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REPORT

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WITH 18 days, counting Sundays, left to adjournment, the Legislature began its first consideration Friday of the school finance issue, which everybody said was the big issue when they met. The Supreme Court's back-away from the issue, 5-4, took off some of the heat. So it wasn't until Friday that the Senate Education Cmte started a hearing on the very belated proposal by Gov. Briscoe for giving an extra helping hand to 112 property-poor districts on a temporary, one-year basis to cost \$39,000,000. That word that Comptroller Calvert had agreed to raise his revenue estimates that much seems to have been manufactured. What the situation on financing really is is this: With welfare guidelines in such a state of limbo, the man who polishes the rotunda floors is about as qualified to estimate Federal aid to welfare as anybody else. So it's possible to just draw back and say that there would be \$39,000,000, or \$139,000,000, available for education, and adjust the guesses in the appropriations bill on welfare to get Calvert to certify the bill. The House Education Cmte refused to accept the Briscoe plan, and instead kicked out HB 946, the Kubiak-Hale State Teachers Assn plan to phase in the aid to poorer districts over six years, with a \$97,000,000 extra cost in '75, but none in '74 except to get the Comptroller started on figuring a method of making charges on actual market value of real property in order to balance things out starting in '75. Briscoe wants to turn this over to the old Automatic Tax Board, which includes his man, Secy of State White, plus Calvert and Treasurer Jesse James. Briscoe lost the first test. The House refused to delay consideration until the Briscoe plan was considered. At AR's presstime, House debate before a gallery of teachers, was under way, with the odds on the Teachers Assn.

BIBLES were pulled out of desk drawers as House members cited passages pro and con regarding capital punishment, before HB 200, Cobb-Lombardino, won approval. The House threaded its way (it thinks) through the Supreme Court ruling on the death penalty, setting mandatory death sentences for murder of a policeman or fireman acting in the line of duty, murder for hire, murder of a prison employe in an escape, or murder during a kidnapping, burglary, arson, robbery or forcible rape. Rep. Maloney added an amendment expanding the number of crimes which would carry the death penalty if a person is murdered during the commission of the crime, after the House turned down Rep. Miller's amendment to add murder in the course of a rape. Also adopted was Rep. Sherman's amendment requiring prospective jurors be informed that the death penalty is mandatory, and allowing questioning of jurors on their feelings on the death penalty. Reps Baker

and Washington led opposition to the bill, with Baker offering amendments requiring executions to be on the courthouse lawn, making it a crime to kill a legislator during a session (Rep. Bock objected that people know most legislators aren't worth killing), and substituting a life-with-no-parole sentence for the death penalty. Washington called for executions in the House chamber, with lawmakers casting the final "aye" or "nay" votes on holding the execution.

EFFORTS by Reps Howard, Hutchison, Calhoun et al to introduce a constitutional amendment making the right-to-work law part of the new constitution failed to produce enough votes to suspend the rules...HB 64, Cavness, allowing deviations in auto insurance rates, passed 137-3, surprising some who remembered the hassles of the special session on insurance. ...SB 123, Gammage, granting 18-year-olds majority rights, passed with a Williamson amendment preventing under 21's from drinking or consenting to abortions...SJR 8, Gammage, annual sessions, passed with an amendment increasing lawmakers' salaries to \$15,000 a year...SB 303, Jones, allowing city councils to issue revenue bonds for utility systems without a vote of the people, passed on a "local and consent" calendar...Rep. Wieting got permission to introduce a bill requiring textbooks including Darwin's theory to include the Genesis theory, too...HB 1252, Wilson, granting the State eminent domain to obtain access to lands where it has mineral interests, was killed...HB 311, Finney, compulsory oil and gas unitization, got out of Senate Natural Resources, with a request for an Atty Gen.'s opinion on its constitutionality coming out the next day... Rep. Atwell barely won House Environmental Affairs Cmte approval of HCR 148, making the roadrunner the State bird, upsetting mockingbird fanciers.

SENATORS, in more leisurely fashion, passed a few major bills, but seemed to find something extraneous to talk about on House bill days, thus clogging the House Senate bill calendar. The big workmen's compromise bill dictated by Gov. Briscoe and approved by everybody but a handful of conservatives SB 283, Mauzy, went to Briscoe for signature to take effect Sept. 1. It raises benefits, broadens coverage, and tries to meet Pres. Nixon's Commission's proposed national standards. SB 383, Santiesteban, bail bond regulation in counties over 150,000 by local boards; SJR 37, Harrington, making the constitutional voter requirements conform to national law; SB 777, Gammage, a policyholder guaranty fund on life, accident and health insurance to be funded eventually out of the General Revenue Fund; HB 433, Doyle-Harris, requiring bonds of new sales tax collecting merchants (engrossed only); SJR 35, Adams, a Senate joke on the House (allowing the Legislature to limit speakers to one term); HB 417, consumer protection, were among bills passed by the Senate during the week. Hanging there awaiting final action were HB 311, unitization, and such things as the penal code, marijuana, shield law, lobby control, ethics, auto insurance, and, of course, school financing. Sen. McKnight, fighting unitization, finally got it sent to Atty Gen. Hill for a ruling on constitutionality, after it had already created some

lasting animosities. Lt Gov. Hobby is pushing for its passage. McKnight accused Hobby of strongarming senators for it on behalf of Exxon...Sen. Blanchard may have set a course record for modern-time vote-influencing. After Sen. Moore got SB 925, to allow retirement at 20-year service for highway patrolmen, prison guards, liquor inspectors and game wardens, up with just five "noes," Blanchard roared against its \$5,600,000 annual cost and switched 9 votes to kill it, 13-18.

A PETITION to draft Speaker Daniel as permanent chairman of the constitutional convention is being circulated by House members. Daniel says it wasn't his idea, but admits he's flattered...The Constitutional Revision Cmn held two days of hearings in Arlington and will be in Texarkana Wednesday...Former Sen. Jim Bates of Edinburg told House investigators the work of the Legislative Property Tax Cmte, which Bates created, has come to a standstill since Lt Gov. Hobby started looking into it. Bates said Rep. Slack and Houston tax assessor-collector Carl Smith, members of the committee, attempted to kill the committee because it was "on the verge" of recodifying the property tax laws. Gov. Briscoe has recommended doing away with the committee and transferring its duties to the State Tax Board. In the meantime, Hobby says there may be "a serious question about the propriety" of hiring former Rep. Delwin Jones, administrative aide to Sen. Blanchard as secretary of the Tax Cmte. Blanchard quickly took Jones off his Senate payroll, pronto...House and Senate Conferees on HB 10, Allred et al, the newsmen's shield bill, are trying to write a "safety valve" into the measure to meet objections of Senators to an unrestricted protection against revealing confidential sources...Speaker Daniel says he doesn't want the House to observe the traditional "Speaker's Day," but he wants to hold a reception to honor House members and employees instead.

SB 779, Gammage, allowing the commissioners courts of Harris, Dallas, Bexar and Tarrant counties to supplement the salaries of the judges of the Court of Criminal Appeals is unconstitutional, Atty Gen. Hill ruled. Hill also held that HB 170, Kaster, establishing the Cmn on Revenue Earmarking to study State budgetary practices, would be constitutional; HB 261, Kubiak, providing for cooperative purchasing through the Board of Control for cities, junior colleges, special districts, etc., would be constitutional, with a caption amendment making clear what the bill contains; there is no conflict in the articles of the Education Code exempting various veterans from payment of tuition and pledging student fees to secure payment of improvement bonds; where property is subject to ad valorem taxes by a county for farm to market road and flood control purposes, it is entitled to a \$3,000 residence homestead exemption...Hill reported that his investigation of the alleged "branding" of Johnny Emmanuel Meadows, charged in Ector County with the murder of three women, showed Meadows' wounds were inflicted by fellow inmates in an attempt to harass law enforcement authorities in Ector and Dallas counties...Hill's office and 14 other governmental agencies served "visitorial letters" on 11 vending machine corporation offices, to examine books and records, as

part of an investigation coordinated by the Organized Crime Strike Force.

INSURANCE officials from eight states will meet in San Antonio to talk with Board of Insurance officials about regulatory problems, including "no-fault", workmen's compensation and advertising and deceptive trade practice problems...The Cmn for Professional Competencies meets Thursday and Friday to talk about teacher training programs...15 counties are getting emergency agriculture loans because of weather damage, but Agriculture Cmr White says the wheat harvest is expected to double last year's yield, with 83,200,000 bushels from 3,200,000 acres...Federal and State officials meet June 13-14 in Houston on "Organizing and Managing the Coastal Zone"...The Texas Education Agency reports \$4,134,239 in Title III funds for 117 projects, plus a \$529,164 grant for career education work for eight school districts...The Atomic Energy Cmn will hold briefings on the energy crisis Monday at the Capitol...The Historical Survey Cmte, Antiquities Cmte and UT-Austin are getting ready to work on those Padre Island shipwrecks again...Auto insurance rate hearings will be held July 10...Rep. Ragsdale says he'll file a complaint against Comptroller Calvert as a warning to other State agencies to hire more minority group members...Former Parks & Wildlife head Gen. James Cross is executive director of the Offshore Terminal Cmn...State receipts for April netted \$385,706,682...Cities and rural areas get \$5,899,000 for summer jobs.

TO & FRO: The Senate seems to like its "yellow sheet rule," which it is using under a gentlemen's agreement. Members must give notice the day before of intent to move to take up a bill. The list is distributed each day and makes up, in effect, a "suspension calendar" of bills to be considered if the sponsor gets the 2/3rds majority. SR 138, Adams, was reported favorably, 4-2, to put the procedure in the Senate rules, with a proviso that this rule cannot be suspended with less than 4/5ths majority...Democrats will be in Denver Aug. 3-4 to talk about party rules reform. Carrin Patman, member of the national delegate selection commission, asked that as many Demos as possible be there...Wayne Connally says he's still a Democrat, as are all the other Connallys, except John...Former State Rep. Maurice Angly says he may run for Treasurer again, or for Sen. Herring's spot. Herring has said he's not planning to step down, despite statements by Travis County House members that they, too, would like that Senate post...Rep. Joe Allen says he may run for Treasurer or Comptroller, depending...Hank Grover says he's running for governor in '74. He says the Briscoe-Hobby operation is a fiasco, and that a lulu of a tax bill is certain in '75...Briscoe named Dr Robert J. Bacon, Houston black physician, to replace John Justin, Fort Worth, on the Board of Corrections...Press card issuers are looking at some which have been issued, including some for House employees...House Postmaster Fred Scott is back at work after a heart attack. Rep. Slack is recovering at home from his and is having visitors now...The U.S. Supreme Court will decide whether Sen. Tower and other military reservists can hold onto both Federal "jobs." The Navy might lose its only enlisted reservist if Tower has to choose.