

JOURNAL
OF THE
House of Representatives
OF THE
FIRST CALLED SESSION
OF THE
Sixty-third Legislature
OF THE
STATE OF TEXAS
BEGUN AND HELD AT
THE CITY OF AUSTIN
DECEMBER 18, 1973



Resolved by the Senate of the State of Texas, the House of Representatives concurring, That the two Houses meet in Joint Session at 12:30 p.m. in the Hall of the House on December 18, 1973, to hear the Governor's message.

The resolution was adopted without objection.

COMMITTEE APPOINTED

The Speaker announced the appointment of the following committee to escort the Governor to the Speaker's Rostrum:

Representatives Earle, Harris, Howard, Leland, Maloney, Sanchez, Schieffer, Semos, Williamson, and Wyatt.

Representative Martin entered the House and was announced present.

(Mr. Geiger in the Chair)

(Speaker in the Chair)

ADDRESS BY GOVERNOR DOLPH BRISCOE

(The House of Representatives and the Senate in Joint Session)

In accordance with the provisions of SCR 1, providing for a Joint Session of the Senate and the House of Representatives, at 12:30 p.m. today, for the purpose of hearing an address by the Honorable Dolph Briscoe, Governor of Texas, Lieutenant Governor William P. Hobby, Jr., and the Honorable Senators were admitted to the Hall of the House and occupied seats arranged for them.

Lieutenant Governor Hobby was escorted to a seat on the Speaker's Rostrum.

At 12:35 p.m., Governor Dolph Briscoe and party, escorted by Senators Doggett, Jones, McKnight, Meier, and Snelson, Committee on the part of the Senate; and Representatives Earle, Harris, Howard, Leland, Maloney, Sanchez, Schieffer, Semos, Williamson, and Wyatt, Committee on the part of the House, were announced at the Bar of the House and, being admitted, were escorted to the Speaker's Rostrum.

Lieutenant Governor Hobby called the Senate to order.

A quorum of the Senate was announced present.

The Honorable Price Daniel, Jr., Speaker of the House, called the House of Representatives to order.

Speaker Daniel directed all Members present to register.

A quorum of the House was announced present.

Speaker Daniel stated that the two Houses were in Joint Session for the purpose of hearing an address by His Excellency Dolph Briscoe, Governor of Texas.

Speaker Daniel then presented Governor Briscoe to the Joint Session. Governor Briscoe addressed the Joint Session, speaking as follows:

Lieutenant Governor Hobby, Speaker Daniel, Members of the 63rd Legislature in Special Session:

It was with great reluctance that I called you away from your homes and families on the eve of the Christmas holidays for this special session. However, the energy situation calls for immediate attention—and calls for our immediate action.

Since I last spoke to you in Joint Session, more than six months ago, our nation has been plunged into an energy crisis that none of us could have predicted.

We did not know that we were facing severe shortages. Last winter, as you well remember, we experienced local shortages of gas and heating oil right here in Austin, as well as in other parts of the state. Motor gasoline was in very tight supply last summer. The outlook for heating oil supplies for the coming winter was clearly one of a very delicate balance between supply and demand.

Last Spring, I created the Governor's Energy Conservation Task Force to implement energy saving programs throughout state government. I also created the Governor's Energy Advisory Council, under the chairmanship of our distinguished Lieutenant Governor, to pursue long-range solutions for the energy problems of Texas.

With strong agency support, all state-owned buildings were surveyed at that time to determine to what extent energy reductions could be made while maintaining health and safety standards. As a result, the State Board of Control completely disconnected approximately one-third of all electrical fixtures. In those buildings where it was possible, air conditioning was turned off at night and on weekends.

In the month of October, we had reduced electrical consumption by 26 percent in the State Capitol Complex. Significant additional savings were also made in the consumption of gasoline, diesel fuel, and fuel oil.

I believe we have demonstrated conclusively that major savings can be made through conscious effort without undue hardship.

Since that time, however, the Middle Eastern oil embargo has turned the energy shortage into an energy crisis. Under that embargo, the United States

is losing between 2 and 2½ million barrels of oil each day—more than half of the amount of what we produce here in Texas.

We are now using up our oil in storage faster than we are producing oil. These stored reserves will be gone entirely by early next year. At that point, the United States will experience an oil shortage of approximately 25 percent in the available supply of oil.

These were circumstances that led to my statement on the energy crisis on November 28.

In that statement, I said that state government would have to lead the way in any effort to conserve fuel and I outlined the steps we were taking. They included a 25 percent reduction in the use of motor fuel by state vehicles—thermostat settings to reduce the amount of electricity used in state buildings—development of car-pooling plans for state employees—the purchase of the smallest cars possible to do the job—and a program to reduce the amount of energy used in our public school system by 15 percent.

For the general public, I called for a reduction of the maximum speed limit from 70 to 55 miles per hour—the elimination of unnecessary automobile trips—turning thermostats down in the winter and up in the summer—and turning off unnecessary lights.

As you know, the Attorney General of Texas subsequently held that the State Highway Commission did not have adequate authority to reduce the 70 mile per hour maximum speed limit on a statewide basis. At that time, I stated that when it became clear what the national speed limit was going to be—and how it was going to be set—I would take whatever action was necessary to make sure that Texas is in conformity with national policy.

It was not until last Friday that both Houses of Congress agreed that the federal government would not impose a federal speed limit, but, on the contrary, would call for state action. I took that action on that day and called the Legislature into special session for that purpose.

It is now apparent that the Congress is going to request the states to set a speed limit—probably of 55 miles per hour on all roads and highways—with penalties for those states which do not respond. This could well be on the President's desk before the week is out.

Therefore, I believe the time has come for us to act. I have called this special session to ask you to give the Texas Highway Department the flexibility it needs to set the maximum speed limit to conform to federal law and to be able to change that limit if the federal law is subsequently changed.

Failure to act would mean a possible loss to the State of Texas of \$240 million a year in federal highway funds, beginning 60 days after the President signs the bill.

Beyond that, however, we have a responsibility to ourselves; to every citizen of this state and to their economic well-being. Many Members re-

requested that I wait until January 2 on the eve of the Constitutional Convention to have an emergency session. I realize this would have been more convenient in many ways. But to postpone legislative action on the speed limit would have left us with no clearly defined state policy during the Christmas-New Year holiday period which is normally a time of heavy highway travel and high gasoline consumption. Each day we delay in setting the speed limit means loss of nearly one million gallons of highway fuel; a million gallons a day that are lost to us forever.

There is a clear distinction between the two problems we face. The most urgent problem is how to allocate a reduced supply of energy as quickly and as fairly as we can. The longer term problem is how to increase our energy sources and supplies and make the nation more self-sufficient.

The reduced speed limit is in this most urgent category, for it is action we can take quickly and equitably to conserve the available supplies of gasoline.

I earnestly hope that your response will be positive—and swift.

And now a word about the future.

Last Thursday, after meeting in Washington with the President and William Simon of the National Energy Council, I came away optimistic that Mr. Simon would be given both the responsibility and the authority to make and enforce the tough determinations that will be necessary. I hope that this will be done.

As we look to the future, I think that several points should be made.

First, we must recognize that this is more than just a local problem. There are many things we can do here in Texas to help alleviate the problem and I pledge to you that I will not hesitate to take action where action is required. But the national solutions will have to come as a result of national policy.

And we expect the other states to do their share. Texas has produced much of the energy to fuel the nation's homes and economy in both war and peace. We have committed our resources; we have drilled off of our shores. We have built refineries. And we have taken environmental risks. So have some of our neighboring states, but we can no longer go it alone.

There are indicated oil reserves off the coasts of other states. Those reserves should be drilled immediately. Only two percent of the potential offshore area has been explored. And of the 17,000 wells drilled offshore, there has been spillage from only four.

There are massive deposits of coal in other states. That coal should be mined immediately. And government and industry must begin at once to discover efficient and clean ways to gasify that coal.

There is a crying need for refineries in other sections of the country. Those refineries should be built without further delay.

Fifty percent of all the energy used in the State of Texas is used to produce more energy. Not just more energy for Texas, but for the entire nation. We have a right to expect the entire nation to work—as we will work—to solve this energy crisis.

The second thing to remember is that this is not a partisan issue and if anyone tries to make it such, we as a people will suffer the consequences.

Third, we must stop looking for scapegoats. There is plenty of blame to go around. As a people we have been wasteful. Every national administration for twenty years has ignored the warning signs. Environmental concerns have not been properly balanced against our energy needs. The important thing now is not to decide who is responsible for the energy crisis, but to determine what our response to the crisis is going to be.

And fourth, we must not panic or over-react. We have enough fuel to get us through this crisis if we use it wisely. This is a complex matter. I must tell you that my office considered dozens of recommendations for energy savings for every one I approved. Many of them, which looked promising on the surface, would have had severe economic consequences and would have thrown thousands of men and women out of work.

Our goal must be not just to save energy but to save jobs as well. Our task is to be certain that we are masters of the energy crisis, not its victims. The basic strength of our entire economy is at stake.

Let me cite just three examples.

Here in Texas, the lifeblood of the huge petrochemical industry is natural gas. If this industry loses only 15 percent of its present gas supplies, the immediate result would be that 25,000 Texans would lose their jobs in this industry and others which rely on its products.

Texas' \$2.2 billion tourist industry is another segment of our economy that could be severely crippled by fuel shortages. There are 600,000 Texans employed in this industry—and their jobs are at stake.

And finally, our farmers need to be assured that fuel will be available to them when they need it, when they fertilize, when they plant, and when they harvest.

I know we can survive this energy crisis. I believe we can survive it without any major economic repercussions and without major losses of jobs. But we can survive it only if our citizens are willing to change their daily habits of fuel consumption.

So we are faced with a question of priorities that only we, as free citizens can determine. Unless we put up with a few inconveniences, we will put the jobs of Texans in jeopardy.

Happily, Texans have already shown that they want to cooperate. They have already begun slowing down on our highways—voluntarily. And I know

they will continue to slow down until our new speed limit becomes effective and signs are posted.

The real test of our willingness to sacrifice lies in the months ahead:

—Our willingness to keep our homes and offices a little cooler in the winter and a little warmer in the summer;

—Our willingness to slow down on the highways;

—Our willingness to ask ourselves: "Is this trip really necessary?";

—Our willingness to share rides with our neighbors and fellow workers;

—Our willingness to turn off the lights that aren't needed;

—Our willingness, in short, to cut out the energy frills that have become such a daily part of our lives.

Woodrow Wilson once said that "the highest and best form of efficiency is the spontaneous cooperation of a free people."

That is the kind of cooperation with which Texans have always responded in times of emergency.

And that is the kind of cooperation that I ask of this special session of the Texas Legislature: "the spontaneous cooperation of a free people."

Thank you.

SENATE RETIRES

At 12:58 p.m., Lieutenant Governor Hobby stated that the business of the Joint Session had been accomplished and that the Senate would, in accordance with a previous motion, stand recessed until 2:30 p.m. today.

HOUSE AT EASE

Speaker Daniel announced that the House would stand at ease pending the departure of the guests.

Speaker Daniel called the House to order at 1:00 p.m.

HSR 3—ADOPTED

(Assigning desks to House Members)

Mr. Cole moved that all necessary rules be suspended to take up and consider at this time, HSR 3.

The motion prevailed without objection.