

JOURNAL
OF THE
House of Representatives
OF THE
REGULAR SESSION
OF THE
Sixty-third Legislature
OF THE
STATE OF TEXAS
BEGUN AND HELD AT
THE CITY OF AUSTIN
JANUARY 9, 1973



HSR 2—ADOPTED

(Concerning election of the Speaker of the House)

Mr. Caldwell offered the following resolution:

HSR 2

Be it Resolved, That the Secretary of State shall call for nominations from the Floor for the election of Speaker of the House of Representatives for the 63rd Legislature and recognize every Member who desires to make a nomination; That each person recognized shall immediately advance to the front microphone to make his nomination in a nominating speech not to exceed five minutes in length; and, be it further

Resolved, That after all nominations have been made, nominations shall be closed; whereupon seconding speeches shall be allowed, one for each nomination, in the order in which the nominations were made; and then other seconding speeches shall be allowed in rotation, with speeches in each round made in the order in which the nominations were made; provided that each nominee shall be allowed a maximum of three seconding speeches, none to exceed five minutes in length, and no person shall be considered a nominee unless his nomination is seconded by at least one Member; and, be it further

Resolved, That after the election, the oath of office shall be administered under the direction of the Secretary of State to the Speaker-elect and the Speaker shall thereupon take the Chair.

The resolution was read and was adopted unanimously.

ELECTION OF THE SPEAKER OF THE
HOUSE OF REPRESENTATIVES

The Secretary of State announced that the next order of business was the election of the Speaker of the House of Representatives of the 63rd Legislature of the State of Texas, and stated that nominations for Speaker are now in order.

The Secretary of State recognized the Honorable Dave Finney of Tarrant County, who placed in nomination for Speaker of the House of Representatives of the 63rd Legislature of the State of Texas the Honorable Price Daniel, Jr., of Liberty County, speaking as follows:

Mr. Secretary of State and fellow Members of the House. I rise today to place in nomination for Speaker of the House of Representatives, a man whose name has been honorably and conspicuously linked with governmental reform as demonstrated by his own quiet determination, by his legislative initiative and by his own rich political heritage, a man who has clearly demonstrated that he can and will preside over the enactment of that reform with seasoned judgment, with reason, with unity of purpose and statesmanship for all citizens of our state.

He cared enough to promise the people reforms that are more than slogans and to provide realistic alternatives to traditions long outmoded. He is wise enough to recognize that everything changes, but that change

is not everything, that reform is not an ultimate end, but merely a means to achieve a more responsive and representative democracy.

There have been times in the past when reform has meant taking away some advantage from one group and giving it to another, like taking a bone from your dog and giving it to mine! But that view, Members of the House, like past legislative sessions, belongs in the past. That is not what the public has in mind.

I have rarely been identified politically or philosophically with the gentleman whose name I shall place in nomination. But regardless of our political philosophies, regardless of our past identities and loyalties, the voters of this state, of your district and mine, have sounded the clarion call to duty. Our job now is to respond. And, in that task, we must have leadership and judgment. We must have conviction, dedication to purpose and determination to see the task through.

We can and will have a team this session, a team for the people, not for a particular philosophy. Our next Speaker wants it to be so and we owe it to ourselves and the people we represent to make it so.

The man I nominate for your consideration and election as Speaker of the Texas House of Representatives has been endorsed by Democrats and by Republicans, by conservatives and by liberals, by blacks, by whites, and by browns, by incumbents and by freshmen. He has been open and fair with us all.

But most important of all, he has the support of the people. He has the confidence of the people. He has captured the public imagination and has given us a chance for a new era and a new responsibility in state government.

I hope you will join me in trying to make the efforts of this House one—a single, unified effort, an effort, responsive to the people whose trust we carry today. To observe and preside over that effort, to weld together the fragments of varying political philosophies, to lead with fairness, justice, and conviction and above all, to make once again a public trust of public office in Texas.

I know of few men more uniquely qualified to serve in the capacity of presiding officer of the House of Representatives than the young man of vision whose name I submit for your consideration.

I proudly place in nomination the name of the gentleman from Liberty County, the Honorable Price Daniel, Jr., for Speaker of the House of the 63rd Legislative Session. Thank you very much.

The Secretary of State then asked if there were further nominations for the Office of Speaker of the House of Representatives of the 63rd Legislature.

There being none, the Secretary of State then recognized the Honorable Matt Garcia of Bexar County, who seconded the nomination of the Honorable Price Daniel, Jr., speaking as follows:

Mr. Secretary of State, honored guests, long-suffering and often not recognized legislative wives, Members of the House of Representatives.

It is with a great deal of pride that I second the nomination of my good friend, Price Daniel, Jr., for the Speakership of the 63rd Legislative Session.

I've known Price only a short time but it doesn't take long to know the qualities of a man. I have ascertained that Price Daniel asks no more than he is willing to give and I feel that what he is willing to give the State of Texas through his actions in this House, as the next Speaker of the Legislature, is his trust, something that somehow along the lines has been lost. I feel that we must reestablish integrity and credibility in the State of Texas and that the man that can do this is Price Daniel, Jr.

In surveying past legislative sessions, I have determined that it has not been often that freshmen Members of the Legislature have been called to the conference table where they might change ideas with one another, where they might give their talents to the promulgation of a document which will guide the activities of individuals to whom Texans can look to in the future.

I think that if I paid Price Daniel the highest tribute that one of my ancestors could pay would be to say, "El hombre de su palabra", which means, he is a man of his word and for this reason, and for the reason that there is none other that could take the rein of this House and lead us back to the respect that we so sorely need.

I second the nomination of Price Daniel, Jr., for the Speakership of the 63rd Session of the Legislature.

Thank you.

The Secretary of State then recognized the Honorable Ben Grant of Harrison County, who seconded the nomination of the Honorable Price Daniel, Jr., speaking as follows:

There is an old song which says that everybody that's talking about heaven ain't going there. In the past we have learned that everybody talking about reform really wasn't for reform.

I rise to second the nomination of Price Daniel, Jr., for the Speakership of this House of Representatives of the State of Texas. I support the election of this man because I believe that he represents and believes in true reform for the Texas Legislature.

The tyranny that we have faced in the Texas Legislature in times past has not been so much a tyranny of men as it has been the tyranny of the system which was built and based upon rules and practices that led to scandal and excessive powers in the hands of a few.

I have looked forward to the day in this House when the main topic of concern is the merits of the proposed legislation, not how the legislation will affect the friends of the Speaker.

I believe that under the leadership of Price Daniel, Jr., each Legislator will have an opportunity to make his or her decision based upon responsiveness to his or her district—based upon the merits of the legislation—

and based upon what would be best for the people of the State of Texas. Every Member will have a voice in the law-making process.

We cannot, and shall not, ignore the need for reform advocated by Price Daniel, Jr.

And under this reform, the team will not be those few on the inside who make the decisions in the back room. The decisions will be made right here on this Floor amid sometimes hot debate, but with thorough and careful consideration. And the law will be the slow, deliberate will of the people.

And the team will be not a one-man rule, or a ten-man rule, but a 150 Member law-making Body, functioning as public servants for the people of Texas.

I wish to do away with the backscratching, the excessive control of the few, the government by secret, and the team decision of the past. I am proud to second the nomination of Price Daniel, Jr., because I believe that he stands for such reforms in our system.

We hear about the silent majority, but too often what we have is a deaf government and a deaf leadership. I have found Price Daniel, Jr., to be less garrulous. I have found Price Daniel, Jr., to be a man who listens, as well as a man who provides a voice of sound leadership.

I believe that under the leadership of Price Daniel, Jr., we shall enter into an era of new sincerity in state government. This will be an era of new sincerity in which all the people are represented, not a few selfish special interest groups. This will be an era of new sincerity dedicated to changes that will benefit all the people of Texas.

I second the nomination of Price Daniel, Jr., the Representative from Liberty, a man committed to reform who will provide outstanding leadership for this State of Texas.

The Secretary of State then recognized the Honorable Eddie Bernice Johnson of Dallas County, who seconded the nomination of the Honorable Price Daniel, Jr., speaking as follows:

Mr. Secretary, fellow Members of the House of Representatives, distinguished guests, and fellow Texans:

Today, I stand before you a proud woman; proud to be a Member of this House; proud to have the opportunity to serve the people of my district, my state, and the cause of reform; and proud, as a first term Member, to already feel so much a part of this Body that I could second the nomination of the next Speaker of the House of Representatives.

Although I do not speak for the freshmen Members of the House, I speak as a freshman.

In my mind and in my heart, I know that Price Daniel, Jr., should be Speaker of the Texas House of Representatives in the 63rd Legislature.

Many of us who are freshmen are here today and have taken the oath of this high office because of the reforms advocated by Price Daniel, Jr.

Our responsibilities here will be easier to fulfill because he felt it was part of his job to keep us informed and make us feel fully a part of the House.

I do not expect to be considered a second class citizen because of my color, nor should any of us be considered second class Members because we are new to this Chamber.

The man we will elect this afternoon to lead the House of Representatives into a new era of progressive, people-oriented government has done more than talk of reform, as some have done. He has done more than dream of reform, as many have done. He has transformed the talk into concrete proposals and he has worked diligently to make the dreams come true.

Because of him, all of us, freshmen and veterans alike, have had the opportunity to participate in the formulation of the rules under which we will operate. Because of him, we have had an opportunity to consider well in advance of the session some of the most important legislative reforms that we will consider.

Price Daniel, Jr., has brought all of us into the legislative process as full partners. We can have confidence in him, because he has had confidence in us—all of us.

We who are new to the House of Representatives and to state government must, of necessity, be somewhat perplexed and uncertain today about legislative procedure and the role we will play.

This is not an entirely new feeling for me, for in my lifetime I have encountered many perplexities and uncertainties. But I have always managed to resolve those questions and those doubts by standing up and doing what I felt, in my mind and in my heart, were the right things to do.

Now is the time for every good man to come to the forefront. Texas legislative reform is the forefront. Price Daniel, Jr., is the man. It is my pleasure to second the nomination and urge the election of Price Daniel, Jr.

Ms. Johnson then made the following motion:

Mr. Secretary of State, I move that nominations cease, and that the Honorable Price Daniel, Jr., be elected Speaker of the House of Representatives of the 63rd Legislature with any Member being permitted to cast a "Present" or a "Nay" vote by providing such information to the Journal Clerk.

The motion prevailed.

VOTES RECORDED

Representatives Cavness, Calhoun, Williamson, Howard, and Bowers requested to be recorded as voting "Present—Not Voting" on the motion to elect Price Daniel, Jr., as Speaker of the House of Representatives of the 63rd Legislature.

REASON FOR VOTE

I voted "Present and Not Voting" on the election of the Speaker of the House because I had earlier taken a public position in favor of another candidate for Speaker who found it necessary to withdraw as a candidate. I did not wish to vote contrary to my earlier public position but I did not want to vote against Representative Daniel because in my discussions with him I have become convinced that he is going to exert every effort to be a fair and effective Speaker of the House.

Signed:

Don Cavness
District 37, Place 3

The Honorable Larry Teaver, Secretary of State of the State of Texas, then declared the Honorable Price Daniel, Jr., of Liberty County, to be the duly elected Speaker of the House of Representatives of the State of Texas of the 63rd Legislature.

COMMITTEE APPOINTED

The Secretary of State announced the appointment of the following committee to escort the Speaker-elect to the Speaker's Rostrum for the purpose of taking the Constitutional Oath of Office by the Speaker-elect: Representatives Hutchison, Blythe, Cates, Preston, L. Jones, Miller, Sutton, Temple, Joe Allen, Semos, Finnell, and Howard.

OATH OF OFFICE TAKEN BY THE SPEAKER OF THE HOUSE

The Honorable Price Daniel, Jr., of Liberty County, having been escorted to the Speaker's Rostrum, took the Constitutional Oath of Office as Speaker of the House of Representatives of the 63rd Legislature of the State of Texas, which was administered by the Honorable Price Daniel, Sr., Associate Justice of the Supreme Court of the State of Texas.

INTRODUCTION OF SPEAKER PRICE DANIEL, JR.

The Secretary of State introduced Speaker Price Daniel, Jr., to the House of Representatives.

Speaker Daniel then addressed the House, speaking as follows:

Fellow Members of the 63rd House of Representatives, families of the Members, including my own, distinguished guests, fellow Texans.

To my colleagues in the 63rd Texas House, I say thank you for the high honor and privilege of being elected by you to serve as presiding officer of this most important Parliamentary Body. Words are inadequate to express to you my deep appreciation for your confidence, your friendship and your support.

But on this happy and important day to me and to my family, I hope that each of you will share with me the strong feeling and belief that this election marks not a personal victory for one individual but rather marks a victory for the basic concept that the Texas House can better serve the people of Texas and meet and solve the problems of this state when all

150 of us—old and new, irrespective of political philosophy or party affiliation—have a full voice in the legislative process and are free to follow the dictates of our consciences and make our decisions on the basis of merit and the best interests of all Texans.

As we assume the positions of public trust to which we were duly elected and begin this session, I think we should all pause for a moment to consider and fully take in the fact that we are embarking upon what will probably be considered the most important legislative session in the history of our state. Because of the scandals that have rocked our state government, because of the resounding mandate from the people as expressed at the polls, because of the responsibility for constitutional revision, we, the Members of the 63rd Legislature, have the golden opportunity and the crystal clear challenge to do more to make our state government responsive to the needs of the people and our own convictions more responsible and forthright than has ever been done before by any Texas Legislature.

In doing this, let us here and now resolve to have the courage to oppose the most powerful when they are wrong and the compassion to support the most helpless when they are right.

Let us recognize that to reach fair and equitable compromise is an essential working element of our representative government. But at the same time, let us never fear to raise our voices in disagreement and debate because these are the tools without which our government would not be representative.

Let us resolve to take the steps necessary to make ourselves the best informed and equipped and the most independent Legislature to ever serve this state. And while these steps will undoubtedly cost state dollars, let us resolve to economize whenever and wherever possible to offset that additional cost, beginning with the paring of the Speaker's staff and the elimination of pure political patronage.

Having already worked with all of you in planning for this session and in preparing the new reform rules and statutes, I know that we can and that we will make this a session always to be remembered for its diligence, hard work and ultimate achievements.

To the people of Texas, I can say that we have heard your mandate and that we concur in your wisdom— that the time is at hand for democracy and openness in the legislative process and for efficiency and openness in our state government. We can and we will adopt new rules and enact new statutes achieving these goals. And we can and we will conduct this state's business—your business—in such a manner that you can have pride and confidence in what we are doing and in the functioning of your state government.

To the cynics and skeptics who are forecasting failure of our efforts before we even begin because of the return to the Texas tradition of one-term Speakers, I say you are overlooking more than 100 years of Texas history, during which 51 out of 56 Texas House Speakers served only one consecutive term, including such men as Sam Rayburn, Pat Neff, Robert Lee Bobbitt, former Chief Justice Robert W. Calvert and many others. You are forgetting that some of the darkest days of this great Parliamentary Body, when the doors of these great Halls were closed and secret meetings

were the rule of the day, came when the House departed from the time-tested tradition that Speakers serve only one term. But most importantly, you have failed to recognize that those of us who have sought to improve the legislative process and make it more democratic and open, have done so cognizant of the pitfalls of rushing to the opposite extreme and the chaos or inability of the House to function that could result. Without overreacting to the problems, we have proposed new rules and statutes that will allow the House to function as it has in the past and will again in the future—by reasoning together rather than by being steamrollered by the use of raw power.

And to the skeptics who still believe we have witnessed only a temporary breather in lobby and special interest domination and control of the legislative process and our state government, I say that you have not bothered to get to know this new House. You have misjudged the new leadership and you have miscalculated the long-range effect of the reforms to be instituted this session.

If this new House had to be labeled or characterized by any single word, that word would be, in my opinion, independence, and I submit to you that rather than that independence growing weaker as the session progresses, it will become stronger and more evident.

In conclusion, I would point to what I believe is the greatest thing this House has going for it as we embark upon this new session—that is the ability and desire of the Members to work together, regardless of political philosophy, or party affiliation, for the best interests of the eleven million people of this state. This ability and desire will be evident in our efforts to adopt new rules of procedure and to enact new reform statutes, and I submit that you will soon sense that the only team running the Texas House—the only team in the Texas House—is 150 strong, 150 Members trying to do what they know in their hearts is right and best for the people of this state.