

League of Women Voters of Texas  
OBSERVER FORM

Full Convention -  
COMMITTEE

June 24 - p.m.  
DATE

Jayne Dibrell  
OBSERVER

Daniel  
Presiding Officer

Quorum -  
Committee number present

Executive Article - Style & Drafting Report -  
Committee activity (public hearing, etc.)

RECORD OF ACTIVITY (record all votes, resolutions, who testified, major points made, etc. continue on back and additional sheets when necessary)

Explanation of changes made by Style & Drafting. Von Dahlen

Amend-1 - Sec. 19 - ① Attorney General represent state agencies in  
von Dahlen lower courts as provided by law. ② - before Supreme Court.  
③ Must be a lawyer - Adopted

Amend-2 - Sec. 24 - Those agencies without statewide authority, river  
miser and educational, exempted from 10 year self-district - Adopted

Amend-3 - Sec. 24 - Renewal of agencies (plural) - Adopted

Amend 4 - Calling out guard - not limited to natural disasters only.  
Hollowell Truan, Miser - against - used against protests, unions?  
Adopted yes - 132, no - 13

Amend 5 - Gov. appoints agencies unless otherwise provided by law -  
Von Dahlen Adopted

Amend 6 - Appointee rejected by Senate cannot be re-appointed

Von Dahlen Adopted

Amend 7 - Utter confusion - Amends - 5, 6, 7 dis-regarded.

Amend 8 - Same as Amend 5 - Adopted

Von Dahlen

Amend 9 - Filling statewide election (confusion - substantive - withdrawn)

Amend 10 - Because of conflict, strike Sec. 2-e - Adopted

Sherman

Amend 11 - Senate to be convened within 20 days to confirm

Poerner

OBSERVER COMMENTS

Amend 12 - Gubernatorial succession: ① Elected Lt. Gov. serves full term -  
Von Dahlen ② Appointed Lt. Gov. only until next state-wide election. Adopted

Amend 13 - Appointee serve extra year if appointed only 60 days - Defeated  
Davis

Title 4, Sec. 1-23 & 25 - yes - 134 no - 32

Sec. 24 - yes - 115, no - 41

Women Voters of Texas  
FORM

Style & Drafting  
COMMITTEE

June  
DATE

Reid  
OBSERVER

\_\_\_\_\_  
Presiding Officer

\_\_\_\_\_  
Committee number present

\_\_\_\_\_  
Committee activity (public hearing, etc.)

RECORD OF ACTIVITY (record all votes, resolutions, who testified, major points made, etc. continue on back and additional sheets when necessary)

Epec new letter of transmittal  
Add. Com. of Ag. - is in Epec Dept. Dec. 1, 29, 6946421

On Dec. 23 - self destruct clause every 10 years of state agencies.  
Not intent of Legis. that statutes creating agencies would have to be renewed

will be problems under Finance Art. on the appropriations  
can only be made by gen law. -

Local Govt.

Educ. - tomorrow

Regis.

Epec.

4/3's vote only necessary on the adoption of an amendment  
Shot for finishing 3rd reading by July 4th.

Educ. - Calvert, Earl Lewis, TSTA - all written endorsing  
At Drafting version of Educ. Art.

\_\_\_\_\_  
OBSERVER COMMENTS



Raster - Home rule

Local Govt Com. wanted Limited Home Rule

Raster amendment would be pure home rule

Nothing to do with Metro-government

Hanna -

Short against - afraid elective offices might become appointive.

Massey - in favor

Monday - Local Govt. -

Style and Drafting  
Tuesday April 30 a.m.  
Susan Reid

Max Sherman, presiding

Members present: Von Dohlen, B. Sherman, Cooley, Grant  
Executive - Dec. 5 -

Line of succession - governor to Lt. gov to speaker of the house.  
Appointed Lt. gov. is not in line of succession.

One eventuality not covered is if both gov. & Lt. gov.  
should die before inauguration.

"acts as governor" = is a temporary assumption of power  
"serves" or "becomes" governor = is synonymous

Dec. 7 - Diminishing salaries of executive dept. - Comes from  
CRC & is done in other states

# THE SENATE OF TEXAS

63rd LEGISLATURE

WILLIAM P. HOBBY, LIEUTENANT GOVERNOR, OFFICE # 219, 475-3535

<u>SENATORS</u>	<u>PHONE NO.</u>	<u>OFFICE NO.</u>	<u>FIRST SECRETARY</u>
Adams, Don	2671	334	Lola Hopper
Alkin, A. M., Jr.	3474	321	Sara Hancock
Andujar, Betty	2526	337	Nita Silberstein
Blanchard, H. J. (Doc)	4177	124	Jessye Brown
Braecklein, Bill	3764	128-B	Shirley Pond
Brooks, Chet	2901	335	Liz Huggins
Clower, Ron	3758	332	Gay Curry
Creighton, Tom	3452	128-A	Randy Beard
Doggett, Lloyd	3731	331	Sally Watkins
Gammage, Bob	2751	118	Susan Longley
Harrington, D. Roy	2809	126	Isabel Bredlow
Harris, O. H. (Ike)	4171	122	Margaret Bacon
Hightower, Jack	4446	319	Kay Kennedy
Jones, Grant	3733	419	Bunny Holmstrom
Kothmann, Glenn	3911	303	Bobbie Phelps
Longoria, Raul L.	3471	338	Rita Williamson
Mauzy, Oscar H.	2528	G-35-B	Madeline Norris
McKinnon, Mike	4279	211	Karol Phelan
McKnight, Peyton	4175	325	Peggy Crow
Meier, Bill	3496	320	Loretta Patschke
Mengden, Walter H., Jr.	3408	326	Doody Lawler
Moore, William T. (Bill)	4371	G-35-A	Anice Vanderlee
Ogg, Jack	2261	333	Louise Naven
Patman, William N. (Bill)	2753	129-C	Beverly Sevier
Santiesteban, H. Tati	3641	212	Betty Maurer
Schwartz, A. R.	5881	129-B	Regina Jones
Sherman, Max R.	3222	129-A	Texas Smith
Snelson, W. E. (Pete)	3494	128-C	Nona Aday
Traeger, John A.	3756	421	Lois Root
Wallace, Jim	3643	120	Jo Schum
Wolff, Nelson W.	4173	116	Mercy Kutcher

## LIEUTENANT GOVERNOR'S OFFICE

Lt. Governor William P. Hobby	3535
Margaret Behrens, Secretary	3535
Receptionist & Information	3674
Steve Oaks, Executive Asst.	2424
June Hyer, Executive Asst.	3673
Tom Hagan, Adm. Asst.	4249
Bill Jenkins, Adm. Asst.	3557
Harry Ledbetter, Adm. Asst.	3673
Jason Perlman, Adm. Asst.	2997
Bob Cargill, Press Secretary	3888

## SENATE PHONE NUMBERS

Administration Committee	4446
Bill Distribution	2520
Calendar Clerk	2572
Enrolling Room	2455
Finance Room	2473
Journal Clerk	4707
Media Services	4775
Payroll Clerk	2945
Porters	3066
Reproduction	3119
Research Director	5818
Secretary of the Senate	4271
Senate Post Office	2523
Sergeant-at Arms	3411
Staff Services	2219
Supply Room	3101
Billie Leach	3180
Tour Guide Desk	3070

CAS

## GOVERNOR'S OFFICE

Governor Briscoe	4101
Information	3541
Bob Hardesty	4215
Charles Purnell	2131
Ken Clapp	3861
George Lowrance	4571
Dicky Travis	3214

## OTHER STATE NUMBERS

Attorney General	2501
Board of Control	2211
Comptroller	2206
Legislative Budget Bd.	3426
Legislative Council	2736
Legislative Ref. Lib.	4626
Secretary of State	2015
Security Guard Desk	2208

## HOUSE PHONE NUMBERS

Speaker's Office	3311
Chief Clerk	5616
Sergeant-at-Arms	4330
Administration Comm.	3546
Calendar Clerk	3729
Journal Clerk	3364
E&E	3678

Style and Drafting  
Apr. 26 - a.m.  
Susan Reid

Max Sherman

Present: Coady, Grant, Nugent, B. Sherman

Business: Executive article Sec. 2(d) through

Brought Atty. Gen. opinion on what happens when Governor makes appointment & Senate fails to act - opinion says that after Senate adjourns the appointee (1) can remain - - Braden reads opinion this way (2) is out - - Mr. Cotton of Briscoe's office reads opinion this way. No resolution of what 1876 Const. says.

Problem on p. 16 line 14 on removal, requiring 45 days for Senate to consider removals. - Will recommend a change to 30 days so removals could be considered in special session.

Sec. (e) - appointments to agencies - requirement of staggered terms does force that agency appointments be for a least 4 years.

Sec. (f) - Mr. Cotton - Briscoe's staff - felt it narrowed governor's appointment power. Another problem would be if Legis. should pass a statute saying that only hold-overs would be eligible to serve as chairman - that would narrow governor's power far beyond intent of Committee.

Another problem is that language says "Only an appointed officer" may be chairman & there are some boards where an "elected" officer is the chairman by statute eg. Veterans' Land Board on which Gen. Land Commissioner is chairman. - Grant will offer an amendment to correct this.

Another problem - no definite statement that governor could fill a vacancy of chairman if it should occur in an even-numbered year. Staff will draft language on this.

Sec. 4(c) putting inauguration date in Const. but election date is statutory & election date might be changed & foul things up.

League of Women Voters of Texas  
OBSERVER FORM

Style and Drafting  
COMMITTEE

May 16 8a.m.  
DATE

Brian Reid  
OBSERVER

May Sherman

Presiding Officer

Missing - Nugent, B. Sherman, Doggett (ill - staff present)  
Committee number present

Work session on Executive

Committee activity (public hearing, etc.)

RECORD OF ACTIVITY (record all votes, resolutions, who testified, major points made, etc. continue on back and additional sheets when necessary)

Probably no meeting until Thur. or Friday of next week.  
May meet all during day at off hours.  
Price Daniel: Schedule when Gen. Prov. finished. Start with some articles that are not so controversial. Maybe Preamble to Bill of Rights - then modes of amending & voter qualifications, then local govt., take up executive before legislative (for practical reasons) S & D committee needs to make final vote on these first articles so they could be in delegates hands 12 hours before Gen. Prov. is finished. Talked about how to get 1/2 days for S & D to work. Talked about how committee report is to be handled on floor. - All changes need to be labeled as (1) stylistic change only (2) majority vote (3) substantive change to remove an inconsistency - ~~majority~~ vote (3) substantive change 2/3's vote.  
Tues. 8a.m. - next meeting

\_\_\_\_\_  
OBSERVER COMMENTS



Laure, Weddington, Doggett, Foreman, Balis - all present  
work Fri. Afternoon + Sat. to finish all 2nd reading before

Trague don't want legs, vetos to hang over until next session  
not good

Meir when Gov. does not sign a bill or vetos after legs.  
recesses - then he does not veto that bill, he  
kills it and that's a difference  
veto last one-ridden-1944 - not viable chrono

Temple ~~Laure~~ this is new - Any other state have this? <sup>How does</sup> it work  
no testimony

Coleman Possibility of recommending to reconsider vetoed bill?  
I feel stronger authority should be provided by legislature  
weakening Exe.

Meir We think strengthened Exe. in other ways, but have  
enhanced

Spurlock Gov. veto should not be killing - but correction so  
legs. can re-pass bill  
are you creating too much power - un-checking balance  
of power? - un-balancing checks? un-balancing  
balance of power again

Foreman Will vetoed bills then automatically be re-submitted  
in reg. or special session -

Meir no not necessary  
Jones Wouldn't we have to "re-lick the cat" in any  
special session like Spud - limit session

Meir yes, it would slow things down  
We'd have been here right thru Christmas so

if the legis. presents a veto by adjournment - then it  
becomes table laws -  
motion to take EARLY  
Bates NO, NO  
Foreman - NO  
129 presents  
Daggett NO  
Wedding. - NO  
Motion to take prevails

Nale's Amend. Adopted

Gaston - section 14 explained  
Shutman - " 15 "  
" " 16 "

Gaston - remove all language "except that etc." - added one  
more check on ~~aspects~~ <sup>officers</sup> - make Land Comm. Comptroller  
just a little subcommittee  
Meir Amendment Adopted -

Blanchard - Could Gov. abolish RR. Commis.? Great power!  
Adams - Not without  
Giving Concurrent resolution status of statutes

Gov. can make a change thru Concurrent resol., but  
a legis. cannot make a change without a bill - right  
[Mandate duty on Gov. to review + report -  
Van D. - 2 year reviews - come in form of bill  
reassign or consolidate etc. any statutory  
Gaston Amendment to Amendment - may at that time - shall  
w/in 2 yrs of adoption of this Const. - Agencies need  
to be brought into line  
Waters Sub. # 47 - 40 bills - legis. should have more authority - mandatory  
for gov. and legis. to have respon. for reason. from beginning  
balance between

Waters looks like <sup>standing</sup>  
Bates refused @ 11:20

Wyatt?

Wyth Will agencies try to get out from under Excl. Dept.  
if adopted this

All regulatory agen. would be exempt  
motion to table Waters Amend

W - no - Fore. yes - Bai yes -

Motion to table prevails

Meir  
AGAINST

Amendment to Amendment - w/drawn + VD <sup>Amend</sup> - Withdrawn

Ceiger - Struck section 17<sup>th</sup>

Meir

Specific lang. that Gov. should have respons. to review

Motion to table Ceiger Amend. prevails -

Clark - not on concurrent resolution - make it a bill - which created the agency

Meir AGAINST -

Ceiger Would you be shelving a statute by resolution  
All laws by bills -

Making lawmaker of Governor

Meir

Not Bill, they are plans

Resolution may be amended

Most Trans. - voted yes to table Ceiger

Easton -

Written reorganization plan to/in 2 yrs;

using concurrent resolution in order to save

time - Admin. body use their time for

reorgan. plans while Legis. uses their

time for studying old + proposed bills -

Blanchard  
Amend to  
Easton Amend.

Adds 1/3 Vote of house + Senate <sup>of those present + voting</sup> on Concurrent  
Resolution -

Adams - Against Blouhard Amnd. to Amend.  
McDonald - Amend. to Amend. - don't like Concurrent Res.  
place more delineative section

Caston - Mostly minor changes - Leg. isn't going to  
let something major slip thru -

Table McDonald Amendment Prevails

Table NO - W - NO, Force - NO, Dog, yes

Jones Amendment - conforms to Leg's. All laws will be in  
form of Bills

Table Jones Amend. to Amend. fails

Dogg. yes - L. NO - W. NO.

League of Women Voters of Texas  
OBSERVER FORM

Executive

COMMITTEE

March 18 - Monday

DATE

Decker

OBSERVER

\_\_\_\_\_  
Presiding Officer

\_\_\_\_\_  
Committee number present

\_\_\_\_\_  
Committee activity (public hearing, etc.)

RECORD OF ACTIVITY (record all votes, resolutions, who testified, major points made, etc. continue on back and additional sheets when necessary)

Mover - Sec. 17

Introduced amend. that is a combination of last weeks.

108 yes  
28 no

Reorganize plan on odd no. years

Sec. 18 - Sutton

Boock - Amendment to add Board of Pardons & Paroles.

111-13. motion to table fails

Amendment by Ronnie Earle

Amendment to Boock amend - adopted

114-32 yes

Boock amendment passed

Sec. 19 - no amendments

Sec. 20

Sec. 21

22

23

Sec. 24

Sec. 25 - Explained by Wyatt  
Stayed as is

Sec. 26 - Doggett wants R.R. out of Cont.  
WON 87-78

\_\_\_\_\_  
OBSERVER COMMENTS



League of Women Voters of Texas  
OBSERVER FORM

EXECUTIVE  
COMMITTEE

FEB. 8, 1974

DATE

Mary Nell Trucella  
OBSERVER

Bill Meier

Presiding Officer

# 15  
Committee number present

GENERAL TESTIMONY ON ARTICLE 4 - SEC. 4, 5, 6  
Committee activity (public hearing, etc.)

RECORD OF ACTIVITY (record all votes, resolutions, who testified, major points made, etc. continue on back and additional sheets when necessary)

MR. GASTON - PROPOSAL #274

VON DOLAN - ? "new governor-elect" suggested using "1st term governor-elect"

LANEY - ? giving governor money to "write campaign thank you notes"

RESEARCHER - Said some? about possibility of paying two governors until new one inaugurated - question of constitutionality may come up. Can't appropriate funds for private citizen's purposes.

SECTION 4. Subsection "A" passed unanimously

Quite a discussion of whether to use "may" in place of "shall" in subsection "b" (The first "shall") Von Dolan wanted it made mandatory that agencies turn over necessary reports to governor. Von Dolan's amend. was considered.

Sect. 4  
Section C. as rec. by CRC passed 17 no by Cobb - It was passed 17  
one amend. (Praddock's amend.) The second sentence will be omitted.

SECT. 4 (b) - Straw vote showed committee preferred "may" to "shall"  
Discussion about "how" & "on what" gov.-elect will spend his appropriations  
felt it should somehow be limited

OBSERVER COMMENTS

AS USUAL STARTED LATE - 10:22 A.M.  
MEIER REC. MEETING 1-6 P.M. ALL NEXT WEEK -  
Committee decided to proceed & see where they are by end  
of today

Craddock

Amend Article IV sec. 4(c) to read:

"The Governor shall be inaugurated on the second Tuesday in January or as soon thereafter as practicable."

Second sentence of Sec. 4(c) omitted as passed by committee

Von Dohlen (PROPOSED)

Amend. Sect. 4 Article IV subsection(b)

- (b) Prior to inauguration, a first-term governor-elect may be provided appropriations for a staff & office space, and shall provided all reports from officers or governmental agencies available to an incumbent governor.

League of Women Voters of Texas  
OBSERVER FORM

Executive

COMMITTEE

2/7/74 - morn.

DATE

Naia Tilley

OBSERVER

Sen. W.C. Meier

Presiding Officer

11

Committee number present

Testimony - Lt. Gov. Hobby

Committee activity (public hearing, etc.)

RECORD OF ACTIVITY (record all votes, resolutions, who testified, major points made, etc. continue on back and additional sheets when necessary)

Meeting began 10:25 due to lack of quorum.

Lt. Gov. stated that state government should not be compared to national government as their functions differ. Felt that the present system of shared powers was a good system & far outweighs a system of concentrated powers. Did not favor gov. & lt. gov. on same ticket.

Quest. from Meier: Opinion of reduction veto power? Hobby was opposed because the great amt. of research & analysis could be arbitrarily ignored by stroke of gov. pen.

Quest. from Meier: Sec. 5, opinion of gov. succession? Hobby: Constitu. should clarify nature of vacancy. Also thought power of acting gov. should be limited.

Quest. fr. Meier: Removal power of gov.? Hobby: favors removal powers w/ safeguards.

Quest. from Simos: Sec. 2 - shld. lt. gov. be required to reside at seat of govt? Hobby: no - mentioned lt. gov. salary, duties.

Quest. from Simos: Sec. 3 & 4 staffing for gov. elect prior to certification? Hobby: shld. be clarified

Quest. from Johnson: stated that she agreed that the gov. & lt. gov. shouldn't run on same ticket. Opinion of limiting terms of gov. & speaker of House as 3rd in succession in Constitution. Hobby: leave this as they are now. No revision necessary.

Quest. fr. Gaston: Suggested alternate responsibilities for lt. gov., less legislative, more executive & more control over boards & commissions. Gaston favors team ticket. Opinion of gov. budgetary powers?

Hobby: somebody ought to have greater budget powers. Felt it wld. broaden gov. execution powers.

OBSERVER COMMENTS

McKinnon: thought boards & commissions shld. be accountable to legislature therefore shouldn't legislature have power of removal. Definitely thinks gov. has enough power

Absent: Beck, Cobb, Finney, Howard, Laney, Shieffer, Whitmire

League of Women Voters of Texas  
OBSERVER FORM

Executive  
COMMITTEE

Feb. 5  
DATE

B. Jackson  
OBSERVER

Bill Meier  
Presiding Officer

19  
Committee number present

Discussed Proposals  
Committee activity (public hearing, etc.)

RECORD OF ACTIVITY (record all votes, resolutions, who testified, major points made, etc. continue on back and additional sheets when necessary)

~~322. - Vickie suggested that Mrs. Johnson proposal be accepted.~~

After much discussion this is what came of  
Sec. 1 Officers

Officer of the State. The Executive Branch shall include a Gov., Lt. Gov., Atty. Gen., Comptroller of Public Accounts, Sec. of State, Com. of the General Land Office, and such other officers as may be provided by law.

Sec. 2 will be discussed Wed.

\_\_\_\_\_  
OBSERVER COMMENTS



League of Women Voters of Texas  
OBSERVER FORM

EXECUTIVE

COMMITTEE

FEB. 1, 1974 - 10<sup>AM</sup>

DATE

Mary Nell Trucella

OBSERVER

Bill Meier

Presiding Officer

#12

Committee number present

Public Hearing

Committee activity (public hearing, etc.)

RECORD OF ACTIVITY (record all votes, resolutions, who testified, major points made, etc. continue on back and additional sheets when necessary)

Testimony from Adjutant General - Maj. Gen. Thomas S. Bishop

Maj. Bishop appointed by gov.

We address Article 4 Sec. 9 of proposed Const. use armed forces to

Consider wording to allow governor to aid local cities, & local gov. in times of disaster (usually natural) but sometimes man made. He rec. some wording to indicate governors authority to do this

Question - If governor has power to call armed forces to disasters now why put it into const.?

Maj. - May be some question as to why or if governor can do this. Details should be statutory. Constitutional question may arise.

Maj. Gen. Texas Disaster Act of 1973 - This primarily deals w/ volunteer groups & agencies - Military not excused from this act.

Military only used after civil means are ineffective or inadequate.

The words "repel ~~from~~ invasion" came under discussion - In terms of what they mean.

Sutton (black) Seems like you want to give governor gestapo - like powers to call in troops to local communities. Is this what you mean?

Maj. Gen. If he doesn't have power, some one else will. He corrected words "gestapo tactics" - He saw such operations in Europe & that not what he's saying. Head of state (governor) should have powers to take up when local gov. fails.

OBSERVER COMMENTS

The committee was 20 min. late starting.

Mon. mtg. @ 2<sup>PM</sup> will be for reviewing testimony up to now. 37 additional proposals have been turned in to committee & they will look @ proposals on Mon. at 2<sup>PM</sup>



Sutton - Really seemed upset about idea of giving state any military power - beyond that of disaster. He sees only military & police state.

Maj. Gen. - Strongly disagreed. He not advocating any violation of civil rights. He only wants gov. to have the tools he needs to reestablish local gov. when they are unable to do so themselves.

Sutton - Tried to pin him down - Does he consider "strikes" "civil rights marches" a disaster.

Maj. Gen. - <sup>the</sup> Law there to protect your rights of free demonstration not to prohibit them.

Jackson - In section 9 - wouldn't be ok just to say governor is Commander & Chief & leave it @ that. Spell rest out in statutory detail.

Maj. Gen. - Ok

~~Mr. Walter Caven~~ - Mr. Walter Caven - Attorney represents Railroad Industry testified re. powers of attorney general in state

### Section 21

Wants ~~delete~~ State & only state <sup>to be able to</sup> ~~can~~ disenfranchise corp. ~~or remove~~ <sup>or remove</sup> indiv from office, etc.

Does not want indiv. given right to do this - As it is now only state has this right. Feels ~~can~~ proposed const. will give indiv. the right rather than the st. & attorney gen.

~~Feels~~ - Feels indiv. <sup>can</sup> bring suit against corp. or be able to remove public citizen as stated (or rather NOT stated in proposed const.).

Cobb - Asked for clarification of comments.

This was not brought to attention to the CJC

I had difficulty understanding this testimony.

League of Women Voters of Texas  
OBSERVER FORM

Executive

COMMITTEE

1/31/74

DATE

Diana Lilley

OBSERVER

Sen. W.C. Meier

Presiding Officer

15

Committee number present

Testimony - Jess Irwin, Commissioner, Texas Rehabilitation  
Committee activity (public hearing, etc.) Dept.

RECORD OF ACTIVITY (record all votes, resolutions, who testified, major points made, etc. continue on back and additional sheets when necessary)

Mr. Irwin stated<sup>as</sup> his qualifications to testify his continuous service in Texas state government since 1933. Was Director of Budget under Shivers + Daniel. Became Commissioner, Texas Rehab. Dept. in 1969. Testimony: Strongly supports commission or board form of government. Stated that the record will show that appointed officials have done outstanding jobs, partly because the governor has the ability to recruit outstanding people. Used as examples: head of the Texas Prison System + (guess what!) Rehabilitation Dept. Had prepared what appeared to be an extensive study on the comparison between Texas + nine other states (see attached) which was supposed to demonstrate how well run the state government of Texas is.

Rep. Howard (Dist. 1) inquired as to whether or not Mr. Irwin really believed that the multitude of commissions + their apparent self-determination was the most efficient + satisfactory way to run state government.

OBSERVER COMMENTS

Meeting began at 10:30 after two calls for quorum. Chrmn. advised members to have any amendments they wish to submit be prepared + submitted in writing by Mon., 2:00 p.m. At that time the committee will begin debate on Art. IV, Sec. 1, review each amendment, + vote after final debate on each art.

Not present:

Adams

Cates

Cobb

Johnson

Schaeffer

Bock

League of Women Voters of Texas  
OBSERVER FORM

Executive  
COMMITTEE

Jan 29 - Tues  
DATE

Barbara Vacker  
OBSERVER  
10:30

Bill Meier  
Presiding Officer

Committee number present

Committee activity (public hearing, etc.)

RECORD OF ACTIVITY (record all votes, resolutions, who testified, major points made, etc. continue on back and additional sheets when necessary)

State Junior Bar - Harold Hammett

Gerry Bain - Jim Barlow

Aggr. Powers of Gov. - Art. 4 - can Gov. removal of former gov.

Don't need the 45 days waiting period - Sec. 4 C

Reduction Veto - this is good.

Salary of St. Gov. - for Salary Comm. 7 votes on this separate

\* The Committee does not favor Reduction Veto.

Charles Simons - Chairman of Board

B.L. De Berry - Highway Engineer

Wants the highway fund left as is!

OBSERVER COMMENTS

Write Amarillo & tell them what a good job Mac Sherman has done.

Members that did not show up

Craddock

Howard

Johnson

McKinnon

Schaffer

Whitmore

Wright

League of Women Voters of Texas  
OBSERVER FORM

Executive Committee  
COMMITTEE

January 25, 1974

DATE

Dell Willatt

OBSERVER

Chairman- Sen. Bill Meier  
Presiding Officer

10

Committee number present

Committee activity (public hearing, etc.)

RECORD OF ACTIVITY (record all votes, resolutions, who testified, major points made, etc. continue on back and additional sheets when necessary)

1. Mr. Harry P. Burleigh-executive director of the  
Water Deveopment Board  
Advocated the CRC program.
2. Col. Wilson E. Speir-director of the Department of Public Safety:  
Advocated the CRC program and if the committee had any questions  
to ask him.
3. Two Del Mar Students from Corpus Christie:  
John Ryan and Lane Johnson  
no  
They proposed that/one hold the same office for more than  
eight years or two terms in sequential order. But, one  
could hold the same office/again after a term of absence.

None

OBSERVER COMMENTS



MINUTES OF  
COMMITTEE ON THE EXECUTIVE

Bill Meier, Chairman  
Jim Vecchio, Vice Chairman

Public Hearing  
January 14, 1974  
Room 301

The Executive Committee met at 2:00 p.m. and was called to order by the Chairman, Mr. Meier.

The Chairman directed the roll to be called and the following members were present:

Meier, Chairman, Vecchio, Vice Chairman, Adams, Bock, Cates, Cobb, Craddick, Finney, Gaston, Howard, Johnson, Laney, Montoya, McKinnon, Schieffer, Semos, Sherman, Sutton, Von Dohlen, Whitmire and Wyatt.

There were no members absent.

The Chairman suggested that the Committee adopt Rule VI; Organization, Powers and Duties of Committees, of the Rules of Procedure for the Constitutional Convention, as the Committee's Rules. The Chairman could find no instance that was not covered by the convention Committee Rules.

Mr. Sutton moved that the Committee adopt Rule VI as the Committee Rules. Mr. Semos seconded that motion. It was passed unanimously.

The Chairman discussed plans for the Committee Staff consisting of one Research Assistant, two part-time administrative assistants, and two secretaries. The staff plan called for one full-time administrative assistant, but the Chairman thought he would prefer two part-time assistants.

Mr. Cobb moved that such discretion of hiring two part-time administrative assistants instead of one full-time administrative assistant be vested to the Chair. Mr. Cates seconded the motion. It passed unanimously.

The Chairman introduced Mrs. Louise Winecup as possible Research Assistant for the Committee, and asked the Committee members to visit with Mrs. Winecup and feel free to ask her any questions regarding her qualifications and experience in the field of research.

The Chairman introduced Mr. Preston Shirley, Chairman, and Mrs. Mary Beth Brient, Vice Chairman, of the Executive Committee of the

Executive Committee  
Public Hearing  
January 14, 1974  
Room 301  
Page 2

Constitutional Revision Commission, to explain and discuss Article IV of the proposed Constitution. The Chairman issued the oath to Mr. Shirley and Mrs. Brient and asked Mr. Shirley and Mrs. Brient to go over Article IV, Section by Section.

Delegate Sherman requested a 15-minute break. The Chairman called a recess of 15 minutes at 4:15 p.m.

The Committee reconvened at 4:35 p.m. and continued discussion of Article IV, ending with Section 11 at 6:00 p.m.

The Chairman asked Mr. Shirley and Mrs. Brient to return in the morning to continue discussion of the remainder of Article IV. Mr. Shirley and Mrs. Brient informed the Chair that they would be happy to return in the morning.

The Chairman suggested, if it was agreeable with the Committee members, that the Committee meet 10:00 to 12:00 Noon and 2:00 p.m. to 6:00 p.m. Tuesday through Friday, and 2:00 p.m. to 6:00 p.m. on Mondays, with the exception of next Monday, January 21, 1974, when there would be no public hearing due to the scheduling of hearings Friday evening, January 18, 1974, at 7:00 p.m. and Saturday morning, January 19, 1974, at 9:30 a.m.

The Chairman recessed the Committee until 10:00 a.m., Tuesday, January 15, 1974.



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Delegate Bill Meier  
Chairman, Executive Committee

MINUTES OF  
COMMITTEE ON THE EXECUTIVE

Bill Meier, Chairman  
Jim Vecchio, Vice Chairman

Public Hearing  
January 15, 1974  
Room 301

The Executive Committee met at 10:00 a.m. and was called to order by the Chairman, Mr. Meier.

The Chairman directed the roll to be called and the following members were present:

Meier, Chairman, Vecchio, Vice Chairman, Adams, Bock, Cates, Cobb, Craddick, Finney, Gaston, Howard, Johnson, Laney, Montoya, McKinnon, Schieffer, Semos, Sherman, Sutton, Von Dohlen, Whitmire, Wyatt and President Daniel, ex officio.

There were no members absent.

The Chairman called for the drawing of chair assignments by Committee members to be the permanent seating arrangement for the remainder of the Committee hearings.

The Chairman asked Mr. Shirley and Mrs. Brient to continue their discussion of the proposed Article IV, beginning with Section 12.

Upon completion of discussion of Section 14 at 11:45 a.m., the Chairman called a recess until 2:00 p.m.

There being a quorum present, the Chairman, Mr. Meier, called the Executive Committee to order at 2:00 p.m.

The Chairman directed Mr. Shirley and Mrs. Brient to continue their discussion with Sections 15, 16 and 17 of Article IV of the proposed Constitution.

The Chairman recognized Senator Ralph Yarborough and Dr. George Beto, members of the Constitutional Revision Commission, and invited them to give testimony to the Committee. Dr. Beto was sworn in by the Chairman and offered discussion on Article IV, along with Mr. Shirley and Mrs. Brient.

Upon completion of the discussion of all 26 Sections of Article IV, the Chairman thanked Mr. Shirley and Mrs. Brient for their two days' testimony and assistance on behalf of the Commission's proposal.

Executive Committee  
Public Hearing  
January 15, 1974  
Room 301  
Page 2

He invited them to come again before the Committee and offer their personal views.

Mr. Semos asked the Chairman if any consideration was being given to hold Committee hearings in other cities throughout the State to make it easier for interested citizens to testify. The Chairman said it had been brought up, and he has asked Jim Ray, Executive Director of the Convention, to take a look at it, and see if the budget for the Convention would offer a means of handling the expense of out-of-town hearings.

There being no other testimony or questions, the Committee adjourned until 10:00 a.m. Wednesday, January 16, 1974.



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Delegate Bill Meier  
Chairman, Executive Committee

MINUTES OF  
COMMITTEE ON THE EXECUTIVE

Bill Meier, Chairman  
Jim Vecchio, Vice Chairman

Public Hearing  
January 16, 1974  
Room 301

The Executive Committee met at 10:00 a.m. and was called to order by the Chairman, Mr. Meier.

The Chairman directed the roll to be called and the following members were present:

Meier, chrm., Vecchio, vice chrm., Adams, Bock Cates, Cobb Craddick, Finney, Gaston, Howard, Johnson, Laney, Montoya, McKinnon, Schieffer, Semos, Sherman, Sutton, Whitmire, Wyatt, Mr. President, Daniel, ex officio.

Members absent were:

VonDohlen.

The Chairman introduced Bob Armstrong, Commissioner, General Land Office to the Executive Committee, and asked for Mr. Armstrong to be sworn in. He was sworn in.

Mr. Armstrong presented to the Committee his feelings in favor of electing the Land Commissioner. He argued that the office, as a proprietary office, held a public trust and, therefore, the public should have a voice in his selection.

At 12:00 p.m. the Chairman adjourned the meeting until 2:00 p.m.

The Executive Committee was called to order by the Chairman, Mr. Meier, at 2:00 p.m.

The Chairman directed the roll to be called, and there was a quorum.

The Chairman introduced Senator Ralph Yarborough, member of the Constitutional Revision Commission, and asked for him to be sworn in. He was sworn in.

Senator Yarborough discussed with the Committee his feelings to the pros and cons of the newly prepared "A New Constitution for Texas." He suggested that it was better than the current document, although there are some articles and sections he would like to see changed.

The Chairman called a recess of 15 minutes at 4:00 p.m.



The committee reconvened at 4:20 p.m. and continued discussion with Senator Yarborough in a question and answer session.

The Chairman moved to adjourn at 5:30 p.m. There being no objection, the meeting of the Executive Committee adjourned, to reconvene at 10:00 a.m. Thursday, January 17, 1974.

Bill Meier

Delegate Bill Meier  
Chairman, Executive Committee

MINUTES OF  
COMMITTEE ON THE EXECUTIVE

Bill Meier, Chairman  
Jim Vecchio, Vice Chairman

Public Hearing  
January 17, 1974  
Room 301

The Executive Committee met at 10:00 a.m. and was called to order by the Chairman, Mr. Meier.

The Chairman directed the roll to be called and the following members were present:

Meier, chrm., Vecchio, vice chrm., Adams, Bock, Cates, Cobb, Craddick, Finney, Gaston, Howard, Johnson, Laney, Montoya, McKinnon, Schieffer, Semos, Sherman, Sutton, Von Dohlen, Whitmire, Wyatt, Mr. President, Daniel, ex officio.

There were no members absent.

The Chairman announced meetings Friday at 2:00 and 7:00 p.m., and Saturday at 9:30 a.m. There will be no meetings Friday morning or all day Monday.

The Chairman introduced Dr. Glenn Ivy, Research Director of Texas Research League, and asked for Dr. Ivy to be sworn in. He was sworn in.

Dr. Ivy is in favor, for the most part, of retaining the benefits of the current commission system while strengthening the Governor.

Mr. Sherman recommended obtaining a LBJ publication on the executive and administrative branch of government for each delegate. The Chairman affirmed it.

At 12:00 p.m. the Chairman adjourned the meeting until 2:00 p.m.

The Executive Committee was called to order by the Chairman at 2:00 p.m. The Chairman directed that the record show there was a quorum. Written copies of the minutes were distributed and approved as printed, except as follows:

Ms. Johnson noted that the date should read January 16, 1974.

The Chairman introduced Mr. Hugh C. Yantis, Jr., Executive Director, Texas Water Quality Board, and asked for Mr. Yantis to be sworn in. He was sworn in.

Mr. Yantis was only representing himself and not the Water Quality Board. He presented to the Committee his feelings in favor of the Agencys staying as autonomous and retaining as much power as possible.

The Chairman then read Attorney General Hill's letter stating that the constitutional amendment creating the convention did not permit deletions, alterations, or additions to the Bill of Rights.

At 4:00 p.m. the Chairman moved not to take a 15 minute break as is the custom, so that the Committee could move on into interviewing Mr. Blodgett. This was agreeable to the committee.

The Chairman introduced Mr. Terrell Blodgett, affiliated with Peat, Marwick, Mitchell & Co., and asked that he be sworn in. He was sworn in.

Mr. Blodgett was representing himself and not his Company. He was in favor of the Government staying a three branch (Executive, Legislative and Judicial) and not having a fourth (Administrative or implementive) branch independent of any of the other three. Elect only policy-making branches.

The Chairman being temporarily absent from the meeting, the Vice-Chairman moved to adjourn at 5:30 p.m. There being no objection, the meeting of the Executive Committee adjourned, to reconvene at 2:00 p.m. January 18, 1974.



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Delegate Bill Meier  
Chairman, Executive Committee

MINUTES OF  
COMMITTEE ON THE EXECUTIVE

Bill Meier, Chairman  
Jim Vecchio, Vice Chairman

Public Hearing  
January 18, 1974  
Room 301

The Executive Committee met at 2:00 p.m. and was called to order by the Chairman, Mr. Meier.

The Chairman directed the roll to be called and the following members were present:

Meier, Chrm., Vecchio, Vice Chrm., Adams, Cobb, Craddick, Finney, Gaston, Howard, Johnson, Laney, Montoya, Schieffer, Semos, Sherman, Sutton, Von Dohlen, Whitmire, Wyatt, President Daniel, ex officio.

Members absent were:

Bock, Cates, McKinnon.

The Chairman informed the Delegates that he was passing out a tentative schedule of the public hearings.

The Chairman introduced Oliver S. Kitzman, District Attorney of District #155, and President of Texas District and County Attorneys Association, and asked for Mr. Kitzman to be sworn in. He was sworn in.

Mr. Kitzman was representing himself and the Texas District and County Attorneys Association. He and his colleagues are in favor, for the most part, of retaining the benefits of the current system, and not enlarging any authority of the Attorney General in criminal cases on the District and County level. Mr. Kitzman, personally, favored retaining the office of Attorney General as elective rather than making it appointive.

The Chairman moved to recess at 4:15 p.m. since there were no more witnesses to appear before the Committee. The Committee will reconvene at 7:00 p.m.

The Executive Committee reconvened at 7:10 p.m. and was called to order by the Chairman, Mr. Meier.

Executive Committee  
Public Hearing  
January 18, 1974  
Room 301  
Page 2

The Chairman introduced the first witness, Mr. Rick Wickman, and asked that he be sworn in. He was sworn in.

Mr. Wickman, speaking as a member of the Austin Area City Advisory Committee, stated that, in general, his committee agreed with the prepared CRC document. The main point his committee seemed to disagree with, was the prepared documents proposal of maintaining the election of the State Land Commissioner while strengthening the Office of the Governor. While discussing the budget of the Agricultural Commission, Mr. Wyatt requested the Chairman to research the budget of the Agricultural Department in recent years.

The Chairman introduced Mr. Eftron F. Geary of San Antonio and asked that he be sworn in. He was sworn in.

Mr. Geary, representing himself, felt that the Governor's power should be strengthened.

The Chairman adjourned the meeting of the Executive Committee at 9:10 p.m. until 9:30, January 19, 1974.

  
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Delegate Bill Meier  
Chairman, Executive Committee



MINUTES OF  
COMMITTEE ON THE EXECUTIVE

Bill Meier, Chairman  
Jim Vecchio, Vice Chairman

Public Hearing  
January 19, 1974  
Room 301

The Executive Committee met at 9:30 a.m. and was called to order by the Chairman, Mr. Meier.

The Chairman directed the roll to be called and the following members were present:

Meier, Chrm., Vecchio, Vice Chrm., Adams, Bock, Craddick, Gaston, Johnson, Montoya, Schieffer, Von Dohlen, Whitmire, Wyatt.

Members absent were:

Cates, Cobb, Finney, Howard, Laney, McKinnon, Semos, Sherman, Sutton.

The Chairman introduced Mr. Kenneth R. Hendrix, a secondary teacher in San Antonio.

Mr. Hendrix is in favor of strengthening the roles and powers of the Governor. He feels by doing this, the people will be justified when they put the blame on the Governor, which is not always the case as our government stands now. He is for full-time legislation, with a limit on any outside business they may have.

The Chairman moved to adjourn at 10:45 a.m. There being no objection, the meeting of the Executive Committee adjourned, to reconvene at 10:00 a.m. Tuesday, January 22, 1974.



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Delegate Bill Meier  
Chairman, Executive Committee

STATEMENT TO THE EXECUTIVE COMMITTEE OF THE TEXAS CONSTITUTIONAL  
CONVENTION

Lavora Spradlin Arizaga

January 24, 1974

I am Lavora Spradlin Arizaga, vice-president of the League of Women Voters of Houston, speaking for nearly 4500 members of the League of Women Voters of Texas.

The purpose of the League of Women Voters is to encourage political responsibility (or, in other words, good government) through informed and active participation of citizens in government.

The framework for our government in the United States is the U. S. constitution. The framework for Texas government is the Texas Constitution. The League of Women Voters of Texas started studying the Texas Constitution in 1948 when we undertook a "Know Your State" study. By 1954, our members had reached agreement that the Texas Constitution of 1876 needed a complete revision. By 1957 we had adopted eleven principles of a good constitution. Throughout the years following we have studied and reached consensus on many different aspects of the constitution. Some of these are concerned with the executive department and those are what I'm here to talk to you about.

One of the principles of a good constitution is "a clear separation of powers with responsibility definitely assigned." The purpose of such separation of powers is so that there will be a balance of power among the three branches of government. The League of Women Voters of Texas believes that the executive branch of Texas government must be strengthened to achieve a proper balance of power so that the needs of modern state government may be met.

Strengthening the executive involves achieving these specific goals:

- 1) election of the governor, lieutenant governor, and attorney general to four year terms. (Article IV, Sec. 2 of the proposed constitution makes this provision.)
- 2) limitation of the governor to two terms, which may or may not be successive.
- 3) the governor and lieutenant governor to run as a team.
- 4) gubernatorial elections in non-presidential election years. (This will be the case, as things now stand, with no new revision, with four-year terms starting in 1974. In this revision process, please be sure that this timing stays the same.)
- 5) constitutional provision for the succession to the office of the governor should the governor become unable to perform the duties of his office. (Sec. 6 of the proposed constitution makes such provision.)
- 6) a cabinet-type executive department -- the Secretary of State, Comptroller, and Commissioner of the General Land Office appointed by the Governor with Senate approval.
- 7) the governor's budget to be the only budget submitted to the legislature. (Section 15 of the proposed constitution provides for such budget preparation. It does not exclude a separate legislative budget but it makes it clear that budget preparation and presentation to the Legislature is a function of the Governor's office.

(Statement before Executive Committee of TCC by Arizaga, p. 2)

- 8) the governor to have, within reasonable safeguards prescribed by law, power to remove appointive officers of the executive department and appointees to boards and commissions.
- 9) reorganization of state boards and commissions along functional lines by grouping them in areas of responsibility. This should not be locked into the constitution but the ability to do it should be provided for in the constitution. (Article IV, Sec. 17 of the proposed constitution makes such provision.)

These are our recommendations concerning the executive branch of our state government. We cannot ask that you study them as long and as carefully as we have. We don't want the convention to go on for years!! We do hope that you will consider them carefully and will be able to concur with our evaluation of their merits. Thank you very much for this opportunity to present the recommendations of the League of Women Voters of Texas.

Testimony of  
Agriculture Commissioner  
John C. White  
to the  
Executive Committee  
Texas Constitutional Convention  
January 22, 1974  
2:00 p.m.

Members of the Committee:

May I express my thanks for the opportunity to appear before this distinguished and historic committee.

The basic purpose of my testimony is to support and reinforce our Texas tradition of public election for State department heads. This process has served the people of Texas so well for over a century that it would seem unnecessary to testify in its behalf. Yet, I continue to read and hear of testimony given to this committee and to the Constitutional Convention that the people of this state do not know enough about their government to cast a knowledgeable vote for anyone except the governor.

I am here to refute that argument.

As a matter of principle, I thought this argument was settled in 1776 when a new government was formulated over the protest of royalist Tories who preferred a king, even a bad king, rather than trust their affairs to a free electorate.

For nearly two hundred years, the trend has been towards expanding the elective powers of the people, beginning with members of the U.S. Senate, on down to the local peace justice. I believe it would be a sad loss--and that the process of government would suffer--if we presumed to reverse this trend in Texas.

In the conduct of state agency affairs, I believe the people's judgment is as good as that of any governor. At least I would say the quality of state officials elected have been at least as high as those picked by a governor. And I believe a state agency head should be responsive and responsible to the people who elected him, rather than to a governor who selected him.

I would also refute the contention that the people "don't know" about the work and actions of agencies in state government. I would suggest--and the election records will bear me out--that when voters of Texas are frustrated by agency actions, or are insulted by scandal and malfeasance in office, they are astute enough to refuse further public office to those agency heads.

It has been their historic privilege to make these decisions at the polls--and it should remain their choice.

Rather than restrict the enfranchisement of Texans, I believe it should be expanded. Citizen-elected boards or agency heads are more responsive directly to the people they serve. This responsiveness demands a higher degree of professionalism by directors and employees of these boards.

While I am grieved by this lack of faith in the wisdom of the electorate, I am more appalled by the advocacy of "one man rule". And I would recall Lord Acton's admonition that "Power tends to corrupt and absolute power corrupts absolutely."

If we were to adopt an "all-powerful governor" concept, then we are exposing our state to "machine politics" which is the end result of absolute power.

Our Texas governors, without exception, have had more power than any have used. And for those governors who have sought it, they have had the cooperation of other branches of government in the adoption of proposals for the best interests of the state.

It has been a process of duly-elected men working together for the common good. And no one man in this system can impose his absolute will upon the others.

I understand those who want to completely reorganize Texas government for the sake of a good, clean organizational chart. I also understand that they just don't understand!

A good, clean organizational chart, delineating authority straight up the line may make easy reading, but not necessarily good government--or even responsive government.

The people must not be relieved of the responsibility of making decisions in state government.

The "chart" advocate, is really asking for the creation of a "Czar" in state government who will then select all other state agency heads. This inevitably leads to political appointees whose job security rests not with the will of the electorate but with the man who appointed them.

The ultimate outcome of this system is "machine politics"--a process which has been dying out in this country for half a century.

Why should we revive it in Texas?



STATEMENT BY MIKE McMANIGAL, ASSISTANT TO THE PRESIDENT  
TEXAS FARMERS UNION  
BEFORE THE EXECUTIVE COMMITTEE  
TEXAS CONSTITUTIONAL CONVENTION 1974

Mr. Chairman and Members of the Executive Committee, my name is Mike McManigal; I am Assistant to the President of Texas Farmers Union. Our membership is composed of commercial family farmers. Our members are quite concerned with the quality of administration of State government under the proposed constitution.

Our members are strongly in favor of the continued election of all key State officials, specifically the Attorney General, Land Commissioner, the Commissioner of Agriculture, Comptroller, and State Treasurer. Since agriculture is the second most important industry in the state, we feel that the Commissioner of Agriculture should be an elective position rather than an appointive.

Our membership favors retention of the legislative budget board and is against allowing the Governor the sole authority to prepare the State budget. It is our thinking that the Governor takes office within too short a time span before most legislative sessions to give budget preparation adequate attention. We feel that the legislature and the legislative budget board are in a better position to undertake this function. However, we do favor giving the Governor line item veto power over a legislative-passed budget. Likewise, our members do not favor giving the Governor sole power to reorganize the Executive Branch. We, of course, believe that he should be allowed to submit recommendations to the legislature and then the legislature in its deliberations can decide if they are good recommendations or not.

Our members are strongly in favor of an appointive Utility Commission to regulate the utilities in this State. Texas is one of the few industrialized states that does not have a Utility Commission. Consequently, service is often poor and local governments are almost powerless to withstand the demands of large utility companies, who demand rate increases almost annually. It is the feeling of our members that the appointive route would be better as more responsibility would be placed on the Governor for the quality of regulatory controls exerted by the Utility Commission. We do not favor an elective Commission because of the strength of the utility companies themselves.

I appreciate this opportunity of appearing before this committee. If you have any questions, I'll attempt to answer them at this time.

League of Women Voters of Texas  
OBSERVER FORM

Executive  
COMMITTEE

Jan. 30  
DATE

Barbara Vackar  
OBSERVER

Bill Meier  
Presiding Officer

11  
Committee number present

Committee activity (public hearing, etc.)

RECORD OF ACTIVITY (record all votes, resolutions, who testified, major points made, etc. continue on back and additional sheets when necessary)

\* Monday 2:00 - start dealing with proposals. Art. 4 Sec. 1  
Thurs. - Joe Christie 2:00  
Common Cause - statement included

OBSERVER COMMENTS

Not here this afternoon:  
Howard, Johnson, Calhoun, Craddock  
McKinnon was rough on Common Cause & so was  
Sastor

League of Women Voters of Texas  
Observer Form

Executive  
COMMITTEE

Jan.  
DATE

Barbara Ucker  
OBSERVER

Bill Meier  
Residing Officer

17  
Committee number present

Committee activity (public hearing, etc.)

RECORD OF ACTIVITY (record all votes, resolutions, who testified, major points made, etc. continue on back and additional sheets when necessary)

Allen Shewers

Sov. should have some authority over the people he  
app't. (Power for removal)

Not for full cab. system

Sov. App't. Atty. General

Sov. held responsible for the <sup>budget</sup> ~~gov.~~

Not in favor to have reduction nets, likes line item  
better.

No limited term of board member - The board should select  
the director not app't. by the gov.

Land Comm. App't. with longer terms (14 years)

Sov. Lt. Gov. - elected

People app't. <sup>ass.</sup> be re-affirmed by the Senate ~~each~~ each  
4 years.

Would like Lt. Gov. & Gov. run as a team.

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OBSERVER COMMENTS:

January 30, 1974

Remarks of Stephen C. Paine on behalf of Common Cause  
before the Committee on the Executive

CHAIRMAN MEIER

VICE-CHAIRMAN VECCHIO

MEMBERS OF THE COMMITTEE ON THE EXECUTIVE

I am Stephen Paine, from Harris County, and these remarks are made on behalf of the approximately 7,000 members of Common Cause of Texas.

Your attention is respectfully directed to the provisions in Article IV of the CRC proposed new constitution concerning:

FIRST - Appointed members of state boards, agencies or commissions;

NEXT - Budget powers; and

LAST - Officers of the executive department.

I. Power over Appointees

A. Problems

Presently the Governor is allowed to appoint only 1/3 of the members of any state board, agency or commission every two years. With few exceptions, he cannot designate the chairman. He has the power to remove members of only a few boards and then only for "cause".

Our executive branch of government is run by these Boards and agencies whose terms range from 2 to 6 years. Once appointed by the Governor and confirmed by the Senate, the members are free of direction from the Governor. The structure of divided and diffused Executive power was a reaction to the Reconstruction governments which abused their strong powers. Today, however, the Governor is practically paralyzed by his lack of power over other divisions of the Executive.

For instance, if there is a crisis in Texas child care, the Governor can show concern, complain, threaten, and as a last resort, call a special session and ask the Legislature to take some remedial action; but he has no actual power to correct most problems.

This structure leads to two results, both of which are undesirable. First, the Governor may do nothing and blame the lack of constitutional powers; or he may threaten the agencies with a special session - asking for a legislative solution to an Executive problem. Neither of these alternatives are really effective in solving today's state problems. In the first instance, the Governor does nothing and escapes responsibility for his inaction. In the second instance, he



hopes the Legislature will provide some solutions, but if they do not, he cannot be blamed.

#### B. Solutions

The CRC draft takes some good first steps. It assures the Governor that he can name one third of the members of boards and agencies when he enters office. It gives him power to appoint chairman. The CRC draft also allows the Governor to propose Executive reorganization plans which the Legislature would have the power to reject. This proposal would at least allow the Governor to initiate in-depth evaluation of state agencies. It would force the agencies to justify their necessity and effectiveness and would create an atmosphere in which the Legislature could review an entire area of state operations, instead of taking an agency-by-agency approach. Common Cause supports the basic thrust of these two proposals.

We believe, however, that the CRC did not go quite far enough in this area. As mentioned before, once a Board or Commission member is appointed and confirmed, the appointee is not accountable to anyone. If the agency is functioning in a manner that is contrary to the Governor's views and perhaps counter to campaign promises, the Governor can do

very little even though he appointed the members.

The result is that you seldom hear of a Governor criticizing a Board or agency - especially if the Governor's appointees dominate the board. If asked about the performance of the board or commission, the Governor can explain away his responsibility by stating that he has no power over the agency.

It is the Common Cause view that the Governor should have some power over his appointees. If that appointee is not fulfilling his duties or if the appointee is acting contrary to the policy of the Governor, the Governor should be able to remove that appointee and name a replacement. In short, the Governor should have to take the heat concerning the actions of his appointees.

Critics of this approach say that this will make all the boards and agencies subject to the Governor's whim and inject "politics" into their activities.

We believe that the so-called "lack of political influence on our agencies" is just a pretense. Yet this pretense allows many of the actions of our public officials to escape the scrutiny which they deserve. If the Governor had to answer for the actions of appointees, we feel that the real

political considerations would be apparent to the people and government more responsive to their wants and needs.

## II. Budgetary Powers

### A. Problems

Common Cause supports strengthening the Governor's budgetary powers, although we have a mixed response to the CRC proposals in this area.

The Governor as the chief executive is in the best and most logical position to prepare the initial budget to be submitted to the Legislature. As you are aware, a dual system presently exists whereby both the Governor and the Legislature prepare a budget. The Governor's proposal, however, is given little, if any, attention by the Legislature, making the Governor's efforts in this area a waste of his time. *true*

In the past, the budget has actually been written by the House-Senate conference committee with the Executive having no input. Although the activities of the House Appropriations and the Senate Finance Committees are now a more open process than in the past, the input of the Governor is needed. The Governor should have a broader outlook than any single legislator, who is quite properly representing his own district. The broad over-view cannot be replaced by the Legislative

Budget Board although it performs an invaluable service for the Legislature; but its work should be a complement, instead of a replacement, for the Executive budget.

#### B. Solutions

Common Cause supports the CRC proposal to allow the Governor to originate the state budget proposal. The Legislature should then make alterations in that budget, using the advice of the Budget Board. In some instances, this would require that the Governor defend his proposals and we believe this would be a healthy addition to our present budgetary process.

Common Cause does oppose one proposal of the CRC in this area - this is the provision allowing the Governor to reduce any item in the budget. In the view of Common Cause, this amounts to little more than legalized impoundment of appropriated funds. With an eye on how this has worked in Washington, Common Cause can see no reason to allow that process to be duplicated in Texas.

#### III. Appointment vs Election of State Officials

Common Cause members in this state voted to retain four offices in the Constitution as independent elected officials:

Governor, Lieutenant-Governor, Attorney General and Comptroller. Although our membership did not indicate the exact disposition of the other presently-elected state officers, it is implicit that these offices not be Constitutional, but rather statutory-like the office of Agricultural Commissioner.

The reasons for retaining an elective Attorney General and Comptroller are as follows:

Attorney General: The Attorney General is actually the "people's lawyer" - the office is not, nor should it be, totally subject to the direction of any other state official. If the Attorney General does not perform as the people feel is required, they have an outlet for effective change by simply electing another to hold the office.

The Attorney General is a policy-maker as well as a lawyer. Investigations of the activities of other members of the Executive may be conducted without fear of being fired. Considering our recent experiences on the national level, it seems wise to our membership to keep the office of the Attorney General elective and independent.

Comptroller: One of the important functions of our state government is vested in the Comptroller of Public



Accounts. Some years ago Texans voted for a pay-as-you-go government which, if the Comptroller properly does his job, keeps our state government out of debt.

It is important that the Comptroller's findings as to how much money will be available for appropriations be independently determined and if the Comptroller fails the people in this important duty, the electorate should have the opportunity to show their dissatisfaction.

#### IV. Summary

To summarize, Common Cause supports the proposals regarding executive appointments to allow the Governor to:

1. Appoint 1/3 of the members of boards and agencies when he takes office.
2. Appoint the chairman of such agencies.
3. Propose executive reorganization. And, in addition
4. Allow the Governor the power to remove those appointed by him.

With respect to budgetary powers we favor the approval of provisions which would give the Governor power and responsibility to originate the state budget proposal for legislative consideration but oppose a grant to the Governor

of the power to exercise a "reduction veto".

And finally, we favor constitutionally established elected positions for both the Attorney General and Comptroller of Public Accounts.

Your time and consideration of our views is appreciated.

Copner  
Prog -

League of Women Voters of Texas  
OBSERVER FORM

Executive

COMMITTEE

1/24/74

DATE

Schmitt

OBSERVER

Meier

Presiding Officer

14

Committee number present

Public hearing (League testimony)

Committee activity (public hearing, etc.)

RECORD OF ACTIVITY (record all votes, resolutions, who testified, major points made, etc. continue on back and additional sheets when necessary)

Arizaga had already read League Statement when  
arrived.

Montoya - Why do you want Gov & Lt Gov run as team?  
What happens to Lt. Gov, would he still be  
president of Senate, have active legislative  
role? What would happen to separation  
of powers?

—, another delegate, By depriving Lt Gov  
of legislative powers it would be creating  
an impotent office.

Arizaga - Senate determines how much power  
Lt Gov has.

(delegate) Why limit Gov to 2 terms? Don't  
you trust the people to take care of it. What if  
you have a capable person is 12 years too much?  
Montoya - sec? budget - How would Gov have enough time  
to prepare a budget between election & takeover?  
What would happen to Reg. Bd. Bd.

Schiffner - complimented League; questioned limit of 2 terms  
prominized talented people

OBSERVER COMMENTS

The committee was polite but obviously  
not enthusiastic about League positions.  
If there any additional info on Gov budget it  
should be given to them

EXECUTIVE

COMMITTEE

JAN. 25, 1974

DATE

Mary Nell Trucella

OBSERVER

Bill Meier

Presiding Officer

16

Committee number prese.

PUBLIC HEARING

Committee activity (public hearing, etc.)

RECORD OF ACTIVITY (record all votes, resolutions, who testified, major points made, etc. continue on back and additional sheets when necessary)

FORMER GOVERNOR PRESTON SMYTH TESTIFIED -

22 yrs. of pub. experience

Believes in strong leg. & strong executive

HIS SUGGESTIONS:

Leg. should give gov. statutory laws to give him authority to be chief execu. officer. This should be perfectly clear (Budget, appointments, etc.)

As soon after general election as possible gov. should have access to his staff.

Execu. article should not get into leg. area

On succession of gov. Commission rec. ok but present supt. works ok too

Sec. 12 - Smith opposes

Sec. 15 - " agrees with

He doubts language of this section would prohibit leg. budget if leg. wanted to submit one. Both governor & leg. need competent staffs to prep. budget. He sees nothing wrong with dual budget preparation. He feels leg. does pay attention to governor's budget.

Sec. 16 - He supports

Sec. 17 - Has some merit - but raises ?

Absence of the "negative" in this section may mean this would go too far

Sec. 25 - State aid - He believes in balance - This important power - What about appointee who gets job & does nothing - Suggest - governor & senate be given more power - to present proper evidence to discharge him 2/3 vote of senate needed to reappoint him. He feels that governor should be able to discharge those appointees who are not doing job - This would increase efficiency of appointments & commissions - He feels they should ask Briscoe to testify

OBSERVER COMMENTS

The committee started on time

Committee was generally favorable to governor - Didn't take him over coals at all!

Smith would have strong reservations about voting for the execu. article as it is proposed by the CEC

NOTE



## QUESTIONS & COMMENTS

Meier - Brisco will testify before committee  
→ Brought up cabinet form of gov. as opposed to present  
syst. & What about having governor appoint heads of all  
dept. -

Smith - Feels present syst. of appointments ok  
Lt. gov. he feels that he (Lt. gov.) should campaign  
separately from governor - not run as a team  
with governor

Rep. Viceschio - Should be limitations on # terms governor serves?

Smith - No - There shouldn't be a limit - People pretty well  
decide that.

Should Attorney Gen. be appointed?

Smith - I was for abolishing it. (Ha!)

Should be closer relationship between 2

Attorney gen. is legal branch - Should be governor's  
lawyer. I wouldn't oppose att. gen. being appointed.

Smith feels attorney gen. is usually politically ambitious  
out to get governor's job

Smith - Just to revise const. cause it's old is not a good reason  
Sure governor should know what's going on in govern.  
He should be able to control it but in reality he  
never will completely. Once he's (governor) made appointment  
he loses control. ~~How~~ To avoid this governor should be  
able to review appointments - Appointees should be up for  
reconfirmation - 2/3 vote of senate needed for reappointment.  
When term expires - if governor doesn't make an appointment  
within 90 days - they should be reappointed automatically

Von Dolon - What agencies if any should be created by const.?

Smith - Agrees with Shivers

Von Dolon - What about # of people on boards?

Smith - This should be left to leg. - not put into const.

Von Dolon - What authority should gov. have to transfer funds?

Smith - Gov. should review this periodically

Montoya - Did you have any appointees who were 'busted'?

Smith - Yes

Montoya - Should gov. have power to ~~remove~~ <sup>remove</sup> any appointees from agency?

Smith - Yes

Commissioners - Should be able to submit names <sup>to governor</sup> for recall <sup>to senate</sup>

Smith - ON VETO

proposed const. reduces vote to 2/3 present not 2/3 of leg.

Smith suggested committee think about this proposal

McKinnon - What about when term expires - in 90 days that office automatically  
becomes vacant - Governor could reappoint him if he wanted

Smith - Didn't like this suggestion

McKinnon - Expand on argument for veto power <sup>reduction</sup>

Smith - Thinks present syst. works ok - He's not for ~~limiting~~ <sup>reduction</sup> veto.

McKinnon - Would you make any agency exempt from removal of membs. by  
governor?

Smith - No!



League of Women Voters of Texas  
Observer Form

Executive  
COMMITTED

Jan. 22, 1934  
DATE

Barbara Ucker  
OBSERVER 2:20

Bell Meier  
Residing Officer

12 - 17  
Committee number present

Committee activity (public hearing, etc.)

RECORD OF ACTIVITY (record all votes, resolutions, who testified, major points made, etc. continue on back and additional sheets when necessary)

John White - Ag. Comm. - Wants to keep the ballot as is. Doesn't think it would make for good gov. - would create a ~~segar~~ in the gov. office. Now a four year term of office. Been in office 23 years. He thinks the gov. is very powerful. He thinks Brucine is just wonderful. Wyatt said he & most of the comm. do not want to go to a cabinet form of government. He doesn't care if Com. of Ag. is in the const. or statutory. His salary is \$35,000 a year. Wants things to stay as they are! He would work against a const. if we made ~~the~~ <sup>a cabinet</sup> form of gov. - Don't want reduction into power of gov.

Make McManis - Texas Farmers Union - Waco  
elected { Gov., Lt. Gov. Atty. Gen.  
Ag. Com. elected - They want this  
Rev. gov. line item veto

Berry Cook - Austin Adv. Com.  
~~And a~~

-----  
OBSERVER COMMENTS:

Executive  
COMMITTEE

OBSERVED

10  
Committee number present

RECORD OF ACTIVITY (record all votes, resolutions, who testified, major points made, etc. continue on back and additional sheets when necessary)

L. Avora, Spradlin Arizona  
They gave her problems on Sen. & Lt. Gov. running  
as a team! Forget this!  
Limitation Gov. to two terms - trouble here.  
Question about the budget.  
Albert Spane - Prof. of Texas Christian Univ.  
~~McKinnon~~ Sen. Mike McKinnon of Congress  
did not agree with League position much  
at all

**OBSERVER COMMENTS:**

30815th St. (6) Sen. LAVACA & GUADALUPE SANDLIN BLDG.  
League of Women Voters Observer Form

Executive Committee  
COMMITTEE

JAN. 17, 1974  
DATE

Mary Nell Trucella  
OBSERVER

Sen. Bill Meyer  
Presiding Officer

# 17  
Committee number present

Pub. Hearing  
Committee Activity (public Hearing, etc.)

RECORD OF ACTIVITY FOR DATE \_\_\_\_\_  
(record all votes, resolutions,  
who testified, etc. continue  
on back and additional sheets  
when necessary)

Dr. Ivy - Research Director of Texas Research League

Not taking position - Only providing information on  
areas they have studied

Article II - Separation of Powers

Article IV - Deal with recommendations of CLC which are:

- ① Gov. chief planning of state by const. authority not  
statutory
- ② Gov. chief budget officer by const. provision  
Could still have leg. budget board.  
Governor must be considered 1st  
Tex. Research League says governor should not be  
sole budget authority but chairman of budget  
committee
- ③ Expanded veto authority
- ④ Texas only state whose governor has no budget  
execution authority - leg. can't execute budget  
execution authority - It's illegal by attorney general  
opinion in state of Texas - Budget execution  
illegal in any form.

(OVER)

OBSERVERS COMMENTS:

The committee was 20 min. late starting  
The mts. will be 2 p.m. & 7 p.m. & SAT. @ 9:30 AM  
Schafer felt very strongly about policy decisions <sup>that</sup> ~~being~~ made by  
board members & not commissioners. ~~He wanted decisions~~  
GASTON very hostile re. present Board & Commission syst. - SAID VERY  
definitely we have had many political scandals! He doesn't  
feel board & agencies have functioned as well as Ivy said  
they did or do



~~the~~ ~~league~~ feels gov. should have budget exec. authority & some controls

CRC. reg. meet. - form committees - prepare bills for floor action  
only change is can't pass an early bill

Appointment power of Governor ↑

(This is compromised) Texas syst. is fair said Dr. Ivy.

~~CRC~~ - Present syst. give citizens chance to participate in gov. - Can be used as political tool.

Provides career syst. for appointees - low turnover

CRC provides for continuation of syst. but gives gov.

more power - CRC carries over what FRL feels are strengths of present syst.

Cause of commission syst. comment made Texas relatively free of maj. scandals! Ha!

Von Dolan: ~~where does continuity lie~~ - in boards or comm. membs.  
Boards cont. - Commission membs. come & go

Ivy - Boards are more responsible for policy

Montoya - ? attendance record of board & commission membs.

Ivy - 10-15 agencies make a difference in st. gov.

Montoya - Appointments made on what basis?

Ivy. According to governor's choice or desire

Montoya - ? The degree of citizen participation if this is the case

SCHAFER - ? The reservoir of strength a governor has  
His statement was that probably Gov. Smith had greatest power reservoir - This bothered him (Schaffer)

Ivy. Every governor has had power to make his own appointments. This provides continuity.

Most governors continue appointments as they are.

Most governors find current board membs. who ~~will be no~~ want to be most helpful to new governor

SCHAFER - cited Hwy. Dept. as exception - membs. get \$15,000/yr. well run dept. - spend majority of <sup>their</sup> time on board work  
Welfare Dept. commissioners receive no money  
Shouldn't people have full time (career) commissioners

Ivy Day 40 & admin. ought to be under director  
Policy decisions ought to be under board

SCHAFER - Felt Commissioners made too many policy decisions  
rather than letting board make policy

Whitney { Board determines policy  
unless seek outside info. board memb. accept decisions  
Reappoint. of board memb. & commissioners (of comm. members)  
concerns him - maybe they get reappointed due  
to political clout & maybe <sup>this</sup> should not be

McKenna <sup>said</sup> Governor <sup>just</sup> can not reappoint ~~members~~ <sup>Commissioners</sup>  
but <sup>Commissioner</sup> can still serve as long as he wants cause

Ivy - Result of <sup>working with</sup> agencies has been good  
Boards & Comm. are arm of leg. <sup>leg. can not remove him</sup>

Ivy - CAC gives governor power to reorganize agencies  
Basic syst. itself has served this state well

GASTON - Very hostile re. present syst.

Ivy - Parks & Wildlife most political agency  
Problems inherent in what they are  
trying to do.

Alternatives ~~of what~~ to present syst. haven't  
come up to much of anything better  
(as seen in other states)

Sutton - Said probably Texas has worst syst.  
Remarks were getting extremely  
heated as I left!

Mary Nell Trucella



## Executive

- = 4 yr. Term for governor, lt. governor & attorney general - limit governors term to 2 terms which may or may not be successive.
- = Hold gubernatorial election in non-presidential election years
- = Governor & lt. governor should run as a team.
- = Provisions should be made for the succession to governor if governor becomes unable to perform his duties
- = The governor's budget should be the only budget presented to the leg. - There should be some leg. control
- = If boards & commissions need to be reorganized along functional lines by grouping them in areas of responsibility
- = Governor should have power - (in safeguards prescribed by law) - to remove appointive officers of executive dept & appointees to boards & commissions.

? Cabinet type executive dept. ?

League of Women Voters Observer Form

E. decature  
COMMITTEE

January 22, 1974 - Tues.  
DATE

Susan Reid  
OBSERVER

Sen. Bill Meier Chairman started  
Presiding Officer Dave Finney took over

14  
Committee number present

Hearings  
Committee Activity (public Hearing, etc.)

RECORD OF ACTIVITY FOR DATE January 22 - 10am - 12 noon  
(record all votes, resolutions, who testified, etc. continue on back and additional sheets when necessary)

Mr. Dudley, of TEC commission <sup>Chairman & spec. director</sup> pointing out that 1876 Constitution never forgives debtors to the state. He approves leaving this out as the draft constitution does. Also speaks to Sec. 25b of draft against giving any more appointment power to state agencies than he now has. Feels that system works very well now.

Frank Gaston - Rep., Dallas - questioned Mr. Dudley very toughly drawing out that TEC is federally funded and no member of the commission is appointed by the governor until 2 years after his election and governor has no removal power. Mr. Dudley finally admitted that TEC is autonomous & not accountable to anyone.

Rep. Von Dohlen questioned him on whether Legislature (esp. Senate) should have to approve any removals the governor might suggest. Mr. Dudley did not feel Legis. should be involved in personnel.

Mr. Dudley is for continuity of policy of each board and feels Governor shouldn't even want to intervene. He feels governor is presently as strong as he should be.

Rep. Gaston of San Antonio asked about Legis. limiting the life of each Agency to, for example, five years and <sup>(over)</sup> Legis. Could then determine whether to renew agency.

OBSERVERS COMMENTS:

Majority of those delegates present seemed to feel that boards' power is too autonomous. ~~Sen.~~ McKinnon seemed to favor making boards more responsive to Legislature, but most seemed to favor giving power over boards to governor.

Rep. Schieffer of Ft. Worth suggested that Governor when he takes office could appoint all members of boards for 2 year terms (probably would reappoint most members) and then after 2 years the governor could reappoint or replace members.

Rep. Wyatt questioned Mr. Dudley on how to get accountability. Mr. Dudley suggested zero-based budget & appropriations process as best tool. Rep. Wyatt asked about allowing Governor to issue Executive Directives. Mr. Dudley against this.

Mr. Dudley wanted to make a comment on salary commission. Proposes an on-going, full-time commission for state employees (besides the one on state officials)

League of Women Voters of Texas  
Observer Form

Executive  
COMMITTEE

Friday - Jan. 18, 1974  
DATE

Barbara Jackson  
OBSERVER  
2:20

Bill Meier  
residing officer

12  
Committee number present

Committee activity (public hearing, etc.)

RECORD OF ACTIVITY (record all votes, resolutions, who testified, major points made, etc. continue on back and additional sheets when necessary)

No Meeting on Monday

Oliver Hitzman County  
Pres. of District Atty Assoc. of Texas  
He was concerned with sec. 21 - Atty. General  
may lead to a centralization of power - worried about  
criminal action, leave as it is now.

Executive  
Only two members of the public testified at the Friday night public hearing of the Committee on the Executive. First to talk to the seven committeemen who showed up (the committee has 21 members) was Rick Wickman, former budget staffer with Gov. Preston Smith, who said he was representing the Austin Area Citizens' Advisory Committee on Constitutional Revision.

Wickman said that his group is "pleased with what we find" in the constitution as proposed by the Constitutional Revision Commission (at whose behest the AACACCR organized). But, he predicted that when voting time comes, only 10 percent of the voting public will know what the constitution says and the rest will have been guided by "interest groups."

The other man who testified at the night session was Efton Geary, of Help Yourself Employment Service in San Antonio. He

said he would like to see the governor's powers strengthened. He said he believes the people have lost faith in the system but that the average workingman would vote for the CRC document because a change is wanted. — TOM BARRY

OBSERV:

Jan. 19 - Sat.

I am Austin area & the delegates who have not be very active this week (I would say what league, if any they are in). Phil Cates - N.L.; Dean Cobb - N.L.; Tom Craddick, Midland; Pete Laney, Lubbock. If you see someone from Tarrant County, tell them that Sen. Bill Meier is sharp!



## Analysis

# Hatchet Job Not Expected

By TOM BARRY

Staff Writer

It is awful early to tell yet, but apparently the Committee on the Executive is not leaning toward doing a hatchet job on the Executive Department.

Terrell Blodgett, who was on former Gov. John Connally's staff, urged the legislator-delegates to forget they are legislators when dealing with the Executive Department.

He needn't have worried. There are a number of conservatives, both Republican and Democrat, on the committee, including some of the body's youngest members, who believe in a strong executive.

Of course, they are not about to give the governor a lot of power without a corresponding increase in the power of the legislature.

The point most of them make is that the governor should have control of the executive, yet should not be able to run the legislature.

Most of these conservative members who have spoken up say they would like to see the governor have hiring and firing power over the agency heads.

However, they do not like

the idea of the governor having also the power of a reduction veto.

Rep. Tom Schieffer exclaimed to one Constitutional Revision Commission member that the CRC proposed Article IV gives the governor "the power of the purse, the sword and the whole shooting match." He said the power of the purse should remain with the legislature.

Rep. Bennie Bock of New Braunfels said the proposal would make the governor an "economic czar," and Sen. Mike McKinnon said the reduction veto "gives the governor a club to use on legislators."

The proposal to give the governor budget-making authority also drew McKinnon's fire: "He can propose a large budget and leave it up to us to raise the money, and that I call harassment."

Rep. Joe Wyatt of Bloomington said the governor already has the power to force the legislature into line items.

Rep. David Finney of Fort Worth said the CRC document "created a mismatch; the governor has plenty of power versus us already."

So far it looks like many of the committee members are willing to let the governor manage the bureaucracy, but they don't want him to assume powers they feel are delegated to the legislative branch. With this in mind, the committee is adhering to Chairman Bill Meier's directive to check out every



League of Women Voters of Texas  
Observer Form

Executive  
COMMITTEE

Jan. 17  
DATE

Barbara Wacker  
OBSERVER  
2:20

Bill Mori  
Residing Officer

13  
Committee number present

Public Hearing  
Committee activity (Public hearing, etc.)

RECORD OF ACTIVITY (record all votes, resolutions, who testified, major points made, etc. continue on back and additional sheets when necessary)

Mr. Gant - Water Quality Board Ex. Director since 1967  
He thinks gov. should app. chairman. Let Leg. decide how state agencies should be structured. He said he seldom has contact with the leg. as director of the 7 member board. (three members app. by the gov. the rest from other adm. agencies heads). He thinks a board member should be removed by the Gov. for reasons like a teachers removal. Is responsible only to the leg. (not really them) The board hired him & can fire him. Been with the board since 1961! He is in one powerful position. It was established that the boards are successful businessmen. Whitmore directed a good line of questioning.

Mr. Blodgett feels as the league as who should be elected.  
Thinks Land. Com. should be appointed. Wants gov. to app. board director. Gov. can fire.  
In 1943 <sup>the</sup> was only the last time the leg. set as a const. body in the U.S. - Should be an elected group of people.

OBSERVER COMMENTS:

Frank Maston does a good job of questioning  
Montoya is not so hot - poor questioning - he tries to make points.

The Committee on the Executive Thursday began hearing testimony from Dr. Glenn H. Ivy, research director of the Texas Research League.

Wednesday, the committee heard both Land Commissioner-elect Bob Armstrong and former U.S. Sen. Ralph Yarborough call for retention of the land commissioner as an elected constitutional executive office.

**Electric Pollution Control**

said, the land office is proprietary in nature, not managerial, and the man who heads it ought to be directly responsible to the people.

Also, he said, there are but four elected land commissioners in the United States. He said that where they are appointed officers, they tend to be responsible to the firms they deal with, rather than to the people.

The constitution as proposed by the Constitutional Revision Commission would allow the legislature to make the land commissioner either elective or appointive.

Yarborough urged — as he has urged various of the convention's substantive committees — that the Legislature not dilute its powers or cede to them to the executive branch, pointing to Watergate as a result of the U.S. Congress letting the executive assume its powers. — TOM BARRY.

Opposite views on who should control state agencies were aired Thursday before the Committee on the Executive.

Dr. Glenn H. Irv, research director for the Texas Research League, told committee members that "We came to the conclusion that the Texas system is no better than the national average."

“After 10 years we are enjoying our life here. We will continue to work in the future. The Chinese system is not so good, but we are able to do a small but fruitful part in the truly legal fashion. We are autonomous.”

Ivy said the "continuity of the executive directors is what gives the commission form (of state government) its strength."

On the other hand, Terrell Blodgett, who was on former Governor John Connally's staff, said he is personally an advocate of the cabinet form of government and a strong executive branch.

He said the "continuity argument is specious." He said boards should not be autonomous. — TOM BARRY

League of Women Voters of Texas  
Observer Form

Executive  
COMMITTEE

Jan. 16, 1974  
DATE

Barbara Vacka  
OBSERVER 2:30

Bill Mier  
residing officer

12-17  
Committee number present

Public Hearing  
Committee activity (public hearing, etc.)

RECORD OF ACTIVITY (record all votes, resolutions, who testified, major points made, etc. continue on back and additional sheets when necessary)

Ralph Yarbro: Thinks leg. is the weakest form of gov. —  
Minority Leg. + - wants Land Com. elected, very strong  
on this point! Don't want Sen. to have line item  
veto. Sec. 17 he thinks is very bad, doesn't think leg.  
should give up this power or he will have a "Watergate".  
Don't let the gov. opt. all the boards + chairman or  
he will be too strong. If the leg. stays in session +  
is payed well the leg. can handle these problems.  
He referred to the book The Imperial President.

Cabinet structure

Sec. of Commerce

Sec. of State

Sec. of Public Welfare - opt.

six in  
Cabinet  
but not  
opt.

State Auditor - Leg.  
Land Com.  
Atty. General - No elect.

He wants gov. to have adm. functions.

Bob D. Miller appeared and he said that the  
Land Com. should be elected.

Sec. 25 - When does the Senate confirm?

OBSERVER COMMENTS:

Set stat. on how many present district judges are  
by the gov. Helen Richter

League of Women Voters Observer Form

Executive  
COMMITTEE  
Jan 15 - 1974  
DATE  
Barbara Vackar  
OBSERVER 10:30 - 12:00  
2:30 -

Bill Meier  
Presiding Officer

13 in & out  
Committee number present

Hearing the Commission Report - by Preston Shirley & Mary B. Hunt  
committed Activity (public Hearing, etc.)

RECORD OF ACTIVITY FOR DATE \_\_\_\_\_

(record all votes, resolutions,  
who testified, etc. continue  
on back and additional sheets  
when necessary)

Sec. 13. (h.) Meier seems to feel the Gov. is given too much power here.

Schaffer also feels this section is giving the Gov. too much power. This section got lots of discussion in connection with the budget. They skipped to Sec. 16 & discussed this along with 13.

Sec. 14 Could be deleted

Sec. 15-16-17 Mary Beth does not want to see a cabinet // George Beto joined in here. He & Shirley do not want the gov. to be able to remove board members or appt. chairman. Said a new gov. is not competent to appt. chairman - strong argument. Wyatt probably does not want a cabinet.

Sec. 18 Beto discussed this section.

(OVER)

OBSERVERS COMMENTS:

What is zero base budgeting.

Meeting will end 4:30 Friday (7:00 - Friday night)  
(9:30 Sat. morning)

No meeting Monday

Sutton wants cabinet approval - Talk with her (Dallas)

\* Grace - Bill Meier has not interviewed & wants to see - Was suppose to be by Jarrett County & could not get together with them. Please see that he is. Loretta Patschke is his sec.



League of Women Voters Observer Form

COMMITTEE

Executive

Jan. 14 - 1974  
DATE

Barbara Vackar  
OBSERVER 2:00 - 5:20

Senator Bill Meier 320  
Presiding Officer

17 -  
Committee number present

Hearing the Commission Report  
Committee Activity (public Hearing, etc.)

RECORD OF ACTIVITY FOR DATE \_\_\_\_\_  
(record all votes, resolutions,  
who testified, etc. continue  
on back and additional sheets  
when necessary)

Adopted rules of the convention. Sutton married  
Staff - was discussed. Louise Winecup, research assist., she was questioned &  
handled their questions nicely.

Preston Shirley - Mary Beth Brient testified

Presented the Commission Report

- Sec. 1 No former or present gov. testified before the commission  
alot of discussion on electing S and C commissioners  
Discussed rather the Railroad Commis. should be in cont. - of great interest  
to Meier. Should be statutory. McKinnon confused on this, watch him.  
No mention of limit of two year terms
- Sec. 3 There is a question of just the sec. of state certifying and election.
- Sec. 4 (b) look for alot of discussion here & with (c) on the 45 day limitation.  
the committee doesn't like that 45 days of their not being able to  
do much.
- Sec. 8 Watch for this to be reworded - seems this will get lots of discussion.
- Sec. 11 There will be some rewording here - added "not less than 30 days"

Section 1 - 11 was discussed section by section  
(OVER)

OBSERVERS COMMENTS:

Ed Howard from Zeparkana thanks his people don't want much change in his area.  
They are very interested in how the people feel.  
Jett Howard, Johnson that the League does want the Gov. term limited

- We need a league in the Zeparkana area.
- \* Take B. Book from New Braunfels "An Action Now". He wants to know league views  
Meier is a good Chairman