

JOURNAL
OF THE
House of Representatives

OF THE
REGULAR SESSION
OF THE
Sixty-fifth Legislature

OF THE
STATE OF TEXAS
BEGUN AND HELD AT
THE CITY OF AUSTIN
JANUARY 11, 1977



HSR 7 - ADOPTED

The Chair laid before the House the following resolution:

By Massey and R. Wilson:

HSR 7

BE IT RESOLVED by the House of Representatives of the State of Texas, That the Secretary of State shall call for nominations from the floor for the election of Speaker of the House of Representatives for the 65th 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 five seconding speeches, none to exceed three 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 unanimously adopted.

**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 65th Legislature of the State of Texas, and stated that nominations for Speaker are now in order.

The Secretary of State recognized the Honorable Richard C. Slack, who placed in nomination for Speaker of the House of Representatives of the 65th Legislature of the State of Texas the Honorable Bill Clayton of Lamb County, speaking as follows:

Mr. Secretary of State, members of the judiciary, honored guests, fellow Members of the House, ladies and gentlemen: As you know, I've been a member of this body—man and boy—for a goodly number of years—almost a quarter of a century, to be exact—and I don't think I've ever been more privileged than I am today as I place in nomination for Speaker the name of the Honorable Bill Clayton of Lamb County.

Bill and I have served side by side, drawn together first by our representation of closely aligned geographical areas. We West Texans—and those citizens from the Plains and the Panhandle fit into this mold as well—are generally conservative when it comes to spending state money; but we are also progressive in desiring for our state the best schools and educational opportunities, the greatest inducements to business and industry for economic well-being, the most prudent stewardship of our natural resources, and the highest goals in protecting the health and welfare of our citizenry.

I've seen Bill Clayton in the forefront of leadership as he has tried to forward the realization of these goals for the entire state. You members who served under his direction as Speaker of the 64th Legislature are aware of his diligence, his honesty, his fairness, as he has worked toward obtaining and maintaining for Texans the pure water so necessary for the state's agriculture and industry. You have seen him as a leader in environmental reforms, in pollution control, and the like.

In 1975, he served as chairman of the Southern Environmental Resources Conference. He is a member of the executive committee of the Council of State Governments, and is the newly-elected vice-chairman of that prestigious body which serves to coordinate the activities of the states, and to keep member states informed of new developments directed toward better state government. He is also a member of the executive committee of the National Conference of State Legislators.

So you see, Speaker Clayton is not merely honored and recognized in his home county, his home district, or even his home state. His dedication to good government, his application of the principles on which he bases his life not only at home but in the broader national arena have made him known and his abilities recognized among the leaders of state governments in the United States.

In fact, so well known is Bill Clayton that I started not to tell you any of these virtues as I place his name in nomination. In view of the new members present, however, I decided to tell something of this gentleman from Springlake. This stalwart leader is married to Delma Clayton. They have two children and a grandchild. He is eminently successful as a farmer, rancher, and banker who has proved by his efforts both as Speaker and as a member of this House his dedication to public service. He is the man who brought the members of this House together after troubled times. The man who laid party affiliations and political philosophies aside as he along with the Executive and Senate banded all together to achieve a state government that is envied throughout the nation and the federal establishment might well emulate.

How can we go wrong by continuing in this House his able leadership?

Mr. Secretary, it is my great honor, privilege, and pleasure to place in nomination the name of the Honorable Bill Clayton for Speaker of the House of Representatives of the 65th Legislature.

The Secretary of State then asked if there were further nominations for the office of Speaker of the House of Representatives of the 65th Legislature.

There being none, the Secretary of State then recognized the Honorable Ben Z. Grant, who seconded the nomination of the Honorable Bill Clayton, speaking as follows:

Mr. Secretary of State, Members of the House, and distinguished guests: Back when Billy Clayton and I were deskmates, I told him that we really needed a Speaker who was bright, experienced, articulate—a man who stands tall and a dynamic figure who could electrify our state government.

He said "I think I understand you, Ben, but you might as well know, I'm going to run anyway."

He ran. He won. And he immediately went about his job with a certain confidence and responsibility that gave unity and respect to this legislative body.

There are two types of legislators. There are show horses and work horses. (Over in the press box, I am told, they speak frequently of a third category who are described by reference to the posterior of a horse.)

Billy Clayton falls into the working category. He has been a working Speaker. He has sought meaningful progress of substance, reality, and purpose, not shadows and imagery.

The men and women who make laws for twelve million Texans must, by virtue of those whom they represent, be of great diversity.

There are those who feel strongly that we must not forget the answers we have discovered in the past, and that we have no lamp to guide our feet except our past.

There are others who take the philosophy that we should be not the first by whom the new is tried, nor yet the last to lay the old aside.

And there are yet others who say: New occasions teach new duties. Time makes ancient good uncouth.

Billy Clayton has the remarkable ability of leadership to bring together all of these various political philosophies to achieve what is in the best interest of all Texans, and offer leadership for the common good.

It is of extreme importance that this august body operate in an atmosphere of fairness. Billy Clayton believes that the strength of good ideas and meritorious legislation should prevail. He believes that the issue should be not who is right, but what is right.

It is under the responsible leadership of Billy Clayton that we begin the 65th Regular Session of this legislative body blessed with healthy fiscal conditions. In marked contrast to many other states, the indicators speak well for Texas.

I believe that we are at a time of great opportunities for our state, "and we must take the current when it serves or lose the venture".

This can only be done by the responsible and experienced leadership that can be provided by Billy Clayton.

I am honored to second the nomination of an outstanding Texan and the next Speaker of the House, Billy Clayton.

The Secretary of State then recognized the Honorable Wilhelmina Delco, who seconded the nomination of the Honorable Bill Clayton, speaking as follows:

Mr. Secretary, Parliamentarian, Members, guests, friends, all: We represent here in the Texas Legislature a great state, a diverse state, and all of us come to this session, the 65th of our state with high hopes and dreams. We look to our leaders to give us the direction that we can run on as legislators and win on; that our people can express confidence in, in sending us to the legislature.

All of us come with different dreams and different ideas and different hopes. In our leadership in the Texas Legislature, we need more than anything fairness, honesty, and openness. It has been my experience that Bill Clayton has provided these for the State of Texas in the House of Representatives. Fairness in spreading that leadership to those of us who have known far too little of leadership. Openness in our meetings, openness in our deliberations, openness in our decision making. Honesty in making all things known and available to us all.

The 64th Session of the Legislature demonstrated this with Bill Clayton as Speaker, and I, as one member, look forward to the 65th Session of the Legislature with Bill Clayton as Speaker, and to a productive, rewarding session for all of us. The members and the citizens of this great state to whom much is given, much is expected. We represent people who send us here for a purpose. We look to our leaders to help us develop, define, and deliver that purpose in a productive state for us all.

I proudly second the nomination of Bill Clayton for Speaker of this House.

The Secretary of State then recognized the Honorable Melchor Chavez, who seconded the nomination of the Honorable Bill Clayton, speaking as follows:

It is a privilege and rare honor for me to be invited to second the nomination of the person who is to be our Speaker for the 65th Session.

While I may not have the many years of experience in working with Speaker Clayton that others may have, I do know that during the 64th Session he gave us strong leadership. To the new members, he gave generous assistance and guidance, and to all, equal and fair treatment.

We must understand that in a deliberative body made up of so many diverse people, there is room for disagreement from time to time. While I disagreed with the Speaker on a few occasions, I nevertheless always found him available for help and for discussion.

While it is impossible for all of our favorite legislation to be adopted, I did feel that we were allowed to be heard, when we wanted to be heard, and we were given a fair run with our bills.

No one realizes it more than we, and that is, that you cannot please all of the members all of the time on all of the issues. I feel Speaker Clayton made a sincere effort to be fair to all members and in our continuing conversations he has and, I am sure, will continue that fair and equal treatment that is characteristic of all great leaders.

During the last session Speaker Clayton was on occasion, as were we, criticized for dragging our feet, some said we'd never have a Public Utility Commission, no education bill, no proposed constitution and other sundry legislation. Under Speaker Clayton's direction, we not only got it, but we legally adjourned before midnight on adjournment day. I think many were pleasantly surprised with the accomplishments of the 64th Legislature, attained by virtue of the strong leadership coming from the Speaker's office.

I know Speaker Clayton will give us the same strong leadership, will treat us all fairly and give all groups fair representation on all committee assignments. I am proud to second his nomination, and besides, for an Aggie, he isn't all that bad.

The Secretary of State then recognized the Honorable Fred Agnich, who seconded the nomination of the Honorable Bill Clayton, speaking as follows:

Members: I am pleased and honored to second the nomination of Bill Clayton as Speaker of the Texas House of Representatives.

It is not my wont to be effusively laudatory on any and all occasions because I believe that to do so reduces the value of commendatory phrases through commonness of usage.

Therefore, the remarks I make today about Bill Clayton are judiciously chosen to provide a sincere evaluation of his character and abilities.

His has been a firm hand at the wheel, providing that quality of leadership and direction that is so fundamentally essential if we are to be a good legislative body.

That leadership has been accompanied by a just and fair understanding of the diversity of the members of this House which in turn reflects the diversity of the people of Texas.

His treatment of minority members, whether black, Mexican-American, Republican or Yugoslav has been beyond reproach. Certainly, under his leadership, this House has conducted its affairs in the open and with an availability to the public that has done so much to establish confidence in the legislature by the people of this state.

But to me, his most important contribution as Speaker has been his insistence upon fiscal responsibility and his stewardship of the state monies. We are financially sound and solvent and to Bill Clayton must be given a major share of the credit.

And last, but certainly not least, he has demonstrated his qualities as a man of his word, who is trusted without reserve and who is held with deep affection by his colleagues for the warmth and humanness of his friendship.

I am, therefore, honored to second the nomination of Bill Clayton as Speaker of the Texas House of Representatives.

The Secretary of State then recognized the Honorable Jerry Donaldson, who seconded the nomination of the Honorable Bill Clayton, speaking as follows:

Mr. Secretary of State, Members of the House of Representatives, honored guests, ladies and gentlemen: I proudly rise to second the nomination of Mr. Bill Clayton as Speaker of the Texas House of Representatives.

When I entered the House as a freshman representative in 1973, I had the very great privilege of beginning what has become a very close friendship with the Honorable Bill Clayton. I say honorable most deliberately, for honor, a rare commodity, is an attribute Mr. Clayton truly possesses.

But to completely catalogue all of Mr. Clayton's attributes would necessarily be a futile task. He is fair and honest, a man of integrity, conviction, determination. He is a person who looks beyond the present, to the future; he has the vision to see beyond the immediate. Bill Clayton is a tireless, selfless man, dedicated to serving all. He is unique in his ability to gain the confidence, admiration, and respect of people from diverse backgrounds and of diverse interests. He is a person of wisdom, of tolerance.

Bill Clayton has a proven record of distinctive service; he is a leader among leaders. He is a friend of Texas and of all Texans, a man this state will put on her distinguished list of great statesmen.

Mr. Secretary of State, Members of the House of Representatives, I am deeply honored to have the privilege of seconding the nomination of my friend, my colleague, Bill Clayton as Speaker of the Texas House of Representatives.

Representative Donaldson moved that nominations cease, and that the temporary chief clerk of the House of Representatives be instructed to cast the vote of all the members of the House of Representatives for the Honorable Bill Clayton for Speaker of the House of Representatives of the 65th Legislature, and that Bill Clayton be unanimously elected Speaker of the House of Representatives by acclamation, with any member being permitted to cast a "present" or "nay" vote by providing such information to the journal clerk.

The motion prevailed unanimously.

The temporary chief clerk, upon direction of the Honorable Secretary of State, then cast the entire ballot for the Honorable Bill Clayton for Speaker of the House of Representatives of the 65th Legislature. (Moreno recorded voting no and Ragsdale present-not voting)

The Honorable Mark White, Secretary of State of the State of Texas, then declared the Honorable Bill Clayton of Lamb County to be the duly elected Speaker of the House of Representatives of the State of Texas of the 65th Legislature.

COMMITTEE APPOINTED

The Secretary of State announced the appointment of the following committee to escort the Honorable Bill Clayton to the Speaker's rostrum for the purpose of taking the constitutional oath of office as Speaker: Maloney, Miller, Schieffer, Sullivant, Presnal, Bush, Brown, F. Green, Heatly, Hanna, McBee, Thompson, M. Garcia, Uher, and Parker.

OATH OF OFFICE TAKEN BY THE SPEAKER OF THE HOUSE

The Honorable Bill Clayton of Lamb County, having been escorted to the Speaker's rostrum, took the constitutional oath of office as Speaker of the House of Representatives of the 65th Legislature of the State of Texas, which was administered by the Honorable Joe Greenhill, Chief Justice of the Supreme Court of the State of Texas.

The Secretary of State then recognized the Honorable Tom Uher, who introduced to the House, Delma Clayton, wife of Speaker Clayton, and Chief Justice Joe Greenhill.

INTRODUCTION OF SPEAKER BILL CLAYTON

The Secretary of State recognized the Honorable Walt Parker, who introduced Speaker Clayton to the House.

ADDRESS BY SPEAKER BILL CLAYTON

Speaker Clayton then addressed the House, speaking as follows:

Mr. Secretary, Judge, fellow Members, my friends: It is with a great deal of pride, tempered with humility, that I say to you here today, thank you.

Thank you, my fellow colleagues, for your vote of confidence. Thank you, my friends, for your understanding. And, most of all, thanks to my wife and family for allowing and helping me to devote the time and energies necessary to do the job.

Two years ago I stood here before you not knowing the full scope of responsibilities of this office. Today I feel a tremble when I stop to realize the fullness of those responsibilities.

Just knowing that others are looking to you for direction can be frightening. It makes us realize that man alone is not enough. We must invoke the aid of deity in our decision-making processes. By seeking guidance from Almighty God and asking for your help and counsel, we can chart a course that will benefit all Texans.

As we look to the next few months, I think that we should first reflect where we have been.

I told you two years ago that there would be a lot of speculation about Bill Clayton.

Would he have problems holding the House together?

Would decision making be returned to smoke-filled rooms?

Would Bill Clayton, a country boy, be insensitive to the urban needs?

Would there be division among the top state officials?

And, would the House indeed be run like a business, stripped of the built-up layers of political bureaucracy?

That speculation has subsided. The doubts and apprehensions have long been laid to rest.

The 64th Legislature faced some of the toughest problems our government has ever confronted. By working together through open debate and compromise we wrote a brave and notable record.

Yes, we worked together as a body and our debate and decisions were always open for public scrutiny. We dealt with urban and rural problems alike and a sense of fairness was the order of the day. Never before has there been better cooperation and honest effort among the top state officials. And, yes, the House of Representatives has become a more efficient business-like organization at a savings of over \$500,000 per year. In fact, our request for appropriations for the next biennium is a 15 percent reduction for both years.

But, that is all behind us and now we must look to the future. I see the 65th Legislature as one of the hardest-working, problem-solving groups ever assembled.

The dedication of you, the Members of the 65th Legislature, is evident. And you have an array of new tools to assist in your work.

During the interim, new procedures have been instituted to help make the legislative process more efficient. The expected record workload can be handled by the new process and the additional committee and House business office space which will help to ease the logjams of past years.

You, along with the news media and the general public will have more information at your fingertips than in any previous session.

These ingredients, however, must be coupled with good, hard-working committees to obtain the best possible results. For this reason, I will take a hard look at past performance and work product and personal acceptability by members when making selections of those who will chair our 24 substantive and 4 procedural committees.

Some people will be pleased and others will certainly be unhappy. It will be a hard chore for me, but the end product reflected in my appointments must assure results through dedication and desire to solve the problems we face.

Not only the leadership of the committees but the other members, too, with exception of seniority selections, will be appointed with the very same factors in mind.

To accomplish these goals we will draw heavily on experience and expertise. I would like each of you to serve exactly where you would like to serve during the next session, but that would be impossible. After all, we couldn't have 150 Speakers.

When committees are appointed, please evaluate your appointment in the light of the job that must be done. We will all have ample opportunity to be of real service to our fellow Texans.

Whatever your role, all I ask is that you give it all you have. It is my sincere desire to make this the most productive legislature in Texas history. To do this we must address some of the pressing problems of the day by placing them in priority status.

First, we must be prudent in handling the surplus in our State Treasury. Second, we must find a permanent solution to public school financing, which I believe should include a property tax reduction.

Third, we must come to grips with the ever-rising cost of medical malpractice insurance rates. Fourth, we must give our law enforcement officers encouragement by passing law and order legislation that will protect the victim of the crime instead of the criminal.

Fifth, we must address an array of energy issues. We must seek relief for our people from the high cost of utilities and at the same time encourage development and production of our energy resources.

The list goes on and on. It adds up to the fact that we have a lot of work to be done as you can tell by the number of prefiled bills, which by the way, is another first for the Texas House. It will take long hours with very little time off for the next 140 days but this deliberative body can and will meet the task. I will give it everything I have and I know you will. The time is at hand and let's be on with the task. Thank you.