

# AUSTIN

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# REPORT

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March 4, 1973

THEY MIGHT do it, but the vote would be close. That was the guess of some who looked over the list of 37 agreed upon by Gov. Briscoe and the other five top officials to make up the constitutional commission headed by former Chief Justice Calvert, with Republican Beryl Milburn as vice chairman. The six marched into the Old Supreme Courtroom and wrote down their individual lists of 37. When the votes were tallied, all six had agreed on 22, and another 12 had four votes each. The Selecting Six then wrote down three names each, and this brought in Mrs Sibyl Hamilton, Dallas, Don Rives, Marshall, and Mike Frost, McAllen. They'll have to meet again, because Mayor Tom Vandergriff of Arlington resigned, saying he'll be of more use outside as chairman of the Cmnn on Intergovernmental Relations. The ballots of the Six were interesting. Briscoe and Hobby were in agreement on 34 of the 37 they voted for. Judges Greenhill and Onion had a ticket of 30, while Speaker Daniel and Atty Gen. Hill agreed on 32 of their choices.

OTHERS on the Commission are Zan Holmes, Jim Weatherby, Raymond Nasher, Loys Barbour, Roy Barrera, Tony Bonilla, Mary Beth Brient, Barbara Culver, Peter Flawn, Dr Cleo Garcia, Bill Hartman, Faye Holub, Leon Jaworski, Leroy Jeffers, Judge Andrew Jefferson, Dean Page Keeton, James Kronzer, Jr, Earl M. Lewis, Wales Madden, Jr, Mark Martin, Janice May, Mark McLaughlin, L.G. Moore, E.L. Oakes, Jr, Preston Shirley, Harry Shuford, Honore Ligarde, Beeman Fisher, Bill Donnell, Ralph Yarborough and George Beto...There was some objection, of course; but only 19 representatives have signed the formal petition of objection where it takes 76 and no senators where it takes 16. So, when the 10-day period is over they can get to work. You can see the diversity of the 36, and the relatively heavy conservatism. So make your own guess as to whether they can be expected to recommend a sure-enough new constitution to the constitutional convention of '74.

TO NO one's surprise, the Senate declined by what was at least a majority, to agree to suspend the rules to take up HB 5, Head, which would put into the statutes the limits on tax and spending conference committees which proposed joint rules contain. The Senate just isn't burning for "reeform," House version...The Senate confirmed Joe Christie for the Board of Insurance chairmanship, and 3 hours later the phone in the office was being answered in Christie's name. Also confirmed were Joe Golman to the Cosmetology Cmnn and Gen. Tom Bishop as adjutant general. But Dr Robert Day's to the Blind Cmnn is being attacked by former Sen. Cole.



SERIOUS efforts have begun to prevent creation of new colleges or the expansion of existing ones. Sen. Mauzy got unanimous Senate Education Cmte approval of SR 209, and followed with introduction of SBs 420 and 427. The tenor of all three is first to put a freeze on expansions and creations, while a strengthened Coordinating Board makes a study of the need for more higher education after the already-authorized ones get to ginning. SB 427 would give the CB more say-so in budget-making. SB 420 would require a CB finding by 2/3rd majority vote before a college can expand. SB 364, Jones-HB 432, Kaster, would make the CB elective and give it supervision of vocational-technical education, taking it away from the Education Agency. Gov. Briscoe is expected to endorse the idea of a freeze on higher education expansion, Mauzy says.

AMID rumors of "deals" between delegations, the House approved making the University of Texas of the Permian Basin a four-year school--despite Coordinating Board objections. UTPB is to begin enrolling upper-level students this fall. UT-Dallas is reported as the next upper-level school hoping for four-year status...The House had a crowded, often controversial, calendar. The Harris County delegation split over a bill to give Houston firefighters collective bargaining powers, with Republican members working to weaken the measure. The House put in a referendum requirement similar to the one in the statewide firemen and policemen bill over the objections of three-fourths of the Houstonians...Other measures getting House approval included HB 433, Doyle, requiring bonds or security of persons habitually tardy in making sales tax payments; HB 307, Cobb, fixing the interest rate on court judgments at 10%; HB 203, Grant, permitting 18-year-old notaries public; and HSR 15, McAlister-Tarbox, honoring Preston Smith...HSR 31, Ragsdale et al, creating a 12-member committee to investigate conditions at Prairie View A&M, was passed despite objections from Rep. Boone, whose district includes the school. Black Caucus members insisted the resolution does not constitute an indictment of anyone at the school...Rep. Joe Allen got approval of his resolution to investigate the Legislative Property Tax Cmte...Rep. Hale created a Joint Constitutional Convention Planning Cmte, to decide where everybody's going to sit, etc...Remembering recent redistricting hassles, the House voted down Rep. Mattox's resolution to have Atty Gen. Hill end the State's appeal of the legislative redistricting suit. The Senate approved a similar resolution before Hill argued the case before the Supreme Court Monday. House members are hoping the court may okay the plan, or at least enough of it to prevent another wholesale redistricting session.

BILLY CLAYTON of Springlake became the first member to file a campaign expense form for the Speaker's post in the '75 Legislature, thus making his candidacy official. Clayton said he spent, during February, \$6.80. DeWitt Hale of Corpus Christi, who lost his bid in '72 to Rayford Price, was the second filer. Lots of other folks are being talked about, but no one else has filed...A five-man House Rules subcommittee voted against Rep. Bales' resolution to investigate Rep. John Allen and his nepotism conviction, saying it had no evidence to warrant investigation.



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ATTY Gen. Hill filed suit in Federal Dist Court for release of water pollution control funds voted by Congress but impounded by Pres. Nixon. Texas' share of \$303,948,000 was 40% impounded by Nixon...Hill is being petitioned by Rep. Bowers to "guarantee public access to State Treasury records." Bowers claims State Treasurer Jesse James refused to allow Bower's aide to copy figures on the balance sheets of State deposits in Harris County banks...Hill ruled that two death penalty bills in the House Criminal Jurisprudence Cmte would be held unconstitutional under the U.S. Supreme Court ruling; the bill extending the life of the Gov.'s Cmte on Human Relations is constitutional even though it wasn't signed until after the committee had officially expired; counties under 225,000 can make amendments to budgets prior to and during the tax year for which the budgets are made...The State and Harris County obtained \$50,000 in civil penalties against Tenn-Tex Alloy Corp. in an air pollution suit.

SURPLUS World War II Liberty ships are being sought by the Council on Marine-Related Affairs for use as artificial reefs and for recreational use by fishermen and divers...The Coordinating Board met to discuss whether Texas needs another medical school and requests for upper-level centers at Uvalde and Brownsville...Hearings will be held by the Air Control April 4 in Houston, Dallas and San Antonio on ways to reduce auto use and control air pollution...Heavy winter snows have resulted in damage to many Texas roads, the Highway Dept reports...Manufacturing activity was up in '72 with 735,600 jobs in Texas factories, the Employment Cmn says, predicting a growth in new plants...The Education Agency is distributing copies of its booklet on disaster preparedness in public schools...Gov. Briscoe named Walter Tibbits acting director of the Divn of Planning Coordination and re-appointed Dee Kelly, Fort Worth, to the Turnpike Auth.

REPUBLICAN Executive Cmte members approved a \$371,000 annual budget and are counting the days till the general election. Plans for the GOP March 16 fundraising dinner in Austin include inviting all Texas POWs and families of POWs-MIAs. GOP county chairmen and vice chairmen will meet March 17, with a meeting of Young Republicans the same day...The Republicans are complaining their presidential electors haven't gotten their travel expenses from the State--10¢ a mile and \$24 a day. It's not the money, of course--it's a question of "State government efficiency"... GOP Natl Cmtman Agnich expects John Connally to become a Republican in the next 10 days, and that he'll bring a lot of other conservative Dems with him. That Mar. 16 dinner would be a good forum for Connally to explain his decision, and introduce his other former Democrats.

HEARINGS on the appropriations bills seem to be moving ahead faster, despite the fact of larger committees sitting in on the hearings. Sen. Aikin thinks Senate Finance will begin writing its bill Wednesday, with hearings complete. Rep. Caldwell's target for completion of hearings on the House side is Mar. 8. So the big money bills can move to the floor of the Senate and House well ahead of the 70th day of the session...Folks came down out of the Hill Country to protest HB 13 by Joe Allen, the Scen-



ic Rivers Act, calling it "communistic." More hearings on it are planned by a subcommittee...Rep. Menefee's HB 205 allowing citizen suits on pollution problems was praised by environmentalists, with industry representatives less enthusiastic...HBs 202 and 478, tightening drunk driver laws ran into opposition from the Defense Lawyers Assn...Rep. Clayton introduced a bill to set up a "Texas Ranch" in Washington financed with private donations to provide information and education...Rep. Joe Allen introduced HCR 53, a resolution asking Congress for a Big Thicket Park...Lt Gov. Hobby's 150 invitees to his Mar. 21-23 ethics meeting include one from every House district, and only 14 declined and had to be replaced. Atty Gen. Hill says HB 1, Nugent, the ethics bill, can be made constitutional. He disagreed with Assoc. Justice Pope that the Judicial Qualifications Cmn law is all the Legislature can do about judges' ethics but he insisted that you can't make over-\$15,000 people report and under-\$15,000 not...Bills passing the Senate in the week include: CSSB 116, Schwartz, setting up a lice-finding program among children; CSSB 144, Hightower, huge raises in barber fees; SB 188, Moore, \$15 per semester fee on Aggies to build a hospital; SB 224, Aikin, transferring \$3,050,000 from unused junior college academic funds to vocational...Bills held up by the Senate on the 7-nays rule included: SB 123, Gammage, giving 18 year-olds all rights of 21s, set for special order Monday; SB 221, Patman, creating the Little Hoover Cmn...SB 120, Hightower, the unitization bill on oil and gas, is set for hearing Mar. 14 at 3 pm in Senate Natural Resources.

TO & FRO: The State Bar, still after former Rep. Frank McGregor despite his re-election as Hill County District Attorney, filed disbarment proceedings. He resigned after a removal suit was filed, then won the job back at the polls in '72...John Osorio drew a 3-year unprobated term from US Dist Judge Woodward, on embezzlement of Natl Bankers Life pension funds, which he invested in NBL stock. Donald Akins, whose 3-year term was probated, was part of the same trial. Osorio is appealing...The rotundistas are joking that Gov. Briscoe's "virus" which put his eyes under bandages was really "pinkeye" after he met with some liberals. He seems to be recovering, but had to miss the Natl Governors Conference and other meetings he'd accepted...AFL-CIO Pres. Roy Evans started tax stirring, saying Shell Oil got the award-of-the-week for tax loophole finding...There are enough Senate votes to pass the annual-session and \$15,000 salary amendment, once they get past the 7-senator veto rules...The Independent Colleges & Universities asked for \$16,400,000 to tuition grants in the biennium, up from the current year's \$3,000,000...House conservatives had a "Sturdy 30" meeting to talk about revolting against Speaker Daniel, but didn't make much headway...Former Water Development Board Exec. Dir Joe Moore is research director of the LBJ School...A grand jury's looking at Cooke Jr College account falsification charges...HB 784, cleaning up laws affected by the equal rights amendment, has been introduced by the five women House members, who say most of the sections to be changed discriminate against men...Former Speaker James Turman reportedly wants to be the new State liaison man in Washington.