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Interview with
Senator Oscar Mauzy
July 17, 1975

Place of Interview: Dallas, Texas

Interviewer: Dr. Ronald E. Marcello

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Oral History Collection

Senator Oscar Mauzy

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Dr. Marcello: This is Ron Marcello interviewing Senator Oscar Mauzy for the North Texas State University Oral History Collection. The interview is taking place on July 17, 1975, in Dallas, Texas. I'm interviewing Senator Mauzy in order to get his reminiscences and experiences and impressions while he was a member of the Sixty-fourth Texas State Legislature.

To begin the interview, Senator Mauzy, why don't we talk first a little bit about Bill Hobby. What differences did you see in Hobby's conduct and performance in this session as compared to the Sixty-third Session?

Senator Mauzy: There was a great difference. He was much more confident in his job. He provided a great deal more leadership and direction. He had done his apprenticeship; he had worked through his first term. I suppose part of it was the confidence that comes with a four-year term of office, also. But in any event, I would give Hobby "A+" in this session as distinguished from "B-" last time.

Marcello: Do you think that this is mainly a matter of experience more than anything else?

Mauzy: I think that it is a combination of the various matters--experience, the four-year term. The confidence that comes from being renominated and unopposed in the Democratic primary was a factor, and then there was the winning overwhelmingly in November with very little campaign effort.

Marcello: Also, this was a veteran Senate, I guess one could say. There was very little turnover in this particular session.

Mauzy: That is right. There was only three new members really --Hance from Lubbock who beat Blanchard; Farabee from Wichita Falls who replaced Hightower, who was elected to Congress; and Doggett from Austin who replaced Herring, who resigned.

Marcello: Okay, one of the first things that confronted the legislators when they got there was the fact that it was announced that there would be a rather sizeable budget surplus or a surplus in the treasury, I guess we could say. How did that affect the deliberations on such things as the appropriations bill and perhaps the public education bill and things of that nature?

Mauzy: Well, we all knew for several months prior to the time the session began that there would be a surplus

of substantial proportions because some of us had tried to get the governor to call special sessions on various items--teacher retirement, pay increase for state employees, some of the cost over-runs that the various state agencies and institutions had experienced because of the rise in utility costs. So I think that everyone pretty well went down with the attitude, "Well, there is a billion dollar surplus." But in view of the governor's commitments and the other things that we all knew had to be done, we started off spending about \$300,000,000 of it right away in the form of emergency measures from the governor.

So we really didn't have that much, as it turned out, by the time that we had met all the emergency needs. The amount of money that we had left over as a surplus to appropriate was substantially less than that. We spent an additional \$653,000,000 on the public school finance bill, and, of course, the appropriation bill itself for the next two years is substantially higher than this year's.

Marcello: I would assume that the fact that, again, Briscoe announced or stated that there would be no new taxes certainly also played a part in whatever you could do so far as public school financing or passing an appropriations bill in general.

Mauzy: Yes, that is true. I for one was disappointed that he maintained that attitude, but in all fairness the majority of the members had also run on the platform of no new taxes. So it wasn't possible to pass a tax bill this year.

The result was two things. With the appropriations bill on one hand and the school finance bill on the other, we were constantly trying to juggle. I was trying to keep the appropriations bill as low as possible in order to put as much money as possible in the school finance bill. People who have interests other than public schools--pet projects--were trying to do just the opposite--load up the appropriations bill and hold down the amount we would have for school finance.

Marcello: Before we talk about the school finance bill, which, I guess, was the most important item on the agenda during that session, I just want to mention again that I think that the rules under which the Senate operated during this session were virtually the same as they had been. Would you care to comment on this (chuckle)?

Mauzy: Well, let's see. This was "Round Five" for me to get my lumps on reforming the rules of the Senate, although in all honesty 75 to 80 per cent of the changes which I thought were needed when I first got elected to the

Senate to make the rules operate in such a way that the Senate can be more effective and responsive had been accomplished. We do have our own nine standing committees, ninety-three members in the nine committees; no member is allowed to serve on more than three committees; no member can be a chairman of more than one.

So most of the reforms that I had been interested in had been effectuated. The new constitution will take care of executive sessions, for example. They will be abolished. I have never been able to get that done yet. Even though we do vote in public now, our deliberations are not in public. The filibuster rule is still with us. The reference of bills to committee by committees and the election of committees by the members are still not there. But those things are going to come. They have got to come. But I lost on all of them again by about the same vote as I did about two years ago, as a matter of fact.

Marcello: Okay, let's talk about public school financing. I am sure that it took up a tremendous amount of your time during that particular session, especially with your activities on the Education Committee. So first of all, why don't you talk a little bit about

the background and the reasons for coming up with a new school finance bill? It all stems from the Rodriguez decision, I suppose.

Mauzy: Well, yes, the Rodriguez case brought it into focus, but the real problem was there before the Rodriguez case. You will recall that Governor Connally appointed a committee called the Committee on Public School Education that served from 1965 to 1968, which made a very in-depth study of the inadequacies of our school system in Texas. It made very sweeping recommendations--nineteen or twenty-one, as I recall. Senator Schwartz and I introduced every one of those recommendations in 1969, and as I recall, we only got two of them out of committee. The public mood just wasn't there; the political pressure was not there to effectuate this kind of a change.

In 1969 the only thing that we really did for education was to pass a ten-year teacher pay salary bill, and we did create kindergartens for the first time. That was done by way of an amendment that I sent up that was adopted sixteen to fifteen. That is how close it was for something even as fundamental as kindergarten.

In 1971 we really didn't accomplish much either in the field of education because, again, the mood

wasn't right, the pressure wasn't there, and people's attention was diverted to other things.

Then in December of '71 a three-judge court decided the Rodriguez case, holding the system to be unconstitutional and violating the 14th Amendment. Immediately then attention did get focused on the issue, and while that case was going up to the Supreme Court of the United States, there was a great deal of activity, a lot of studies were being made. Everybody wanted to get into the act.

The result was that when we first met in January of '73, everyone recognized that public school finance was the overriding issue. With a new governor and a new lieutenant governor and a new speaker, I thought that we could bring about that kind of change.

But then you will recall in March of 1973, the Supreme Court reversed the Rodriguez case in a five to four opinion. That certainly did not hold the present system constitutional; it didn't give us an "A+" in what we had been doing. But it was really reversed on technical, narrow, procedural grounds. The court pointed out that they were not saying that the system was good or constitutional and that certain improvements should not be made. But the court pulled back and said that rather than the court doing it, we are now going

to give the Legislature a chance to do it. So when we met in January of '75, it had to come. A reform had to be brought about. Everyone knew that we were under the threat of further litigation.

Marcello: From what you are saying, I gather that you were generally in favor of the ruling that came forward from the Rodriguez case.

Mauzy: With the three-judge court?

Marcello: Yes.

Mauzy: Yes, I completely agreed with the opinion that Judge Goldberg and the other judges rendered in that case. I think that the present system is patently unconstitutional. As the court characterized it, it is a system that is Robin Hood in reverse, where the poor are called upon to subsidize the rich. There is no legal or moral or ethical or educational reason that can be given to advance that kind of a system. We have all known for a long time that the system was rotten, that the economic index didn't work, that some districts were paying more than they should and other districts were paying less, that the educational product was not the same in every district of Texas. We know that we have been graduating kids from high school who could not read and write. We know that the dropout rate among Chicano kids is just horrendous. We know that we need a bilingual education program.

We have known all of these things, but the educational establishment, like any other establishment, resists change. The easiest thing is to let the present system stand and just throw some more money at it. Well, that is no solution. That doesn't make the kind of structural, conceptual changes that I think the courts will and should require.

There had been a lot of work done in the meantime. The Senate Education Committee that I chair had been working on it for over four years at that point. We had a model plan. We did not have the votes to pass it in '73.

Marcello: What basically was that model plan?

Mauzy: Well, the allocation system was to be based on what is called the weighted student concept. Governor Briscoe endorsed that concept. His task force came up with a complete school finance plan that was not as far-reaching as that which we recommended but which did meet his fiscal guidelines. His rule was that you can spend whatever we have left over after the appropriations bill so long as it doesn't cause a tax bill. That was basically the point of departure between the governor and me. Obviously, he had the votes to keep the tax bill from passing, so my political position became . . . while I really

avored the other bill, the draft bill which I introduced in '73 and which had a price tag of 1.3 billion dollars on it, I was willing in the interest of getting something done to settle for the governor's plan.

Marcello: His plan called for considerably less allocations, did it not?

Mauzy: Yes, it did. Well, the bill that we finally came out with cost \$653,000,000, and it didn't please anybody totally. Teachers felt that they did not get the salary increase that they were entitled to. The student-teacher ratio was not reduced to the point where some thought that it should have been; we didn't extend kindergartens as far as we wanted to; we didn't totally fund driver education; we didn't provide all the money for bilingual education and extend it up through the seventh or eighth grade as some of us think that it should be. In each instance, the concept was adopted, but it was watered down substantially to meet the dollar needs and to prevent the need for a tax bill.

Marcello: Again, something that you didn't see too much said about was in the discussions on that school finance bill was how much had to be allocated just for maintenance and operation. I'm sure that inflation had a great deal to do with this.

Mauzy: Oh, sure. Maintenance and operation had not been changed--the formula had not been changed--in, I believe, eighteen years. But don't hold me to that because my recollection has gotten hazy. It's amazing how in six weeks you can turn yourself off as a legislator and turn yourself on as a lawyer. I used to carry all of those figures around in my head. In any event, the actual cost today of a school district--the statewide average throughout Texas--for the cost of maintenance and operation runs about \$135 per child in average daily attendance.

The formula up until this year was \$35, I believe. We raised it to \$90 the first year and \$95 the second. It is a substantial increase, but it still is not paying the actual costs that the districts are absorbing, and that gets you into the question of what you think the proper level of state funding for the educational system is--how much should the state pay and how much should the local district pay.

The same thing is true of other transportation costs. We've changed the transportation formula and drastically increased it to 62 1/2 per cent over what it had been. Still we are not paying the total cost of transportation.

I think the state ought to pay all of those costs, just as I think that the state should pay part

of the costs of the capital outlays, the construction of facilities. That has never been done in Texas. It isn't being done now. Eventually, we are going to have to come to that. The local taxpayer has to have some relief from an obviously inequitable tax system.

The other part of the problem was the question of tax equity. We all know that there are tax havens in Texas. There are districts that don't render their property, and when they do render it, they don't render it at 1 per cent of its actual value. They don't tax as they should--the effective average statewide average

Marcello: We're getting into the whole business of fair market value?

Mauzy: Yes, which again, I think, the courts will require eventually. Someday somebody is going to file a lawsuit, and when they do, they are going to win it. In 1974 the average effective tax rate which was being assessed and collected throughout Texas to fund the minimum foundation program, and for the local districts to pay what is called the local fund assignment which was eighteen cents per \$100 evaluation. That's absurd. We raised that to thirty cents the first year this biennium, thirty-five the second. That's absurd because what it actually costs to do that today in Texas . . . the actual cost is about fifty-six cents

per \$100 evaluation. We started out trying to raise it to sixty cents to anticipate inflation, too. The governor's bill originally started out at that rate, but we just couldn't get the votes. So again, it was a question of compromise and get what you could.

Marcello: You talked awhile ago about the weighted pupil approach, which was one of the cornerstones of the governor's program. Just exactly how did that weighted pupil approach work?

Mauzy: Well, the weighted pupil concept is nothing more than a programmatic manner of delivering the educational dollars to the local district based on the educational needs of the particular child. We all know, for example, that vocational education costs a great deal more than what is called mainstream academic education for high school or junior high school students. By the same token we know that for children with learning disabilities in the special education program it costs a lot more to educate that child than it does the so-called normal child by reason of the fact that you have to have lower teacher-student ratios, you've got to have equipment and facilities for orthopedically handicapped children, blind children, deaf children, for example. We know that it costs more. All the weighted student concept is is that we actually went out and determined what it costs today in the State of Texas to educate

the educationally disadvantaged child, the orthopedically handicapped child, the blind child, the deaf child; how much it actually cost to teach a kid automobile mechanics in high school; how much it cost to teach algebra in high school, or English or the so-called normal academic courses. Then based on what that actual cost is, that is the weight you start at with a normal, regular child in a regular academic program at 1.00. If it costs twice that much to provide vocational education, you weight it at 2.00. That is all it is--a mathematical formula that reflects the existing facts and is flexible enough to let you change it as the times change and as costs change.

We established the concept of weighted students in this bill this year. We didn't call it that. We called it a "variable personnel program" because the words "weighted student" were a red flag to a lot of people, and they had gotten kicked around in the press and maligned, and the members wouldn't vote for anything that you called "weighted student."

Marcello: I was going to ask you why it was that the weighted student approach did not make very much headway in either house, really.

Mauzy: Well, we never did actually vote on it in the Senate. But I made several swaps. I think I could have gotten

a bare majority, sixteen or seventeen, in the Senate. I think that if they had ever really run it right they could have gotten it in the House. I think a majority was there. But the TSTA particularly mounted an intensive lobbying effort against the weighted student approach.

Marcello: Why was that?

Mauzy: Well, as I understood their position--and I'm not sure that I fully do understand it--they were interested first in a pay raise for teachers, and they wanted most of the money to be allocated . . . if you are only going to have \$653,000,000, they wanted to allocate at least \$500,000,000 of that for teacher salaries. I understand that. That is only their economic self-enlightened interest. And I don't disagree that they were entitled to that kind of a pay raise. But when you don't do anything but pass a teacher pay raise bill, you have done nothing to solve the inequities of the system.

Marcello: I think that to some extent this was disappointing to a lot of people in that there was so much emphasis put on the teachers pay raise. The Rodriguez decision was kind of shoved in the background someplace.

Mauzy: Yes, that's right. People wanted to talk about only the political pressure that the teachers were asserting,

which is totally proper, and I don't fault them for it. But they didn't want to talk about changing the system to make it constitutional: first, to provide better educational product for the children of this state; secondly, to bring some taxpayer equity to the poor bastard out here living in a \$25,000 house and getting soaked for taxes more than he ought to because somebody somewhere else in the state isn't paying what they ought to. And that is really what it all came down to.

I consider the passage of that bill a major victory because we turned the corner. Now you have got to remember, first of all, that it is only a two-year bill, and it is not a permanent bill. We've got to go back and finish in '77, and there is going to have to be a tax bill in '77, and everybody knows that. I think that, having turned this corner now and having gone to the concept of fair market value or true market value, we don't have that war to fight anymore. It is behind us now.

Marcello: Here again, just for clarification, how will this true market or fair market value system work?

Mauzy: We charged the governor's office . . . we started out the bill where we were going to put the responsibility in the comptroller's office. The governor just pitched a fit. He didn't want any part of that.

Marcello: Why was that?

Mauzy: Well, I think that he construed it, first of all, as a threat to his authority as chief executive. Secondly, the governor doesn't like Bob Bullock. Bullock is his political enemy because Bullock used to work for Preston Smith, and Briscoe is the kind of a fellow who demands loyalty of people. And he wasn't about to let that kind of authority and power get into the hands of someone whom he considers his political enemy. I also think that he was under a lot of pressure from his peer group--the big ranchers or the "goat ropers" as I call them. Many of them are getting away without paying near what they ought to in taxes, and Dolph Briscoe is one of them, by the way. His ranch is terribly undervalued and under-taxed down there in South Texas.

So he insisted that the authority be placed in his office, which we did. We gave them \$5,000,000 to conduct these studies and to provide us with the figures of the actual wealth of all the taxable property in every school district in Texas by, I believe, November 1, 1976, and to come up with draft legislation to be ready to introduce in January of '77 to totally implement the concept of true market value in every school district in Texas with enforceable means of seeing that is done and collected.

Marcello: You mentioned Bullock a little while ago. He was a kind of shadowy figure during the session so far as I was concerned. He always seemed to be kind of hovering in the background of about everything that was going on.

Mauzy: He wasn't shadowy; he was very much in sight. Let me say this about Bob. Of course, when I first knew Bullock was when he was working for Preston Smith. He was Preston's political hatchet man as everyone knows. He then became secretary of state, and I voted for Bullock to be confirmed as secretary of state for two reasons. First of all, I think that any governor is entitled to have whomever he wants as secretary of state. Secondly, Bullock convinced me that he made a political metamorphosis somewhere along the line.

When he was in the House, he was a damn stodgy conservative, as he will tell you himself. He voted wrong on damn near everything. He voted for all the hate bills in the 1950's, the segregation bills, every-one of which was unconstitutional on its face. He voted for the sales tax as opposed to a corporate profits tax. You know, he was a typical rural redneck.

Somewhere along the line something has happened to Bullock, and I am very pleased with what has

happened because he has become a political liberal or moderate. When he was secretary of state, I thought that he interpreted the election laws in a very forthright manner. Of course, he provided me an affidavit in a redistricting case when we had won the single-member district case for Dallas and Bexar counties and they were trying to get a stay order out of the Supreme Court before the elections of '72. Bullock as secretary of state gave us an affidavit just as strong as horseradish, and this is one reason the court refused the stay. And the election was held on a single member district basis.

I supported him when he ran for comptroller. I led the fight that busted him when he was appointed chairman of the State Board of Insurance because I didn't think that he was qualified for that job, and I was scared to death about what would happen if he got over there.

Now I think that he is doing good over in the comptroller's office. He is enforcing the law, and he is collecting back taxes. Basically, what he is doing is carrying out the recommendations of an interim committee that Joe Christie and Don Kennard and I were on in '71 through '73 that pointed out that there were delinquencies in the sales tax system and that we

weren't enforcing the law, that we didn't have enough auditors. We didn't even know how much money we were losing every year. We estimated somewhere between sixteen and sixty million dollars every year. I personally think that it's over a hundred million dollars a year. His efforts today kind of prove me a prophet. As a matter of fact, I went with Bob last week when he was here in Dallas, and we closed down these two restaurants. That's the kind of law enforcement I like to see.

(Chuckle) Now Bullock very early in the session came over and told everybody, "I need 270 new employees next year if I am going to enforce the damn law. I need some auditors; I need some investigators; I need some people to get out there and find out how much money we have coming." Of course, under the constitution, the comptroller has to certify what revenue is available-- to certify the tax bill, the appropriations bill, or any other bill that spends money. Bullock just frankly said, "If you son's-of-bitches don't give me those 270 people I want, I ain't going to certify anymore money, by God, and you're then going to have to pass the tax bill. So put that in your pipe and smoke it." That's the kind of politician I like, when the fellow just looks you in the eye and tells you just what you are going to

do for me if I am going to do this for you. And he got away with it.

Marcello: You mentioned before in one of our previous interviews that you like tough men and tough politicians at least.

Mauzy: I really do. Bullock pulled it off beautifully, and he is looking like a hero today. And I am delighted that he is. By God, he told the Legislature and the governor to stick it up their elbow, that he was going to get what he wanted or he wasn't going to certify any damn appropriations bill. That's the way it's supposed to work. That's the separation of powers between the office of governor and the office of comptroller and between the executive branch and the legislative branch. I think that's how the system ought to work.

Marcello: Well, ultimately, I guess, it was his revised revenue estimates that made it possible to finally get that school finance bill through both houses.

Mauzy: That's right. And he said he wasn't going to issue that new certification until the appropriations bill was passed and his people were in it and his appropriation was in there the way he wanted it. He is a man of his word. When Bullock tells you that that's the way it is, that's the way it is.

As a result . . . of course in the original certification after the appropriations bill, we only had

\$550,000,000 to spend. Of course, we knew that he would certify it once we did what we were going to do. That's the reason we wrote that school finance bill at \$653,000,000. We wanted to spend every nickel we could for improving the educational system. And that was the inside deal that had been arranged.

Marcello: Who was it that was carrying the TSTA-sponsored bill in the Senate?

Mauzy: Well, it was introduced by Senator Aikin. There were several others who signed it with him. The TSTA bill was never realistic because of the price tag again.

Marcello: I don't recall exactly what happened in the Senate, but I know that in the House, after the TSTA bill reached the floor . . . I guess everybody went on record as being in favor of voting for that pay raise that TSTA wanted, and then they tacked on all sorts of other little things that made the bill so unrealistic that it had no chance for final passage.

Mauzy: They loaded it up like a Christmas tree over there, of course. Everybody wanted to make their record, as you say. At one point they voted for a starting salary of \$10,000 for teachers, which I could vote for tomorrow. I think that they are entitled to it. But unlike a majority in the House or the Senate, either one, I can also vote for a tax bill tomorrow, and would. The way

the House finally passed the bill, it came over at \$9,000 for teachers salaries. The total cost of the bill . . . it was funny sitting over there watching those clowns (chuckle) while they were screwing around with that bill. They were on the floor debating for about three days. At one point the price tag on that bill was 1.7 billion dollars (chuckle), and, you know, at that point we had \$550,000,000 to spend. They then went back and reworked and reworked, and eventually the way that it came to us was that it came out at \$820,000,000, as I recall.

Marcello: What were the major differences . . . and you, of course, were on that conference committee. What were the major differences between the two versions?

Mauzy: The bill never went to conference.

Marcello: Oh, it didn't?

Mauzy: That was part of the strategy, too. What happened is that we got the House bill over. We had already held all our public hearings on school finance. There were basically two bills in the Senate--the governor's bill that I was carrying and the TSTA bill that Senator Aikin was carrying. We put them in a subcommittee, both of them. The subcommittee was composed of myself as chairman, Aikin, Snelson, Jones, and Santiesteban.

It was supposed to be a 3 to 2 committee for my bill, for mine and the lieutenant governor's bill. Hobby was very helpful in this school finance fight. Hobby is much more enlightened and progressive and knowledgeable on the subject than the governor is, and he wants to make the kind of changes that I want to make in our system. I think he agrees with me that it's necessary to avoid a constitutional test.

While the bills were in the subcommittee we were actually waiting on the House. We determined earlier that our strategy was going to be to wait for the House to pass the bill. Let them get out and do all those crazy damn things, you know, to enact a bill one day that costs \$1,800,000,000, and then maybe they will come to their senses, and they'll send us something we can work with. If they don't, we'll just redo it.

Marcello: And you were getting close to the end of the session also, right?

Mauzy: Yes. But that was part of the strategy, too, because early on the determination had been made that we'd get the appropriations bill out of the way. And then every penny that was left over we'd spend on public school financing. So when the bill came to us, we just took the House bill and sent it to subcommittee. And then we started working in trying to put the pieces together and come up with . . . the figure that we started out

shooting for was \$600,000,000. We weren't sure that we were going to get that extra \$50,000,000 at that point. As it became obvious that we could get the extra \$50,000,000, we increased maintenance and operation, for example, transportation.

We did something that has only been done twice since I have been in the Senate, and I am told by the old-timers that it really hadn't been done over a half-dozen times in the history of the Senate. And it was my suggestion to Hobby as to why we did it. I suggested that . . . of course, the political heat at that point . . . everybody was for the TSTA bill. Nobody read the damn thing; nobody knew what the hell it cost; nobody really knew what it was all about. But the TSTA said you ought to be for Senate Bill 468 or whatever Senator Aikin's bill was. So I told Hobby that what we ought to do is convene the Senate as a committee of the whole--that way the lieutenant governor gets to speak and to vote--and for him to put me in the chair, and we'd just recognize people that we wanted to recognize, and we just, by God, would take them on. And that's exactly what we did. We laid out our compromise bill, and the TSTA people got up to testify against it. And when they did, Hobby and I just ate their lunch. It was the best cross-examination I have ever done in my

life as a lawyer. And Hobby is not even a lawyer, and he did better than I did.

Marcello: How exactly did the cross-examination go?

Mauzy: Oh, Sturgeon and Smith, lobbyists for the TSTA, had really made some irresponsible remarks to start with, and we just took them on and made them eat their own damn words. For example, they said that our bill was abolishing the minimum foundation program. It didn't do any such damn thing. They also charged that we were not providing any taxpayer equity. Hell, we are the only ones that are doing anything. Their bill didn't. We were the only ones that spoke to the increased need for bilingual education and compensatory education and direct grants of money to the districts based on how poor they are, on the taxable wealth of that district. Ours was the only bill that did that--the bill that Hobby and I really put together, his office and my office. And Hobby just really came on like gangbusters that day. I've never seen him so outraged and so damn good in making his point.

And that's when we really won the battle that day. When we convened as a committee of the whole, we just shot them down, and from there on in it was really kind of easy and everybody knew that we had the votes--that it was the Hobby-Mauzy program in effect, and Briscoe--and that the House would take whatever we did.

Now as it turned out we passed the bill, and we had to recall it and put some amendments on it that the leadership in the House insisted on and that I personally voted against most of them because I didn't think that . . . it wasn't desirable public policy, first of all, and secondly, I didn't think that it was politically necessary. I thought that we could have run over them over there on the House side and made them take what we did, but we had a couple of hold harmless provisions. We prevented school teachers from collecting unemployment compensation, which, I think, is totally unconstitutional because you can't amend the Unemployment Compensation Act on a school finance bill. You've got to have a separate bill to do that.

And there was one other thing that they put in it that just really galls me--that public schools will not be available to children of illegal aliens who are in this country. And that is patently unconstitutional. The Supreme Court of the United States has written on that question half a dozen times. But that's Clayton and the goat ropers. They don't want them damn Mexican kids going to our public schools and using our money when their daddy is an illegal alien and the kid isn't over here picking fruit or something. Well,

they're going to get burned on it. I did at least make them put in a severability clause so that the whole damn bill isn't unconstitutional because of that one thing.

But with those, they sent the bill back. We recalled it. We put on those amendments and then passed it back to the House. Then on the Sunday before we were going to adjourn on Monday at midnight, the House passed it 120 to 18 or something. It was really an overwhelming majority. I went in and sat through the debate on the House side, and it was one of the few times that I have really seen the House as a body act totally responsible. The debate was carried on in a very responsible way. Nobody misrepresented what was and wasn't in the bill. There wasn't any logrolling going on.

Marcello: Who was carrying the bill in the House for you?

Mauzy: Well, Tom Massey, who is chairman of the House Education Committee, laid the bill out and was its chief spokesman on the floor. It was actually Representative McAlister's bill which we are working on, 1126. But a number of people were involved in the debate over there. It was really the best debate I have ever seen carried on in the House. Of course, I'm biased on the subject, you understand.

Marcello: How powerful a lobby is the TSTA? Or how powerful was TSTA in this particular session?

Mauzy: I think that they are vastly overrated myself. I felt their sting. They tried to do a good job on me and the Senate two years ago when we got into the hassle over school finance. They went all over this state misrepresenting what my position had been and what the Senate had done. And they are damn fools because it was right there on the record. The facts are that the House passed a bill, and the Senate completely rewrote it and sent it back to the House. They refused to concur, and we went to conference, and Briscoe caved in. And then we caved in.

We gave the TSTA what they wanted in a conference committee report. It affected no change in the school finance system. The Senate adopted the conference committee report 26 to 5, and the House killed it 70 to 70 on a tie vote with the speaker refusing to vote. Now those are the facts. Then he tried to get out and tell people the Senate killed the school finance bill, which is just a patent damn lie.

And as I say, I felt their sting. I don't think they've got all that much swat. They can generate a lot of letters, and they can generate a

lot of phone calls. But they don't know what they are calling you about or writing you about.

Marcello: And I'm sure if you have been in politics as long as you've been, you probably kind of get used to this kind of thing. It doesn't bug you.

Mauzy: Oh, sure. You know, it's like the crowd that was trying to rescind the equal rights amendment. My niece was the leader of that group. I got more mail on that subject than everything else put together in the whole session. You get these petitions, and basically they were operating through the Church of Christ. You could always tell . . . every Tuesday you'd get all these petitions, and you could tell who had been to church the Sunday before at the Church of Christ, and whatever town you get them from. Things like that don't really mean anything to me because, first of all, the individual who signs it doesn't know what it is that he is signing. The facts were not as they alleged them to be. I don't really consider that extreme political pressure. But some people do.

But the TSTA . . . first of all, teachers as a group are like any other group of people that I know anything about. There are only about half of them that are registered to vote. And secondly, they vote

on about the same proportion as truckdrivers, carpenters, and doctors and lawyers and Indian chiefs. Only about a third of those who are registered bother to vote. And I have documented this in my district, where I have everybody who is a teacher on file by their home address. I know who votes and who doesn't.

They can be a political force if they would ever get off their butts and get with it. And I hope they will. In fact, one of my other nieces is chairman of the teachers political action group. TEPAC, they call it--Texas Educators Political Action Committee. And I hope they will. Now that they're affiliated with the NEA, I think they will. I hope so.

Marcello: Okay, now another very important issue that came up during that legislative session was the old business concerning the establishment of a public utilities commission. First of all, in your opinion, how much of a need is there in Texas for such an agency, for such a body?

Mauzy: Well, there is a great need and there always has been. We've needed a public utilities regulatory commission for sixty years in Texas. I'm very much for a strong public utilities regulatory commission. Truthfully, I didn't get a chance to do any work on that subject.

Marcello: I'm sure that that education bill took just about all of your time.

Mauzy: It really did. I introduced fewer bills this year and passed fewer bills than in any session since I've been there because literally 90 per cent of my time was spent on the school finance bill. It's that mammoth of a damn problem. I therefore had to neglect other things. Before the session ever started, I told Ron Clower, "You can just vote me on utilities, Clower. You know how I feel, and I agree with you. I know how you feel on that subject. You've spent a lot of time on it, and you know more about it than I do. So I am not going to show up at any committee hearings. I'm not going to do anything, but when the bill is up, I'm going to vote with you. You got two votes for this subject." I had to do the same thing in some other areas with some other people that I trust because I just didn't have time this time to do anything but the school bill.

Marcello: How do you explain the fact that Texas is the only state that doesn't have a public utilities commission?

Mauzy: The lobby. The utility companies have always had a very effective lobby in Texas. You have a strong coalition . . . the Texas Municipal League. You know, the Municipal League in all big states is a liberal political group. In Texas it's conservative. The Municipal League made a deal with the utility companies

years ago, and they work with them on this question of utilities regulation. I'm not as satisfied with the bill. It's not nearly as strong as I would like to see it. But, again, like the school finance bill, I think we've turned the corner, and the fight is downhill now. I really believe that. For example, I would like to have seen the members of the utilities commission elected.

Marcello: That was going to be my next question. Why?

Mauzy: I think that people who make the kind of decisions that affect lives of every other citizen in the state and affect his pocketbook ought to be answerable to those people at the ballot box. I would like popular election by the people as distinguished from appointment. I sent up an amendment that would have expanded the commission to nine members and divide the state into nine districts of equal population where each district would elect their own. I didn't get very far with it, but I really think that that is the best system. That's how Huey Long made his reputation in Louisiana. He was elected from a single member district to the Louisiana regulatory commission. Gee, I haven't been over there in two or three years, but as recently as about three years ago, you could still make a phone call for a nickel in Louisiana. I don't know if it's still the case or not,

but I know damn sure that it ain't twenty cents like it is in Dallas, or twenty-five like it is at the airport.

Marcello: I assume that you also favored putting all the utilities under this commission.

Mauzy: Yes, I really don't think that this makes any sense at all. I don't trust the Railroad Commission, first of all. See, I'm contradicting myself here--I recognize it--because that commission is elected. But that commission has always been controlled by the people that they're supposed to be regulating, which is the oil industry. But you can always "un-elect" people once they are elected. Now I favored putting all utilities, whether they're publicly owned or privately owned, regardless of what they are--telephone, water, light, gas, sewers, whatever . . . all of it ought to be under the public utilities regulatory commission. We weren't able to do that. But again, I give Clower most of the credit for this one. He scored a major victory, in my judgement, by getting the bill passed.

Marcello: Well, the House had a much stronger bill, actually, than the Senate. Now I would assume that you probably liked the House bill better than the Senate bill.

Mauzy: Yes, I did. But we got beat on that . . . Clower tried to substitute the House bill. We got beat on that 18 to 13 as I remember.

Marcello: What role did Senator Moore play in this debate over the public utilities regulation?

Mauzy: Very little, really. You know, the press really pays too much attention to Moore, and, of course, he loves it that way. And he uses the press--he really does--and he is very skillful at it. But Bill Moore is just like any other senator down there. He has got one vote. And he runs his committee the way he does because the members let him get away with it.

The truth of the matter is that any chairman who wants to can run his committee that way. I run the Education Committee that way when I want to. I killed a couple of bills in the committee this year that if they ever would have gotten on the floor they probably would have passed 30 to 1. One was a prayer bill, which was just ludicrous as far as I'm concerned. Another one was a bill that outlawed . . . it made it a crime for anybody to write a research paper and sell it and for some student to use it and turn it in and get a grade for it. Well, my God, if that's not an unconstitutional bill of attainder, I've never seen one. But I just arbitrarily killed those bills because I didn't like them, and my committee let me get away with it. Anytime that they want to turn me around, they could have done it.

I did the same thing with the Coordinating Board bill. That came out of Moore's committee. He was opposed to it, and he thought that he was going to kill my bill in committee. I just, by God, ran over him. That's the other major victory of the session as far as I'm concerned--the Coordinating Board bill. It has been a fond hope of a great many people for a long time. John Connally with all of his power when he was governor couldn't get that. Preston Smith couldn't get it. With Briscoe we finally made it, and Briscoe is entitled to the credit on that one. He rounded up the votes.

Marcello: You might want to talk a little bit about that College Coordinating bill because I think you consider it quite important.

Mauzy: Yes, I do. What it does is . . . the Coordinating Board was created in 1965 at the request of John Connally. But the price of getting the bill passed . . . what they did was abolish the old Commission on Higher Education and created the Coordinating Board. But the price of getting that bill passed is that the Coordinating Board as a practical matter doesn't really have any power or authority. They can make studies, and they can recommend. But anybody that wants to can go around the Coordinating Board and come to the

Legislature and get their sorry damn colleges created, like the University of Texas, Permian Basin and the University of Texas at Dallas and this damn four-year school we created in Tyler, an upper level school in Texarkana. Damn near every college in Texas now has got fifteen branch campuses somewhere. TWU almost got a medical school this year against Coordinating Board recommendations.

What this bill does is give the Coordinating Board some power and some authority. They can recommend enrollment limits. They have to approve construction over \$100,000 and renovations over \$100,000 to the physical plant. No college will be allowed to expand their degree program or expand from, let's say, an upper level school to a four-year school without the Coordinating Board approval. What we did was give them the authority to coordinate the development of higher education in Texas, and I think that we are going to save a helluva lot of money by doing it.

If we would have had that ten years ago, we wouldn't have the University of Texas at the Permian Basin and all of that scandal that's going on out there. We wouldn't have a powerhouse at the University of Texas. We wouldn't have a Taj Mahal down at A & M for the directors or the board of regents at the

institution. There is just a world of things that we wouldn't have, so we will save the people a lot of money, and in the process we will have provided a better educational system for kids who are in college today.

You know, Texas ranks too far down the list, as far as I am concerned, as to where our college graduates are in attainment. I'm just not satisfied. I think that this is going to be a major step toward getting us there. I really do. If it develops that the Coordinating Board can't do it, I'll be the first one to move to abolish them. But I want to try it and see. I really think that it will work.

Marcello: How do you explain the fact that you got this bill through this time and, like you say, you weren't able to in previous sessions and under previous governors?

Mauzy: Dolph Briscoe. We passed it in the Senate two years ago. We had three Coordinating Board bills. Bill Hobby prepared much of this, and Hobby passed them last time. I didn't, really. But Briscoe . . . I told him early in the session . . . you see, Briscoe pulled the rug out from under me on the school finance thing in '73, and there was one other thing that he turned around on me. I just told him, "Governor, I'm not going to play those games with

you. I'm for the Coordinating Board, and I'll carry the bill. But you have to get the votes. I'm not going to make a move until you tell me that the votes are there. I'm not going to go hustle anybody; I am not going to do anything. It's your program. It's the Briscoe program, so you're going to get the votes. It's just that simple."

And they screwed around and screwed around and screwed around, and finally on the Thursday before the Legislature was going to adjourn on Monday, he said, "We have got the votes--go!" And we went, and we had them 25 to 6. And the House passed it. They passed it one minute before midnight on Friday night, which was the last time that they could to get around that three-day rule, 101 to 48. They had to have a two-thirds majority, and they just barely made it, but they made it.

And Dolph Briscoe is entitled to all of the credit for the Coordinating Board bill. You see, when Briscoe makes up his mind he is going to do something, he can be as tough a son-of-a-bitch that I have ever seen. But he doesn't make up his mind to do anything very often. He really doesn't like this business of leaning on the members. It's offensive to his life-style, his personality. And I don't understand it.

You see, I don't understand how a guy can be governor and have that attitude. But he does.

Marcello: Okay, now a third topic I think that we need to talk about, at least briefly because it was really a brief subject in the Legislature, I think, during this session, was the approval of the new constitution-- constitutional revision. How much flak did you personally receive from people in your district over the fact that the Legislature did not bring out a constitution during that convention?

Mauzy: Well, I voted against the final product in the Constitutional Convention, and we killed it. From the time that I got back to the time that the Legislature convened in January, I think altogether I may have talked to and may have heard from, either telephone or letter, maybe 200 people. About 193 agreed with me. It was overwhelming. Now that's not a very good sample. A lot of people were disappointed that there wasn't a constitution presented.

You see, I think it's going to be hard to pass the constitution in November. I really do. I think there is a lot of public apathy and inertia on this question. You're always going to have people who are negative and who are going to say, "Well, we have had the present constitution for a hundred years, so it

can't be all bad. We have gotten along okay." You are going to have that, and I think that's 20 to 25 per cent of the voters. Then you are going to have people who have a special protected interest in the present constitution and who are going to have it removed in the new constitution, and they're going to be shooting at you. County judges and the Commissioners Court Association, you know, out in the rural counties are going to be doing that. The oil companies are going to be doing it; the timber barons are going to be doing it. So there is going to be a lot of opposition to that thing, and it's going to take a real effort to pass all of it.

The reason that we were able to pass it this time as distinguished from the convention was that we voted on each article separately rather than voting on everything at once. If we had voted on it all at once, I would have voted against it this time. But as it was, I voted against two of the nine propositions--the education article and the judicial article. Those were the two things that I was hung up on the last time. But this way I voted for seven of the propositions and against two.

Marcello: What was it about the education article and the judicial article that you didn't like?

Mauzy: The education article retains the present Permanent University Fund and the Available University Fund, which, I think, is a rip-off. And it's worse than that because they've created another one now, another constitutional fund. I do not believe in constitutionally dedicating tax sources. I just don't believe in it. I think that it all ought to go into the state treasury, and you ought to appropriate from it. The people that make that decision are the people who are elected, and people get to "un-elect" you if they don't like what you're doing.

Marcello: It's almost heresy for a University of Texas graduate, isn't it (chuckle)?

Mauzy: Well, I'm sorry about that. But the people of Texas ain't got a damn thing that they can do to get rid of Allan Shivers or Walter Sterling or Dan Williams or Mrs. Lyndon B. Johnson or anybody else on the board of regents of the University of Texas system, or the A & M system, which are the two systems who have that Permanent University Fund. Hell, the income from that thing last year was sixty million dollars. They can spend it anyway they want to. They are not accountable to anybody, and they waste it, truthfully. Now they've created another fund for the other colleges and universities. And two wrongs don't make a right.

Secondly, on the judicial article I don't agree that merging the Court of Criminal Appeals and the Supreme Court is a step forward. I think that it's a step backwards. And neither do I like giving the state the right of appeal in criminal cases. That's offensive to my sense of justice. And those are the reasons I voted against them.

Marcello: Okay, we have kind of skirted around and talked about Governor Briscoe just a little bit. How would you compare or contrast Governor Briscoe's activities during this session as with what they were in the previous session?

Mauzy: I would rate him improved. He was more confident in his job. He was more resourceful, more forceful, but still not enough to suit me. I would rate him "C-" last time and "B-" this time. That would distinguish Hobby from going from "B-" to "A+". Briscoe . . . it's just his lifestyle not to mess with that. I think that he is a good man. His heart is in the right place. I think that he thinks right. I don't think that he is a hater. I don't think that he is malicious.

He's not very swift, either. And he is not very innovative. Once you get his attention, once you convince him of something, boy, he'll stay with you until the cows come home. As I say, he's tough and he's

stubborn. When he makes his mind up, he is a stubborn son-of-a-bitch. But he is not innovative enough to suit me. He doesn't have the quality of leadership that I think that the governor needs. If you are really going to move this state, you need major direction changes.

Marcello: Speaking of ratings, would you care to comment on your rating in D Magazine as being one of the . . . I guess one of the two most effective state legislators of the Dallas contingent? I don't want to embarrass you or anything, but I did see that rating.

Mauzy: Well, let me say this about D Magazine and Texas Monthly, both. They are both very generous to me. I don't like and I don't approve of unsigned editorial articles or articles that express judgements and values and opinions. They have a perfect right to write them, don't misunderstand me, but, by God, they ought to have the guts to sign their name to it. I would like to know who wrote that D Magazine report card because they were terribly, totally unfair to Bill Braecklein. That's the damndest hatchet job that I've ever seen, and he doesn't deserve it. Braecklein is one of the best members of the Senate. He's one of the most underrated, by the way. The same thing is true of Texas Monthly.

The people that wrote those articles are all my friends, you understand.

I know that Jim Atkinson had a hand in writing that D Magazine scorecard. I don't know who else did, but I know that Jim had a piece of the action. Jim and I have been friends for years, and he treated me very kindly. I got in no quarrel with him about anything, but it is still unfair not to sign your name to it.

By and large, I agreed with their ratings both in D Magazine and Texas Monthly. I disagreed about a couple of them. I disagreed about Braecklein in D Magazine, and I think that they overrated a couple of people. Texas Monthly, I don't disagree with the three in the Senate that they said were the most able, but there were a couple of others that should have made it. And I am not talking about myself. Some of the people that didn't make the ten worst should have. Basically, I would say that I agree with 85 per cent of both articles. But I don't like unsigned articles.

Marcello: Would you care to comment on the one statement in the D Magazine article that said that maybe some of the old liberal fires died down a little bit or something to that effect?

Mauzy: Well, I think to some extent that that was true this year, Ron. I've had a very bad two years in the last two years from a personal standpoint. I went through a very traumatic divorce. My ex-wife tried to commit suicide; she's been in and out of a mental institution. That has had a terrible effect on me and on my children. As you know, I got busted for DWI (Driving While Intoxicated). I got to drinking too much for a considerable period of time, and I haven't been as effective as I used to be. I think that that's accurate. I cannot quarrel with it. I like to think that I'm over that hurdle now. In the Constitutional Convention I was ineffective, and I was frustrated, and I was unhappy. Again, these are all personal problems, but they affected my public output. I think that I'm over it now. I'm feeling better now, and I think that I'm doing better work.

Marcello: Is there any personal legislation that you got passed during that session that you might want to talk about? Again, you said this was not one of your most productive sessions mainly because of that education bill. And rightfully so, I suppose, because it was obviously one of the most important things that had to come up during this session.

Mauzy: From a personal standpoint of accomplishment, I think that this is my best session because of the school finance bill and the Coordinating Board bill. I consider both of them landmarks, and I consider both of them to really be significant in the history of Texas, and they are going to continue to be.

My biggest disappointment was the fact that we . . . Schwartz and I, between us, were not able to get any of our privacy bills out of committee. And there he is, the chairman of the committee, and I'm the ranking member, and we're the two sponsors, and we can't even get our own bills out of our own damn committee. That war is going to continue unabated. We are getting some help now from Frank Church and the CIA investigation in Washington and the Houston police chief and a few other things.

I guess that's really my biggest disappointment in the session. I feel strongly about this right of privacy and the way the people are really being kicked around not just by government but by private industry, too--credit bureaus and the other people who compiled dossiers on people and just maligned their character and blackened their name. The people have no recourse. They don't know what is going on; they can't do anything to correct it. It's a major invasion of a

person's civil liberties, as far as I am concerned. And that is my greatest disappointment of this whole session. We're going to be back; we're going to fight more about that.

Marcello: Are you and Schwartz kind of getting back together again? I think that during the Sixty-third Session, you had kind of been at loggerheads quite a bit. You mentioned that a time or two you were perhaps a little disappointed in Babe during that session.

Mauzy: Well, yes, I was. And I'm still somewhat disappointed. A part of that, of course, is truthfully some of the personal problems that I was having during the Sixty-third Session and the Constitutional Convention. Babe and I are still friends. We still understand each other. I think that he talks out more often than he has to. I understand the art of accommodation; I understand the art of the possible. I think that he does more than he has to.

On the other hand, you know, when Schwartz is right as in the Sterling fight, for example, absolutely right about it, I was delighted for him to be the guy out front, although I was the guy that did all of the work. I am the one that held the damn committee hearings and put that son-of-a-bitch Sterling on the spot and developed all the proof about the Birch Society

and everything else. Helmer Moore . . . Babe Schwartz was absolutely right on Helmer Moore, the guy that got appointed to the Welfare Department and who used to be a Bircher. He doesn't believe in the concept of public welfare. As he said, "Niggers and Meskins should not be treated like white people." Well, Goddamn!! Well, there again, that's Briscoe's effectiveness for you. He decided that he wanted those two guys, and he went to bat for them, and he kicked some butts and twisted some arms. I'm very disappointed in some of my friends on how they voted on some of those confirmations, but every guy has got to be responsible for his own conscience.

In both of those fights Schwartz was eloquent and superb. He was the old Schwartz again.

Marcello: Okay, is there anything else that you think that we need to get as a part of the record here before we close this session?

Mauzy: Yes. The last night of the session I killed a court bill that was creating a bunch of courts in Texas. It was kind of fun, and I just want to put it in the record. I had no intention of doing what I did until it happened. But I don't like filibusters; I don't believe in them; I don't think that they ought to be allowed. But the Senate overruled me, and they had a filibuster rule.

We walked up there at twenty minutes before midnight, and we had a conference committee report laid on our desk, which is the omnibus courts bill. I had not kept up with what they had done, and so I started asking some questions as to how many courts they were creating, where they were . . . they were also changing a number of county attorneys into district attorneys, the effect of which is that the state picks up the total tab. I wanted to know how many of these were being done and where they were.

Basically, I'm convinced that we need some new courts, but not as many as some people think. The new courts ought to be in the urban areas where the litigation is. I've got no objection to changing people from county attorneys to district attorneys and the state picking up the total tab. I think that that's good. But I think that you ought to do it uniformly; I think that you ought to do it everywhere if you are going to do it at all.

I started asking questions, and the sponsors were either unable or refused to answer. I was asking just these kind of questions which I considered to be legitimate. They couldn't tell me how much the total cost was on a bill. Their answer was that it was somewhere between \$600,000 and \$1,400,000 for

the next biennium. That's not good enough, and so right there--ten minutes to twelve--I decided, by God, I'm going to kill this Goddamned bill because I don't like this business of waiting until the last minute and stuffing something down your throat. And so I don't believe in filibusters either, but, by God, I'm going to kill this damn bill. And so I just got the floor and got recognized in opposition to the bill, and I told them they might as well fold up their tent and go home because I was going to talk till twelve o'clock.

The other thing that I don't like is turning the clock back. That's childish. You look like a bunch of idiots. And they were trying to turn the clock back. So I waited until after midnight and just kept talking. Hobby sent Aikin out to tell me that if I would raise my own point of order that it was past midnight, he would sustain it.

At the time that I did what I did, I didn't know whether anybody else in the world was against that bill or not. Truthfully, I wasn't really all that much against it if I'd have known what the hell was in it. But I knew there was some logrolling going on. So I raised my own point of order and Hobby sustained it, and that was that.

I find out later . . . and this is important. It was obviously not my motivation at the time because I didn't know it. Hobby is very much opposed to that bill. He thought that we were creating too many courts in the wrong places. Briscoe was very much opposed to that bill because he thought that we were creating too many courts. A lot of other people were against it that I didn't know at that time.

The reason Briscoe was against it was that Jack Ogg had been bargaining with him all through the session, and Briscoe was voting Ogg anytime he wanted to, particularly on the election bills. The kicker was that they were going to create five new courts in Harris County, and Jack Ogg was going to get to pick all five judges. Bill Meier was doing the same thing in Fort Worth. I'll approve of that anytime. If anybody is going to be picking judges, I want it to be me. I ain't going to feather anybody else's nest.

Anyway, the long and short of the story is that at the time that it happened, Ogg and Meier and somebody else really took me to task. They jumped up and made a big personal privilege speech, saying that I was irresponsible in killing this bill and waiting till the last minute and this, that, and the other thing. Of course, I don't dignify that kind of crap by responding to it.

But Aikin and Schwartz got up and defended me, and it was very interesting what they said. Every year at the start of a session, Mauzy tried to change the rules to abolish filibusters, and you all vote not to do it. Aikin votes with me; Schwartz votes against me. And they said that what I did was to play by the rules that I tried to change. "He doesn't need any defense from me or anybody else for doing what the rules permit him to do when he has tried to change the damn rules. Now don't sit here crying over spilled milk. He told you the first day of the session that if you let this filibuster rule stay in here, one of you is going to get burned by it one of these days. The ones of you that are voting for it are going to get burned."

It's not going to hurt me, and it never has hurt me. It never has hurt me at all, never. A filibuster has never killed a bill of mine. It is just an interesting little thing that happened. It had never happened to me before. I just walked out there and decided that at twenty minutes before midnight, by God, I was tired of this business, and I wasn't going to be a party to it, and I was going to kill the Goddamned thing. That's wrong for one man to be able to do that. It really is wrong.

Marcello: Why was it that Briscoe and Hobby really did not come out publicly or make their position known on this bill?

Mauzy: I don't know. I really don't. But afterwards, after we quit and by the time that everybody got through with their personal privilege speeches and everybody got through defending me, it was 1:30 or two o'clock, I guess. Traditionally the lieutenant governor has a reception back at his apartment after we adjourn, and I went back there to get something to eat and have a drink. He pulls me off to the side and said, "I really do appreciate what you did on that bill." And then I guess it was Howard Richards from Briscoe's office who told me the same thing. I told them at the time, "I wish that you son-of-a-bitches would tell me in advance what the hell you think because if I'm going to do something to curry favor with you, I want to claim the credit. I want to get something in return."

I don't really know. I think the reason Briscoe was against it was because he didn't really like that deal that he had made with Ogg and Meier, and he was looking for a way out where he didn't have to deliver. If I know Briscoe, I suspect that if there were five judgeships to be created in Harris County, he'd probably promise them to thirty people. He traditionally does. So he wanted off the hook for that reason, I think.

Marcello: Senator Mauzy, once again, I want to thank you for having participated in our project, and you have made some very candid comments and, I think, some very incisive ones. Once more, I think that they are going to be a great help to us one of these days when they are released and they are made available to scholars.