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Interview with  
Oscar Mauzy  
July 24, 1968

Place of Interview: Dallas, Texas

Interviewer: Dr. E. Dale Odom

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Dr. Odom: This is E. Dale Odom on July 24, 1968, interviewing Senator Oscar Mauzy in his office in the National Bankers Life Building with some questions concerning the special session of the Texas Legislature.

Senator Mauzy, I thought I might start out with a couple of general questions here. First, to ask you what difference in tenor there is in a special and a general session of the legislature. This is your first special one.

Senator Mauzy: Yes. Well, there is a distinct difference between a regular session and a special session. The major difference is, of course, in a special session we're restricted in the items which we can consider, to the items which the Governor has included in the call. And the practical effect of that means that most of the committees in either the House or the Senate are not meeting. Now, if you're not a member of the team in either the House or the Senate then you don't have any committee work to do. And this again gets back to something we talked about last November when we discussed the regular session. The system is going to destroy itself. The three things on the call this year were, as you know, the appropriation bill,

the tax bill, and liquor-by-the-drink. Now, of course, the tax bill has to originate in the House, so there was nothing any of us could do in the Senate until the House had passed the tax bill. On the appropriation bill, the big five on the finance sub-committee met to write the appropriation bill, and the other twenty-six of us who were not members of the team didn't have anything to do with that. This freed us to do our hatchet work on our little pet projects, which I'll get to in a minute, inasfar as it relates to my own personal activity in getting an extra \$1,400,000 for the Dallas Medical School--Southwest Medical School--of the University of Texas system here in Dallas. So that's the first thing. You don't have near as much work to do. Your committees aren't meeting, and consequently, if a member is conscientious and has his own private program that he's on, he's got lots more time to develop friends and scratch backs to line up votes. The second thing that's different about it is that everyone knows that they're only going to be there for thirty days. And, therefore, there's not the possibility of cutting the kind of deals that you can cut during a regular session, because you've got that time limit staring you in the face. And until you dispose of the matters that are on the call, there just isn't anything to make deals about really. So, it's a lot easier, I think, in a special session. It's not nearly as much work, unless you're a member of the team. Then, of course, you're occupied.

Odom: You're occupied.

Mauzy: Yes.

Odom: It limits you on the kind of trading or deals that you can make, because you have only the items on the call.

Mauzy: Yes. Now this special session was probably unique in another way. You had a lame duck governor, a lame duck lieutenant governor, and a lame duck Speaker of the House. And to my mind this accounts, to a large extent, for all the flip-flopping that was going on, particularly in the Senate. There was absolutely no leadership provided by anybody in the Senate, and the members of the Senate, each of us, got to vote six or eight different times on every single conceivable issue and to make a record which, as you know, under my philosophy is what you ought to do. Make the fellows take a stand, and then you can get out here and beat them if they don't vote right.

Odom: I wanted to ask you about some of that directly. Were you involved in any discussions or preparations beforehand on this?

Mauzy: Yes. Some of us (again now, I don't like to use these terms, but since they're bandied about, I suppose they have meaning, the so-called liberals) got together before the session to try to come up with a realistic tax program. We felt, first of all, that the recommendations both by the Governor and the Legislative Budget Board were inadequate for the appropriation bill. We felt that we had sort of welched, or rather the Governor and Legislative Budget Board had welched, on a promise that had been implicit last year when we adopted a one-year appropriation bill which was that we were going to give an additional 5 per cent increase this year to higher education--faculty salaries, I'm speaking of. And we had practically promised it to the people in the University of Texas system and the

other state-supported colleges and universities. And neither the governor nor the Legislative Budget Board had included that increase, and we felt that as a matter of principle we had to stay with our word. We were unsuccessful. But we tried to make the appropriation bill reflect that increase. They played games with us. Education wound up getting more money appropriated, but that's because they, for the first time, used enrollment figures which were more current than they had been in the past. The net result was that we did appropriate more money to education than they had recommended, but we should have done what they did, that is, take the current enrollment figures to apply to the formula items, and in addition to that we should have granted a 5 per cent increase that we had promised. This would have meant a tax bill, instead of the \$145,000,000, should have been about \$170,000,000.

Odom: Were these plans you were talking about to come up with a realistic tax bill, were those pretty well embodied in the Schwartz bill, or did this evolve out of the struggle in the Senate?

Mauzy: Well, it evolved really. Charlie Wilson furnished the major leadership in the Senate this time on the tax program. Charlie took it upon himself at the request of many of us to try to get everybody together and see if we couldn't get some agreement. And earlier in session eleven of us met over at Westgate in one of the private dining rooms to discuss various tax proposals as alternatives to the general sales tax. Eleven of us were philosophically in agreement that an increase in the general sales tax was bad. And we felt that we had a duty, therefore, to come up with a program that was

better. And, needless to say, two of them finked on us. Bill Pattman and Jim Bates both sold out and went south, just like they did in the regular session last year. What we agreed to do, though, at that session that we had was to oppose an increase in the state sales tax; we were in general agreement, the eleven of us, although not all eleven always agreed on each one of the details...

Odom: No, I understand that.

Mauzy: ...was that a realistic alternative to increasing the general sales tax from 2 to 3 per cent would be to remove the exemption on luxury items that presently are exempt in the sales tax, such as cigarettes and tobacco products, whiskey, beer, and alcoholic beverages, and to remove the exemption that presently exists on all forms of advertising. Now, those three items between them, as I recall, the comptroller had certified would raise something like \$80,000,000. So, we were over halfway home, if we could just get those three exemptions knocked out.

Odom: Didn't the governor recommend this, too, as part of his tax bill. Some of those, anyway, were recommended...

Mauzy: To tell you the truth, I really don't remember.

Odom: Some of those were, anyway. I don't think all of them were.

Mauzy: I know he didn't recommend taking away the exemptions on advertising.

Odom: No, that wasn't in there, but part of those things were.

Mauzy: It may very well have been. It was an interesting thing that a Governor for the first time really found out what the status of a lame duck was. His proposals were greeted with "ho-hums" and yawns. In fact, he spoke, as I remember that day, to the joint session for

forty-two minutes. He was applauded when he was introduced and applauded when he finished, and that's all. Whereas a year ago, in the regular session, in his State of the State speech which lasted about the same time, he had been interrupted something like sixteen or eighteen times with applause.

Odom: You anticipated one of the questions I was going to ask you about. Why didn't the House give any more attention to Governor Connally's proposal to raise the state sales tax to 3 per cent and knock out the city sales tax and rebate on a per capita basis?

Mauzy: Well, because the cities put the heat on them not to do it. The very same people that put the heat on them last year, by that I mean the Texas Municipal League, which is a lobby that's financed out of taxpayers' money, yours and mine--our city councilmen and mayors pay to belong to that organization with our tax money and then go down and lobby against us--didn't buy the governor's program at all. Now, some of them gave lip service to it. But while they were publicly professing their faith to him they were privately slipping around, telling us in the Legislature, "Don't do it, baby." And it never really got off the ground.

Odom: Apparently not.

Mauzy: Jumbo Atwell, of course, is chairman of the House Taxation and Revenue Committee, and Jumbo has a long standing obligation to the tobacco industry to see that they don't get taxed. And he ain't going to let them get taxed as long as he's there. And he was successful. He beat us by one vote in the Senate. It was 16 to 15 as I remember on that one, but...

Odom: I interrupted you a while ago when you were talking about an alternative tax bill.

Mauzy: Yes. Well, in addition to that we came up with things such as a gasoline refinery tax--a tax of one cent a gallon on every gallon of gasoline refined in the state of Texas. Now, the beauty of that tax plan to me is, as I remember the statistics, 71 per cent of all gasoline refined in Texas is sold outside of Texas. And so the people who are using our natural resources in other states are paying part of the burden, as I think they should properly, rather than the people of Texas bearing all of it. The governor's proposal, on the other hand, had been to increase the gasoline tax at the pump, which means only the people in Texas would pay it. Now that gasoline refinery tax actually never got introduced. Bates had it drawn and was going to introduce it and he finked on us. Just flat out finked. So next time, I'm going to introduce the gasoline refinery tax myself (chuckle), and if I can't trust myself I'm in pretty bad shape.

Odom: I knew I never did see it...

Mauzy: That's right. Then we tried to increase the gas production tax from 7 to 8 per cent. Put it on in committee. Schwartz put it on--how, I'll never know, but he did. And then it was taken out on the floor, 16 to 15. We're going to pass it next session, only it's not going to be from 7 to 8 per cent, it's going to be from 7 to 10 if I got anything to say about it. And I think we're going to have the votes to do it. The key to this session, I really think, in the Senate, was that almost every vote that we lost was either 16 to 15 or 17 to 14. And without exception, the three members of the Senate who



are not going to be there next year were in the majority. Now, I know that one, at least one of the three who are going to replace them, is going to be with us. I think two of the three will be with us.

Odom: Reagan, Hardeman, and...

Mauzy: Wade...

Odom: Wade.

Mauzy: The three that we talked about last November who I said would not come back for the regular session in 1969.

Odom: I don't recall exactly where we were, but I think I can go ahead and ask another question. Let me ask you this. Does Preston Smith being governor-elect make any difference in the Senate?

Mauzy: No, you know, it surprised me. I thought he would be trying to throw his weight around, but he didn't. One thing he tried to do, and it was so amateurish, he got beat so bad, that he'll never try that again. He tried to bust Bob Strauss, who is a lawyer here in Dallas and who has been nominated by the Governor to be a member of the State Banking Commission which he presently serves on. Strauss had just been elected Democratic National Committeeman at the June 11 state Democratic convention here in Dallas. And Preston didn't have the guts to try to do it himself. He tried to hold him up in committee, and I serve on the Nominations Committee, and I kept noticing his name wasn't on the list of people to be interviewed, so I got word to Bob, and of course Preston denied it to him. Anyway, he was set down for hearing before the committee and came out. But then on the floor, Dorsey Hardeman raised the objection to Strauss.

He wouldn't say what it was or anything else, just that he had been asked to. It was pretty obvious to me Preston was the one that asked him to. (chuckle) Well, the vote was 30 to 1 confirming, or 29 to 2, I take that back. And then Hardeman, that gutless old bastard, turns around and moves to make it unanimous--change his vote--and we wouldn't let him. (chuckle)

Odom: You wouldn't let him? (chuckle) So...

Mauzy: But Preston provided absolutely no leadership. He could have prevented many of these things by twisting arms.

Odom: So, you couldn't tell much difference in the fact that he had been elected...

Mauzy: I'll say this much for Preston, in all due respects, give the devil his due; he was more fair during this session than he was during the regular session. Of course, there was no reason why he shouldn't have been. There was only three things we had to vote on, and the Chair couldn't be that influential in stopping the vote on any one of them. But he recognized everybody and let them have their say, and presided, I thought, in a fair way.

Odom: What was Senator Hall trying to do with his bill that he came up with--to find a compromise tax proposal at that juncture?

Mauzy: Yes. We ran with the Wilson package which included the gas production tax increase from 7 to 8 per cent, removing the three exemptions I spoke of earlier, removing the exemption on soft drinks, and there were one or two other things in there, and we systematically got knocked down. The only thing we put in was a corporate franchise tax, changed the formula from \$2.25 per \$1,000 assets to \$2.75.

Then, when that package failed, the next day Ralph Hall tried to put together another package which was a little different and represented a different approach. I didn't vote for it, though, because he still had the sales tax being increased from 2 per cent to 3 per cent, and there were eleven or twelve of us there that just could not and would not vote for any bill that increased the state sales tax from 2 to 3 per cent.

Odom: Did you really think you could...still think you might be able to avoid it at that point or not?

Mauzy: Yes. I really did because as I say we had lost on most of our tax program by either 16 to 15 or 17 to 14, and the Senate was flip-flopping around so much, there was no leadership being provided for anybody or by anybody, that I thought we just might get lucky and lightning might strike. And it might have happened. After we finally passed the tax bill, as we passed it, it was an increase in a sales tax from 2 to 3 per cent and a corporate franchise tax increase that I spoke about earlier. Then it went to the House, and the House refused to concur in our amendments which changed the effective date of the sales tax from January 1, 1969, to October 1 of 1968, and changed the formula on the franchise tax. House refused to concur and asked for a conference committee. A conference committee was appointed by both houses. And then it became obvious that the Senate conferees just weren't going to budge and they were going to stay hitched just on what we'd passed. And the House was going to take it or leave it. At that point we thought there was a chance that if we could move to reconsider and bring that bill

back and kill it--just flat-out kill it--which would have forced a second special session. And if we had done that, I think we could have passed our tax proposal then. And we had seventeen votes committed to do it, and again two people finked on us--Chet Brooks and Jim Bates. Just flat lied because Jack Strong and I worked the floor personally on it.

Odom: This is Strong's attempt to get it back out of the conference committee.

Mauzy: That's right...that's right. Now when we failed, and we failed 15 to 16 because of these two flakes, then the House just caved in and concurred and took our amendments and the session was over. Politically that was the only thing the speaker could do because it would have looked then, if they had hung up, like the House was the one that was forcing the second special session.

Odom: What about Senator Hazlewood's charges of irresponsibility, was it?

Mauzy: I think there was a lot of irresponsibility evident there. You know it's a cardinal rule of politics that you always accuse your opponent of being irresponsible--the guy that doesn't vote like you do on the floor. I was accused of some of it before the session. Senator Creighton and I appeared together out at Arlington before a student group with Senator Ike Harris and a couple or three House members. And I had indicated what I thought we needed to do in Texas in terms of increased appropriations, and what I thought we needed to do in terms of a tax bill. And of course, Tom criticized me for being irresponsible, saying I was the kind who would vote for every large appropriation and vote against every tax. And I

said, "I'll vote for every appropriation if it's needed, and I'll vote against any increase in the sales tax. That's for damn sure. But I'll also have an alternative tax, Senator, and I recommend that you can vote for if you just will. And that will be to tax the natural gas industry." And of course he ain't about to. So there was some truth to what Grady said. Now what he had particular reference to was Charlie Herring. Herring defeated our amendment which sought to remove the exemption in the sales tax on soft drinks. And Grady Hazlewood's right. It was total irresponsibility and total demagoguery--not only on Herring's part, but the people that voted with him. There is no way to justify that exemption that exists. And all this crap about you taxing little bitty children is a bunch of damn foolishness. The parents pay for their kid's soft drinks. I pay for mine. My kids don't pay. So you might just as well say that you're taxing the children if you remove the exemption on beer, 'cause parents are paying for both of them. Of course, Grady was having the time of his life down there. He was having more fun.

Odom: Did he have to run this year?

Mauzy: No, he's on a four-year term.

Odom: That's right. He has...will be back this next session.

Mauzy: And the hatred between Hazlewood and Smith is legend, and he was getting in his licks at Preston and his boys.

Odom: Perhaps this might be...or I might just ask you to start out to outline, if there was, any sort of organized or concerted position on the liquor bill.

Mauzy: I don't really know exactly what happened as far as that was

concerned because everybody knew my position, so I wasn't lobbied with by anybody. I had announced publicly before the session that I was going to vote against any form of liquor-by-the-drink for two reasons. The first and most important reason is that I, since last fall, have spent considerable time briefing the constitutional provision in Texas that prohibits open saloons. I'm convinced as a lawyer that it is not constitutionally possible to legalize liquor-by-the-drink in Texas until the constitution is amended. And secondly, my district had voted against the referendum and I felt obligated, therefore, to follow that wish. So I announced beforehand that I was going to vote against it. And I did have a little lobbying with me. That's not totally accurate. Albert Jackson, who is one of the honchos at the Times-Herald here, the Governor called him and he came to Austin and lobbied with me some for it, and told me if I'd vote for the mini-bottle bill that the Times-Herald would support me and endorse me two years from now when I ran. (chuckle) I made a very terrible mistake. I didn't realize he'd had as much to drink as he had and I said, "Mr. Jackson, I'm afraid if you all endorsed me, the Dallas News might endorse me, too. And if you did that I'd get defeated." (chuckle) He didn't think that was very funny.

Odom: (chuckle) He didn't think that was funny. Well, what was Senator Bates trying to do with his prohibition of private clubs in dry counties? I think I know but...

Mauzy: Well, I think...I don't...I...I'm not aware of all of his motives. I voted with him every step of the way because I happen to think

that it's hypocrisy of the worst sort to have a law and not to enforce it. Now for example in my district it's totally dry. People over there time after time after time have indicated in every public election that's been held that that's what they want. If that's what they want under our local option system that's what they're entitled to have. And I'm for drying up every country club in every dry area and every private club because they're totally illegal. Now truthfully I think before we bring any sanity into this whole field of liquor legislation, we're going to have to amend the constitution and repeal that section that prohibits open saloons. We're going to have to completely rewrite the basic liquor law of Texas. We're going to have to have a real liquor-by-the-drink bill where Texas can be like the other states, and they can be closely regulated, and they'll require a bond and some capital to go into it rather than having these little hole-in-the-wall clubs like we got now. I encouraged Bates with his bill, and we passed it on second reading 17 to 14. Then we lost it on the third reading--final passage--16 to 15. Again, some more of this flip-flopping. He may have had some ulterior motive in mind. I don't know. I think that one of the main things that was motivating him was, of course, Bates is a big wet. And he says, "All right, if you damn dries are going to vote dry, we going to sure enough let you be dry." I happen to agree with that.

Odom: That's what I thought. I didn't know whether there was anything... you had any idea of any kind of motives here so far as the effect of what he was doing might have on the liquor bill.

Mauzy: Yes. Well, he...well, he said himself on the floor of the Senate that if this bill was passed and if it's enforced, next year we're going to enact liquor-by-the-drink because people are going to demand it. I tend to agree with that. That's exactly the principle that was followed in Oklahoma when Governor Edmundson led Oklahoma from a dry to a wet state. And the same thing happened in Mississippi. And I think it's a good governmental policy.

Odom: What did you think about the liquor reform proposals that were included in this thing?

Mauzy: It didn't amount to a hill of beans. It was giving you a band-aid for a ruptured appendix. It was window dressing of the worst kind. It didn't solve any of the basic, fundamental problems that we have today. The real problem with the liquor board--and this is something I'm a little bit of an expert about since I started all this controversy--is that the three board members are totally unwilling to enforce the law. And when the attorney general of Texas can discover that the liquor industry is regulating itself, running the board that's supposed to be regulating it, it's pretty open and obvious. And what it's going to take, all three of them are going to have to resign and either this governor or the next governor is going to have to appoint some people who'll actually get in there and administer the act like it should be administered and enforce the law.

Odom: How does Preston Smith feel about it? Do you know?

Mauzy: I don't know. I would think Preston would probably tend to the dry position and would therefore probably appoint some pretty tough dries on there. He may very well do it. He's under tremendous obligation



to the liquor lobby, though. So I think we're just going to have to wait and see. There's no question in my mind that eventually the whole truth's going to come out on the liquor board, though. And when it does, it's going to cause a political revolution in the state. It's probably going to defeat a lot of good people, too, because basically the Republicans will use it as an issue and beat some Democrats who shouldn't be beat because of that. I may very well be a victim of it myself in 1970.

Odom: Well, there's another question I have down here. I really had some more I thought I wanted to ask on that, but perhaps I can come back to them. Were the liberals in the Senate as badly organized as the Texas Observer maintains (chuckle) this last time, or was it just the nature of that tax bill?

Mauzy: Actually, I think on balance we were better organized this time than we were in the regular session. Some of us had kind of gotten over our wounds and our bad feelings about the four liberals who flaked on us in the appropriation fight last year. In the process we picked up some people, too. Wayne Connally voted with us almost every step of the way this time. I don't know why. I tend to think it's 'cause Wayne realizes when he has to run in 1970 and he's from a district that is basically a liberal district. And his brother isn't going to be governor any more, and he better get himself a record that he can run on in that district, and cut out being the governor's errand boy and start being a senator for the people of that district. Regardless of the reason, I was delighted to have him with us. And as I say, some of the wounds were healed over, and

some people were talking to each other (chuckle) who weren't talking to each other when the regular session was over.

Odom: And the flip-flopping that went on here on the voting business-- this was all part of strategy in it?

Mauzy: No, no.

Odom: Or was this...

Mauzy: It was...it was a jerry-built thing. When...you see, I was the most surprised person in Texas, I suppose, when the first vote was taken on the sales tax, and we killed it 17 to 14. I...really some of the people that voted with us to kill it, I was just shocked by.

Odom: You don't understand it? You can't explain it?

Mauzy: They're...I...can explain it. I know what happened. They were mad. They were mad 'cause we...we were working until about 7:30 that night before that vote was taken, and their pet alternatives had been voted on and rejected because some people had lied to them and told them they would vote with them and didn't. And they got mad and said, "To hell with it. I'll vote against the whole Goddamn thing." And all we had to do was pick up three, and we did.

Odom: I see.

Mauzy: The interesting thing was the switches that took place on the motion to reconsider. Seven people who voted against the tax bill voted to reconsider, and four people who voted against it voted not to. I mean, the other way around.

Odom: (chuckle) Seven to four, I noticed that.

Mauzy: Yes, and (chuckle)...

Odom: I don't...

Mauzy: It...it...well, there was some arm twisting going on. Jim Wade, of course, switched back and forth, back and forth on that and the liquor bill, too. He said he's doing it to make up his deficit from his campaign. He may've been. I don't know.

Odom: (chuckle) DeWitt Hale did systematic figures on a vote on a bill he had in the House--showed all the switches back and forth on various amendments that didn't make sense. I mean, you couldn't make sense out of it, the way in which the votes changed on these various things.

Mauzy: Well, as I understand it, what happened in the House was that Barnes' lame duck status began to assert itself, too, and he wasn't able to control that House like he'd been used to.

Odom: According to...according to another bill in...in another session...

Mauzy: Oh.

Odom: I mean this particular one. I mean about this change of votes.

Mauzy: Well, hell, the House just got down right rebellious there and started acting like the House traditionally and historically is supposed to do. You know, it's supposed to be the House and not the Senate that acts like that.

Odom: Do you think that Ben Barnes can tame the Senate the way he did the House?

Mauzy: No, Barnes isn't going to tame the Senate. Barnes is going to work with the majority in the Senate, though. In fact since this won't be published, next Monday five of us are meeting with Barnes privately all afternoon from noon to four o'clock. We're going to talk about the rules changes; we're going to talk about committees;

we're going to talk about what we're going to do next year. And then the next day, six more from the Senate are coming in to find out what we've been able to cover with him and where our areas of agreement are. I'm very optimistic that...Ben is a young man who's got a high ambition. Ben wants to be President of the United States, and he may very well be some day. And he understands the wave of the future, and he understands where the future of any politician lies in Texas or nation-wide either. And it lies with the progressive group--liberals if you choose to use that word. And I think we're going to have sixteen or seventeen pretty good, solid votes in the Senate next time, and we're going to do what the hell we want to do with those sixteen or seventeen votes. And Barnes has got sense enough that he's going to run around and get in front of us and be our leader, and we're going to let him.

Odom: What's going to happen in the House then?

Mauzy: Well, I think what's going to happen is what historically happens. The Senate is going to dictate to the House, just like we did this year on the tax bill. We'll pass all the non-appropriation stuff. We'll start passing non-appropriation progressive stuff the 61st day of the session when we get out from under the four-fifths rule. And we'll pass workman's compensation bill; we'll pass some social welfare legislation that doesn't carry appropriations with it. And we'll send it over to the House, and by God until they pass it, we'll sit there and we won't touch a one of their Goddamn bills, and we'll just see who's got the muscle. And I have to think Mutscher's going to cooperate with us because Mutscher's ambitious, and Mutscher's

a young man. He understands where the wave of the future lies, also. So I really don't think we're going to have that problem. I think next year the stalemate is not going to be between the House and the Senate. It's going to be between the legislature and the governor 'cause we're going to force Preston Smith to veto some things, and we're going to made him look bad.

Odom: Who's going to be Preston Smith's closest advisors and work with him in the governor's office.

Mauzy: Well, the story is he's going to appoint Dorsey Hardeman secretary of state. Now I don't know whether he will or not, but obviously I think Preston--again you've got to give the devil his due--is loyal to his friends. And I think the people who have been advising him over the years--Dorsey Hardeman, people like that--he's going to stick with mostly.

Odom: Let me ask you to comment on the failure to confirm a couple of Connally appointees, Looney and Wright, that you might have had something to do with. Would you?

Mauzy: I didn't have anything...I didn't have anything to do with Looney.

Odom: No.

Mauzy: Looney lives in Bates' district. Bates held him up in the committee. He never came out of committee. He was, therefore, rejected. Wright lived in my district. I held him up in the committee. He never came out, and he was busted. I said a year and a half or a little over a year ago when Connally appointed him he'd never get confirmed. Neither Reverend Wright nor the Governor even discovered me, knew I was on the scene until the Monday before we were going to adjourn

on Wednesday. On July 1st, the word got to them that that confirmation had been held up in committee.

Odom: And you were on that committee.

Mauzy: That's right. Well, I could have held it up whether I was on it or not.

Odom: Yes, it was senatorial courtesy.

Mauzy: But I held it up and John Mobley from the governor's office came over about 5:30 that Monday afternoon and said, "I've just found out that you're holding up Rev. Wright, and I want to know if there's any way we can work it out with you."

And I said, "No, there sure isn't." I said, "This is the first time ya'll had bothered to talk to me about it. You appointed him over a year ago."

"Well we just found out today he lived in your district. He had been telling us all the time, up until today, that he lived in Wade's district--that Wade was his Senator."

And I said, "Well, that's reason enough to bust his ass.

(chuckle) He's been lying to you, and we don't need any liars."

But since then, of course, Wright's had all the big shots in Dallas jumping on me, which is fine with me--I'll take them on any day.

He ain't got the guts--he's never said a word to me, Rev. Wright.

Odom: Will this appointment just go unfilled?

Mauzy: No, the governor can appoint anybody, except Rev. Wright, he wants to (chuckle).

Odom: Has the Senate ever failed to go along with senatorial courtesy on appointees...?

Mauzy: They tell me they haven't. I don't know. This is the first time I...and of course, this never got out in the open because neither one of them came out of committee. I've never seen it done. I've never seen a man busted on the floor by an individual objection.

Odom: It's just done by the committee.

Mauzy: Yes. Now, we busted two other people this year. We busted the governor's two appointees to the State Board of Optometry. There the fight is between the chain store operators--Texas State Optical and Lee Optical and that group and the independent optometrists. And that was an interesting fight because truthfully, as I told both sides when I walked in that morning, I didn't know how I was going to vote. I was going to wait and see what the facts were. The reason I said that was the day that they were to be considered in the nominations committee, my mother died during the special session, I was at her funeral and it happened to be that one day that I was absent. So, I didn't get to hear any of the testimony--didn't get to hear any of the questions, and I didn't know. And I reserved my judgment. As it wound up the people who were objecting to them didn't prove anything to me as to their disqualification. I voted to confirm both of them. One of them was busted 16-15. The other one, 18-13. And of course, all it takes is 11 to bust. So they were busted pretty severely.

Odom: And this was on the floor.

Mauzy: Yes, on the floor.

Odom: Do you have any other aspects of the special sessions that you'd like to comment on, anything I haven't asked you about?

Mauzy: Yes. There are some things that I think auger real well for the future. I've told you about Wayne Connally coming over to us and working with us. I think Wayne's going to be with us most of the time next session. Joe Christie really came home this time. And if you'll remember when we talked last November I indicated that Christie had been my greatest disappointment. And I would hope that when he got a full four-year term that he would come home where he belongs philosophically. Joe's there now. He's one of the five that's meeting with Barnes with us next Monday. But the main reason Joe is back where he should have been is that Charlie Herring lied to him on the liquor bill. Charlie kept telling him, "If you don't vote with me on this and that I'm going to bust you on the liquor bill." And poor Joe was trying to pass that bill, and there was no way he could have passed it; he had an impossible task. He never had more than 14 hard votes for it. Now there never was 16 hard ones against it either. There were some people in the middle. But Herring just flat out lied to him and threatened him. The interesting thing that happened in the special session from an insider's viewpoint was to watch the power struggle begin to develop between Creighton and Herring as to who was going to take Hardeman's place as the leader of the establishment, because they are very close personal friends. They're the closest friend each has personally in the Senate. And they're sitting there trying to out-manuever each other, and knifing each other, and from now 'til next January I'm going to watch it with great glee and joy. I hope they kill each other, personally.



Odom: Oh, Senator...

Mauzy: Politically, I'm talking about.

Odom: Senator Hall manages to keep pretty good a relationship with both sides?

Mauzy: Not after this special session.

Odom: He doesn't after this special session?

Mauzy: No. No, Ralph ripped his drawers. Ralph came away from that special session with a lot less respect than he went into it with, from a lot of people. Ralph is not nearly as effective today as he was sixty days ago. And he won't be next session because of it.

Odom: Who did he consult with in trying to put together his tax bill? Was it mostly his work or...

Mauzy: Yeah, well, he worked with Barnes. He told me about what he was trying to do--this admission tax and things like this. And basically I was in agreement with the package he was trying to put together, but when he included that 2 to 3 per cent sales tax he just lost me. Just like I told him, I cannot vote and will not vote for anything increasing the state sales tax. I'm obligated; I'm committed; I ran not to do it, and I'm not going to do it. Ya'll may have the votes to do it, but you're going to do it without any help from me.

Odom: Did ya'll give any consideration to a state income tax this time?

Mauzy: No.

Odom: There wasn't any attempt?

Mauzy: I think Don Gladden introduced one in the House. It was flushed.

Odom: Yes, I know that, but in the Senate there was no...

Mauzy: You see, the lobby really screwed up this year. They are so stupid.

If they would've come in there and taken their fair share of this little tax bill we had this year, nobody could've really gone after 'em next year. And we're going to have a tax bill somewhere between 350 million, and, if I have my way about it, about 800 million.

If we pass the kind of appropriation bill we ought to pass for the next biennium, we're talking about an \$800 million tax bill. Now that's a bundle, and everybody's going to get to pay into this little project we're going to undertake. And business can not come down there and plead poverty and say, "Put it on the backs of the people" again, because all the tax burden this year was put on the people's back. They could've taken 15 or \$20 million tax this year and avoided 200 million next year, and they're stupid. They're stupid. I don't know who's the dumbest lobby down there--whether it's business or labor. They both go at things the same way. They live only for today with no thought of tomorrow.

Odom: I tend to agree with you on that. Will there be pressure perhaps to raise the state sales tax again to 4 per cent and rebate and knock out the city sales tax?

Mauzy: No, I think...no, I think we've seen the last of that proposal.

Odom: You think so?

Mauzy: I'm giving some thought...in fact I'm having a bill drafted right now that's going to change the city sales tax law to where...I'm having a bill drafted right now that's going...instead of the state collecting 2 per cent as their fee for collecting the city sales tax and rebating it to increasing it to 10 per cent 'cause that's what it's costing us. And the cities are all so proud and happy

and giggling about the fact that they're collecting more under it than they had anticipated. We're just going to give them a chance to contribute to us for a change. But, you know, really and truly we have got to come to the point in Texas. And one of the things I hope to accomplish between now and January is to get a group to sit down--a knowledgeable group of people--and formulate a sensible tax policy for this state in three stages: first, from now to 1971; secondly, from 1971 until 1980. These are the critical years insofar as educational enrollment and the boom is concerned; and then thirdly, from 1980 to the year 2000 'cause we can not continue on this program of living from crisis to crisis to crisis in Texas, and we've got to have some kind of a sensible, long-range program. And I don't know what the answer is, but I know that there are people who've got a lot more sense than I do who can point the way. And it's going to be done one way or another if I have to get the Ford Foundation to finance such a thing.

Odom: There's been very little of that, almost none.

Mauzy: Oh, the reason it's never been done before is because the lobby understands if that kind of study is ever undertaken, one of the things it's going to show is at point X in time you're going to have to adopt a state corporate income tax and a personal income tax in Texas, and you're going to have to tax natural resources realistically. And you're going to have to do away with all this favoritism that exists in the present tax structure by removing these exemptions in the sales tax that are special privilege to certain groups. And that's what it's going to show. I know it'll show those things.

I've got that much sense. It'll show a lot of other things that I'm not really knowledgeable enough about it to know, but there are people in this state who can do it and will do it, and it's going to be done.

Odom: I would think you're right. I'm sorry I rushed on a minute ago. I didn't give you a chance...I don't know whether you want to comment any further. We were talking about Senator Hall, about losing respect. You didn't say why. Do you want to?

Mauzy: Yes, I don't mind saying. Ralph took a lot of people for granted, tried to vote them without ever talking to them. He's trying to be all things to all men, and nobody can do that. Now Ralph still is the sharpest wit in the Senate, and a pleasant, wonderful guy personally. But he hurt his effectiveness, and I was sorry to see it. But I just wouldn't be candid if I didn't tell you.

Odom: I see. Okay. Well, you didn't say why a minute ago, and I thought I'd return to ask you. Anything else that I haven't asked you about?

Mauzy: Just one. I want to make a little comment about the status of lame ducks in the Senate--the three lame duck senators. It was really something to watch them. Dorsey Hardeman, the proud, aristocratic individual that he is, sitting there taking his lumps like a man, being a lame duck and trying to make light of it and yet realizing every day his effectiveness was gone, his muscle was gone, but he stood there and fought the good fight like the proud man he is and the man of character that he is. As much as I disagree with him politically, I can't help but say that my respect for Dorsey Hardeman was increased. Bruce Reagan, on the other hand, didn't even show up

the first week. And when he did show up, he was just whoring and pimping and doing what he was getting paid to do by whoever was paying him. Wade, the same way. I mean the contrast between Wade and Reagan on the one hand and Hardeman on the other...

Odom: It was a shock.

Mauzy: It was really a tremendous shock. I would think it would be a bitter thing to happen to a fellow. It may happen to me some day when I'll be in a special session as a lame duck, and I don't know how I'll react. I hope I have character enough to react like Dorsey Hardeman did and not like the Reagans or the Wades. The Senate's going to be an exciting place next year.

Odom: It sounds like it.

Mauzy: With Christie coming over where he should've been all the time, with Connally saddling up with us most of the time, with Bridges coming to replace Reagan for sure, and McKool probably replacing Wade and Snelson probably replacing Hardeman--I say it because each of them has a Republican opponent.

Odom: Yes.

Mauzy: We're going to have a Senate that I think will bring Texas into the 20th century. I don't think we'll bring Texas to the year 1969, but I think we'll bring it to where California was, say, in 1950 or 1955, which will be tremendous progress. We'll telescope about seventy years of progress into one legislative session. And I think in '71 if we can do our job in '70 and re-elect our friends and defeat some of our enemies like we did this time--you know I told you last November there were three that were on the list, and we got

all three of them--we can do the same thing next year and in '71 I think that we can close that gap from 1955 to 1970. And that's my goal.

Odom: You're pretty well on record on this welfare thing. Is there anything about that you would like to comment on?

Mauzy: Oh, welfare is a real can of worms, and it's like the tax policy of Texas. We've got to sit down and cut out this business of crisis to crisis. The welfare system is not working properly. The people who should be getting helped from it are not being helped sufficiently. We're not getting enough people off the welfare rolls by giving them the educational training that they need to become useful, productive citizens, and we've got a patronizing attitude that's wrong. It's degrading to a man's pride or a woman's pride and their dignity. And again I don't know what all the answers are. I just know that our approach is wrong, and that approach has got to be reflected, and basically this is where the legislature has failed in its duties. It's not fair to blame it all on Burton Hackney. He encourages that kind of talk about himself by some of these idiotic remarks he makes like, "If a Mexican had a whole bushel basket full of dollar bills, he'd still eat tortillas and beans." That's a slur on every Mexican-American in Texas, and I resent it, and I know they resent it because they're proud people just like I'm a proud person. His remarks about aid to dependent children. He...this man is a generation behind, and he does a disservice to himself and to his state. I hope he can be rehabilitated. And tonight at this little meeting we're having I'm going make...he knows my views because I told him. I

told him this afternoon when I picked him up at the airport. And he's got to change that, and those three commissioners that run that agency have got to change the direction of that agency. We've got to do a better job, and in the legislature we've got to appropriate more money to them to let them do a job. So I don't want to demagogue. I just know the welfare system isn't working, and there's a lot of wasted motion and, I think, some wasted money. I'm not particularly concerned about the wasted money. We can afford to waste money. We can't afford to waste lives, and I think that's what we're doing.

Odom: Well, I've about exhausted the questions I have or the particular things I wanted you to comment on.

Mauzy: We made one other change in the Senate this year, and one of the newspaper people grabbed it. The last day of the session we adopted a resolution after bitter debate. We are going to have microphones in the Senate next January.

Odom: I noticed that.

Mauzy: And someone says that the twentieth century has finally come to the Senate. Dorsey Hardeman is gone, and microphones will be there next January. And it's really a symbolic change. It's a meaningful change because for the first time all the members will be able to hear what's being said, and the gallery will be able to hear. But the real significance of it far exceeds that. It's just the fact that for the first time some of us have succeeded in saying that just because something is traditional doesn't mean it necessarily has to always be that way. And this really...represents quite a change in thinking collectively in the Senate as a body.

Odom: Other than being able to hear what people are saying in the gallery and the other senators will have much effect on the operation of the Senate?

Mauzy: Yes, I think so. You won't see any more bills getting mumbled through like they used to be where nobody knew what they were voting on. If a guy wants to know what he's voting on, he'll be able to now.

Odom: I see. Well, I thought it was...

Mauzy: You know it's going to be awful hard for some of these fellows to come out of there and say, "Well, I didn't know I'd voted for that damn foolish thing." If he says it now, it's going to be his own fault. Truthfully, I voted for some things last year that I didn't really know what I was voting on because they mumbled them through. And I'm not going to have that excuse anymore, and neither is anybody else.

Odom: When you do, do you have to look around to see who's voting for it or against it?

Mauzy: Well, yes. You don't want to vote against something if you don't know what it is. And some guy says, "Mumble, mumble, mumble, the bill does so-and-so." And, you know, pretty soon you get tired of being a horse's ass and saying, you know, "What'd you say?" and "Tell me what it is again" and "Let me read it." Pretty soon, you know, you get the reputation of being a trouble-maker (chuckle) or one thing or the other, so you kind of follow the path of least resistance. That's not going to be possible anymore. They're not going to mumble those bills through and everybody's going to have to stand on his record.



Odom: Will the new Senate rules make a considerable change if you adopt them?

Mauzy: Well, if we adopt them, they sure are. We're going to bring democracy to the Senate. We're going to let sixteen, which is a majority, decide questions, and I'll be better able to tell you this time next week whether or not that's going to happen. I hope, and I have no reason to think otherwise, I hope that Barnes is going to recognize that these changes are necessary, that they are in the best interest of everyone, that nobody's trying to cut his power before he gets there. And I think he's sensible enough to understand that.

Odom: Well, since he's never served in the Senate, only served in the House, will be operating under a similar type rule...

Mauzy: Yes, but he understands by reason of his service in the House as speaker the power a presiding officer has under a certain set of rules, and it's going to be natural for him to want to have that power. But there's no reason why we can't democratize the Senate without hurting Barnes. Nobody's trying to hurt Barnes. I happen to think he's got a brilliant future, and I hope he's got sense enough to see that his future lies in changing these rules and in restoring public confidence. The public doesn't understand all this jazz that goes on in the Senate and why would they? They've never been allowed to know. So I hope...the Times Herald had a very good editorial a couple of weeks ago about this very thing that I cut out and sent to Barnes in which it said basically that the House had changed their rules last session under Barnes' able leadership, and they hoped the Senate would next session under Barnes' able

leadership. And so if what it's going to take is to give him the credit for doing it, I'm for that, too. I don't care who gets the credit. I just want sixteen members of the Senate to be able to determine the questions.