

AUSTIN

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T. Seg. Interim Committee

REPORT

STUART LONG, Editor

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NOT EVEN a computer could account for the counting of the speaker candidates, who would like to have it known that between them they have about 300 pledges. Rep. Price, quite obviously the leading candidate, put together public announcements of support by 10 of Speaker Mutscher's chairmen or vice chairmen to counter Rep. Nugent's garnering of a substantial block of Mutscher leaders. Rep. John Allen's impending endorsement of Price was premature; he's still uncommitted, he said. This show of strength came as Nugent was flying around trying to get pledges on a basis of being fair to everybody. So far, the top claim for Nugent is 40, and it's likely that Price has 47 to 50. Reps Cobb, Daniel, Head and Finney probably hold 40, and a goodly number remain free. State GOP Chmn Willeford asked the GOP House members to remain unpledged until some promises of minority staff and representation are made. It is now being assumed that the vote will come in '72, unless Speaker Mutscher is able to win acquittal at his January trial before the special session starts. But the pledges are being taken for '73, and with a turnover of 65 or 70 members pretty certain from redistricting and ambition for higher office, the pledges of many certain lame ducks won't be worth much, unless the vote comes in '72. Rep. Daniel is pledging to try to restore the 1-term tradition broken by 4 West Texans and 1 East Texan...Some of the Dirty 30 praised the Baptist Christian Life Cmn for endorsing the reform proposals they have made.

SEN. Mauzy's suit, in US Judge Justice's court, contends that House districts done by the Legislative Redistricting Board have too much deviation (9.4%), had mutually-inconsistent approaches and lacks uniformity and consistency and in some cases cancels out or minimizes racial and political minority voting strength. Dallas Atty Robert Greenburg filed a similar suit in Dallas Federal court, and Mauzy said his clients will intervene, because he wonders why people who have been favoring multi-member districts are bringing suit for single-member...Commissioners courts, which must redraw voting precinct lines to fit the new districts, wherever they may be, see no way. Registration has already started under voting precinct plans which had to be adopted in August, and where lines cut up counties, they may not fit voting lines. It's going to be a wild election in '72, unless the courts settle it by making everybody run at large Statewide, as was done in Illinois a few years back. Mauzy asks for appointment of a master to devise a legal plan, to be adopted by the court after hearing. Federal courts have done that, too, so it could be the solution.

THAT House plan probably will be attacked by Hidalgo Countians, too. What happened was that the Board adopted the save-Rep. Murray plan which the House refused to accept, biting him off a bit of Hidalgo to go with Harlingen to make a district. But Rep. Garcia has moved into the district with Murray. Rep. Atwood announced for Place 2 in the rest of Hidalgo, now held by Rep. Rodriguez. Ex-Rep. Felix McDonald announced for Place 1, and signed a pledge card for Rep. Nugent. All this leaves an open district of Kleberg, Willacy and part of Hidalgo, in an area where Sen. Bates is awaiting trial, Rep. Longoria has announced for the Senate, and Rep. Rodriguez is waiting to let things settle before he runs for Place 1 or 2. The area was a curious combination of at-large and single-member districts, the result of which the Valley will lose 2 of 6 members, and Kingsville likely will pick up one.

INVESTIGATIONS continue. The Fort Worth Federal grand jury will get back to its RIC International investigation Monday...The Travis County grand jury is looking for more evidence on the Mutscher-McGinty-Shannon cases, and got into some Mutscher-McGinty loans at Cove State Bank to buy debentures in a truck leasing firm...Shearn Moody Jr got a court order preventing temporarily his removal from the Moody Foundation board, and Roy Cohn took another shot at Atty Gen. Martin, saying he went hunting with W.L. Moody IV on a ranch Martin's report said shouldn't have been sold to Moody IV by the Foundation. Martin and Moody both denied that Martin had hunted there, and Cohn challenged Martin to a debate. When \$50 million's at stake, all sorts of things happen to all sorts of people...Martin agreed with Chief Justice Calvert that the new ethics law is pretty silly. So did Gov. Smith, and he said he might let the Legislature consider some changes when it meets next year. State GOP Chmn Willeford asked why Martin hadn't advised the Legislature on the law as it was being passed in such a "farcial" manner. Secy of State Bullock thought Willeford was a little late, since 9 Republicans voted for the bill and one was absent, and wondered why Dr Willeford didn't tell his House members how bad the bill was.

IF A State employe travels both in-State and out-of-State on the same day, his expenses are to be computed as if he'd been out-of-State all day, Atty Gen. Martin ruled (Opinion No. M-939-A). He also held that an annual employe after 15 years gets 15 "normal working days" of vacation, and any State employe within one fiscal year may use vacation accumulated during the preceeding two years, plus the present; the Adult Probation and Parole Law (Art. 42.12) is not applicable to misdemeanors; a county judge must file his certificate of disqualification in the first term of court when it is established parties can't agree on a special judge; the West Independent School Dist may accept from its trustees free ambulance service for football games and cars for driver education and "school district purposes;" increased court costs under SB 841 cannot be assessed on conviction for offenses prior to Aug. 30; the Board of Pardons and Paroles can urge and the Governor can agree to commute a death sentence to life, even though the conviction is on appeal...The Atty Gen. asked the

US Supreme Court to overturn Federal Dist Judge Justice's order requiring the Education Agency to police desegregation...The 3rd Court of Civil Appeals, in Frank D. Peterson vs Comptroller Calvert, ruled that Class C of Art. 14.04, the State inheritance tax, does not include a lineal descendant of the decedent's brother-in-law. He belongs in Class E--"any other person."...The Supreme Court set a Dec. 1 hearing on Harold Sellers' claim he's entitled to \$12,478 from Harris County for accrued interest on a court judgment...The Court of Criminal Appeals upheld the constitutionality of the State abortion ban, holding the Legislature has the authority to protect life...Calling drug usage the No. 1 problem, the Harris County Grand Jury recommended that a low-cost drug substitute be developed and sold under State regulation to addicts, to "take the profit out of drugs."

SOME newsmen have been digging at the new Vending Cmn, and Gov. Smith said he won't reconsider his nomination of Raymond Williams, a dominant figure in the business. Smith's view is that Atty Gen. Martin, DPS Dir Speir and Gene Hendryx can protect the public from undue industry influence on the 9-man commission which meets Nov. 10 at 10 am to begin work...The '69 law trying to divorce vending-machine owners from taverns is on appeal, after a ruling by Dist Judge Herman Jones that two parts of it are unconstitutional...Gov. Smith says he probably will decide by the end of November about a third-term race. His soundings indicate that Sharpstown et al has hurt individual politicians less than people think...Secy of State Bullock wrote Shoup Voting Machine Co. that Jess Young, San Antonio SDEC member and Shoup's attorney on approval of Shoup voting machines in Texas, was no longer welcome at his office. Young pledged to vote for John White for SDEC chairman, then switched to Roy Orr, and that made the difference...Republicans were upset because James Perkins, Rusk regent of Stephen F. Austin U, was trying to hire students to circulate third-term petitions for Smith. Smith said Perkins had a right to participate in politics, and so did the students.

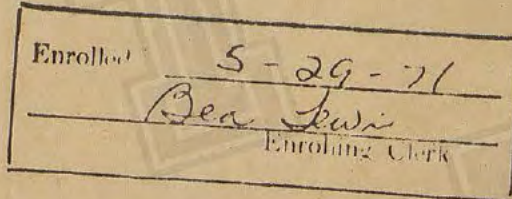
AND then, Speaker Mutscher named Rep. John Allen chairman of the Interim Water Conservation and Reclamation Cmte; Rep. Hale, chairman of Judicial Reform; Rep. McAlister, Vocational and Technical Education; Rep. Walt Parker, College Instruction and Curriculum, and Rep. Santiesteban, Crime Study. The committees were results of the interim studies consolidation program, said Mutscher, who'll name the committeemen later...Lt Gov. Barnes named Sens Kothmann, Ratliff, Word and Wallace, Roy Barrerra, James R. Labove of Houston, former Sen. Strong and Dr Lynn Anderson of Austin to the Interim Cmte To Study the System of Licensing and Examining Boards. For the Cmte To Study Retirement Benefits of Public Educational Employes, he picked Sens Mauzy, Snelson and Aikin, Miss Jennie Wilmot, Mrs Margaret S. Berry, Frank Jackson and Leonard Prewitt of Austin, Mrs Patsy Duncan of Amarillo, and Walter Forster of Houston. Sen. Mauzy immediately called a meeting, and the committee set a budget for the next 10 months of \$10,450, including \$7,000 for a secretary, \$6,000 for research and professional fees and \$4,000 for travel. No hearings

are expected to be called until '72...Lt Gov. Barnes and Rep. Nelms were awarded the Reserve Law Officers Assn of America's distinguished service award for getting SB 72, legalizing volunteer law officers, passed.

BEEMAN FISHER, Ft Worth, was elected as the new chairman of the Texas Research League, with Alfred I. Davies, Dallas, elected vice chairman and Grogan Lord, Georgetown, treasurer. Members heard reports on studies undertaken in the past year, including local government organization in El Paso and Big Spring. A bill to consolidate some city-county functions in El Paso died in House Rules Cmte. The report on Big Spring urges some consolidation of city, county and school district functions. Another major report was that on financing the Foundation School Program, with work on that continuing in view of past problems and recent court decisions. San Angelo's "Youth Services and Resource Bureau" which aids young people in solving problems won some plaudits, despite a note that it got some local criticism. The League is still working on its study on the State role in housing. The League also looked at the State's budgeting system, the Education Agency's accounting procedures and the Industrial Cmn's work. Gov. Smith called the League's attention to the new 200-page report of the Urban Development Cmn, calling for strengthening the governor's role (endorsing a 1974 constitutional convention), more regional approaches to local problems and land resource management.

GOV. Smith made appointments to the executive committee of the Criminal Justice Council just in time for the group's first meeting, when it will consider 27 applications for \$1.8 million. L. O'Brien Thompson, Amarillo, will chair the group. He headed the study committee which recommended reorganization into an executive committee. The Police Subcmte includes Dr. Edward Guinn, Fort Worth; Rep. Lombardino, and Col. Speir. The Court Subcmte includes El Paso County Cmr Richard Telles; Carol Vance, Harris County DA, and Judge Truman Roberts. The Corrections Subcmte includes Dr Frank Connally, Waco; Dallas Police Chief Dyson, and Dr George Beto. Telles and Connally were not members of the council prior to reorganization...Smith named George Stanley, Port Arthur, to replace the late Charles Ford, Longview, on the Veterans Affairs Cmn (and his staff released Stanley's application, which was made to Ex-Sen. Jep Fuller).

TO & FRO: New Demo Chmn Orr called a SDEC meeting for Nov. 11 at 9 to talk about money-raising, but will delay to December on adoption of rules for party conventions to meet new national requirements and State law...Lt Gov. Barnes already has chairmen in all 254 counties, and fund-raising quotas have been set up...It's looking more and more like both Sens Connally and Christie will get in the lieut governor's race. Former Sen. Walter Richter is sounding out friends on that race, too...Parks & Wildlife Dir Cross withdrew the invitation to legislators and their friends to take part in game-management area hunts, after lots of static erupted over the offer and Chmn Pearce Johnson agreed with Cmr Harry Jersig that it might be illegal...Barefoot Sanders denounced Sen. Tower for being absent on the foreign-aid bill.



By: Schwartz

SENATE RESOLUTION NO. 1438

WHEREAS, The Constitution of the State of Texas states that "each House may determine the Rules of its own proceedings"; and

WHEREAS, In pursuance of this Constitutional authorization, the Senate of the State of Texas has duly adopted Rules for its own governance; and

WHEREAS, This important subject engages the continuing concern of the Senate of the State of Texas and requires periodic review and study; now, therefore, be it

RESOLVED, By the Senate of the State of Texas, that the Senate Committee on Rules be constituted as the Senate Interim Committee on Rules of the Senate; and, be it further

RESOLVED, That from the Contingent Expense Fund of the Senate the members of the committee shall be reimbursed for their actual expenses incurred in carrying out the purposes of this Resolution and other necessary expenses of operation of the committee shall be paid from the contingent expense funds of the Senate; and, be it further

RESOLVED, That the committee shall prepare a budget for the operating expense of said committee which shall be submitted to the Administration Committee of the Senate. Prior approval of the budget by the Administration Committee of the Senate must be obtained before any nonbudgeted expenses may be paid.

Lieutenant Governor

I hereby certify that the
above Resolution was adopted by
the Senate on May 28, 1971.

Secretary of the Senate

ENROLLED

H.S.R. No. 609

R E S O L U T I O N

WHEREAS, It is essential to the efficient operation of the House of Representatives that the most modern methods of procedure and those most conducive to effective handling of legislation be employed in the conduct of the business of the House; now, therefore, be it

RESOLVED, That the House of Representatives of the 62nd Legislature of the State of Texas, by this Resolution designate the Rules Committee as a standing committee to operate during the interim to consider the total reorganization of internal procedures of the House and prior filing of bills and dissemination of information to the public about measures under consideration and to inquire into and study the national system and outstanding systems operating in other states and nations with the goal of determining and ultimately providing for the State of Texas the most efficient and modern system for handling legislation, the business of the people of Texas; and, be it further

RESOLVED, That the operating expenses of the committee shall be paid from the Expense Fund of the House of Representatives, and that committee members and staff members shall be reimbursed for their actual expenses incurred in carrying out the provisions of this Resolution; the committee shall prepare a budget for its operating expenses, which shall be submitted to the House Administration Committee, and no expenditures shall be made until the budget has been approved. The Chairman of the Rules Committee

H.S.R. No. 609

may designate subcommittees with subcommittee chairmen and shall designate the work to be performed by each such subcommittee. Prior approval of non-budgeted expenditures must also be obtained from the House Administration Committee; and, be it further

RESOLVED, That the committee shall make its complete report, including findings and recommendations and drafts of any legislation deemed necessary, to the 63rd Legislature when it convenes in January, 1973. Five copies of the completed report shall be filed in the Legislative Reference Library and five copies shall be filed in the office of the Texas Legislative Council; following official distribution of the committee report, all remaining copies shall be deposited with the Legislative Reference Librarian.

Nugent of Kerr
Doran
Clayton

Speaker of the House

I hereby certify that H.S.R. No. 609 was adopted by the House on May 29, 1971.

Chief Clerk of the House

Enrolled 5-29-71
Ben Lewis
Enrolling Clerk

By: Wallace

SENATE RESOLUTION NO. 1453

WHEREAS, The ethical considerations of governmental officials both individually and as a body have come into some question during the last months; and

WHEREAS, Efforts are underway to attempt to set some standard of conduct for State officials; and

WHEREAS, One of the most influential and persuasive groups involved in the process of government is the lobby which represents the viewpoint of various special interest groups to the Legislature; and

WHEREAS, The Texas Lobbying Law was passed in 1957 and has not been brought up to date and contains many restrictions which are unnecessary while not restricting many unethical practices; now, therefore, be it

RESOLVED, That the Senate of the 62nd Legislature hereby create a special interim committee to make a thorough study of possible reforms in the Texas lobbying laws with special attention to a complete study of lobbying procedures in Texas; and, be it further

RESOLVED, That the committee be composed of four Senators, appointed by the Lieutenant Governor, who shall name one of them as chairman of the committee; and, be it further

RESOLVED, That the committee shall conduct whatever hearings which may be deemed necessary throughout the State and compel the attendance of witnesses and the production of documents and records; the committee chairman or any member thereof may administer oaths to witnesses; and, be it further

S. R. No. 1453

RESOLVED, That actual expenses of members of the committee, and other necessary expenses of operation in connection with committee activities shall be paid from the Contingent Expense Fund of the Senate; the committee shall prepare a budget for its operating expenses, which shall be submitted to the Contingent Expense Committee, and no expenditures shall be made until the budget has been approved. Prior approval of nonbudgeted expenses must also be obtained from the Contingent Expense Committee; and, be it further

RESOLVED, That the committee shall make its complete report, including findings and recommendations and drafts of any legislation that may be proposed, to the 63rd Legislature when it convenes in January, 1973; and, be it further

RESOLVED, That the staff of the Texas Legislative Council be and it is hereby requested to assist the committee in this study.

Lieutenant Governor

I hereby certify that the above Resolution was adopted by the Senate on May 29, 1971.

Secretary of the Senate

ENROLLED

H.S.R. No. 490

R E S O L U T I O N

WHEREAS, An efficient system of electronic communication is essential to the operation of a modern legislative body; and

WHEREAS, The electronic communication system presently used in the Texas House of Representatives needs to be studied to determine if it meets the needs of the House; now, therefore, be it

RESOLVED, That the House of Representatives of the 62nd Legislature of the State of Texas hereby create a special interim committee to study the present processes of electronic communication of the House, including radio, television, tape recording, and telephonic facilities, and to study methods of improving present broadcast, telecast, and recording of House activities for the dissemination of information electronically by the House Members; and, be it further

RESOLVED, That the Speaker of the House appoint as members of the committee five Members of the House of Representatives and the four public members, as follows: one member of the television industry, one member of the radio industry, one representative of Southwestern Bell Telephone Company, and the president of the Texas Association of Broadcasters; and, be it further

RESOLVED, That the committee may call upon any state agency or department as the committee deems necessary for assistance and advice; and, be it further

RESOLVED, That the staff of the Texas Legislative Council be requested to assist the committee in this study; and, be it further

RESOLVED, That the actual and necessary expenses of the committee, both legislative and public members, and other necessary expenses of the committee shall be paid from the Expense Fund of the House of Representatives; that the committee shall prepare a budget for its operating expenses, which shall be submitted to the House Administration Committee, and no expenditures shall be made until the budget has been approved. Prior approval of non-budgeted expenditures shall be obtained from the House Administration Committee; and, be it further

RESOLVED, That this committee shall make its complete report, including findings and recommendations, with drafts of any proposed legislation, to the 63rd Legislature at its regular session in January 1973, and that five copies of the completed study shall be filed in the Legislative Reference Library and five copies filed in the office of the Texas Legislative Council. Following official distribution of the committee report, all remaining copies shall be deposited with the Legislative Reference Librarian.

McAlister

Speaker of the House

H.S.R. No. 490

I hereby certify that H.S.R. No. 490 was adopted by the House
on May 31, 1971.

Chief Clerk of the House

R E S O L U T I O N

BE IT RESOLVED, That in preparing bills and joint resolutions to be introduced in the regular session of the 63rd Legislature, the Texas Legislative Council be instructed as follows: In the event a bill or joint resolution proposes to amend an existing statute or constitutional provision, the language sought to be deleted shall be inserted in its appropriate place within brackets or parentheses, and language sought to be added shall be underlined; but if the amendment involves a complete redraft of the entire text of a provision, this requirement may be dispensed with to the extent that showing additions and deletions would confuse rather than clarify the amendment; and, be it further

RESOLVED, That the requirement of showing additions and deletions shall not apply to appropriation bills, redistricting bills, local bills, game bills, recodification bills, or bills not purporting to amend existing articles, sections, or subsections, or to severability, repealer, effective date, or emergency clause sections, or to the standard provision in each joint resolution setting the date of the election and providing for the wording of the ballot proposition; and, be it further

RESOLVED, That the Council may adopt a method which more clearly shows additions and deletions; and, be it further

H.S.R. No. 560

RESOLVED, That this Resolution is effective only if and
when the Senate adopts a resolution of the same substance.

Nugent of Kerr

Speaker of the House

I hereby certify that H.S.R. No. 560 was adopted by the
House on May 29, 1971.

Chief Clerk of the House

*As far as I know, the Senate
did not adopt such a resolution.
Schwartz would probably know.
CB*

1 Houston Post 7/29

Barnes names three solons to traffic court committee

Post State Capital Bureau

AUSTIN — Lt. Gov. Ben Barnes Wednesday named State Sens. Jim Wallace of Houston, Charles Herring of Austin and Max Sherman of Amarillo to the Joint Legisla-

tive Interim Committee to study the Texas traffic court system.

The remaining 15 members of the committee are to be appointed by Gov. Preston Smith and House Speaker Gus F. Mutscher.

Continued on

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Speculation strong officials to be indicted in stock case

Post State Capital Bureau

Dateline Austin

AUSTIN — Speculation is strong in Austin that the Travis County grand jury will return some indictments against some state officials at the end of its probe of possible undue influence in the Frank W. Sharp stock case.

Because some of its members have been on vacation, the grand jury has recessed the probe but may return to it Thursday.

Dist. Atty. Robert O. Smith, who is presenting the case to the jurors, said he plans to resume it then unless witnesses he needs are all tied up at the Dallas trial of the huge Securities and Exchange Commission stock case lawsuit against Sharp, his many companies and other defendants.

When the grand jury recessed the probe on Aug. 17 after questioning Sharp, Smith indicated it was less than half finished with the investigation. But he predicted it would finish by the time its term ends Oct. 1.

Smith said he is still trying to get Joe Novotny, a former president of the Sharpstown State Bank, as one of his grand jury witnesses. He declined to reveal any of the others he wants.

● Texas Atty. Gen. Crawford Martin is plenty miffed at Gov. Preston Smith for vetoing \$350,000 out of the 1972 fiscal year appropriations the Legislature voted for him.

The governor vetoed a \$100,000 item for costs incurred in defense of legislative and congressional redistricting suits.

"I needed that, but I'm not particularly fussing about that," Martin said.

But Smith also vetoed a \$250,000 item for "court costs (including costs of depositions and court reporters' fees); for enforcement of tort claims act; and for witness fees and expenses."

With that, said Martin, "the governor really gored me. It puts me in a real bind."

He said he had no way of transferring money from other funds for paying court reporters and clerks for taking depositions and other expenses covered by the item. He will have to try to get some of that done on credit, he said.

"We may be able to get by if the Legislature comes back soon to appropriate us some more money," he said.

"I have fewer lawyers on my staff now than I did in September, 1967, and the workload is one-third bigger," he said.

Because higher salaries must be paid lawyers now, he said, he has only 124 compared with 131 in 1967.

● House Speaker Gus F. Mutscher's staff publicity writer, Mrs. Joyce Rasco, is leaving his staff to become an assistant director of the Texas Commission on Alcoholism.

● The Three House members and three senators to serve initially on the new state ethics commission must be elected by Oct. 1 by members of the two houses. H. B. 203, the new ethics code, directed the Senate secretary and the House chief clerk to establish procedures

for the balloting and certify the results to the Speaker of the House and the lieutenant governor.

The ballots have not yet been sent to the legislators. They will be blank-type ballots on which the members write in colleagues they want on the commission. Those names written in the most will win.

"Wouldn't it be funny if every House member voted for himself?" One legislative aide wisecracked.

● Officials of the Texas attorney general's office and the Texas State Teachers Association were probably never more confused by anything than they were last week by the stream of pronouncements from Washington on which school teachers can get raises and which can't because of President Nixon's wage freeze.

After seeing the third or fourth communication from Washington, D.C., on the subject, which was supposed to be a clarification of previous rulings, an assistant attorney general said nobody could tell how the rulings applied to Texas.

"One sentence seems to give and another seems to take away," he said.

● One of the complaints about the Texas House redistricting bill, which Travis County Dist. Judge Herman Jones has ruled unconstitutional, was that there was a population spread of 9.1 per cent between the district with the least population

and the one with the most.

But shucks, that was nothing.

The council of state governments reports that this year's Wyoming House redistricting bill features a spread of 86.7 per cent, with one district 41.2 per cent more populous and one 45.5 per cent less populous than the districts should be if evenly populated.

● Speaker Mutscher is expected to start making appointments to House interim study committees within the next week.

At the Speaker's request, chairman Jack Blanton of the House Resolutions and Interim Activities Committee has gone through some 150 House-adopted resolutions authorizing interim studies and planned consolidations to reduce the number of needed committees to about 30.

Many of the studies will be made by House standing committees, or by smaller groups drawn by the Speaker from the standing committees, to bring to bear more expertise, Blanton said.

The Houston Chamber of Commerce governmental affairs committee has urged Gov. Smith to include the main parts of its program for improved personal and property security in his call for next year's special legislative session. The recommendations, passed up by the lawmakers in this year's regular session, were developed to "reverse disturbing increases in crime" and include statutory and constitutional changes to "strengthen the penal code and enable more effective law enforcement in Harris County and Texas," the C. of C. said.

last week Only

their thatched roof but and trees. About six million are affected in West

PUBLIC AFFAIRS Comment

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INSTITUTE OF PUBLIC AFFAIRS, THE UNIVERSITY OF TEXAS AT AUSTIN

JANUARY, 1971

Administering the Legislative Interim Committee: A Case Study

Delbert A. Taebel*

WHEN THE SIXTY-SECOND TEXAS LEGISLATURE convenes on January 12, 1971, the first major order of business in the biennial session will be the introduction of several hundred bills and resolutions. Although the exact count cannot be determined, there seems no doubt that many of these bills will originate in the 74 interim committees created by the Sixty-first Legislature. The interim committee, a feature of more than three-fourths of the state legislatures, is designed to study major issues during the period between regular legislative sessions. Its use is especially prevalent in states where legislatures meet on a biennial rather than an annual basis.

One of the committees created by the Sixty-first Legislature was the Senate Interim Committee on Urban Affairs. The committee, chaired by Senator Barbara Jordan of Houston, conducted a series of hearings throughout the state and issued a final report which contains its recommendations and proposed legislative actions.¹ Although the success of any committee depends ultimately on its legislative members, the work of the staff cannot be underestimated. Yet, the administration of the legislative interim committee is frequently overlooked by students of the legislative process. There are few accepted procedures to follow, and the principles of administration offer little guidance. Consequently, most interim committees evolve their own techniques for getting their work done. The purpose of this article is to explore the techniques followed by the

Committee on Urban Affairs. But to put this study in its proper perspective, it is necessary to first examine the role of the interim committees in American state legislatures.

BACKGROUND AND DEVELOPMENT

Although the roots of the interim committee in the state legislative process are obscure, it has been historically a part of American politics. Yet, it is clear that the general movement toward the use of interim committees "began to accelerate between 1920 and 1925 as more complicated problems arose, until some states were regularly creating a large number of committees for major and minor purposes."²

By the middle of the 1930's, interim committees were operating in 29 states. By 1951, 35 states reported a total of 302 studies.³ However, only a few states accounted for the vast majority of interim study groups. For example, six states created 191 of the 302 committees in 1951, with 59 in California and 41 in Michigan.⁴ By the 1960's, the interim committee was an important feature of state government. In 1962, New York alone devoted \$2.1 million for the research activities of some 40 committees, and California devoted about half of this amount to operate from 45 to 50 committees.⁵

The growth of the interim committee in

² Frederick H. Guild, *Legislative Councils after 30 Years* (Carbondale: Southern Illinois University, Public Affairs Research Bureau, 1964), p. 33.

³ Belle Zeller, (ed.), *American State Legislatures* (New York: Appleton-Century-Crofts, Inc., 1950), p. 137.

⁴ "Legislative Research in the States," *State Government* XXV (October, 1952), pp. 233-236.

⁵ *The Book of the States, 1962-63* (Chicago: Council of State Governments, 1963), p. 66.

Texas government paralleled their growth in other states. In 1951, Texas had only five interim study groups. In 1969, the Sixty-first Legislature created 74 committees, including 33 in the House, 26 in the Senate, and 15 joint committees. In actuality, the Texas Legislature created many more "paper" committees. For example, house resolutions in 1969 created some 30 additional committees to which no members were appointed. The failure to appoint members to interim committees is a revealing fact about the use of such study groups. In some cases, no members are appointed to an authorized committee because it would duplicate another committee established for the same purpose; several legislators may introduce resolutions establishing the same kind of committee to study the same problem, and all of them may pass. For example, Senate Concurrent Resolution 110 created a committee to study "Taxation of Farm, Ranch and Forest Lands." At the same time, House Concurrent Resolution 8 created an "Agricultural Land Assessment Study Committee." Members were appointed to the latter; the former existed merely as a paper committee.

Obviously, a legislator likes to campaign for the creation of a committee which he feels will benefit his political career, and this may account for the fact that legislators may offer several resolutions calling for the study of the same "critical" issue. This predilection is illustrated by events of the Sixty-first Legislature. Four separate resolutions were passed creating interim committees to study drugs. In this case, the "Committee to Study Use and Abuse of Drugs" under Senate Resolution 626 was the only one to which members were appointed.

What kinds of problems do interim committees undertake? Although some observers

* Assistant Professor of Urban Studies, Institute of Urban Studies, The University of Texas at Arlington. The author was formerly Research Director, Senate Interim Committee on Urban Affairs.

¹ Copies of the report may be obtained until the supply is exhausted from the Secretary of the Senate, State of Texas, Austin, Texas.

PUBLIC AFFAIRS Comment

THE UNIVERSITY OF TEXAS
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EDITOR
Lynn F. Anderson

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suggest that the interests of interim committees are highly parochial, the scope of study by each committee differs greatly. Some have broad mandates, such as the House "Committee on General Investigation." Others focus on a single, narrow topic, such as the House "Committee to Study Construction of State Office Building in Harris County."

Although it is obvious that Texas makes extensive use of interim committees, it is less obvious that they have contributed much to the legislative policy-making process. In discussing the various techniques by which legislatures formulate policy, Clifton McCleskey argues that interim committees are ineffective organs. Even though they might hold committee hearings, the hearings are ill-attended by members and

the committee's work is seldom planned and conducted so as to produce the maximum returns from its time and effort. In fact, it often happens that an interim committee becomes in essence a vehicle for the advancement of an aspiring legislator. This tendency is especially strong when the committee is given rather broad investigative powers, for if the chairman can turn up—or merely allege—misconduct in some state or local offices, or organized crime operations, or scandals in some industry, he may be able to gain some valuable headlines in the State's newspapers. Altogether too little is done in the way of serious study and investigation by the legislature's interim committees. To anyone with only a mild case of reformitis, it would seem that there is enough investigating and studying to be done to keep a number of committees busy for several years if they would settle down to the hard work involved.⁶

Although this indictment may sound harsh, it is obviously a generalization marked by several exceptions. One excep-

tion is the Senate Interim Committee on Urban Affairs, five major aspects of which will be examined here: the committee's organization and objectives; staff procedures; staff coordination; hearings; and staff recommendations.

ORGANIZATION AND OBJECTIVES

Established by Senate Resolution 954, the Senate Interim Committee on Urban Affairs was given the broad mandate of making

a study of urban problems within the state of Texas to determine the most effective method or methods of controlling and eliminating these urban problems, giving special consideration to the expansion of state services on urban problems to local government bodies. . . .⁷

In order to develop a concerted approach, the committee at its first organizational meeting decided to concentrate primarily on only four problem areas: state government response to urban problems, housing, employment, and transportation. As for the organization of the committee, Lieutenant Governor Ben Barnes appointed Senator Barbara Jordan of Houston the chairman and Senators Joe Bernal of San Antonio, Joe Christie of El Paso, Tom Creighton of Mineral Wells, and Ralph Hall of Rockwall as members.

With the objectives and membership of the committee established, Senator Jordan undertook the task of recruiting a staff. Although recruitment procedures of legislative staff members are usually disjointed and subject to patronage considerations, Senator Jordan conducted a wide-scale campaign to recruit staff members, including inquiries of various organizations, such as the Department of Government at The University of Texas at Austin. The search was extensive: 41 persons submitted applications for two initial staff positions. In late October, two staff members were selected and undertook their duties on November 1, 1969.

STAFF PROCEDURES

As is true of most interim committees, there was no organizational framework to guide the work of the staff. Although the Secretary of the Senate conducted a short orientation designed primarily for committee secretaries, there were many procedural questions still in doubt. This situation is not uncommon; Belle Zeller notes that each interim committee starts *de novo*:

Much time is wasted in getting organized and setting up a pattern of action, which often differs with each committee. So much time is absorbed in this process that there is little opportunity for study and formulation of recommendations.⁸

⁷ Senate Journal, Sixty-first Legislature, Regular Session, May 27, 1969, p. 2065.

⁸ Zeller, *op. cit.*, p. 138.

If there are no procedural guidelines prescribed, administrators (including staff members of legislative committees) must create their own. Although the research staff consisted of only two members with more than two months before the first hearing, it was decided that the most rational procedure for the staff would be to do what they were supposed to do—research. Moreover, it was thought that a valuable service could be accomplished if the committee members themselves participated in this research effort. After consulting with the chairman, it was decided that the committee could develop some expertise if each committee member specialized in one of the problem areas. After these assignments were made, the staff undertook the task of reviewing the literature which focuses on these problem areas. The staff selected the materials it thought were the best, summarized the findings, and sent both the documents and the abstracts to the various committee members.

With the addition of two new staff members in early January, the staff concentrated on a new objective—the first hearing and those which were to follow. As a result, weekly staff meetings were scheduled. At these meetings, pending problems of the committee were discussed, including the logistical problems of holding field hearings. In addition, various projects undertaken by the committee were assigned to one of the staff members. In the early days, assignments were made on an *ad hoc* basis. Later, each staff member was given responsibility for monitoring one of the four major subject areas.

The chairman of the committee was kept apprised of the staff proceedings in several ways. First, minutes of these meetings were sent to her, and there were frequent telephone exchanges between the chairman and members of the staff. Second, the chairman participated in several of the staff meetings. For example, at one critical juncture after the completion of the field hearings, the staff felt that some guidance was needed on how to proceed in evaluating the testimony presented to the committee and in writing the final report. A working plan was submitted to the chairman for discussion. After approval, it provided the basis of operation for the staff in the final stage of the committee's work. On the whole, however, the chairman permitted the staff to develop its own methods of operation. Even though the staff felt politically adrift at times, the hearings provided important cues for the staff. A sensitive staff can estimate the political climate by listening well to the type and tone of questioning at the hearings. In fact, the staff gave as much attention to the questions asked as to the responses of witnesses.

STAFF COORDINATION

One criticism leveled at the interim committee is that it takes a narrow view and

fails to consider "other committees and the general program of the legislature."⁹ In an effort to meet this problem, two approaches were employed by the committee. In the first place, a representative from the Legislative Council was invited to attend the weekly staff meetings and the hearings. The Legislative Council, the primary source of staff assistance to the Legislature, conducts research for most interim committees. A representative from the Secretary of the Senate's office was invited to attend staff meetings and hearings, and other legislators and members of other commissions, such as the Governor's Commission on Human Relations, were invited to attend the field hearings of the committee.

Secondly, the committee staff coordinated extensively with other agencies in the state government and followed the proceedings of other commissions and interim committees. On several occasions, staff members conferred with representatives of the Governor's staff, such as the Director of the Division of State-Local Relations. Furthermore, the hearings of the Governor's Commission on Human Relations were attended by staff members, as well as those of other interim committees, including the Committee on Land Use and Environmental Control. Representatives of Senator Jordan's staff attended the opening session of the Commission on Urban Development and conferred with its staff members. Finally, two of the committee's staff members participated in a workshop session in September, 1970 with representatives of several organizations, including the Texas Research League, the Texas Municipal League, and other agencies involved in studying the housing problem.

Even with this coordinated approach, there were serious shortcomings. Committees and commissions tend to be jealous of their jurisdictional areas and sometimes devote more effort to maintaining their prestige than to resolving problems.

HEARINGS

In studying the four problem areas, a series of hearings was planned. Two major questions had to be answered: what type of hearings should be conducted and where should they be held?

As a starting point, it seemed imperative that the scope and nature of the problems be defined. Consequently, the committee agreed that the first hearing should be devoted to an analysis of the "magnitude and complexity of urban problems."¹⁰ Accordingly, the first hearing was held in Austin on January 27, 1970. It was somewhat unique, for selected academicians were invited to present their views. Seven presentations were

⁹ *Ibid.*

¹⁰ Senate Interim Committee on Urban Affairs, "General Purpose and Plan," (Mimeo).

made, covering the four major subject areas.

The hearings which followed were held in four metropolitan areas, including the Dallas-Fort Worth area, Houston, San Antonio, and El Paso. Although more than 300 recommendations were submitted to the committee in the course of its hearings, it was evident at the final hearing that there was considerable unanimity in both the problems and the solutions offered by witnesses. The final hearing was held in El Paso, and many of the recommendations heard there paralleled those presented by witnesses at the earlier hearings. One might conclude that while the metropolitan areas in Texas might be highly dispersed geographically, their problems were highly congruent.

How were the hearings conducted and how does one go about arranging a hearing for a legislative committee? In general, the staff employed three different techniques in setting up the hearings and arranging for witnesses.

For the hearing in Austin, the staff invited various scholars from Texas universities and requested that each make a presentation before the committee. Although many scholars are knowledgeable about urban affairs in general, there are few who have explored specific problems in Texas. After considerable search, seven scholars were invited to present their ideas to the committee. Although six of the seven were from The University of Texas at Austin, this bias was rationalized on the premise that a more representative panel would emerge as field hearings progressed, since it was planned to invite additional scholars to testify at the field hearings.¹¹

In the next two hearings, one in the Dallas-Fort Worth Area and one in Houston, a different approach was used in the selection of witnesses. In planning for these hearings, the staff received extensive assistance from the Institute of Urban Studies at The University of Texas at Arlington and its counterpart, the Institute of Urban Studies at the University of Houston. Hearings were held at these two institutes, and nominations for proposed witnesses were made by their staff.

In the hearings at San Antonio and El Paso, still another approach was followed in the selection of witnesses. Since two of the committee members were from these cities, they were asked to furnish the names of prospective witnesses.

One of the prime objectives of many but not all legislative committees is to have a representative panel of witnesses. Unless some effort is made to obtain representative-

¹¹ As it turned out, at least one and usually two academicians from other universities presented their views at subsequent hearings, including professors from Southern Methodist University, The University of Houston, The University of Texas at Arlington, and The University of Texas at El Paso.

ness, there is the danger that a one-sided picture will be presented to the committee. Indeed, at one of the hearings there were some complaints that the panel of witnesses represented only one element of the city and that minority groups were inadequately represented.¹²

In general, the committee did not establish criteria for selecting witnesses, aside from the overriding objective of inviting witnesses who were thought to be knowledgeable about urban problems in their community. On this basis, the committee did follow the practice of inviting the mayors of the respective cities in which the hearings were held and the executive directors of the various councils of governments. Although there may have been an imbalance in the representativeness of witnesses in any given city, the complete list of witnesses who appeared before the committee seems to reveal a high degree of representativeness. In general, there was about equal representation from government, the academic community, minority groups, and the business community.

How does one go about insuring some measure of representativeness? This is a difficult and perennial problem. Most interim committees merely announce that committee hearings will be held and invite anyone who wants to speak to do so. This seems less than adequate for two reasons. First, there is no assurance that it will result in representativeness. Indeed, one might anticipate that only organized groups would have a spokesman. By selecting witnesses some effort can be made to hear the viewpoints of the "unorganized." Second, unstructured hearings are frequently chaotic and fruitless efforts. Although the "town meeting" forum may be a useful device for blowing off steam, it seldom results in any coherent analysis of complex problems.

To give even more direction to the Jordan hearings, witnesses were invited to speak not only on a selective basis but were asked to address their remarks to specific questions. Unless such a procedure is adopted, one can anticipate rambling discourses. In this sense, the interim committee differs markedly from the standing legislative committee. During the regular session of the Legislature, the specific bill under consideration provides a focal point, but during hearings conducted by interim committees there is seldom any central focus. To obviate this shortcoming, witnesses in each of the four major areas were asked to respond to a series of questions. For example, witnesses invited to speak on the housing problem addressed the following:

1. What is the extent of the housing prob-

¹² This complaint may have been placated somewhat since the agenda was altered to offer several additional witnesses the opportunity to present their views.

lem in urban communities in Texas? Does the problem differ significantly in comparison with housing problems in urban areas in other states?

2. What is the extent of federal and state housing programs? What are the projected needs in Texas urban communities and how effectively are these programs meeting these needs?

3. What factors most adversely affect the housing problem? How do other urban problems, such as employment and mass transportation affect the housing problem?

4. What can the state government do to attenuate the housing problem? For example, should the state legislate minimum or maximum building and housing codes?

Similar questions were asked witnesses in other areas, i.e., what is the scope of the problem, what is the extent of current government programs, what are the contributing factors, and what should the state do?

This procedure proved highly valuable, since the committee could follow the presentations of the various witnesses with relative ease. It not only avoided the convoluted remarks which are characteristic of the "town meeting" hearings but eliminated the need for extensive questioning. Although McCleskey's indictment that hearings are "seldom planned and conducted" may often be true, it need not be the case.

STAFF RECOMMENDATIONS

After the first two hearings, it became apparent that some division of labor was necessary to facilitate staff work and the eventual preparation of the committee report. Consequently, each staff member was assigned responsibility for one of the major problem areas which the committee was investigating.

It also became obvious that some type of cataloging system was needed to record systematically the proposals which were offered by witnesses. Without some way to pull together the 300 proposals, the staff would be faced with the gigantic task of ploughing through 1,500 pages of testimony when drafting the committee report. To meet this problem, a system was devised whereby each separate proposal was recorded on a card and the cards arranged on a subject matter basis. By screening the card catalog, one could rapidly review the recommendations which had been submitted to the committee.

At the termination of the formal field hearings, the staff was asked to screen all of the proposals and recommend those which it believed the committee should support in its final report. In evaluating the proposals, the staff arranged a series of informal conferences with various state officials and with experts from other nongovernmental organizations. The proposals submitted to the committee served as the agenda for conferences in the four major subject areas. In these conferences, which lasted from three to four hours, each of the proposals was subjected to scrutiny and debated extensively and sometimes heatedly.

Following each conference, the staff again met to evaluate which proposals seemed most feasible. Although each staff member served as the chairman for these informal conferences in his respective area and led the staff discussions, all members participated in the analysis.

By late June, the staff was ready to submit its recommendations to Senator Jordan for her consideration. In doing so, it not only listed those proposals which it recommended the committee adopt but also all other proposals. In this way, the chairman was in the position of exercising final control and

direction over the staff effort.

After final review by the chairman, including several additions and deletions to the recommended list, the staff undertook the task of writing the first draft of the committee report. By late August, each staff member had completed his particular portion of the draft; and once again, all staff members reviewed and edited all portions of the report. By the middle of October, a final draft of the report was completed and submitted to the chairman.

CONCLUSIONS

This case study illustrates several techniques employed by the committee which facilitated and rationalized its work. It would be premature, however, to make a final judgment of the work of the committee. Systematic procedures do not insure the passage of legislative proposals, and it is the passage of legislation and not solely its formation which is important. Although one might find a certain rationality in the process by which the committee came to grips with various problems, rationality does not always assure success in politics. In the final analysis, the success of the committee will hinge on the extent to which it is able to guide its recommendations to legislative fruition.

Yet, in many ways the Senate Interim Committee on Urban Affairs has met some of the criticism directed at interim committees. The committee's experience may suggest ways for devising and improving staff procedures, and the improvement of committee procedures might enhance the capability of interim committees. If this occurred, the interim committee might well emerge as a more effective partner with the standing committee in the legislative process.

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Comment

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