

ELECTIONS COMMITTEE

SUBCOMMITTEE ON FUNDING AND VOTING SYSTEMS

September 8, 1978

TESTIMONY OF: ALBERTO GARCIA

CHAIRMAN: Mr. Garcia, would you raise your hand? Do you affirm the testimony that you are about to give this committee is the truth, the whole truth?

GARCIA: I do.

CHAIRMAN: Would you state your name and who you are representing in what capacity?

GARCIA: My name is Alberto Garcia, Duval County Clerk.

CHAIRMAN: We appreciate your coming all the way from the Valley to be with us.

GARCIA: Mr. Chairman, distinguished members of this Committee--Subcommittee.

While the legislature of Texas has done a wonderful job on the Election Code, we have had a few allegations, especially in the absentee for what I am responsible in my county.

As you are probably aware, there was a lot of publicity that has given our county a bad image, and I think that the Election Code can be modified, especially in absentee in certain things. For example, some of the accusations that I have had in my office as judge of the

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absentee are from nursing homes. The accusations are that some of those people that are really sick, or what the newspapers calls them, vegetables, were voted by other people, that there was fraud committed. However, when a county clerk receives an application, there is no way in the world that he knows whether that person signs the application or not. Under the Texas Election Code, it says that anybody over 65 years of age can vote absentee by mail or in person without asking any questions as to their physical disability. Most of the people in this nursing home are old people over 65. They send their applications in saying that they are over 65 and the county clerk doesn't know whether they signed that application or somebody else signed it for them. And the Election Code also says that if they can't sign their name for physical reasons, that anybody can be a witness and sign-- and help them vote this ballot.

Now those accusations have been made. I have talked to several of my friends that are county clerks of the state, and they seem to be having the same trouble.

Another thing that I would like to bring up at this time, the Election Code says that the ballot by mail must be mailed from outside of your county, that it must be postmarked outside of the county. Well, the way this postal service is now, you cannot tell where that ballot is coming from, within the county or out of the county. They have modified those things that makes it hard for a county clerk to know where it came from.

The nursing home is a problem and we would appreciate very much your help in helping us on this deal.

REP. SALINAS? Mr. Garcia, in the absence of the chairman, he has asked me to take over. Have you a suggestion as to what we can do in order to remedy the apparent, or what you allege is a problem with the nursing home residents?

MR. GARCIA: Well, I am not an authority on this, but if you remember the way we had it before, that anybody that was physically handicapped or sick, they would go to a licensed physician and they would get an affidavit stating that that person was unable to go and vote personally. Now, we put the monkey on the doctors' back, and that has stopped a lot of those things at that time. Now most of these nursing homes are supervised by the licensed--very efficient licensed physicians. If we can get them to sign an affidavit of fact that that person is mentally able to vote, because some of those persons are not able to vote mentally, but if that doctor is willing to make an affidavit to that, I think it would cure some of the problems. That is just a suggestion that I make.

REP. SALINAS: I had asked for his suggestion as to what could be done in an attempt to minimize the potential for voter fraud by residents of nursing homes, and he had made a suggestion that we get the doctors to verify that the people are mentally able to -- now how long would that be good for, Mr. Garcia?

MR. GARCIA: Well, during the absentee only because

a man or a woman can be mentally sick for a little while and then get well, so if a doctor would sign an affidavit saying that that person at that time is mentally able to vote, that he is not off the rocker.

REP. SALINAS: Well, let me ask you a question about a problem we get into here. Now what is to say that you and I are mentally able to vote? Shall we get into a problem of denying that precious right to those people that they need just as much as you and I do. In other words, there is nothing to say that you, standing before us today, is mentally competent of voting. You know, you look good, and I look good, but we both may be crazy. You see what I am getting at? Wouldn't we not create an undue harassment on the senior citizens and people that happen to have to live in nursing homes by doing that?

MR. GARCIA: There are two sides to every question, you see, but it will stop a lot of this thing that is going on, a lot of this fraud.

REP. SALINAS: Are you suggesting an affidavit for each person?

MR. GARCIA: Yes. Especially in these nursing homes from a licensed physician.

REP. SALINAS: In other words, if they live in a nursing home, then you are assuming that there is something wrong with their mind by asking them to...

MR. GARCIA: No, we are not assuming that. We are not assuming that all of them are, but some of them are.

REP. SALINAS: O.K., perhaps I agree with you, sir, but what I am getting is that you've got hundreds and hundreds of people in nursing homes that are there perhaps because they are old and they don't have anybody to take care of them, and that is where they live, but they are actually pretty.....

MR. GARCIA: Some of the problems that we had was that they would send in an application card asking for a ballot...

REP. SALINAS: Absentee is what you are talking about?

MR. GARCIA: Yes, I am talking about absentee, you understand, only--using a paper ballot. They would ask an application to asking for a ballot. Now then their sister or aunt would come to me and say, "well, my mother didn't sign that application. She is incapacitated, she couldn't have signed that, she didn't sign it." So, that has put us in a pretty bad spot. What are we going to do?

REP. SALINAS. Mr. Garcia, one of the potential solutions that has occurred to me, and I am sure some other members, is perhaps to require the county clerk's office to do physical inspections; to take the absentee ballots physically to these nursing homes so that somebody in official capacity might be able at least to deter this kind of potential abuse or to at least do a physical examination of the premise to see that indeed people are requesting ballots. Have you thought about this? Spot checking, if you want to call it that.

MR. GARCIA: That had been suggested and I think it is a very good idea also, although it would put a little more work on the county clerk, but I am pretty sure we will be able to do it. After all, everything that comes along, they say, give it to the county clerk. That's all right as long as it solves the problem, that is the main thing.

REP. SALINAS: Other questions? I would ask Mr. Garcia if you have any opinion--the last session of the legislature passed into law what is commonly called the Glossbrenner bill, but which technically required that local officials stop requiring people to sign a ballot stub where they were using paper ballots. I would wonder if now that we have had maybe one election--or at least one election in your area, do you have any comments as to whether that system has helped or hindered in Duval County?

MR. GARCIA: Well, there is pro and con.

REP. SALINAS: I beg your pardon?

MR. GARCIA: There is pro and con on that question for this reason that in an election contest, you don't know how that man voted or woman voted, see, in an election contest. And any lawyer can--they say, well, we'll put this voter on the stand and he will testify under oath how he voted. Some of those people don't remember in two or three months how they voted or they don't want to remember, so that is one of the things that I would be against in an election contest. But otherwise, it is giving everybody their civil rights which is very good, but then there is the other question if there's an

election contest.

REP. SALINAS: Normally, the state's position, the law is that we do not want to know, and it is not the right of the state to know under normal procedures how a person intends to vote or voted, so you are testifying that where it is hindered is in trying to reconstruct or carry on an investigation where a protest or a charge has been leveled of fraud. Any other questions?

REP. COFER: I am not sure if I understood when you said that cards are being mailed outside the county or had to be mailed inside of the county; voter registration cards.

MR. GARCIA: The Election Code specifically says that it must be mailed from outside of the county. If you intend to be out of the county, then the ballot must be mailed....

REP. COFER: On absentee voting?

MR. GARCIA: On absentee voting. That's what I am talking about, only absentee.

REP. SALINAS: Mr. Garcia, since the implication-- or implementation of this Glossbrenner law, have you had any new allegations, any new judicial proceedings in Duval County of voter fraud or contested elections?

MR. GARCIA: Not very much. I think that we have had pretty good elections.

REP. SALINAS: Your county is not currently under investigation or there's been no allegations in this last primary of voter fraud, to your knowledge?

MR. GARCIA: Only on absentee. That's the only...

REP. SALINAS: So you have had no real complaints about the passage of this -- the application of this law?

MR. GARCIA: Not at this time.

REP. SALINAS: Any other questions? If not, Mr. Garcia, I want to thank you personally for coming all the way from the Valley. We had intended to come to the Valley ourselves, and we appreciate in lieu of that your coming up here to testify, and we might have, if you can stay with us, we might have questions further. If not, we would like to at least have you go to lunch with us when we break.

MR. GARCIA: Thank you very much. Thank you. I am glad to be here.

END OF TESTIMONY

COMMITTEE ON ELECTIONS

SUBCOMMITTEE ON FUNDING AND VOTING SYSTEMS

September 8, 1978

TESTIMONY OF: ANTONIO PEREZ, JR.

CHAIRMAN: Mr. Perez, I have to swear you in. Will you affirm the testimony you are about to give this committee is the whole truth?

MR. PEREZ: Yes, sir.

CHAIRMAN: Will you state your name and in what capacity you appear before us?

MR. PEREZ: I am Antonio Perez from San Diego, Texas, Duval County, and we were sent up here by County Judge Uresti. He had some other commitments and he sent us to represent (inaudible)...

CHAIRMAN: We are glad you are here. Please proceed.

MR. PEREZ: Well, the only thing I have to say is just about the absentee voting. I was a watcher at the primary, and what we saw up there when we were counting is that two ladies all were witnesses with an "X" mark witness two ladies. There were about 100--a little over 100 ballots, just like that.

CHAIRMAN: I didn't quite understand what you said, sir. Would you repeat that?

MR. PEREZ: Yes. Is that, you know, when you go and vote and absentee vote and mailings. You see. There were

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always two ladies, just two ladies witnesses, either in one ballot and the other ballot, there were two ladies.

CHAIRMAN: Are you talking about a group of ballots?

PEREZ: Yeah, about 100 ballots or more.

CHAIRMAN: And you are testifying that all of the ballots were witnessed by either one or two people (inaudible)..

PEREZ: About 100--a little over a hundred ballots.

CHAIRMAN: Were these from a particular area, like a nursing home or something?

PEREZ: No. They were from Precinct 1, voter Precinct 9.

CHAIRMAN: O.K., now why were these people--why were these ladies' names on the ballots to start with--the witnesses?

PEREZ: They were just witnesses to the signature, to the cross.

CHAIRMAN: Oh, it was people that don't know how to sign their name. Is that what you are saying?

PEREZ: Probably so. But I don't know if they are all--because I work in the Post Office for 37 years, and I don't think there so many illiterates in San Diego, that many that can't sign their names.

CHAIRMAN: These two witnesses that we are talking about, officials of the (inaudible)...in any capacity?

PEREZ: Well, one of them--one of these ladies worked with the county clerk.

CHAIRMAN: One of them was with the County Clerk's office?

PEREZ: Yes.

CHAIRMAN: From Duval County?

PEREZ: From Duval County.

CHAIRMAN: So, the implication might be that maybe someone in official capacity was going out of their way to sign up absentee....

PEREZ: Well, I don't know. It is true that this application up there are public records, but how come is it they always were in there to witness these voters?

CHAIRMAN: Mr. Perez, in your opinion, since the implementation or the passing of the--what's called the Glossbrenner bill where you don't have to--you no longer have to sign your ballot stub, has it helped the situation in...

PEREZ: It helps, yes, because they don't--you just put your (inaudible) ballot in the box and that is all. You don't have to sign your name or anything like that.

CHAIRMAN: Were you here this morning when your district clerk testified that they had--since that had no, to his knowledge, had had no allegations....

PEREZ: No, we haven't put in any allegations because we say we can't do it (inaudible)..because in a way--the county clerk, he was the presiding judge up there, and he wasn't a (inaudible) to, and the clerk that was--it's a husband to another man that was a (inaudible) and according to the (inaudible)--I phoned the state about that. They told me it was all right for him to be presiding judge, which I think can

be arranged some other way.

CHAIRMAN: Do you have any recommendations for this committee, or can you think of anything in the Election Code that you think is being used improperly by people that maybe this committee could recommend that should be changed?

PEREZ: Well, the only thing I see ...

CHAIRMAN: I understand the situation in South Texas is there is still a very tight knit family operation there; how much or what, if anything we can do about that, I don't know, but through changes in the law, so if there is anything, any tool that is being used which you think unfairly gives an advantage to one side or another, maybe we can do something about that.

PEREZ: It works probably that way. I don't know if it is working that way or not. But the way it looks, it does because there were about, let's see, there were a little over 5,000 voters in Duval County and seven hundred and somewhat were absentee voters, and I believe over 400 voters from San Diego alone.

CHAIRMAN: Four hundred absentee ballots from San Diego? Other questions?

PEREZ: Another thing is, I know of a lady who lives here in Houston--she lives here in Houston, and she has registered in Duval County with her maiden name, and she is married over here. I know for a fact that she is married.

CHAIRMAN: And she is registered to vote in Duval County under her maiden name and votes there? Do you have any indication that she might be also registered and vote here?

PEREZ: I don't know.

REP. COFER: Do you have any answers to the problems of absentee voting?

PEREZ: Well, some of the things that I observed up there when I was up there, a lady that came up there, she couldn't hear--I know she couldn't hear because the county clerk asked her in a high voice what was her name? She said, "no, I just want to vote." Then he asked her again, "what is your name?" "No, I just want to vote for this and this." And then there was a state man up there that said, "Well, let her vote." She went up there with a--and she had an assistant with her. She went up there and voted, and in a very low voice, she voted. We saw the lady voted--a very low voice. We couldn't even hear what she was saying.

CHAIRMAN: What do you mean, in a very low voice?

PEREZ: Well, you couldn't hear--just whispering.

CHAIRMAN: I don't understand why she was using her voice to vote. Is there some.....

She was whispering to the assistant? Is that what she was doing? So the assistant--the person assisting her was actually voting. Is that what you are saying?

PEREZ: Because, in other words, how can she hear her the names and the ballot?

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CHAIRMAN: Of course, that voter is entitled to that privacy, I guess. I mean as poll watcher, you are not supposed to be able to hear...

PEREZ: No, we didn't get near her.

CHAIRMAN: It just looked suspicious to you. Is that what you are saying?

PEREZ: Well, the only thing is that how can-- when they were talking in a high voice, she couldn't hear it. And when they were talking up there and telling her the names on the ballot in a very lowest whispering, she didn't know what she was doing.

CHAIRMAN: That, in your opinion, is the incident of voter fraud still very high in South Texas or.....

PEREZ: Well, in Duval, it is. I don't know how it is in other counties.

I wasn't watching it, that is why I say....

CHAIRMAN: Besides absentee--the situation of the absentee ballot, is there any other .....

PEREZ: I don't know any of the other voting places because I never do watch them.

CHAIRMAN: Have you heard any allegations of people double voting in two different primaries, for instance?

PEREZ: Not that I...

CHAIRMAN: I don't know where it was, but we recently heard of investigation out of the Secretary of State's office involving people who were being literally

paid to go vote. I don't know, but somebody on the committee might know or correct me if that --if those incidences were happening in your neighborhood.

PEREZ: I can't tell you because I don't know about it.

CHAIRMAN: Is there a current Grand Jury investigation into....

PEREZ: There is one...

CHAIRMAN: O.K., is that in Duval County?

PEREZ: Yeah.

CHAIRMAN: Have you been called, or have you offered to testify before that Grand Jury?

PEREZ: No, I have never been called yet. If I am called, I will.

CHAIRMAN: Have you called the District Attorney and volunteered? Is there a reason why?

PEREZ: Well, the reason why is that I don't want to--if they call me, I will go and testify. I've just got to keep it to myself.

CHAIRMAN: Is it that you have distrust of.....

PEREZ: Well, one of the ladies that is in the jury right now is one of the ones that was putting this "x" sign.

CHAIRMAN: You are saying one of the Grand Jurors is one of the people who were signing the affidavits.

What can we do down there to get it straightened out so you people....

PEREZ: Well, I don't know. That is up to you all if you can do something about it to stop that...

CHAIRMAN: Short of moving the state militia in there, do you have any recommendations that this committee might look at?

PEREZ: The only thing is just try to stop all this ....

CHAIRMAN: I have a feeling that regardless of what system we instituted that we would still have a problem in certain segments of this state with enforcing whatever system that is; yours being one of them I have all my life heard that in South Texas it is just hard to get a fair election.

PEREZ: We had a fair election awhile ago, about three weeks ago. I was elected to the school board. They had over 200 votes absentee. We got only 50 of those absentees.

CHAIRMAN: You say, there were over 200 absentee count? And you got, what, 50 of them?

PEREZ: We got about 50.

CHAIRMAN: So you think there is some hanky-panky in the absentee ballots?

PEREZ: I don't know. I can't say that.

CHAIRMAN: Other questions?

Mr. Perez, this committee desires and wants--and if there is any way--I think it will probably be a part of our report that your neighborhood, or the

South Texas region should be monitored, probably from time to time or continuous, but it is the desire of this committee to still want to come down there, and if there is any way that we can do that, we will. The time restraints and money restraints have kept us from bringing this committee down there so far, but I appreciate your coming up to testify.

PEREZ: Thank you.

CHAIRMAN: Thank you.

END OF TESTIMONY

ELECTIONS COMMITTEE

SUBCOMMITTEE ON FUNDING AND VOTING SYSTEMS

September 8, 1978

TESTIMONY OF: CARLOS S. TREVINO

CHAIRMAN: Mr. Carlos S. Trevino. Mr. Trevino will you affirm the testimony you are about to give is the whole truth?

TREVINO: Yes, sir, I do.

CHAIRMAN: Will you state your name and in what capacity you are speaking?

TREVINO: My name is Carlos Trevino. I am Housing Coordinator for Duval County, and I am also representing County Judge Gilberto Uresti from San Diego.

When he mentioned the 100 ballots that came in with an "X" on it, in my opinion, I would like to recommend to where next time on another election if it would be possible for the witnesses to be a close relative, either a brother, sister, first cousin, second cousin, but a close relative, instead of witnesses that are not even related. And I had an instance where I went to see this elderly person and I asked him if he had voted already, and he said that he had, but he never saw the ballot. One of the candidates went up there and voted for him. And then there was also something that I think the mail on Precinct 9 usually goes by there around 2:00 o'clock, and

some of these people got their mail in the morning. Now, I don't know how they got the mail that early; either somebody was fooling around with the mail or--but it did happen.

Also, adding to Mr. Perez, what he said about the County Clerk's office during the absentee, I feel that the county clerk should not be the presiding judge when he is a candidate because if I would be a candidate and running for county clerk, I feel that he could be in that voting place, I feel that I should be in there, too. I mean, why can he be, and why can't I be? I mean, I feel it is only fair. And yet, somebody's workers, and maybe even himself were accused of helping the voter to where they wanted to vote for somebody and he would tell them, "no, vote for this individual." And I feel that that was very unfair. And he usually, he or the clerks working for him, usually did it on senior citizens that are, you know, they are afraid and they will do anything, you know, to where, with a little pressure, they will give in and they will do what he says, or they say. So I feel that in this case whenever the County Clerk is a candidate, I don't think he should be the presiding judge in an absentee. Now, if he is not a candidate, fine.

And also that I wanted to add on those people that vote by mail with an "X", I think they should be helped by a close relative and not by somebody else that they probably don't even know.

CHAIRMAN: Questions?

REP. SALINAS: I have a question. The 100 votes that apparently you and Perez are familiar with the same incident, the 100 votes that he referred to, are these people that went into the County Courthouse to vote absentee, or are these people that mailed their ballots?

TREVINO: They mailed their ballots. And if I am not mistaken, those same people that helped them or were witnesses were the same ones that requested the ballots.

REP. SALINAS: Well, do you suppose that these-- that after these ballots came in that--is it possible since these people apparently work at the county clerk's office, is it possible that they could have called or they could have witnessed that "X" beforehand, and therefore that would explain the reason for their name being on there, or could they have called the people and verified that they did send in a ballot with an "X" on it and say, well, I will just ahead and verify that this is you. Do you think that could have possibly been done? I am trying to give those people the benefit of the doubt.

TREVINO: Right. Well, it could have happened that way, but...

REP. SALINAS: What do you think happened?

TREVINO: Well, in my opinion--now this is an opinion--

REP. SALINAS: Sure, that is what I want.

TREVINO: During the election, I was a candidate

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myself. I was running for district clerk--not for county clerk, and I roamed around a few times during the day when this was going on, and I followed these people a few times, and they stopped at some houses and helped those people vote. Now, of course, I was on vacation for the last two weeks before the election, and I managed to get to see some of that.

REP. SALINAS: You are saying since they worked at the county clerk's office, and they knew exactly when the mail went out, apparently they had somebody that delivered the mail, they knew when the ballots would be there, and since they had the list of all the names, they went around to the houses where the ballots would be there on the day that they would be there, and asked or helped or attempted to help, or coerced them into voting for a particular person. Now, we don't have the signature on the ballot any longer, so we cannot say for sure that these particular people voted for quote "that contested county clerk's office" that you are talking about?

TREVINO: That is correct.

REP. SALINAS: There is no way of knowing for sure. You don't know that those people--they could have voted for the other candidate because we want to keep the ballot private. That is why we took the signature off there. We don't want anybody to know how you vote or how I vote.

TREVINO: Right. O.K., on the results of the absentee--O.K., most of the candidates that I was favoring

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got beat by about five to one in the absentee, and there were about 746 absentees that came in. Now, of course, we had--since it was a whole county, covered some other towns, too, in Duval.

REP. SALINAS: O.K., now what you are saying is that the absentee--was the absentee vote the trend considerably different--are you saying that in the absentee box the people that allegedly did all these bad things were real successful, and then--was that different than what it was in say the regular boxes in those areas?

TREVINO: Right. Let me give you an example. In one race, it was pretty even all the way through, and then in the absentee--when they got to the absentees--since they were a whole day and a half counting, it was, you know,...

REP. SALINAS: Lopsided.

TREVINO: Lopsided completed.

REP. SALINAS: O.K. That was what I was trying to get from you. In other words, the trend was a pretty even race in all the boxes, but then the absentee box was lopsided which does not coincide with normal trends in voting. Normally, if the absentee box is close, the whole election is going to be close. If the absentee box is lopsided in one direction, that's generally the way the election is going to turn out. And so the opposite happened is what you are saying.

TREVINO: Right. It is kind of obvious, you know.

REP. SALINAS: So then it leads you to suspect or

to believe that there was some coercion or apparently there was some possible fraud in those absentee boxes?

TREVINO: Correct. Not mentioning names, but those two individuals that we said that were witnesses, well, one of them is not employed by the county clerk, the other one is, and she was off for three months just campaigning and she still got paid by the county. I think that is wrong.

REP. SALINAS: Wait a minute, back up a little. Looks to me like we've got a violation of the law right there. You are saying that this particular person that was a campaign worker for the county clerk that obviously won the election was on the county payroll, but instead of working at the county was out campaigning door to door? Is that what you are saying?

TREVINO: Correct. Right.

REP. SALINAS: Have you reported that to the District Attorney's office?

TREVINO: Well, a lot of information was reported to the District Attorney's office, but so far, they have never done anything about it. We had some affidavits signed, too, and nothing was done about it.

CHAIRMAN: Who is the district attorney in your area?

TREVINO: Frank Cerda is the district attorney.

REP. COFER: Can you ask for outside assistance

from law enforcement agencies?

TREVINO: Well, we called Ernestine Glossbrenner a few times to see if she could help us out.

REP. COFER: Well, how about the F.B.I. or someone like that to come down?

TREVINO: No, nothing like.

REP. COFER: If those kind of things are going on, the F.B.I. will intercede, especially if the county clerk and Grand Jury and all those people are involved in it; if you have facts and data that you can back up, documentation. Have you talked to any of those absentee voters?

TREVINO: Yes, yes. That is where we got our affidavits from.

REP. COFER: What did you do with the affidavits?

TREVINO: Well, they were given to the county judge, and then the county judge presented them to the district attorney or his assistant.

REP. COFER: You might as well try contacting the federal agents and see if they will come in and investigate it.

CHAIRMAN: Mr. Trevino, aside from the other recommendations that you've made, do you think there is anything that this committee or the legislature, as a whole, or any law that we could pass that would change the situation? I am kind of the opinion that there are probably enough laws right now that with the right enforcement, something could be done. Do you have any recommendations? Can you

recommend to this committee any tool that we might provide citizens...

TREVINO: Well, just the ones I have right now, but I guess that it is just a matter of time in Duval County that we will be able to kind of stop these people from doing it, you know; slowly, I guess that even the senior citizens are opening their eyes right now to where they know now that they have the right to vote for anyone they please. Now, if you have ever read the history of Duval County, we were under a certain rule and people were just used to voting one way, the way they were told. And now it is different. Now they have the right to vote--they have always had it, but yet, you know, they were used to that way, and I feel that it is going to have to take some time and I think it will change, but for the meantime, those are the only two recommendations that I have that might help.

CHAIRMAN: Do you think the presence of this committee or any group that came to South Texas would in anyway focus or help the situation, or would it just inflame in the situation?

TREVINO: I think that you all would be pretty helpful. Also, I would like to mention something about the Texas Rangers. Everytime we have an election, we call them over, but it seems to me that I feel that they should be neutral, but then usually they are onesided, and they are the same rangers every time. I feel they should

be rotated in every election, you know, and don't send the same ones. Sometimes they are there a day before the election and they go barbeque with some friends, you know, or friends politically, you know, on one party, and they always favor that party right there. And I think they should be neutral. And I feel they should rotate them, you know, anytime they call on them--not send the same ones every time.

CHAIRMAN: It is the impression, I would say, of most of the legislators that the so-called Pharr machine has been broken in South Texas. Is that true, or not true?

TREVINO: Well, we are pretty well split right now. Now, as Mr. Perez mentioned, we are fighting against the Pharr faction and we had three candidates and we won with all three candidates, but it was an average between 38 and 40 votes on each one, so that was a very close race. This is the first time we have beat them in this situation, but they are still pretty strong.

CHAIRMAN: So in your opinion the Pharr machine is not dead and it is...

TREVINO: Well, it is dying slowly, and I hope surely.

REP. SALINAS: I want to ask you a question, Carlos. Have you guys tried to get the United States Justice Department down there?

TREVINO: No, I don't think so.

REP. SALINAS: Are you aware that they have also a division that is very close to the--for example, they enforce the Voting Rights Act which guarantees you and I and everybody else in this state the right to vote and the right to choose.

TREVINO: Correct.

REP. SALINAS: I have some people--I will be glad to share this with Representative Glossbrenner--I do communicate with them quite often on other matters and I would be glad to find out if we can get them down there, but it looks to me like that if the state can't help you, you know, you've just got to keep on going.

TREVINO: Right. And if we would have a good Grand Jury right now, I think we could get something done, but it is completely lopsided to one.....

REP. SALINAS: What have you got, a state Grand Jury? Is it a state Grand Jury?

TREVINO: No, it is just a county Grand Jury.

CHAIRMAN: What he is saying about the Justice Department--the passage of this--extending the Voting Rights Act to Texas gives citizens a tool which can be used. I know in my own case that we used it here in Harris County very recently, and of course, you have to use the Justice Department like any federal agency they tend to become bogged down in bureaucracy, so you have to continue to push them--that they are being removed from the local scene gives them an impartiality or an

11- Trevino

insensitivity, if you want to use that word, to local political pressure that you might not get from other places. They don't care, in other words, what or whose toes they step on, and you might pursue that or try--it is particularly useful in your case because it was passed with the primary purpose of protecting Mexican-American and black voters in the South and in Texas, so it should be of some use to you.

Questions? We appreciate your coming, and we want you to know that this committee, and I think for that matter, the entire Texas Legislature is concerned about the situation in South Texas, but I would say that many of them are laboring under the impression that it has been taken care of, that we are over the hump, so to speak, with regard to democracy in South Texas, and we appreciate your comments today.

TREVINO: Thank you.

END OF TESTIMONY

**BILL ANALYSIS**

Background Information:

Existing law provides that anyone may witness an application for an absentee ballot if the voter is unable to sign his name. It was alleged in testimony taken during the Interim by the Elections Subcommittee on Funding and Voting Systems, that elderly, disabled and illiterate people 65 years of age or more, especially those in nursing homes, were being taken advantage of. Accusations were made that applications for ballots were being signed by persons acting without the alleged voters' knowledge or permission in obtaining the ballots.

Purpose:

To prevent voting fraud in the area of absentee ballot applications. This bill is not intended to be punitive of those witnesses who are sincere or are family members the voter feels comfortable with.

Section by Section Analysis:

Section 1. Amends Subsection (a), Subdivision 2, Section 37, Texas Election Code, as amended (Article 5.05, Vernon's Texas Election Code) by providing that the application for an absentee ballot be signed by the applicant [voter] or by a witness as provided for in Article 5.13a of Vernon's; however, an agent for the applicant cannot sign.

Section 2. Amends Subdivision 2, Section 37, Texas Election Code, as amended (Article 5.05, Vernon's Texas Election Code) by adding Subsections (e) and (f) which state that any person, other than the absentee voting clerk or deputy, may not sign as a witness to more than 1 absentee ballot applications unless the subsequent applicants are specified family members. However, validity of an application is not affected by violation of paragraph (e). Provides Class B misdemeanor penalty for person witnessing an application in violation of paragraph (e).

Section 3. Emergency clause.

Rulemaking Authority:

This bill delegates no additional rulemaking authority to any state officer, agency, department or institution.

Comparison of Original to Substitute Bill:

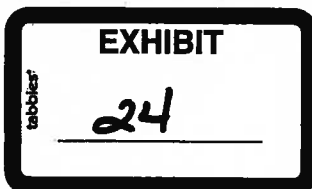
Section 1. same

Section 2. Violation of paragraph (e) voided the application. Provided Class C demeanor penalty for persons witnessing an application in violation of paragraph (e).

Section 3. Emergency clause.

SUMMARY OF COMMITTEE ACTION:

Public notice having been posted in accordance with Rule V,



Section 14, the Committee considered H.B. 2025 in public hearing on April 4, 1979. H.B. 2025 was referred to a subcommittee consisting of the following members: Mr. Smothers, chairman, Mr. Waters and Mr. Florence.

The subcommittee met in a formal hearing on April 19, and a Committee Substitute was presented. C.S.H.B. 2025 was adopted and reported back to the full Committee with the recommendation that it do pass.

On April 25, 1979, the Elections Committee voted to report C.S.H.B. 2025 back favorably to the House with the recommendation that it do pass by a record vote of 6 ayes and 0 nays.

On April 4, 1979, County Judge Blas Chapa from Starr County, County Judge Joe B. Garcia from Brooks County and County Judge Gilberto Uresti from Duval County, Texas testified in favor of H. B. 2025. Judge Chapa testified that on several occasions people have brought in many voters to assist in voting. Judge Garcia stated that this bill would help ensure that voting fraud does not exist and expressed concern on how limitations on witnessing applications would be enforced. Judge Uresti expressed concern that a Class C. misdemeanor was too mild a penalty for violation of provisions in H. B. 2025.

HOUSE  
STUDY  
GROUP

bill analysis

5/3/79

HB 2025  
Glossbrenner  
(CSHB 2025 by Florence)

**SUBJECT:** Application for an absentee ballot

**COMMITTEE:** Elections: committee substitute recommended

**VOTE:** 6 ayes--McBee, Jay Gibson, Haley, Massey, Rains, Smothers,  
0 nay  
0 present, not voting  
5 absent--Waters, Berlanga, DeLay, Florence, Wallace

**WITNESSES:** For--Blas Chapa, Starr County Judge; Joe B. Garcia, Brooks  
County Judge; Gilberto Uresti, Duval County Judge  
Against--NONE

**DIGEST:** This bill says that no person (other than an election clerk)  
may witness more than one application for an absentee  
ballot, unless all of the applicants are members of the  
same family.

**NO:** This bill is designed to stop voting fraud. Witnesses  
have testified that people sometimes fraudulently obtain  
absentee ballots for residents of nursing homes who are  
not aware of what is being done in their name. This bill  
will help solve this problem.

**CON:** No apparent opposition

EXHIBIT

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07/16/79

BILL HISTORY REPORT

PAGE 452

	ACT	DATE	PG-NO
H	Reported from subcommittee with substitute	04-19-79	
H	Considered by committee in public hearing	04-25-79	
H	Reported from committee favorably with substitute	04-25-79	1,876
H	Comm. report printed and sent to Committee on Calendars	04-25-79	
H	Scheduled for future calendar placement	04-26-79	
H	Placed on daily General State Calendar	05-03-79	
H	Read second time (committee substitute)	05-03-79	2,321
H	Passed to third reading	05-03-79	2,321
H	Member vote recorded in journal	05-03-79	2,321
H	Read third time	05-04-79	2,391
H	Passed	05-04-79	2,391
H	Member vote recorded in journal	05-04-79	2,391
H	Reported engrossed	05-04-79	2,418
S	Received from House	05-07-79	994
S	Read first time	05-08-79	1,044
S	Referred to Committee on State Affairs	05-08-79	1,044
S	Scheduled for public hearing on.....	05-17-79	
S	Considered by committee in public hearing	05-17-79	
S	Reported from committee favorably without amendments	05-17-79	
S	Set as a special order (See remarks)	05-22-79	1,366
S	Laid before Senate	05-24-79	1,569
S	Read second time and passed to third reading	05-24-79	1,590
S	Read third time	05-24-79	1,590
S	Passed	05-24-79	1,590
H	Returned from the Senate	05-24-79	1,998
H	Reported enrolled	05-24-79	4,241
H	Signed in the House	05-25-79	4,135
H	Signed in the Senate	05-25-79	4,106
H	Sent to the Governor	05-25-79	4,241
H	Signed by the Governor	06-11-79	
H	Effective 8/27/79	06-11-79	

HB2026 AUTHOR: Kubiak SPONSOR: Andujar  
 Relating to restrictions applicable to occupational driver's licenses.  
 HOUSE COMM: Transportation SUBCOMM: MISC  
 SENATE COMM: State Affairs SUBCOMM:  
 COUNCIL DRAFT: 66R3696 MGL-D COMPANION DOCUMENT:  
 SUBJECT INDEX: Vehicles & Traffic--Drivers Licenses  
 SEN Meeting postponed until; 4/23/79. (4/18/79)

H	Filed	03-09-79	
H	Read first time	03-12-79	712
H	Referred to Committee on Transportation	03-12-79	712
H	Scheduled for public hearing on.....	04-18-79	
H	Scheduled for public hearing on.....	04-23-79	
H	Considered by committee in public hearing	04-23-79	
H	Referred to subcommittee	04-23-79	
H	Considered by subcommittee in formal meeting	05-03-79	
H	Reported from subcommittee favorably without amendments	05-03-79	
H	Comm. report printed and sent to Committee on Calendars	05-03-79	2,576
H	Sent to Local and Consent Calendar Committee	05-09-79	
H	Placed on daily Consent Calendar	05-09-79	
H	Read second time	05-11-79	3,488
H	Passed to third reading	05-11-79	3,488
H	Member vote recorded in journal	05-11-79	3,488
H	Read third time	05-11-79	3,488
H	Passed	05-11-79	3,488
H	Member vote recorded in journal	05-11-79	3,488
H	Reported engrossed	05-11-79	3,488
S	Received from House	05-12-79	3,555
S	Read first time	05-22-79	3,669
S	Referred to Committee on State Affairs	05-22-79	3,669
S	Scheduled for public hearing on.....	05-24-79	
S	Considered by committee in public hearing	05-24-79	
S	Reported from committee favorably without amendments	05-25-79	1,717
S	Ordered not printed	05-25-79	1,718
S	Set as a special order (See remarks)	05-27-79	1,939
S	Laid before Senate	05-27-79	1,944
S	Read second time and passed to third reading	05-27-79	1,944
S	Read third time	05-27-79	1,944
S	Passed	05-27-79	1,944
H	Returned from the Senate	05-27-79	4,439
H	Reported enrolled	05-27-79	4,494
H	Signed in the House	05-28-79	4,524
H	Signed in the Senate	05-28-79	4,042
H	Sent to the Governor	05-28-79	4,647
H	Signed by the Governor	06-06-79	
H	Effective immediately	06-06-79	

HB2027 AUTHOR: Kubiak SPONSOR:  
 Relating to required courses in public schools.  
 HOUSE COMM: Public Education SUBCOMM: MISC  
 COUNCIL DRAFT: 66R1322 SRC-F COMPANION DOCUMENT:  
 SUBJECT INDEX: Education--Primary & Secondary

H	Filed	03-09-79	
H	Read first time	03-12-79	713
H	Referred to Committee on Public Education	03-12-79	713
H	Scheduled for public hearing on.....	04-24-79	
H	Considered by committee in public hearing	04-24-79	
H	Referred to subcommittee	04-24-79	

HB2028 AUTHOR: Kubiak SPONSOR:  
 Relating to the authority of political subdivisions to make housing loans.  
 HOUSE COMM: Business and Industry SUBCOMM: MISC  
 COUNCIL DRAFT: 66R3714 RPH-F COMPANION DOCUMENT:  
 SUBJECT INDEX: Housing  
 City Government

credit for the reserve liability on such reinsurance may be taken by the ceding insurer unless the assuming insurer is licensed to do business in this state, or such reinsurance and the ceding insurer and assuming insurer comply with the provisions of Article 3.10A of this code, and, provided further, no company operating under Section 2(a) of Article 3.02 shall reinsure any risk or part of a risk with any insurer which is not licensed to do business in this state. No such domestic company shall have the power to reinsure its entire outstanding business unless the assuming insurer is licensed in this state and until the contract therefor shall be submitted to the Commissioner of Insurance of Texas and approved by him as protecting fully the interests of all policy holders.

Sec. 2. Chapter 3, Insurance Code, as amended, is amended by adding <sup>96</sup> Article 3.10A, to read as follows:

**Art. 3.10A. Reinsurance Ceded to Nonadmitted Reinsurers**

(a) No credit shall be given in the accounting and financial statements, either as an asset or a deduction from liability, of any domestic ceding insurer on account of any reinsurance of insurance policies or reinsurance reserve ceded to an assuming insurer which is not licensed to do business in this state, unless:

(1) pursuant to a written agreement between the ceding insurer and the assuming insurer, assets equal to the reserves required to be established by the ceding insurer on such reinsured business are deposited by or are withheld from the assuming insurer and are in the custody of the ceding insurer as security for the payment of the assuming insurer's obligations under the reinsurance agreement, and such assets are held subject to withdrawal by and under the control of the ceding insurer; or

(2) pursuant to a written agreement between the ceding insurer and the assuming insurer, assets equal to the reserves required to be established by the ceding insurer on such reinsurance business are either placed in a trust account for such purpose with a bank domiciled in this state which is a member of the Federal Reserve System or are represented by an irrevocable letter of credit to the benefit of the ceding insurer from such a bank, and if withdrawals from such trust account or reduction in the amount of the letter of credit cannot be made without the consent of the ceding insurer except for those amounts which are in excess of the reserves required to be established by the ceding insurer.

(b) As used in this article, the term "assets" refers to any asset or investment authorized by this code to be counted for reserve fund purposes in the financial statements of domestic life, health, and accident insurance companies.

(c) The commissioner of insurance shall have the right to examine any of such reinsurance agreements, deposit arrangements, or letters of credit at any time in accordance with the authority to make examinations of insurance companies as conferred by other provisions of this code.

(d) The State Board of Insurance may promulgate and adopt such rules and regulations as may be deemed necessary to assure uniform standards for such deposit arrangements, trust agreements, letters of credit, and reinsurance agreements, consummated under the provisions of this article.

Sec. 3. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on

three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Passed by the House on May 12, 1979, by a non-record vote; passed by the Senate on May 24, 1979: Yeas 31, Nays 0.

Approved June 11, 1979.

Effective Aug. 27, 1979, 90 days after date of adjournment.

**ABSENTEE BALLOTS—APPLICATIONS—WITNESSES**

**CHAPTER 568**

H. B. No. 2025

An Act relating to signing and witnessing an application for an absentee ballot; providing a penalty.

Be it enacted by the Legislature of the State of Texas:

Section 1. Paragraph (a), Subdivision 2, Section 37, Texas Election Code, as amended (Article 5.05, Vernon's Texas Election Code), is amended <sup>97</sup> to read as follows:

(a) The secretary of state shall prescribe the form or forms for an application for an absentee ballot to be voted by personal appearance and of an application for a ballot to be voted by mail. The application for a ballot to be voted by mail shall be in the form of a postcard. Each clerk for absentee voting shall obtain and keep on hand a supply of the application forms to furnish to voters who request them. The secretary of state shall keep on hand a supply of the application forms for voting by mail and shall furnish the forms in reasonable quantities to individuals and organizations requesting them for use in furnishing the forms to voters who wish to vote absentee by mail. A voter desiring to vote absentee shall make written application on the appropriate form for an official ballot to the absentee voting clerk for the election in which the voter wishes to vote, which application shall be signed by the applicant or by a witness in the manner provided by Subdivision 2, Section 45a, of this code (Article 5.13a, Vernon's Texas Election Code), for signing an application for voter registration except that the application may not be signed by an agent for the applicant. The application shall state the ground on which the applicant is entitled to vote absentee, and in case of an application by mail, it shall also state the additional information required by Subdivision 1 of this section.

Sec. 2. Subdivision 2, Section 37, Texas Election Code, as amended (Article 5.05, Vernon's Texas Election Code), is amended by adding <sup>98</sup> Paragraphs (e) and (f) to read as follows:

(e) In any single election, a person, other than the absentee voting clerk or a deputy absentee voting clerk, may not sign applications as a witness for more than one applicant. ~~However, a person may sign more than one application as a witness if the second and subsequent applicants~~

are related to the witness as parent, grandparent, spouse, child, brother, or sister. An application signed by a witness must contain, in addition to the witness' signature, the witness' full name in printed form, residence address, and relationship to the applicant, if any. The validity of an application is not affected by a violation of this paragraph.

(f) A person, other than the absentee voting clerk or a deputy absentee voting clerk, who witnesses an application in violation of Paragraph (e) of this subdivision commits a Class B misdemeanor. The official application form shall contain a statement informing persons attesting applications as witnesses of this offense.

Sec. 3. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

Passed by the House on May 4, 1979, by a non-record vote; passed by the Senate on May 24, 1979: Yeas 81, Nays 0.  
Approved June 11, 1979.  
Effective Aug. 27, 1979, 90 days after date of adjournment.

### INSURANCE—LOCAL RECORDING AGENCIES—SHARE-HOLDERS—SURVIVING SPOUSE AND CHILDREN

#### CHAPTER 569

H. B. No. 2040.

An Act relating to and providing that surviving widows and children of shareholders may share in the profits of certain insurance agencies; amending Sections 3 and 3a, Article 21.14, Insurance Code, as amended.

3e *is enacted by the Legislature of the State of Texas:*  
Section 1. Section 3, Article 21.14, Insurance Code, as amended, is amended to read as follows:

Sec. 3. Application for License; to Whom License May be Issued.

a) When any person, partnership or corporation shall desire to engage in business as a local recording agent for an insurance company, or insurance carrier, he or it shall make application for a license to the State Board of Insurance, in such form as the Board may require. Such application shall bear a signed endorsement by a general, state or special agent of a qualified insurance company, or insurance carrier that applicant or each member of the partnership, or insurance carrier that applicant or resident of Texas, trustworthy, of good character and good reputation, and is worthy of a license.

(b) The Board shall issue licenses to individuals or to individuals engaging as partners in the insurance business, provided the names of all persons interested in any such partnership are named in the license, and each named as active in the business of the partnership qualify, and it is established that none not active have interest in the partnership principal.

V.A.T.S. Insurance Code, art. 21.14, § 3.

1170

cially to have written and be compensated therefor for insurance on property controlled through ownership, mortgage or sale, family relationship, or employment; and provided further, that all licensed agents must be residents of Texas. Provided, that a person who may reside in a town through which the state line may run and whose residence is in the town in the adjoining state may be licensed, if his business office is being maintained in this state. All persons acting as agent or solicitor for health and accident insurance within the provisions hereof, and who represent only fire and casualty companies, and not life insurance companies, shall be required to procure only one license, and such license as is required under the provisions of this article.

(c) The Board shall issue a license to a corporation if the Board finds:

(1) That the corporation is a Texas corporation organized or existing under the Texas Business Corporation Act having its principal place of business in the State of Texas and having as one of its purposes the authority to act as a local recording agent; and

(2) That every officer, director and shareholder of the corporation is individually licensed as a local recording agent under the provisions of this Insurance Code, except as may be otherwise permitted by this Section or Section 3a of this article; and

(3) That such corporation will have the ability to pay any sums up to Twenty-Five Thousand Dollars (\$25,000.00) which it might become legally obligated to pay on account of any claim made against it by any customer and caused by any negligent act, error or omission of the corporation or any person for whose acts the corporation is legally liable in the conduct of its business as a local recording agent. The term "customer" as used herein shall mean any person, firm or corporation to whom such corporation sells or attempts to sell a policy of insurance, or from whom such corporation accepts an application for insurance. Such ability shall be proven in one of the following ways:

(a) An errors and omissions policy issued by an insurance company licensed to do business in the State of Texas insuring such corporation against errors and omissions in at least the sum of One Hundred Thousand Dollars (\$100,000.00), with no more than a Five Thousand Dollars (\$5,000.00) deductible feature; or

(b) A bond executed by such corporation as principal and a surety company authorized to do business in this state, as surety, in the principal sum of Twenty-Five Thousand Dollars (\$25,000.00), payable to the State Board of Insurance for the use and benefit of customers of such corporation, conditioned that such corporation shall pay any final judgment recovered against it by any customer; or

(c) A deposit of cash or securities of the class authorized by Articles 2.08 and 2.10 of this Code, having a fair market value of Twenty-Five Thousand Dollars (\$25,000.00) with the State Treasurer. The State Treasurer is hereby authorized and directed to accept and receive such deposit and hold it exclusively for the protection of any customer of such corporation recovering a final judgment against such corporation. Such deposit may be withdrawn only upon filing with the Board evidence satisfactory to it that the corporation has withdrawn from business, and has no uncovered liabilities outstanding, or that such corporation has provided for the protection of its customers by furnishing an errors and omissions policy or a bond as hereinbefore provided. Securities so deposited may be exchanged from time to time for other qualified securities.

1171

COMMITTEE ON ELECTIONS

April 4, 1979

5:00 p.m.

Room 100-D, Reagan Building

Pursuant to a suspension of House Rules, the Committee on Elections convened in a public hearing, rescheduled from April 3, and was called to order by Mr. Waters, acting Chairman in the absence of Mrs. McBee.

The roll was answered as follows:

Present: Mr. Waters, Mr. Massey, Mr. Haley, Mr. DeLay,  
Mr. Smothers, and Mr. Wallace, (6).

Absent: Mrs. McBee, Mr. Berlanga, Mr. Florence, Mr. Gibson,  
and Mr. Rains, (5).

A quorum was present.

The Chair laid out H.B. 1677 by Mr. Emmett and recognized the author to explain the bill.

The Chair commented.

There were no witnesses to testify for or against the bill.

Mr. Emmett requested that H.B. 1677 be placed on the Consent Calendar.

Mr. Massey questioned Mr. Emmett.

The Chair recognized Mr. Emmett to close.

The Chair deferred action on the bill until a later date.

The Chair laid out H.B. 465 by Mr. Green and recognized the author to explain the bill.

The Chair questioned Mr. Green on the point of order raised last session on the bill.

Mr. DeLay questioned Mr. Green.

There were no witnesses to testify for or against the bill.

The Chair referred H.B. 465 to a subcommittee to be named at a later date.

The Chair laid out h.B. 2025 and H.B. 2104 by Ms. Glossbrenner and recognized the author to explain the bills.

Mr. Florence is now present.

Mr. Massey left the meeting.

EXHIBIT

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Mr. Haley questioned Ms. Glossbrenner.

The Chair commented.

Mr. Florence questioned the author.

Mr. Haley commented.

The Chair recognized and administered the required oath to The Honorable Blas Chapa, County Judge, Starr County, to testify for both bills.

Mrs. McBee is now present.

The Chair recognized and administered the required oath to The Honorable Joe Garcia, County Judge, Brooks County, to testify for both bills.

The Chair recognized and administered the required oath to The Honorable Gilberto Uresti, County Judge, Duval County, to testify for both bills.

A written statement from The League of Women Voters, in favor of H.B. 2025, was entered into the record.

Mr. Haley commented.

The Chair recognized Ms. Glossbrenner to close.

Mrs. McBee commented.

Mr. Florence moved that H.B. 2025 and H.B. 2104 be referred to a subcommittee.

The Chair seconded the motion and stated that the subcommittee would be named at a later date.

Mrs. McBee is now in the chair.

Mr. Waters and Mr. Florence left the meeting.

The Chair laid out H.B.2057 by Mr. DeLay and recognized the author to explain the bill.

Mr. DeLay presented a Committee Substitute for H.B. 2057 and explained the C.S.H.B. 2057.

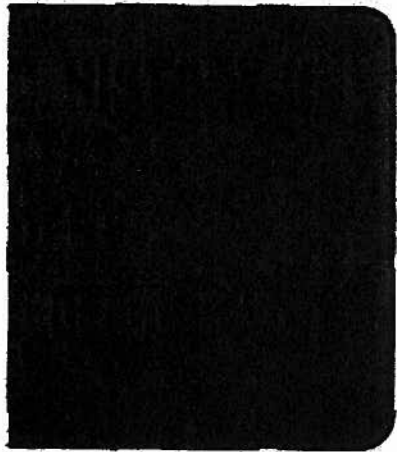
The Chair deferred testimony on H.B. 2057 until H.B. 2058 and H.B. 2061, also by Mr. DeLay, had been presented.

The Chair recognized Mr. DeLay to present H.B. 2058 and H.B. 2061.

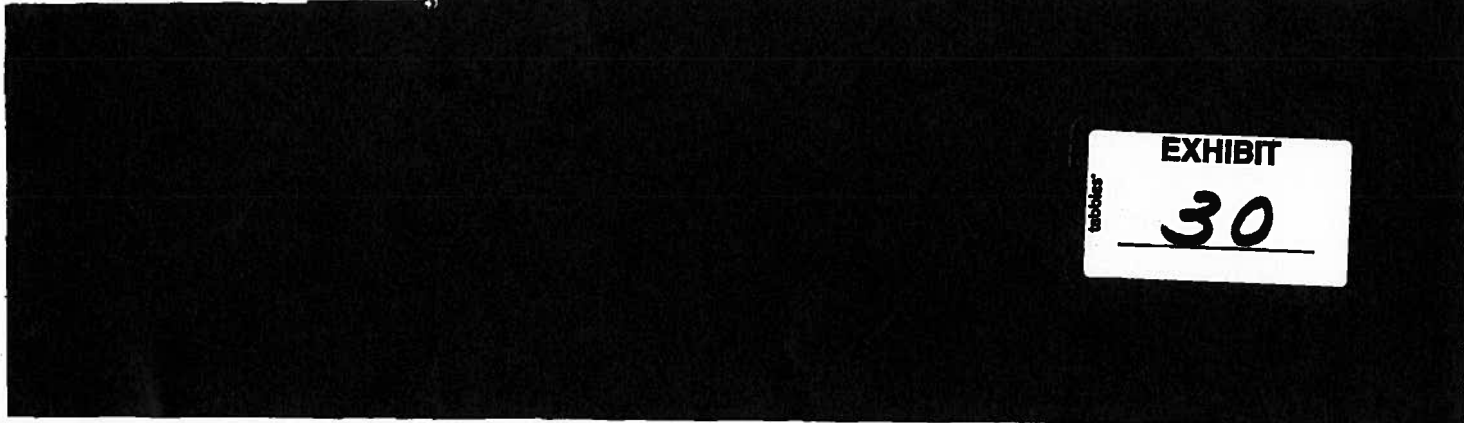
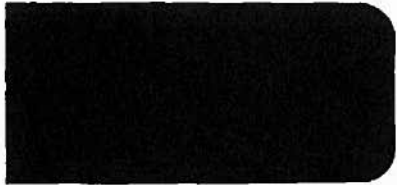
The Chair recognized and administered the required oath to Ms. Ann Prestidge, Republican Party of Texas, to testify for all three bills.

The Chair commented.

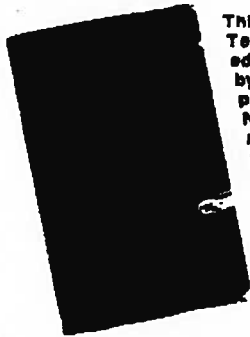
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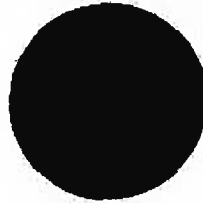
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# TEXAS ALMANAC *and* State Industrial Guide® 1980-1981



This is the 50th edition of the Texas Almanac. The first edition was published in 1857 by Willard Richardson, publisher of the Galveston News. The Almanac was not published between the years 1873 and 1904 when publication was revived by The Dallas News. For a history of the Texas Almanac, see Page 153.



★  
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bon, Amarillo (8-31-83); Oes S. Osborne, Houston (8-31-83); Dr. Irby B. Carruth, Austin (8-31-79); T. L. Roach Jr., Amarillo (8-31-79); Tully R. Currie, Amarillo (8-31-79); James R. Love, Dumas (8-31-81); Jack Shelton, Amarillo (8-31-81); Mrs. B. M. Sims, Wellington (8-31-81).

**Work Furlough Program Advisory Board, Texas.** — (1977); apprv.; expenses; 8-year; nine members — three labor union members; six general public, as follows: Labor union members: T. B. Crow, Angleton (1-31-79); Dewey L. Upshaw, Pasadena (1-31-81); Raymond Scott, Port Arthur (1-31-83). General public members: Marvin A. Moore, Houston (1-31-79); Charles M. Bleil, Texarkana (1-31-79); Frank Sepulveda, San Antonio (1-31-81); Fred L. Blair, Dallas (1-31-81); William T. Slaton, Dallas (1-31-83); Nathan J. Bell IV, Paris (1-31-83).

**Youth Camp Safety, Advisory Council on.** — (1973); apprv.; 2-yr.; expenses; eleven members: Ex officio

member and chairman, Commissioner of Health. Apprv. members: Alice H. Mulkey, Dallas (12-1-79); Hugh Horsby, Austin (12-1-79); Raymond B. Bean, Dallas (12-1-79); Louisa Fargher, Fort Worth (12-1-79); Silas B. Ragsdale Jr., Hunt (12-1-79); A. F. Luehrs, Dallas (12-1-79); Rodney J. Kidd, Austin (12-1-79); Georgalu Price, San Antonio (12-1-79); Paul L. Baisenhartz, Austin (12-1-79); Olen S. Milles, Driftwood (12-1-79); Tom Manion, Friendswood (12-1-79).

**Youth Council, Texas.** — (1949 as nine-member board; reorganized 1957 and again in 1975); six apprv. members; 8-yr.; per diem on duty: Howard J. Middleton Jr., Houston (9-1-79); Mrs. Robert M. Ayres Jr., San Antonio (9-1-79); Don R. Workman, Lubbock (9-1-83); Ruben Schaeffer, El Paso (9-1-83); Chairman, Dr. William M. Shamburger, Tyler (9-1-81); Vice-Chairman, Dr. George Belo, Huntsville (9-1-81). Executive Director, Ron Jackson, Box 9999, Shoal Cr. Blvd., Austin 78746 (nonmember) (340,300).

## Members of Texas Legislature

The Texas Legislature has 31 members in the Senate and 150 in the House of Representatives. Regular sessions convene on the second Tuesday of January in odd-numbered years, but the governor may call special sessions. Article III of the Texas Constitution deals with the legislative branch.

The following lists are of members of the 66th Legislature which convened on Jan. 9, 1979, following the Nov. 7, 1978, election.

### STATE SENATE

Thirty-one members of the State Senate are elected for four-year, overlapping terms. Date in parentheses after each name below indicates expiration of term of office. Salary: The salary of all members of the Legislature, including both Senators and Representatives, was set by a constitutional amendment, adopted April 22, 1978, as follows: \$600 per month and \$30 per diem during legislative sessions; mileage allowance at same rate provided by law for state employees. The old provision limited salary to \$4,600 a year and the per diem of \$12 for the first 120 days of a regular session and the first 30 days of a special session. A mileage allowance of \$7.50 was provided for each 25 miles traveled to and from seat of government, provided that no mileage be paid for any session called within one day after the close of the next preceding regular or special session. This provision was removed. The new rate of pay of \$30 per diem applies during each regular and special session of the Legislature. The address of senators is Texas Senate, P. O. Box 12048, Capitol Station, Austin, Texas 78711.

Senatorial Districts include one or more whole counties and some counties have more than one Senator. President of the Senate is Lt. Gov. William P. Hobby, Houston. Other officers are: President Pro Tempore, Sen. Bill Meier, Eules; Secretary of the Senate, Mrs. Betty Kling, Austin. Sergeant at Arms, Kelly Arnold, Austin.

Dist., Name, Address, Term of Office, Occupation.

- \*12—Andujar, Mrs. Betty, Fort Worth (1-1-83); housewife.
- 3—Blake, Roy, Nacogdoches (1-1-83); insurance, real estate.
- 14—Braecklein, William, Dallas (1-1-81); attorney.
- 11—Brooks, Chet, Pasadena (1-1-83); businessman.
- 9—Clower, Ron, Garland (1-1-81); attorney.
- 22—Creighton, Thomas, Mineral Wells (1-1-81); attorney.
- 14—Doggett, Lloyd, Austin (1-1-83); attorney.
- 30—Farabee, Ray, Wichita Falls (1-1-83); attorney.
- \*8—Harris, Ike, Dallas (1-1-81); attorney.
- 1—Howard, Ed, Texarkana (1-1-83); farmer-rancher.
- 7—Jones, Gene, Houston (1-1-81); attorney.
- 24—Jones, Grant, Abilene (1-1-81); insurance.
- 19—Kolbmann, Glenn, San Antonio (1-1-81); real estate-cattle.
- 27—Longoria, Raul L., Edinburg (1-1-83); attorney.
- 2—McKnight, Peyton, Tyler (1-1-83); oilman.
- 13—Mezey, Oscar, Dallas (1-1-83); attorney.
- 10—Meier, William, Eules (1-1-83); attorney.
- \*13—Morgan, Walter H. Jr., Houston (1-1-81); attorney-oilman.

- 5—Moore, William T., Bryan (1-1-81); attorney.
- 15—Ogg, Jack, Houston (1-1-81); attorney.
- 4—Parker, Carl, Port Arthur (1-1-81); attorney.
- 18—Pattman, William N., Garza (1-1-81); attorney.
- \*31—Price, Bob, Pampa (1-1-81); farmer-rancher.
- 29—Sanltestaban, H. Tafi, El Paso (1-1-81); attorney.
- 17—Schwartz, A. R., Galveston (1-1-81); attorney.
- 28—Short, E. L., Tahoka (1-1-83); farmer-rancher.
- 23—Snelson, W. E., Midland (1-1-83); advertising, investments.
- 21—Traeger, John, Seguin (1-1-83); businessman.
- 20—Truhan, Carlos, Corpus Christi (1-1-81); insurance.
- 26—Vale, R. L., San Antonio (1-1-83); attorney.
- 6—Williams, Lindon, Houston (1-1-83); businessman.

\*Republican members; all others are Democrats.

### HOUSE OF REPRESENTATIVES

This list shows 150 members of the House of Representatives in the 66th Legislature. They were elected on Nov. 7, 1978, from districts shown in the list below. Members are elected for 2-year terms. Representatives and Senators receive the same salary; see State Senate. Numbers below names denote district; where there is a figure (33-H) it denotes place represented within district having more than one representative. The address of representatives is House of Representatives, P. O. Box 2910, Austin, Texas 78769.

Speaker, Bill Clayton, Chief Clerk, Betty Murray. Sergeant at Arms, Rusty Kelley.

Dist., Name, Address, Term of Office, Occupation.

- \*33-R—Agnich, Fred, Dallas; businessman.
- 98—Aitce, Henry E., Houston; attorney.
- 57—Ailred, Dave, Wichita Falls; minister-writer.
- 1—Atkinson, Hamp, Texarkana; businessman.
- 37-A—Barrientos, Gonzalo, Austin; businessman.
- 20—Benedict, Jerry L., Angleton; attorney.
- 48-B—Bertanga, Hugo, Corpus Christi; banking.
- 57-D—Bird, Ronald C., San Antonio; attorney.
- \*33-B—Blanton, William W., Carrollton; businessman.
- \*91—Blythe, W., Houston; businessman.
- 38—Bock, Bennie H., New Braunfels; attorney.
- 37-B—Bode, Mary Jane, Austin; journalist.
- 14—Browder, Jim, Cleveland; insurance.
- 57-C—Brown, Albert D. Jr., San Antonio; businessman.
- 33-L—Bryant, John, Dallas; attorney.
- 22—Bush, Robert, Sherman; attorney.
- 33-K—Cain, David M., Dallas; attorney.
- 100—Caraway, Bill, Houston; advertising-public relations.
- 57-H—Carrwright, Donald M., San Antonio; advertising.
- 32-B—Cary, Reby, Fort Worth; education administrator.
- \*33-P—Caverha, Bill, Richardson; businessman.
- 51—Chavez, Melchor, Harlingen; attorney.
- 12—Clark, Bill, Tyler; attorney.
- 5—Clark, Jerry, Buna; dairy farmer.
- 99—Clark, Jim, Pasadena; labor official.
- 74—Clayton, Bill, Springtown; farmer-businessman.



The Texas House of Representatives opens a special session.

- \*44—Close, G. R., Perryton; attorney.
- 33-O—Coker, Lanell, Dallas; attorney.
- 72-B—Coleman, Ronald, El Paso; attorney.
- 7-C—Collazo, Frank Jr., Port Arthur; businessman.
- 42—Coody, W. G., Weatherford; insurance.
- \*62—Cradick, Tom, Midland; businessman.
- 7-B—Crawford, Bo, Beaumont; university dean.
- 19-B—Crisp Jr., Lloyd W., LaMarque; businessman.
- \*33-A—Davis, Bob, Irving; attorney.
- \*21—DeLay, Tom, Wallis; businessman.
- 37-D—Deico, Mrs. Exaltion, Austin; housewife.
- 34—Denlon, Mrs. Lane, Waco; housewife.
- 34—Donaldson, Jerry, Gatesville; attorney.
- 85—Edwards, Al, Houston; advertising, real estate.
- 18—Edwards, Jimmie C. III, Conroe; U.S. M. (ret.).
- 57-I—Elizondo, Paul, San Antonio; teacher.
- \*78—Ermelt, Ed, Kingwood; businessman.
- 32-E—Evans, Charles, Hurst; attorney.
- 43—Ezell, Michael H., Snyder; businessman.
- 53—Finnell, Charles, Hoidday; attorney.
- 2—Florence, Buck, Houston; petroleum engin.
- \*93—Fox, Milton E., Houston; petroleum engin.
- 57-K—Garcia, Matt, San Antonio; attorney.
- 59-B—Garcia, Tony, Pharr; attorney.
- \*23-M—Gaston, Frank, Dallas; broadcasting consultant.
- \*54—Gelswold, Gerald, Mason; rancher-attor.
- 73—Gibson, Jay, Odessa; attorney.
- 35-B—Gibson, Joe, Waco; real estate, insurance.
- 10—Gitley, Smith, Greenville; attorney.
- 58—Glossbrunner, Ernestine, Alice; teacher.
- 48-A—Gonzales, Arnold, Corpus Christi; cansu.
- 3—Grant, Ben Z., Marshall; attorney.
- 27—Green, Forrest, Corsicana; rancher.
- 95—Green, R. E., Houston; printer.
- 61—Grubbs, Walter, Abilene; radio broadcaster.
- 4—Haley, Bill, Center; teacher.
- 32-C—Hall, Lenny, Fort Worth; insurance.
- 57—Hall, W. M. Jr., Laredo; newspaper pub.
- 25—Hall Jr., W. T., Denton; dairy farmer.
- 54—Hanna, Joe C., Breckenridge; busin. rancher.
- 48-C—Harrison Jr., Wm. O., Corpus Christi; a.
- \*97—Hartung, Frank, Houston; businessman.
- 14—Head, Fred, Athens; attorney.
- 101—Healy, W. S. (Bill) Jr., Paducah; rancher.



The Texas House of Representatives opens a special session.

- \*44—Close, G. R., Perryton; attorney.  
 33-O—Coker, Lanell, Dallas; attorney.  
 72-B—Coleman, Ronald, El Paso; attorney.  
 7-C—Collins, Frank Jr., Fort Arthur; businessman.  
 42—Coody, W. G., Weatherford; insurance.  
 \*68—Craddock, Tom, Midland; businessman.  
 7-B—Crawford, Bo, Beaumont; university dean.  
 19-B—Criss Jr., Lloyd W., LaMarque; businessman.  
 \*13-A—Davis, Bob, Irving; attorney.  
 \*21—DeLay, Tom, Wallis; businessman.  
 37-D—Deico, Mrs. Exaltion, Austin; housewife.  
 35-A—Denton, Mrs. Lane, Waco; housewife.  
 34—Donaldson, Jerry, Gatesville; attorney.  
 85—Edwards, Al, Houston; advertising, real estate.  
 18—Edwards, Jimmie C. II, Conroe; U.S. Marine (ret.).  
 57-I—Eltrondo, Paul, San Antonio; teacher.  
 \*78—Emmett, Ed, Kingwood; businessman.  
 32-E—Evans, Charles, Hurst; attorney.  
 63—Ezell, Michael H., Snyder; businessman.  
 53—Finnell, Charles, Holdiday; attorney.  
 7—Florence, Buck, Hughes Springs; attorney.  
 \*93—Fox, Milton E., Houston; petroleum engineer.  
 57-K—Garcia, Neil, San Antonio; attorney.  
 59-B—Garcia, Tony, Pharr; attorney.  
 \*33-M—Gaston, Frank, Dallas; broadcasting consultant.  
 \*54—Gatsweld, Gerald, Mason; rancher-attorney.  
 73—Gibson, Jay, Odessa; attorney.  
 35-B—Gibson, Joe, Waco; real estate, insurance.  
 10—Gillee, Smith, Greenville; attorney.  
 58—Glossbrenner, Ernestine, Alice; teacher.  
 48-A—Gonzales, Arnold, Corpus Christi; consultant.  
 3—Grani, Ben Z., Marshall; attorney.  
 77—Green, Forrest, Corsicana; rancher.  
 95—Green, R. E., Houston; printer.  
 61—Grubbs, Walter, Abilene; radio broadcaster.  
 4—Haley, Bill, Center; teacher.  
 32-C—Halt, Lanny, Fort Worth; insurance.  
 57—Hall, W. M. Jr., Laredo; newspaper publisher.  
 25—Hall Jr., W. T., Denton; dairy farmer.  
 54—Hanna, Joe C., Breckenridge; businessman-rancher.  
 48-C—Harrison Jr., Wm. O., Corpus Christi; attorney.  
 \*92—Harlung, Frank, Houston; businessman.  
 14—Head, Fred, Athens; attorney.  
 101—Healy, W. S. (Bill) Jr., Paducah; attorney-rancher.  
 \*94—Henderson, Dan, Houston; businessman.  
 24—Hendricks, Bob, McKinney; attorney.  
 57-J—Hernandez, Joe L., San Antonio; attorney.  
 33-O—Hill, Anita, Garland; housewife.  
 47—Hill, Danny, Amarillo; attorney.  
 37-C—Hill, Gerald W., Austin; real estate.  
 11—Hollowell, Bill, Grand Saline; attorney.  
 33-C—Hudson, Samuel W. III, Dallas; attorney.  
 \*33-Q—Jackson, Lee F., Dallas; legislator.  
 72-A—Jones, Luther, El Paso; attorney.  
 79—Keese, Bill, Somerville; businessman.  
 13-H—Keller, Ray, Duncanville; businessman.  
 34—Kubiak, Dan, Rockdale; businessman.  
 80—Lalor, Lance, Houston; legislator.  
 74—Laney, James E., Hale Center; farmer.  
 84—Lauhoff, Herman, Houston; businessman.  
 88—Lee, El Franco, Houston; businessman.  
 \*32-H—Leonard Jr., Bob, Fort Worth; investments.  
 32-G—Lewis, Gibson D., Fort Worth; businessman.  
 59-A—Looney, Cullen R., Edinburg; attorney.  
 33-I—Lyon Jr., Ted B., Mesquite; attorney.  
 78—McBee, Susan G., Del Rio; housewife.  
 \*32-O—McFarland, Bob, Arlington; attorney.  
 19-A—McLeod, E. Douglas, Galveston; businessman.  
 57-A—Media, Frank, San Antonio; educator.  
 \*33-E—Meloney, Robert, Dallas; attorney.  
 13—Mankins, Jimmy, Kligore; businessman.  
 47—Martin, Tom, George West; rancher.  
 60—Massey, Tom, San Angelo; attorney.  
 33—Mayes, Ed, Granbury; businessman.  
 44—Messer, Bill, Belton; attorney.  
 72-C—Moreno, Paul, El Paso; attorney.  
 55—Nabers, Lynn, Brownwood; attorney.  
 \*57-F—Nowlin, James R., San Antonio; attorney.  
 9—Patterson, L. P., Brookston; farmer-rancher.  
 8—Pevelo, Wayne, Orange; attorney.  
 57-G—Pierce, George, San Antonio; advertising.  
 71—Polk, Mary, El Paso; teacher.  
 96—Polumbo, Tony, Houston; real estate.  
 78—Presnal, Bill, Bryan; rancher-farmer.  
 7-A—Price, Albert J., Beaumont; pilot.  
 33-N—Ragsdale, Paul, Dallas; sociologist.  
 45—Rains, Don, San Marcos; insurance.  
 49—Rangel, Irma, Kingsville; attorney.  
 87—Reyes, Ben T., Houston; legislator.  
 \*75-A—Robnett, Nolan J., Lubbock; businessman.  
 77—Rudd, Jim D., Brownfield; attorney.  
 75-B—Salinas, Froy, Lubbock; insurance.  
 43—Schlueter, Stan, Salado; rancher-builder.  
 33-F—Semos, Chris, Dallas; restaurant owner.  
 40—Sharp, John, Pineda; real estate.  
 65—Simpson, Robert, Amarillo; attorney.  
 69—Slock, Richard C., Pecos; attorney.  
 33-J—Smith, Carlyle, Grand Prairie; architect-engineer.  
 33-G—Smothers, Clay, Dallas; school administrator.  
 29—Sullivan, Bill, Gainesville; attorney.  
 57-E—Sutton, Mrs. Lou Neils, San Antonio; businesswoman.  
 57-B—Tajeda, Frank M., San Antonio; attorney.  
 6—Temple, Arthur III, Diboll; real estate.  
 62—Thompson, Gary, Abilene; educator.  
 89—Thompson, Mrs. Senfronia, Houston; legislator.  
 31—Uher, Donald R., Bay City; attorney.  
 \*83—Untermeyer, Chase, Houston; journalist.  
 58—Uribe, Hector, Brownsville; attorney.  
 72-D—Valles, Robert, El Paso; marketing representative.  
 39—Von Dohlen, Tim, Goliad; pharmacist-attorney.  
 97—Wallace, Ralph III, Houston; businessman.  
 \*32-I—Ware, Bob, Fort Worth; insurance.  
 84—Washington, Craig A., Houston; attorney.  
 79—Waters, Ron, Houston; insurance.  
 17—Watson, Ed R., Deer Park; oil operator.  
 32-A—Webber, Bobby, Fort Worth; businessman.  
 64—Whaley, Foster, Pampa; rancher.  
 15—Whitehead, Emmett H., Rusk; publisher-broadcaster.  
 62—Whitmire, John, Houston; banker.  
 41—Wieling, Leroy J., Portland; employee relations.  
 32-F—Wills, Doyle, Fort Worth; attorney.  
 30—Wilson, John, La Grange; rancher-businessman.  
 81—Wilson, Ron, Houston; legislator.  
 \*98—Wright, Brad, Houston; real estate.

\*Republicans; all others are Democrats.