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REPORT

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THINGS began to seem normal this week, with the House growling about the Senate just as if the era of reform and cooperation had never been heard of. It all started when Lt Gov. Hobby scheduled a Mar. 20-21 conference of citizens on ethics legislation. Twenty Harris County House members adopted a resolution urging Hobby to call off the conference so as not to delay Senate action on reform bills. They particularly asked that Hobby not name anyone from Harris County, since they were elected to represent it. Rep. Denson put in HSR 33, to request Hobby to call off the conference, and said he'd invite Hobby to appear at a Rules Cmte hearing Tuesday. Hobby said he'd come if invited. Another resolution as part of the Senate-needling process suggests that Speaker Daniel call a conference Mar. 20-21 to get a report on reform bills passed by the Senate. Rep. Temple made a personal privilege speech about it. Hobby responded to it all by saying his conference would in no way delay Senate action, because the Senate must have 4/5ths majorities to take up bills in the first 60 days. The House suspended that constitutional rule on all bills. Sen. Schwartz got a resolution adopting such a suspension with a maybeso that if six senators object or are absent, a bill can't be brought up. The House has passed five reform bills--HB 2, Big-ham, lobby control with an Ethics Cmn amendment; HB 3, C. Parker, open meetings; HB 6, Denton, open records, with an amendment which may close executive branch records if they involve a letter; HB 10, Allred, news-men's shield law, and HB 5, Head, putting into law the limits on tax and appropriations conference committees...But HB 1, Nugent, the ethics bill, was sent to Atty Gen. Hill after Assoc. Justice Pope questioned the constitutionality of applying it to judges, who already have a constitutional commission watching over their shoulders. Hobby told broadcasters that his conference won't delay the ethics bill, and he expects HBs 10, 6 and 3 to pass the Senate.

GOV. Briscoe brought out his drug law revisions, making first offense possession of up to eight ounces of marijuana a misdemeanor, carrying up to six months in jail and/or a \$1,000 fine. Sale or delivery, or possession of over eight ounces, would be a two- to 20-year felony. Critics of the bill quickly labeled it harsh; former Sen. Kennard, head of an interim drug study committee, called the bill "an out-and-out fraud" as a reform measure. Kennard also attacked provisions to allow the Dept of Public Safety to prescribe rules and records for physicians regarding amphetamines, barbituates, and other drugs--saying that to get such a permit, physicians would have to consent to police inspection any time.

ACTION was completed on the first major bill, HB 92, Kubiak-Aikin, to delay the quarter system in public schools to the '75-'76 year. The Senate passed SJR 1, Schwartz, to limit the Legislature's right to make water districts exempt from general law. Gov. Briscoe signed his first bill, SB 1, Wolff, \$900,000 for the constitutional commission. Deadline for nominations is Tuesday, with 750 or so already suggested for the 37 places to be picked by the Picking Six...The Senate passed SB 5, Schwartz for State employes to be paid twice monthly; SB 14, Traeger, to switch the State fiscal year to 7-1 to 6-30 starting 7-1-74, which means the budget this time will be for 22 months, if they go "biennial;" SB 60, Ogg, making LBJ's birthday, Aug. 27, instead of J. Davis', June 3, a State holiday, but not a bank holiday; SCR 21, Moore, letting A&M issue \$3,000,000 in bonds against its University Fund income to build experiment stations off the main campuses; and SB 83, Schwartz, a permissive bill for the Board of Control to go purchasing for junior colleges.

REP. Cavness is pushing again for the raid on the Permanent School Fund his father proposed a decade ago. His HJR would drain \$27,000,000 a year, and he thinks Atty Gen. Hill might reverse the Atty Gen. Martin ruling that it takes a constitutional amendment to tap that fund, so he has a bill, too...Other new House bills include: HB 409, Nabers, barring probation for those convicted of murder with malice aforethought; HB 466, Nowlin and Sage, requiring persons receiving unemployment benefits to accept temporary work with governmental agencies or lose benefits; HB 439, Joe Allen, requiring written and performance tests on driver license renewal; HB 480, Menefee and Bailey, rapid transit authorities for Dallas, Houston and San Antonio; HB 541, Nugent-Hendricks, revised penal code; HB 492, Scheiffer, Adams, et al, renaming the Finance Bldg for LBJ... That much discussed site in front of the Capitol which won't be where the new Highway Bldg will be built should be used for an office building for legislators, Rep. McAlister suggests. McAlister also says he'd like the State to buy the Westgate Bldg for Briscoe's staff.

SPEAKER Daniel promised a working session, and the House acted like it was determined to live up to that billing, going into night sessions as though it were the end of the session. Among the bills coming out were HB 6, open records; HB 188, Hollowell, adding \$10,000 property damage liability to governmental units under the Torts Claims Act; HB 34, Kaster, allowing school districts which may lose Federal funds as "impacted areas" to issue time warrants; HB 59, Denton and Nichols, letting public transportation companies give reduced fares to folks 60 and over; and HB 185, Willis et al, collective bargaining for firemen and police. HB 185 encountered heavy going, and Rep. Hutchison tacked on an amendment to require a local option election before collective bargaining, which wrecked it...Rep. Doran blocked HB 116, Clark, duty-free lunch hours for teachers on a point of order that it's ahead of general appropriations bill. So the bill is set for March 19--one day after the Appropriations Cmte is to report out the appropriations bill. Estimates of the cost of Clark's measure are \$9,800,000 State and \$2,400,000 local in '73.

TWO alternative plans for financing public schools have been recommended by the State Board of Education: increasing local districts' shares to the statewide foundation fund after adopting a fair market value index of taxable property and curtailing local "enrichment," or State assumption of the entire basic cost of educating each child with unlimited local "enrichment." Either plan would be phased over a six-year period beginning with the '73-74 school year. Under the State-local sharing plan, \$300 per student "enrichment" would be allowed. The plan would cost an estimated \$2.75 billion, \$2 billion in State funds, upon becoming fully operational in '78-79...The Assn of School Boards endorsed the Joint Senate Cmte on School Finance plan, saying it has the needed flexibility to meet varying local needs...College administrators are urging the Education Agency to delay the '77 deadline for restructuring teacher-education programs...Waco newspaper executive Harry Provence was named Coordinating Board chairman by Gov. Briscoe. CB member Wales Madden told the board Texas "is on the verge of overbuilding, overstaffing and overspending in higher education." Rep. Kaster has legislation to elect CB members from Congressional districts--he feels the CB is too subject to political pressure, saying the board is allowing too many junior colleges to set up additional campuses outside their districts...Plans for Henderson County Jr College's \$1 million extension center in Anderson County now have CB and Board of Education approval...Lots of education conferences: school boards and administrators Thursday-Friday, Houston, on working with students from different backgrounds; vocational-technical, Austin, Feb. 27-8; drug abuse, Austin, Tuesday-Friday.

DEVELOPMENT plans for Mustang Island were taken up by Parks & Wildlife staffers--Rep. Truan appeared to protest any development which would result in closing of the island to the public or which would require those using the beach to pay an entrance fee...Auditor George McNiel recommended changes in money-management laws and policies which he said would increase earnings on invested State funds by more than \$12 million annually. McNiel said Treasurer Jesse James failed to earn \$7.1 million in interest because of money placed in non-interest-bearing accounts required because of the State's deficit financing...Railroad Cmn Chm Jim Langdon warns gasoline shortages will be the next item on the energy crisis program...The Air Control Board approved new regulations on industrial plants to meet Federal requirements, and is planning hearings in Houston, Dallas and San Antonio on automobile emissions late in March...The Dept of Community Affairs will oversee drug-abuse programs...The Dept of Public Safety is selling a '56 Cadillac hearse seized in a narcotics arrest.

ATTY GEN. Hill filed a motion for rehearing with the Supreme Court on the lawsuit overturning the Texas abortion statute. Hill's petition argues the court erred in "substitution its social beliefs for the judgment of the Texas Legislature" and in "failing to extend to unborn children protection equal to that of the mother, under the equal protection clause of the 14th Amendment."...Hill issued opinions saying a proposed bill to have cities of 600,000-800,000 population upgrade one-way bridges probab-

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ly would be declared unconstitutional; elected members of the Executive Dept may be "Special Rangers;" requirements that a member of the Board Examiners in the Fitting and Dispensing of Hearing Aids be "active" means practicing in the profession; "nonelective State officers" are still under provisions requiring approval of agency heads before accepting other nonelective offices; junior college teachers may serve on commissioners courts if they refuse their salaries as commissioners...Hill's being asked to determine if HB 1, ethics code and commission, is constitutional... Hill got into the pantyhose situation, with his Consumer Protection Divn filing suit against Zandra of Texas, Inc., for an alleged pyramid scheme in selling the garments...Gov. Briscoe approved a \$170,000 grant for the Atty Gen.'s task force on organized crime.

BLACK Caucus members issued a position statement supporting a proposed investigation at Prairie View A&M, but were critical of the House Education Cmte for asking for specifics on the investigation. This led, they said, to "inflammatory" reports in the news media on alleged kickbacks by faculty members to school Pres. A.I. Thomas. Caucus member Ragsdale told the Education Cmte those reports were among the items the investigation would prove or disprove if his resolution asking appointment of a 12-member investigating committee is approved.

TO & FRO: Sissy Farenthold took the chairmanship of the Natl Womens Political Caucus, despite Texas delegates' insistence that they need her at home...The Driskill Hotel reopened amid nostalgia for days gone by... Gordon Willis, 75, announced for governor on a veterans cash bonus plank ...GOP leaders met to plan, with Sen. Tower's approval, an assault on Statewide offices in '74; to name Rita Bass, Dallas, national committee-woman and Polly Sowell, McAllen, state vice chairman...That nude male centerfold from Cosmopolitan decorates the House F&E Room...Sen. Schwartz blocked a rule for armed State police in the Senate gallery, saying it would degrade the civil process of legislation...SB 17, Harris, legalizing wiretapping, went to subcommittee after 2½ hours of fierce testimony...Gov. Smith's 3rd choice for Board of Insurance chairman, was mowed down 13-17 in the Senate, with 12 of the 17 from the Big Three counties. This gives Briscoe two Board appointments for quick control of that hot-spot which is frozen to inactivity by the 3 Senate turndowns...Dozens of resolutions propose complaints to Nixon et al over impounding of pollution, farm, education and other funds voted by Congress...Sen. Jones has SBs 89-90-91, the Manufacturers Assn version of executive budget control. Briscoe sent a letter endorsing the content of SB 89, to let him have the power to impound funds of agencies or require them to submit quarterly budgets for his approval. This power was given to Gov. Shivers in '53, but he never used it...Sens Moore, Blanchard and Creighton voted to have an open session on confirmations, making it 15-15, but Lt Gov. Hobby chose not to break the tie, so it was closed when they talked about why they were going to vote against Ray Kirkpatrick...SB 75, Mauzy-Clower, got 9-1 committee approval, so consumer protection, John Hill variety, got on the Senate calendar.