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REPORT

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LIKE THE swallows at Capistrano, the school children came to the Capitol in clouds, in coveys of yellow buses. The peak so far this session was reached, of course, as the State Teachers Assn's bills began hearing stage. At one time, Lt Gov. Hobby introduced nine delegations moving in and out of the gallery at the same time. But the nonewtax atmosphere is so strong, and the Supreme Court took off the pressure of the Rodriguez case, so major school legislation is not expected this session. Appropriations bills will be bouncing out to the House and Senate this week, and if they don't spend up all the money in sight, it will be a surprise. A welfare cushion because of the Federal unknowns is indicated.

BUT school people won a major victory when the Senate killed, 15-16, SJR 28, Creighton, to strengthen the farm-ranch-timber company lower-tax procedure. The roll call found many rural senators voting "no" and it's dead for the session. Perhaps the most likely school bill to pass is the revision of the economic index and the bringing about of market-value relationships between the various counties. A major Senate accomplishment of the week was passage of a package of 14 bills by Sens Traeger, Jones and Gammage to put water district organization, spending and operation under closer watch. All were passed 31-0, and Sen. Ogg, who passed so many water district bills last session that the House would murmur, "Ogg, Ogg, Ogg" every time they got on a local calendar, got himself made co-sponsor of the water bills. Senators also passed HB 10, Allred-Brooks, the newsmen's shield bill, but put in a Texas Supreme Court review which will lead Allred to ask for a conference committee Monday...The Senate began to get into some bog-down bills. Sens Brooks and Ogg talked long enough to force adjournment before final passage of SB 642, Wallace, to permit the creation of rapid transit authorities in Houston and San Antonio, to be financed by an emissions tax on cars. Sen. Schwartz blocked SB 821, Creighton, to raise the certification of title fee from 75¢ to \$2.50, by filibustering against it as a tax bill for the benefit of the railroads, whose crossing signals are now being financed by the State under that "rules of the road" bill of '71. It took Hobby's vote to table Schwartz' amendment to put the \$3,100,000 a year in the General Fund instead of the Highway Fund...Sen. Herring had the experience of the year: He introduced an anti-nudity bill for Lake Travis residents who have been fussing about nude bathing, only to have two ladies protest that his bill declared nudity "obscene and indecent," and they didn't think it was. They were just objecting to the breaches of the peace the nudity leads to in their neighborhood. He sub-committed the bill.

AFTER much grumbling and snorting, the Legislature recalled HB 185, collective bargaining for police and firemen, yielding to Gov. Briscoe's threat to veto the bill. Opponents voted not to recall it, but the sponsors felt there were some errors to correct. The Senate voted 19-11, and the House approved the recall on a voice vote--after some initial parliamentary skirmishing.

LAST of the reform bills to come up, HB 4, Bynum and Miller, regulating campaign contributions and reporting, cleared the House and went to the Senate. The House had a busy, five-day week, passing a number of measures: HB 177, Tupper, multi-year license plates; HB 76, Koriath, requiring the Comptroller to furnish sales tax information to cities; HB 833, Wieting et al, putting coastal waters under the Parks and Wildlife Dept (with several counties removed by amendments); HB 340, Gene Jones, requiring a law degree to be an attorney; HB 371, Hale, consultation between teachers and school boards; SB 373, Herring, furloughs for prisoners for deaths in the family, etc. Then the House went back and tried again on the "reform" bill which it flubbed earlier because of the Agnich amendment keeping financial revelations sorta secret. It passed HB 1522, Temple, for filing of fairly sensible reports with the Secy of State, and even took the unprecedented step of final passage on the same day, an idea which has been frowned upon this session. The House also speeded up with a local & consent calendar, passing 28 bills. One was knocked off, and it was a sure-enough local bill...HB 158, Caldwell, was amended until members decided to go along with the increased hunting and fishing license fees: \$5.25 for hunters and \$4.25 for fishermen, with all the present exemptions left in...The House agreed to Senate amendments to HB 8, Joe Allen, the Speaker's race bribery bill.

REPS Bynum and Cavness released results of an interim study on auto insurance rates, with Cavness saying the study shows Texans are getting "the worst deal of practically any state in the nation." According to the study, Texans get back 45¢ of every \$1 paid for bodily injury coverage and 58¢ per \$1 for property damage, ranking it far below other states in amount of money returned to consumers. The study was prepared by Dr Robert C. Witt, UT-Austin professor, for Cavness' committee to answer an exhibit by the Board of Insurance showing Texas ranking below average in insurance costs...House Agriculture and Livestock Cmte gave final rites to Rep. Kubiak's bill for a State Apiarist...Intergovernmental Affairs subcommittees held up action on HBs 1236 and 1450, Lombardino, letting cities have unmarked cars for city executives, and requiring counties of over 100,000 to have a public defender for juveniles...Environmental Affairs sent HB 1431, Agnich, creating a State commission to set up a land management system, to a subcommittee for two weeks...HB 1436, Newton, allowing the General Land Office to inventory and regulate use of State coastal lands, came out of a State Affairs subcommittee...HB 1250, Garcia, setting a fine for knowingly hiring an illegal alien, went to a Business and Industry subcommittee...Revenue and Taxation cleared HBs 563 and 564, Joe Allen and Doyle, monthly sales tax payments by sellers and to cities.

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SEVERAL appointments were announced by Gov. Briscoe: David D. Allen, Houston, Securities Board; Mark McLaughlin, San Angelo, Judson Robinson, Jr, Houston, and H.H. Coffield, Rockdale (reappointment), Board of Corrections; Charles Borchers, Laredo, Dist Atty, 49th Judicial Dist; and Mack Wallace, former Briscoe legal assistant, Exec. Dir, Criminal Justice Council. CJC head Joe Frazier Brown plans to return to San Antonio, probably to enter private practice.

THE LEGISLATIVE Property Tax Cmte, after a brief interregnum of a Senate investigation, began moving forward again with the hand of Sen. Doc Blanchard on the helm. At the committee's third session with Blanchard in the chair, the panel stopped the work contracted to UT Arlington until it could be reviewed, renewed the temporarily halted work of its own administrative research section after giving it a clean bill of health and voted to let the attorney general decide whether the committee should pay a \$4,300 cost overrun on work contracted to UT Law Asst Prof. Mark Yudof. The committee also hired Former Rep. Delwin Jones, Blanchard's assistant, as director, at \$2,000 per month. At the same time, the House investigation of the property tax cmte started with a secret meeting to decide whom and what to investigate. Investigation Chmn Rep. Joe Allen explained some House members "wanted background and information on personalties," so the doors were closed.

REP. Menefee said he wouldn't stand for part of a loaf, and got the House to table subject to call his HB 205, citizen pollution suits, after Rep. Hutchison tacked on an amendment saying compliance with a permit, even a non-valid one, was a full defense for an industry...On Gov. Briscoe's request, Rep. Nabers took over Rep. Lombardino's HB 628, the habitual traffic law violator act, and got the House to pass it. Nabers had it reworked, so that 12 of the less major violations means a license revocation hearing, with driving again a misdemeanor, and three of the big violations in five years means revocation, with driving again a felony. Rep. Lombardino did "help-out". AP caught him punching Rep. Nowlin's button.

A LAWSUIT challenging the Internal Revenue Service's right to collect income taxes on mandatory contributions to the Employees Retirement System has been filed by the Texas Public Employees Assn in Federal Dist Court in Austin. TPEA also seeks to recover some \$15,000,000 in income taxes paid by State employes since '68...Third-year law student and Young Americans for Freedom member lost his request for a district court injunction barring the Daily Texan, UT-Austin student newspaper, from printing stories or editorials containing political endorsements or attacks...In a dispute growing out of an incorporation election in Denton County, the Supreme Court ruled a county judge can revoke his order calling such an election, and that he cannot be compelled to canvass the returns. Chief Justice Greenhill and Justice Pope dissented on the 7-2 decision...Judicial reform proponents say the Court of Criminal Appeals' caseload is still going up, with 156 appeals in March--up 34% from last March.

ABNORMAL winter weather resulted in \$28,400,000 damage to Texas roads, the Highway Dept reports. The Amarillo Dist led with \$10,000,000 damage ...The Health Dept is sponsoring a plane crash in Amarillo and a tornado in Corpus Christi as part of civil defense training. Hundreds of casualties will be involved, the department says...April is "VDAwareness Month" and the Health Dept is launching an "awareness campaign," noting a 14% increase in gonorrhea in '72, with a 27% decrease in syphilis. Health officials hope the VD epidemic may be about to turn...The four-month-old quarantine of 34 Panhandle counties for cattle scabies was reduced to 14 counties by the Animal Health Cmn...Agriculture Cmr John White says ending income supplements would destroy the cotton industry and family farm system...Insurance Board Chmn Christie endorsed SB 647, Schwartz et al, allowing creation of "health maintenance organizations" as one way to reduce health insurance costs, and praised Reps Bynum and Cavness for their efforts to reduce auto insurance rates.

MEMBERS of the Constitutional Revision Cmn will be holding public hearings in 18 cities during the next three months to get ideas and recommendations. The commission set up seven study committees: Executive (Preston Shirley, chairman); Legislative (Zan Holmes); Judiciary (Leon Jaworski); Education (L.G. Moore); Finance (Beeman Fisher); Local Government (Barbara Culver); and General Provisions (Honore Ligarde). Each committee has five members, except for the last--presumably since the commission is still one member shy. Cmn Chmn Calvert and Vice Chmn Milburn aren't on the committees. Speaker Daniel sent letters to the commission members urging that they draft "the purest, most concise and most perfect document that can be prepared."...Another group of revisors, also headed by Judge Calvert, recommended to the Senate Jurisprudence Cmte that the top half of the State court system be revised, but the bottom half be left alone. Calvert said the recommendation is "half a loaf," but heavy opposition from justices of the peace and county officials to changing the lower courts seems to have convinced him that's all that can be got.

TWO Bexar County legislators, Rep. Nowlin and Rep. Madla, were knocked out of their teaching jobs by a constitutional amendment adopted last fall, Atty Gen. Hill advised Speaker Daniel. Nowlin teaches American history one night a week at San Antonio College; Madla is an associate professor of government at St Phillip's College. Hill said the jobs fell under the prohibition against members of the Legislature holding "any other office or position of profit" and did not depend on whether the Legislature was in session or not. The legislators say their employment is local, but Hill apparently feels that the State funds going to the schools make the positions State offices...Hill also ruled that: the failure of a bill (HBs 64, 283 and 308) to specifically prohibit discriminatory insurance rates does not affect its constitutionality; no one has a vested right in any statutory retirement system in Texas, because the rights of the participants are subject to the will of the Legislature; ambiguous bidding instructions prevent competitive bids, and bids submitted under such instructions should not be accepted.