the rights of preexisting creditors. This provision is self-operative, but laws may be passed prescribing reasonable requirements not inconsistent herewith.

CONSTITUTIONAL CONVENTION PROPOSAL 316

By Delegates Garcia and Vecchio:

To Committees on Finance and Education.

C.C.P. 316, A PROPOSAL FOR INCORPORATION IN THE CONSTITUTION OF TEXAS

Relating to the use of certain dedicated taxes.

BE IT PROPOSED BY THE CONSTITUTIONAL CONVENTION OF TEXAS:

Section 1. That the following section be included in Article VII:

Section _____. DEDICATED SCHOOL TAX. Not less than one-fourth of the revenue from State occupation taxes and not less than one-fourth of the net revenue from the State motor fuel tax are dedicated to the Available School Fund.

Sec. 2. That the following section be included in Article VIII:

Section _____. HIGHWAY - USER REVENUES. Subject to legislative appropriation, allocation, and direction, all net revenues from motor vehicle registration fees and not more than three-fourths of net revenues from all taxes on fuels and lubricants used to propel motor vehicles over public roadways, except gross production and ad valorem taxes, shall be deposited in the State Highway Fund. Such revenues shall be used solely for acquiring rights-of-way, constructing and maintaining a State highway system; for policing public roadways; and for administering laws pertaining to the supervision of traffic and safety on public roadways. Not less than one-fourth of net revenues from these taxes shall be allocated to the Available School Fund. The net revenue derived by counties from motor vehicle registration fees shall never be less than the maximum amounts allowed to be retained by each county, or less than the percentage allowed to be retained, under the laws in effect at the time of adoption of this Constitution.

CONSTITUTIONAL CONVENTION PROPOSAL 317

By Delegates Garcia and Vecchio:

To Committee on the Legislature.

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C.C.P. 317, A PROPOSAL FOR INCORPORATION
IN THE CONSTITUTION OF TEXAS

Relating to redistricting the
Legislature.

BE IT PROPOSED BY THE CONSTITUTIONAL
CONVENTION OF TEXAS:

That the following section be included
in Article III:

Section _____. REDISTRICTING. (a)
Before August 15 following publication of
each federal decennial census, the
Legislature shall by law divide the State
into single-member senatorial districts and
each senatorial district into single-member
representative districts.

(b) All senatorial districts shall
contain as nearly as practicable an equal
number of inhabitants. All representative
districts within a senatorial district shall
contain as nearly as practicable an equal
number of inhabitants. All districts shall
be composed of compact and contiguous
territory.

(c) A county entitled to more than one
Senator or Representative shall be divided
into the required number of districts.
Population in excess of that required for
complete districts within the county, or the
population of a county insufficient to
comprise a district, shall be joined with
population of another county or counties to
form one district.

(d) Senatorial and representative
districts shall not divide counties unless
necessary to prevent a significant population
variance between districts.

(e) A Legislative Redistricting Board
shall be constituted within twenty days after
August 15. The board shall consist of the
Governor, Lieutenant Governor, Speaker of the
House of Representatives, Attorney General,
and five members appointed by the Governor.
The board shall be representative of
different geographical regions of the State,
and fair and equitable representation shall
be given to the sexes, ethnic groups, and
economic groups. No appointed member shall
be a public officeholder, and not more than
three shall be from the same political party.
The Legislature shall provide funds for the
board's clerical, technical, and other
expenses.

(f) If the Legislature fails to
redistrict by August 15 or if its
redistricting plan is declared invalid, the
State shall be redistricted by the board. In
the event of failure to redistrict, the board
shall convene as soon as practicable after it
is constituted. In the event the legislative
redistricting plan is declared invalid, the
board shall convene as soon thereafter as is
practicable. The board shall make and file
its redistricting plan with the Secretary of
State within twenty-five days after its first
meeting.

(g) If the board fails to complete its
redistricting in accordance with the
requirements of this Section, the Supreme
Court of Texas shall have original
jurisdiction to compel the board to perform
its duties and may provide such remedies and
penalties as may be appropriate.

(h) The board shall be dissolved
immediately following the first general
election held in accordance with a valid
redistricting plan.

CONSTITUTIONAL CONVENTION PROPOSAL 318

By Delegate Clower:

To Committee on the Legislature.

C.C.P. 318, A PROPOSAL FOR INCORPORATION
IN THE CONSTITUTION OF TEXAS

Providing an amendment to Article III,
Section 8(g), relating to records of House
and Senate proceedings.

BE IT PROPOSED BY THE CONSTITUTIONAL
CONVENTION OF TEXAS:

That Section 8(g) of Article III be
amended to read as follows:

(g) Each house shall prepare and
publish a journal and verbatim reports of its
proceedings, including committee hearings.
At the request of any three members present,
the votes on any question shall be recorded
in the journal.

CONSTITUTIONAL CONVENTION PROPOSAL 319

By Delegate Bryant:

To Committee on General Provisions.

C.C.P. 319, A PROPOSAL FOR INCORPORATION
IN THE CONSTITUTION OF TEXAS

Relating to the regulation of those who
attempt to influence the legislative and
executive branches of government.

BE IT PROPOSED BY THE CONSTITUTIONAL
CONVENTION OF TEXAS:

That the following section be included
in the appropriate article:

Section _____. ATTEMPTS TO INFLUENCE
LEGISLATIVE OR EXECUTIVE ACTION. It is the
policy of the State to preserve the integrity
of the procedures by which the laws are made
and executed. The Legislature shall enact
laws to enforce this policy, including laws
to require those individuals or groups who
regularly engage in activities intended to
influence action by the legislative or
executive branch of government to register
and to fully disclose the amount received and
spent in the course of influencing
governmental actions.

CONSTITUTIONAL CONVENTION PROPOSAL 320

By Delegate Denton:

To Committee on the Legislature.

C.C.P. 320, A PROPOSAL FOR INCORPORATION
IN THE CONSTITUTION OF TEXAS

Relating to the immunity for
legislators.

BE IT PROPOSED BY THE CONSTITUTIONAL
CONVENTION OF TEXAS:

That the following section be included in Article III:

Section _____. LEGISLATIVE IMMUNITY. (a) Senators and Representatives shall, except in cases of treason, felony, or breach of the peace, be privileged from arrest during the session of the Legislature, and in going to and returning from the same.

(b) No member shall be questioned in any other place for speech or debate during a legislative proceeding.

CONSTITUTIONAL CONVENTION PROPOSAL 321

By Delegate Denton:

To Committee on the Legislature.

C.C.P. 321, A PROPOSAL FOR INCORPORATION IN THE CONSTITUTION OF TEXAS

Relating to the Legislative contempt power.

BE IT PROPOSED BY THE CONSTITUTIONAL CONVENTION OF TEXAS:

That the following section be included in Article III:

Section _____. ORGANIZATION & PROCEDURE. (a) Each house shall be the judge of the qualifications and election of its own members, but contested elections shall be determined as provided by law.

(b) Each house shall adopt its rules of procedure. The Legislature by majority vote of the membership of each house shall adopt rules. Rules, once adopted, shall remain in effect until amended, repealed, or otherwise changed by the same or succeeding legislatures.

(c) At the beginning and end of each session the Senate shall elect from its members a president pro tempore who shall perform the duties of president when the Lieutenant Governor is absent or disabled, or when the office is vacant.

(d) When first assembled the House of Representatives shall organize and elect a speaker from its members.

(e) All elections held by either house of the Legislature shall be by individual voice votes to be recorded in the journal.

(f) Two-thirds of the membership of each house shall constitute a quorum for transacting business, but fewer members may recess or adjourn from day to day and compel the attendance of absent members.

(g) Each house shall prepare and publish a journal of its proceedings. At the request of any three members present, the votes on any question shall be recorded in the journal.

(h) Each house may punish a member for disorderly conduct or for cause deemed sufficient by that house and may expel a member by two-thirds vote of its membership, but not a second time for the same offense.

(i) Each house may punish, by imprisonment, during its sessions, any person not a member, for disrespectful or disorderly conduct in its presence, or for obstructing any of its proceedings; provided, such imprisonment shall not, at any one time, exceed forty-eight hours.

By Delegate Reyes:

To Committee on the Executive.

C.C.P. 322, A PROPOSAL FOR INCORPORATION IN THE CONSTITUTION OF TEXAS

Relating to the composition and selection of the Executive Department.

BE IT PROPOSED BY THE CONSTITUTIONAL CONVENTION OF TEXAS:

(1) That the following section be included in Article IV:

Section _____. COMMISSIONER OF EQUAL EMPLOYMENT OPPORTUNITY. The Commissioner of Equal Employment Opportunity shall ensure equal opportunities for employment in the State and shall perform the duties required by this Constitution and such other duties as may be provided by law.

(2) That Sections 1, 2, 6, and 7 of the Executive Article read as follows:

Section 1. OFFICERS CONSTITUTING THE EXECUTIVE DEPARTMENT. The Governor shall be the Chief Executive Officer of the State. The Executive Department shall consist of a Governor, Lieutenant Governor, Attorney General, Comptroller of Public Accounts, Secretary of State, Commissioner of the General Land Office, Commissioner of Equal Employment Opportunity, and such other officers as may be provided by law.

Section 2. SELECTION, TERMS, AND RESIDENCE OF OFFICERS OF EXECUTIVE DEPARTMENT. The Governor, Lieutenant Governor, Attorney General, and Comptroller of Public Accounts shall be elected by the qualified voters of the State at general elections beginning with 1978. The Secretary of State and Commissioner of Equal Employment Opportunity shall be appointed by the Governor. The Commissioner of the General Land Office shall be elected or appointed as provided by law. Appointive officers of the Executive Department shall be appointed by the Governor with the advice and consent of the Senate and shall serve at the pleasure of the Governor. Elective officers of the Executive Department shall serve four-year terms. All officers of the Executive Department shall reside at the seat of government.

Section 6. DISABILITY OF ELECTIVE OFFICERS OF EXECUTIVE DEPARTMENT. The disability of any elected officer of the Executive Department to perform the duties of the office during the term for which elected shall be determined in a proceeding in the Supreme Court of the State under such rules of procedure as may be prescribed by that court. A majority vote of the Governor, Lieutenant Governor, Attorney General, Comptroller of Public Accounts, Commissioner of the General Land Office, Commissioner of Equal Employment Opportunity, Speaker of the House of Representatives, and President pro tempore of the Senate shall initiate such proceedings.

Section 7. COMPENSATION OF OFFICERS OF EXECUTIVE DEPARTMENT. The compensation of the Governor, Lieutenant Governor, Attorney General, Comptroller of Public Accounts, Secretary of State, Commissioner of the

Thursday, January 31, 1974

General Land Office, and Commissioner of Equal Employment Opportunity shall be as provided by law, not to exceed the amount recommended by the salary commission. The compensation of officers of the Executive Department shall not be diminished during their term of office. The Governor shall have the use of the Governor's Mansion.

CONSTITUTIONAL CONVENTION PROPOSAL 323

By Delegate Reyes:

To Committee on the Executive.

C.C.P. 323, A PROPOSAL FOR INCORPORATION IN THE CONSTITUTION OF TEXAS

Relating to the composition and selection of the Executive Department.

BE IT PROPOSED BY THE CONSTITUTIONAL CONVENTION OF TEXAS:

(1) That the following section be included in Article IV:

Section _____. COMMISSIONER OF HUMAN RELATIONS. The Commissioner of Human Relations shall perform the duties required by this Constitution and such other duties as may be provided by law.

(2) That Sections 1, 2, 6, and 7 of Article IV read as follows:

Section 1. OFFICERS CONSTITUTING THE EXECUTIVE DEPARTMENT. The Governor shall be the Chief Executive Officer of the State. The Executive Department shall consist of a Governor, Lieutenant Governor, Attorney General, Comptroller of Public Accounts, Secretary of State, Commissioner of the General Land Office, Commissioner of Human Relations, and such other officers as may be provided by law.

Section 2. SELECTION, TERMS, AND RESIDENCE OF OFFICERS OF EXECUTIVE DEPARTMENT. The Governor, Lieutenant Governor, Attorney General, and Comptroller of Public Accounts shall be elected by the qualified voters of the State at general elections beginning with 1978. The Secretary of State and the Commissioner of Human Relations shall be appointed by the Governor. The Commissioner of the General Land Office shall be elected or appointed as provided by law. Appointive officers of the Executive Department shall be appointed by the Governor with the advice and consent of the Senate and shall serve at the pleasure of the Governor. Elective officers of the Executive Department shall serve four-year terms. All officers of the Executive Department shall reside at the seat of government.

Section 6. DISABILITY OF ELECTIVE OFFICERS OF EXECUTIVE DEPARTMENT. The disability of any elected officer of the Executive Department to perform the duties of the office during the term for which elected shall be determined in a proceeding in the Supreme Court of the State under such rules of procedure as may be prescribed by that court. A majority vote of the Governor, Lieutenant Governor, Attorney General, Comptroller of Public Accounts, Commissioner of the General Land Office, Commissioner of Human Relations, Speaker of the House of

Representatives, and President pro tempore of the Senate shall initiate such proceedings.

Section 7. COMPENSATION OF OFFICERS OF EXECUTIVE DEPARTMENT. The compensation of the Governor, Lieutenant Governor, Attorney General, Comptroller of Public Accounts, Secretary of State, Commissioner of the General Land Office, and Commissioner of Human Relations shall be as provided by law, not to exceed the amount recommended by the salary commission. The compensation of officers of the Executive Department shall not be diminished during their term of office. The Governor shall have the use of the Governor's Mansion.

CONSTITUTIONAL CONVENTION PROPOSAL 324

By Delegate Hudson:

To Committee on the Executive.

C.C.P. 324, A PROPOSAL FOR INCORPORATION IN THE CONSTITUTION OF TEXAS

Relating to a Human Relations Commission.

BE IT PROPOSED BY THE CONSTITUTIONAL CONVENTION OF TEXAS:

That a section be included in Article IV to read as follows:

Section _____. HUMAN RELATIONS COMMISSION. The legislature shall establish a Human Relations Commission with adequate power to enforce provisions of the constitutions and laws of the United States and of this state protecting persons from discrimination because of sex, race, color, creed, or national origin.

CONSTITUTIONAL CONVENTION PROPOSAL 325

By Delegate Clower:

To Committee on the Legislature.

C.C.P. 325, A PROPOSAL FOR INCORPORATION IN THE CONSTITUTION OF TEXAS

Relating to the selection of committees and their chairmen of the Legislature.

BE IT PROPOSED BY THE CONSTITUTIONAL CONVENTION OF TEXAS:

That following Section 8(b) of Article III there be inserted a new Subsection (c) to read as follows, and that subsequent subsections be renumbered accordingly:

(c) Upon the adoption of rules of procedure by each house, the first order of business shall be for each house to convene as a Committee of the Whole so as to elect the membership and chairman of each standing committee.

CONSTITUTIONAL CONVENTION PROPOSAL 326

By Delegate Clower:

To Committee on the Legislature.

C.C.P. 326, A PROPOSAL FOR INCORPORATION IN THE CONSTITUTION OF TEXAS

Thursday, January 31, 1974

Providing an addition to Article III, Section 7 allowing the legislature to call itself into special session.

BE IT PROPOSED BY THE CONSTITUTIONAL CONVENTION OF TEXAS:

That Article III, Section 7(e) read as follows:

(e) The Legislature may, on extraordinary occasions, convene in special session, by petition of two-thirds of the house and two-thirds of the Senate, stating specifically the purpose and duration of the session.

CONSTITUTIONAL CONVENTION PROPOSAL 327

By Delegate Clower:

To Committee on the Executive.

C.C.P. 327, A PROPOSAL FOR INCORPORATION IN THE CONSTITUTION OF TEXAS

Designating the President Pro Tempore of the Senate as the public official to succeed to the Governorship upon the death, resignation, disability, removal or absence from the State of both the Governor and Lieutenant Governor.

BE IT PROPOSED BY THE CONSTITUTIONAL CONVENTION OF TEXAS:

That Subsections 5(c), 5(d), and 5(e), of Article IV be amended to read as follows:

(c) If after a vacancy occurs in the office of the Governor and the Lieutenant Governor becomes Governor and thereafter dies, the President Pro Tempore of the Senate, if qualified, shall become Governor under the same conditions and for the same term as provided for the Lieutenant Governor.

(d) If the Governor is absent from the State, the Lieutenant Governor shall act as Governor until the Governor returns. If both the Governor and Lieutenant Governor are absent from the State, the President Pro Tempore of the Senate shall act as Governor during such absences.

(e) While serving or acting as Governor, the Lieutenant Governor or President Pro Tempore of the Senate shall receive only the compensation payable to a Governor.

CONSTITUTIONAL CONVENTION PROPOSAL 328

By Delegate Clower:

To Committee on the Executive.

C.C.P. 328, A PROPOSAL FOR INCORPORATION IN THE CONSTITUTION OF TEXAS

Relating to the determination of disability of elective officers of the Executive Department.

BE IT PROPOSED BY THE CONSTITUTIONAL CONVENTION OF TEXAS:

That the first sentence of Article IV, Section 6 be amended to read as follows:

The disability of any elected officer of the Executive Department to perform the duties of the office during the term for which elected shall be determined in a proceeding in the Supreme Court of the State, under such rules of procedure as may be prescribed by that court, and subject to the advice and consent of the Senate.

CONSTITUTIONAL CONVENTION PROPOSAL 329

By Delegate Clower:

To Committee on General Provisions.

C.C.P. 329, A PROPOSAL FOR INCORPORATION IN THE CONSTITUTION OF TEXAS

Providing for recall of public officers.

BE IT PROPOSED BY THE CONSTITUTIONAL CONVENTION OF TEXAS:

That the following section be included in Article X:

Section 22. Recall of Public Officers

(a) In addition to any other method of removal provided by law, every elective and appointed official of the State, or of any district, county, city or any other political subdivision of this state is subject to removal from office by the qualified voters of the geographical area which make up the political subdivision involved.

(b) A petition, with the signatures of 10 percent of the qualified voters who voted for all candidates for the office held by such officer at the last preceding general election, shall be filed with the officer with whom the nomination petition for such office is filed. If this is a statewide office or an office from a district which contains more than 2 counties, no more than 40% of the signatures can come from one county. Upon presentation of said petition, the recall election shall be called by the highest elected official in the State or political subdivision affected by the recall who is not named in the petition. If the majority of the votes cast at the recall election are for the removal of the officer, the office shall become vacant immediately and shall be filled by special election or appointment, whichever applies to the office. The general election laws shall apply as far as applicable.

(c) The recall provisions of this Constitution are self-executing and shall be treated as mandatory. Laws may be enacted to facilitate their operation, but no law shall be enacted to hamper, restrict, or impair the exercise of the power herein reserved to the people.

CONSTITUTIONAL CONVENTION PROPOSAL 330

By Delegate Clower:

To Committee on the Executive.

C.C.P. 330, A PROPOSAL FOR INCORPORATION IN THE CONSTITUTION OF TEXAS

Relating to the service of all officials appointed to state agencies by the Governor at the pleasure of the Governor.

Thursday, January 31, 1974

BE IT PROPOSED BY THE CONSTITUTIONAL
CONVENTION OF TEXAS:

That Article IV, Section 25 read as
follows:

(c) The members of these state
agencies, appointed by the Governor, shall
serve at the pleasure of the Governor. Their
removal shall be subject to the advice and
consent of the Senate.

CONSTITUTIONAL CONVENTION PROPOSAL 331

By Delegate Clower:

To Committee on the Legislature.

C.C.P. 331, A PROPOSAL FOR INCORPORATION
IN THE CONSTITUTION OF TEXAS

Reserving the power of initiative and
referendum to the people.

BE IT PROPOSED BY THE CONSTITUTIONAL
CONVENTION OF TEXAS:

That the following sections be included
in Article III:

Section ____ Initiative and Referendum.

(a) The people reserve to themselves
the power to propose laws and constitutional
amendments of a statewide nature and
ordinances for any political subdivision of
the State and to enact the same at the polls
independently of the legislature or
appropriate legislative body of the political
subdivision. This power is known as the
initiative.

(b) An initiative petition shall
contain the full text of the measure proposed
and, to be valid, shall be signed by
qualified voters equal in number to at least
10 percent of the total vote cast for
Governor in the last preceding gubernatorial
election, if the measure is of a statewide
nature. If the measure is of a local nature,
the initiative petition shall contain the
full text of the measure proposed and, to be
valid, shall be signed by qualified voters
equal in number to at least 10 percent of the
total vote cast for the highest elective
officer of the political subdivision
involved. If it is a measure of statewide
nature or one pertaining to a district of
more than 2 counties, no more than 40% of the
signatures can come from one county. If of a
statewide nature, the Attorney General shall
within 20 days after receipt determine
whether the measure is of constitutional
stature or is statutory in form.

(c) Initiative petitions containing the
required number of signatures shall be filed
with the Secretary of State, if statewide in
nature, or the appropriate official of the
political subdivision, and that official
applicable shall put the question on the
ballot at the first election of the state or
the political subdivision held not less than
90 days after the petition is filed. An
initiative measure is adopted if it is
approved by a majority of those voting on the
question. The adopted measure goes into
effect 90 days after the final canvass and
declaration of the results of the election.
The veto power of the Governor shall not

extend to initiative measures.

(d) The people reserve to themselves
the power to approve or reject at the polls
any act passed by the legislature or of the
legislative body of each political
subdivision. This power is known as the
referendum.

(e) A referendum petition shall be
signed by qualified voters equal in number to
at least 10 percent of the total vote cast
for Governor in the last preceding
gubernatorial election, if the petition deals
with state legislation. If the legislation
involved is of a local nature, it must be
signed by qualified voters equal in number to
at least 10 percent of the total vote cast
for the highest elective officer of the
political subdivision involved. If it is
legislation of statewide nature or from a
district containing more than two counties,
no more than 40% of the signatures can come
from one county. The petition shall be filed
with the Secretary of State within 90 days
after the subject legislation becomes law.
The Secretary of State shall order an
election to be held on the referendum measure
not less than 90 days nor more than 120 days
after the petition is filed.

(f) When a valid referendum petition is
filed upon an act or a part of an act, it
shall suspend the operation thereof until
such act or part is approved by a majority of
those voting on the question. If not
approved the act or part shall be deemed
repealed. The filing of a referendum
petition against one or more items, sections,
or parts of an act shall not delay the
remainder of the act from becoming operative.

(g) The initiative and referendum
provisions of this Constitution are
self-executing and shall be treated as
mandatory. Laws may be enacted to facilitate
their operation, but no law shall be enacted
to hamper, restrict or impair the exercise of
the power herein reserved to the people.

CONSTITUTIONAL CONVENTION PROPOSAL 332

By Delegate Clower:

To Committees on the Legislature and the
Executive.

C.C.P. 332, A PROPOSAL FOR INCORPORATION
IN THE CONSTITUTION OF TEXAS

Extending to the Legislature the
authority to provide by law for the
legislative granting of reprieves,
commutations, pardons, and the remission of
fines and forfeitures.

BE IT PROPOSED BY THE CONSTITUTIONAL
CONVENTION OF TEXAS:

That in Article III there be inserted a
new Section 13 to read as follows, and that
all subsequent sections be renumbered
accordingly:

Section 13. The Legislature shall have
the power as provided by law to grant
reprieves relating to the execution of death
sentences, and to grant commutations,
pardons, and the remission of fines and
forfeitures.

ADJOURNMENT

Thursday, January 31, 1974

On motion of Delegates Semos, Brooks, Bock and Traeger, the Convention at 2:05 o'clock p.m. adjourned in memory of Former Lieutenant Governor, Former State Senator and United States District Judge T. Whitfield Davidson of Dallas; Larry W. Fultz of Harris County; and Joe Dramberger, brother or Delegate Tony Dramberger; until 2:00 o'clock p.m., Thursday, February 7, 1974.

1974

TEXAS CONSTITUTIONAL CONVENTION

YEA	N-V	NAY	YEA	N-V	NAY	YEA	N-V	NAY	YEA	N-V	NAY
Mr. President			Doyle			Lee			Russell		
Adams, D.			Dramberger			Leland			Sage		
Adams, H.			Earle			Lewis			Salem		
Agnich			Edwards			Lombardino			Sanchez		
Aikin			Evans			Longoria			Santiesteban		
Allen, Jo			Finnell			McAlister	X		Schieffer		
Allen, John			Finney			McDonald, F.			Schwartz		
Allred			Foreman			McDonald, T.			Scoggins		
Andujar			Fox			McKinnon			Semos		
Atwell			Gammara	X		McKnight			Sherman, M.		
Bailey			Garcia			Madla			Sherman, W.		
Baker			Gaston			Maloney			Short		
Bales			Geiger			Martin			Simmons		
Barnhart			Grant			Massey			Slack		
Bigham			Green, F.			Mattox			Snelson		
Bird			Green, R.			Mauzy			Spurlock	X	
Blake			Hale			Meier			Sullivan		
Blanchard			Hall, A.			Menefee			Sutton		
Blythe			Hall, W.			Mengden			Tarbox		
Bock			Hanna			Miller			Temple		
Boone			Harrington			Montoya			Thompson		
Bowers			Harris, E.			Moore			Traeger		
Braecklein			Harris, O.			Munson			Truan		
Brooks			Head			Murray			Tupper		
Bynum			Heatly			Nabers			Uher		
Caldwell			Henderson			Newton			Vale		
Calhoun			Hendrick			Nichols			Vecchio		
Canales			Hernandez			Nowlin			Vick		
Cates			Hightower			Nugent			Von Dohlen		
Clark			Hilliard			Ogg			Wallace		
Clayton			Hoestenbach			Olson			Washington	X	
Clover			Hollowell			Parker, C.			Waters		
Cobb			Howard			Parker, W.			Watson		
Cole			Hubenak			Patman			Weddington		
Coleman			Hudson			Pentony			Whitehead		
Coody			Hutchison			Peveto			Whitmire		
Cooke			Johnson			Poerner			Wieting		
Craddick			Jones, Gene			Poff	XX		Williams		
Creighton	X		Jones, Grant			Powers	XX		Williamson		
Daniel			Jones, L.			Presnal			Willis		
Davis			Kaster			Preston			Wilson		
Denson			Korioth			Ragsdale			Wolff		
Denton			Kothmann			Reyes			Wyatt		
Doggett			Kubiak			Reynolds			Bryant		
Donaldson			Laney			Rodriguez			X-Excused Absence		
Doran			Lary			Rosson					

Roll Call

1

Yea-169

TOTALS Nay-0 NV-12

YEA	N-V	NAY	Comm.	ARTICLE	SECTION
100-200	100-200	100-200	10		
0 0	0 0	0 0	Rep.	20	
1 1	1 1	1 1	Subs.	1	10 1
2 2	2 2	2 2	Amm.	2	20 2
3 3	3 3	3 3	Quo.	3	30 3
4 4	4 4	4 4	3 R	4	40 4
5 5	5 5	5 5	Subm.	5	50 5
6 6	6 6	6 6	Mino.	6	60 6
7 7	7 7	7 7	Mot.	7	70 7
8 8	8 8	8 8	Alt.	8	80 8
9 9	9 9	9 9	Sep.	9	90 9
			2 R	0	00 0

DATE: 1

JAN 2

FEB 3

MAR 1

APR 2

MAY 3

JUN 4

JUL 5

AUG 6

SEP 7

OCT 8

NOV 9

DEC 0

YEA	N-V	NAY	YEA	N-V	NAY	YEA	N-V	NAY	YEA	N-V	NAY
Mr. President			Doyle			Lee			Russell		
Adams, D.			Dramberger			Leland			Sage		
Adams, H.			Earle			Lewis			Salem		
Agnich			Edwards			Lombardino			Sanchez		
Aikin			Evans			Longoria			Santiesteban		
Allen, Joe			Finnell			McAlister	X		Schieffer		
Allen, John			Finney			McDonald, F.			Schwartz		
Allred			Foreman			McDonald, T.			Scoggins		
Andujar			Fox			McKinnon			Semos		
Atwell			Gamma	X		McKnight			Sherman, M.		
Bailey			Garcia			Madla			Sherman, W.		
Baker			Gaston			Maloney			Short		
Bales			Geiger			Martin			Simmons		
Barnhart			Grant			Massey			Slack		
Bigham			Green, F.			Mattox			Snelson		
Bird			Green, R.			Mauzy			Spurlock	X	
Blake			Hale			Meier			Sullivant		
Blanchard			Hall, A.			Menefee			Sutton		
Blythe			Hall, W.			Mengden			Tarbox		
Bock			Hanna			Miller			Temple		
Boone			Harrington			Montoya			Thompson		
Bowers			Harris, E.			Moore			Traeger		
Braecklein			Harris, O.			Munson			Truan		
Brooks			Head			Murray			Tupper		
Bynum			Heatly			Nabers			Uher		
Caldwell			Henderson			Newton			Vale		
Calhoun			Hendricks			Nichols			Vecchio		
Canales			Hernandez			Nowlin			Vick		
Cates			Hightower			Nugent			Von Dohlen		
Clark			Hilliard			Ogg			Wallace		
Clayton			Hoestenbach			Olson			Washington	X	
Clower			Hollowell			Parker, C.			Waters		
Cobb			Howard			Parker, W.			Watson		
Cole			Hubenak			Patman			Weddington		
Coleman			Hudson			Pentony			Whitehead		
Coody			Hutchison			Peveto			Whitmire		
Cooke	X		Johnson			Poerner			Wieting		
Craddick			Jones, Gene			Poff	X		Williams		
Creighton	X		Jones, Grant			Powers	X		Williamson		
Daniel			Jones, L.			Presnal			Willis		
Davis			Kaster			Preston			Wilson		
Denson			Korioth			Ragsdale			Wolff		
Denton			Kothmann			Reyes			Wyatt		
Doggett			Kubiak			Reynolds			Bryant		
Donaldson			Laney			Rodriguez			X Excused Absence		
Doran			Lary			Rosson					

#2 Adoption of Preamble AND Article I

YEA	TOTALS	NAY	ARTICLE	DATE: 1
100-200	N-V	100-200	SECTION	
0 0	0 0	0 0	Comm. 10	JAN 2
1 1	1 1	1 1	Rep. 20	FEB 3
2 2	2 2	2 2	Subs. 1	MAR 1
3 3	3 3	3 3	Amm. 2	APR 2
4 4	4 4	4 4	Quo. 3	MAY 3
5 5	5 5	5 5	3 R 4	JUN 4
6 6	6 6	6 6	Subm. 5	JUL 5
7 7	7 7	7 7	Mino. 6	AUG 6
8 8	8 8	8 8	Mot. 7	SEP 7
9 9	9 9	9 9	Alt. 8	OCT 8
			Sep. 9	NOV 9
			2 R 0	DEC 0