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Interview with

REPRESENTATIVE DAVE ALLRED

October 25, 1978

Place of Interview: Wichita Falls, Texas

Interviewer: Ronald E. Marcello

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After my death
Dave Allred
(Signature)

Approved:

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Oral History Collection

Representative Dave Allred

Interviewer: Ronald E. Marcello

Place of Interview: Wichita Falls, Texas Date: October 25, 1978

Dr. Marcello: This is Ron Marcello interviewing Representative Dave Allred for the North Texas State University Oral History Collection. The interview is taking place on October 25, 1978, in Wichita Falls, Texas. I'm interviewing Representative Allred in order to get his reminiscences and experiences and impressions from the Second Special Session of the 65th Texas Legislature.

Dave, to begin this interview, in your own mind what influence did Proposition 13 in California have for the calling of the special session? Did it have any impact at all in Texas?

Rep. Allred: Yes, it certainly did. I may have quoted this in other interviews, but it's a quote that has stuck with me from Representative Bill Heatly of Paducah, who for many years was the chairman of the House Appropriations Committee. He was commenting on whether to be on the Appropriations or on the Revenue and Tax Committee. Someone asked him about it, and he kind of snorted and said, "You can look all over those Capitol grounds, and you will not see one

monument to the author of a tax bill." Certainly, taxes are always something that everyone dislikes. I don't know of anybody who enjoys paying taxes. There are a few good citizens who try to look beyond the simple payment to what the taxes are designed to accomplish, but most people are convinced that their taxes are being wasted in many cases and that politicians are very greedily putting in special projects, many of which they don't like.

For example, when people start talking about big government, they say, "You know, I never thought I'd see them busing blacks over to . . ." or usually that type of bigot would say, "I never thought I'd see them busing 'niggers' over to the white folks' schools." I never thought I'd see them going to the ultraconservative viewpoint espoused in the controversial Equal Rights for Women Amendment, where some say, "I never thought I'd see them using the same restrooms and all," which, of course, has not come about.

There was enough holdover from Proposition 13 throughout the nation to make it something that looked politically good to the people who most influenced the calling of the special session, and I think there may have been several rewards involved. For those who wanted to look good, notably Dolph Briscoe and his people, and Bill Clayton and his people, it turned out to sort of backfire on them as it does many times.

There's a wry little saying among politicians: "There go the people, and I must go with them, for I am their leader." I think Briscoe and Clayton jumped on this, figuring it was going to be a good horse to ride, because who can be against tax reform, tax cuts, and so forth? It's like so many other things. It's like virtue or anything else. There are various definitions of what constitutes tax reform.

To my way of thinking, and admittedly I may be taking a cynical look at it, the special session was going to be called, anyway. As you know, Governor Briscoe has been defeated in the primary without a runoff by Attorney General John Hill, who is now the Democratic nominee for governor and will probably be elected governor. Governor Briscoe then became a lame duck, and, as Preston Smith and other lame ducks have done before him, he wants to get appointed as many of his nominees for various boards and commissions and so forth. I don't know whether the word is "ratified" by the Senate or "approved" by the Senate; in any event, as you know, the law requires that the Senate agree with the governor's appointment.

This led to the rather ludicrous show involving Hugh Yantis, for example. The poor guy was so unpopular in certain circles that he had to go hunting for a senatorial district in which he could claim a residence where the senator wouldn't find him personally objectionable and so block his

appointment. He first was going to try Austin, and Lloyd Doggett, the senator from Travis County, said, "You do and I'll blackball you!" Yantis said, "All right, then, I've got a place down at Ganado." Senator Bill Patman said, "Great! I'll blackball you!" Finally, he ended up at Seguin where Senator John Traeger said, "Okay, Hugh, I'll go along with you."

One of the main reasons that people fight so hard in the governor's race, particularly given the Texas form of constitution in which the governor is virtually a figurehead in many respects, is that the governor does appoint people to the various boards and commissions that really run a great deal of the business life of this state. For this reason people are interested in who becomes governor, even though he has very little control. He has some, of course, through the veto and through persuasive powers and so forth.

Briscoe, being the procrastinator that he is, had a great many appointees that he needed confirmed by the Senate. So the session probably was going to happen, anyway. Someone-- and I've forgotten who now--told me that my father had a rule: "Never let the sun set on an appointment." As soon as there was a vacancy, make an immediate appointment; otherwise, if you wait around as Briscoe does on all his appointments, then you give everybody a chance to approach you. When you make the appointment, you make one group happy, but you make

about forty groups mad. If you immediately name the appointee--my father's thinking, I'm told--then when others approach you, you can say, "Gee, George, I wish you'd talked to me a little earlier. I've already named Pete to that position." George goes away not quite as mad as if you had considered his request and then turned him down. In any event, Briscoe needed the session to get his people confirmed.

I think, in addition, the people who are around Briscoe are considerably more conservative than John Hill . . . although there are attempts by the Republican nominee, Bill Clements, to portray Hill as a liberal. I think these attempts are politically inspired and totally erroneous. The man is a moderate-to-conservative, himself. He is simply not a "knee-jerk" conservative of the Clements variety. Clements, though, seems to be relatively successful in trying to pin the liberal label on Hill, perhaps partially because Hill does enjoy labor support and other help from the traditionally liberal camp. I think the people who were behind Briscoe also wanted to say, "All right, if there are going to be tax changes, we want them to be on our terms. Consequently, let's jump on this horse." As I say, who can be mad at someone who wants to cut taxes? That's been the traditional battle cry in politics for years. I wish I had a nickel for every person who has run for office, saying,

"What we need is a good, old-fashioned, business-like approach." And then they get to the Capitol--either to Austin or to Washington--and discover how much more excruciatingly complex the situation is. In Texas, for example, we have a great many funds that are already earmarked.

We have boards and commissions. Members of most of these serve six-year terms, so that a governor's influence extends far past his elected term, particularly someone like Allan Shivers who was in so long. In fact, I think Governor Shivers holds the record for longevity in office--something like eight years, which was pretty good on a two-year term basis. He was in so long that he controlled all the boards and commissions for several years after he left.

I think, first of all, the people behind Briscoe said, "We've got to get our people confirmed in these positions. Secondly, if there is going to be a tax cut or changes in the tax structure, we want them made while we still have a modicum of control." Thirdly, and here I'm admittedly being very cynical, John Hill has conducted a Carter-like campaign--a campaign almost like Jimmy Carter--in that he promised a great deal to a great many people. I don't see how John Hill is going to be able to keep all his campaign promises. I don't know if people really, deep down, expect

campaign promises to be kept. I would think that many of them do. For example, there's no doubt that President Carter owed a large portion of his election to the black voters, and I noticed that a number of black leaders recently have been saying, "We have not received from the Carter administration our just dues!" Of course, their definition of their "just dues" and President Carter's definition are probably two different things.

I think you'll find much the same attitude with Hill, and that's particularly true in the case of the teachers, for example. The Texas State Teacher's Association, for the first time, really, has openly endorsed a gubernatorial candidate. It may not be the first time they've done that, but it's the first time to my knowledge they've done it to this extent. I was at a teacher's meeting Monday at which the state president--who happens to be my first cousin, Virginia Allred Stacey, from San Antonio--spoke. This is the 99th year of the Texas State Teacher's Association. She, in her talk, called very openly for not just a majority for John Hill, but a landslide for John Hill, to really give him a mandate to work. Certainly, Briscoe had done very little for the teachers and did a considerable amount to alienate them in some of his stands on education bills. I'm seeing a lot of sour grapes in the Briscoe camp about now, and I think the Briscoe people may well have thought that, among

other things, "If we can cut down in the name of cutting taxes, if we can spend up some of the money that might be available to John Hill, then he won't have so much money to allocate the teachers' salaries and so forth."

Marcello: If I read you correctly, what you're saying is that reduced taxes would perhaps wipe out the money that would be available for teachers' raises.

Allred: At least a portion of it.

Marcello: Consequently, this would be a good way of embarrassing Mr. Hill, if nothing else.

Allred: Right, yes. Every time recently, the Legislature has gone into its session in January of an odd-numbered year with what's been termed a surplus, and I fought the newspapers in part for not pointing out the full story of the so-called surplus. The newspapers report simply that the comptroller says there is going to be an umpteen-billion-dollar surplus, and what they don't point out is, where that surplus comes from, what it actually is, and the effects that inflation is going to have on the surplus. The runaway inflation that we have in this country today is the father of the surplus, in effect. Much of our revenue is drawn from the sales tax, and taxes based on land values and this sort of thing, which go up. Admittedly, the state doesn't have too much in the way of an ad valorem tax on land value anymore, but there is some that goes to the colleges and universities--I think

ten cents on the hundred.

In any event, the comptroller at the start of each session . . . let's see, in Texas he's the comptroller of public accounts; he's the comptroller of the currency federally. The comptroller of public accounts--right now Bob Bullock, who is certainly a political animal--makes an estimate of the money that might be available or that is expected to be available from tax revenues for the upcoming biennium--two years. Because of inflation causing prices to go up and so forth, we've gone in with an estimate that would take in more taxes than originally anticipated.

The press very dutifully reports that we're going in with this large surplus, which then makes many people smack their lips, and some say, "Why don't we give it back to the taxpayers?" and others say, "Here's a way we can spend it." They look on it as something that's already in the bank, when it's actually simply an economic forecast, to begin with. Secondly, it fails to take into consideration that the state is faced with the same inflationary trends that everyone else is, that we're going to have to give increases. For example, it's been pointed out that our highway patrolmen make an amazingly low amount of money. The state tried to help them in a way that would not increase their income taxes by paying their social security two years ago, and the Internal Revenue Service fouled us up by ruling that that is,

indeed, income in any event. Our state employees are faced with increasing costs and want pay raises. In addition, anything the state buys, from highway construction materials to paper clips, is going to cost more. So most of the surplus is eaten up before it ever comes into existence, and then much more of it is legislatively earmarked for special funds.

The result is that an incoming governor, working with boards whose members were appointed by other governors and with a great deal of the funds earmarked already, which is not generally pointed out to the public, runs into a public relations problem, if nothing else, if he can't deliver. The teachers might very well say, "Look, I've been reading about all this surplus, and what did they give us? A 5 percent raise! Why, thunderation! The rate of inflation currently is 10 percent annually, so I'm falling behind!"

I think one of the things, very cynically, that was really kind of a side effect of the calling of the special session from the Briscoe point of view was the cutting down on the available funds that might be used to give the teachers a good raise as John Hill paid off his political debts.

Marcello: Like you pointed out earlier, and like several other legislators have also mentioned to me, the governor and his wife seemed to be especially vindictive as a result of having lost the gubernatorial primary to Mr. Hill.

Allred: Yes, and I suspect it's a new experience for them. Dolph Briscoe is a fine man. I would trust him with my last dime. I think the man is honest. He is--and as long as I've known him has always been--a very gracious person. His wife is a very devout Baptist and is a very, I think, strong-willed person, much stronger than Dolph.

As I may have mentioned in one of the previous interviews, I worked my heart out for Briscoe in 1968 when very few people had ever heard of him. I did this primarily because when the Allreds asked the Briscoes for support in the '30's and '40's, they gave it. I've since been told that my father made some phone calls that opened some doors for Dolph Briscoe's father--Dolph, Sr.--at a time when he really needed them financially. Not that he got him anything illegally, but simply he provided introductions to some sources of funds or something. In any event, we worked very hard for Briscoe in '68, and I got to see several portions of the man's personality at that time. One was that he had initially hired a man named U.A. Hyde, who was a professional in running campaigns. Hyde was supposed to set up Briscoe's campaign.

Well, Briscoe, I'm sure for most of his life, at least--the present Governor Briscoe--has lived as close a life to H.L. Hunt's Alpaca as anyone ever could. H.L. Hunt, you will recall, wrote a book some years ago called Alpaca,

reportedly describing a mythical country called Alpaca, which was a total dictatorship. Hunt apparently, from what I understand, identified himself as the benevolent dictator, and the dictator was such a fine guy that nobody really cared that he was a dictator because he was just so swell to everybody. Briscoe was really this in real life. Here is a man who owned a considerable portion of South Texas and northern Mexico--banks, land, cattle, businesses of various types--and obviously is a very influential citizen, and yet one who had never apparently really pushed it, who had never had to call someone in and say, "Now, look, Charlie, I hold the mortgage on your place, and I want you to do this!"

The town of Uvalde turned out en masse to help the man. He's apparently very popular down there; the people loved him. He had never thrown his weight around. When he wanted to run for the Legislature--it's kind of my understanding, and it may simply be my assumption, but I think it's correct--really, all he had to do was announce. I don't think he had very hard races.

I don't think Dolph Briscoe is used to losing. I think he's used to having people kowtow to him. Not that he's arrogant, it's just a new experience for him. He is a handsome man. I'm sure he had success with women. His wife is a beautiful lady. She comes from a very distinguished family in Austin--the Slaughters. They had grocery stores

and a meat-packing plant. They were very wealthy, or at least semi-wealthy. I don't think either one of them, Dolph or Janie, has ever really experienced loss much before, and they've sort of lived a charmed existence down there.

Another thing that I think is significant is that Dolph would not work for U.A. Hyde. Hyde just could not seem to get through to him; nobody got through to him for a long time. It took "Happy" Shahan from Brackettville to really provide the spurs to make Dolph Briscoe decide he was going to run for governor.

"Happy" is a character in himself. He's not originally from Brackettville, but he went down there and got a ranch out there in that range country--I would presume it's northwest of Brackettville--and then went to Hollywood and started banging on doors and said, "Hey, I've got a place out there that would make a fine spot for movies to be shot." Eventually, he landed The Alamo, starring John Wayne. Since then, a number of other pictures have also been made by Hollywood at what "Happy" now calls "Alamo Village." Bandellero, I think, starring Raquel Welch and Jimmy Stewart, is one that was shot there. There are several like that. My children and I have visited "Happy" at "Alamo Village"; we know him personally. He's quite a character and a real promoter, and a very close friend of the Briscoes and of others who are influential in that area.

His son is named Tully Shahan, Tully being a family name of the Garners--John Nance Garner and his family. I believe Tully Garner was John Nance Garner's son, who was a banker in Uvalde for a number of years and may still be there. He's the one I talked to when I was trying to get papers on Dad from John Nance Garner's files. He told me about John Nance Garner taking his files out on the prairie outside Uvalde and burning them. He was so set on disassociating himself with politics, and with the Roosevelt administration, in particular, that he destroyed a great deal of history. Tully was rather apologetic on the phone, but there was nothing he could do because it had been done many years ago.

In any event, "Happy" Shahan got interested in Briscoe's campaign and, from what I'm told, would go down the street and funnel people over to meet Dolph. Dolph is personally a very retiring sort of a guy, and Shahan would funnel people over to meet him. He'd say, "Come over here. I want you to meet Dolph Briscoe." And he'd look back at him and say, "You running for governor, boy?"

Before long, Dolph began to change. I noticed in the '72 race, for example, when he landed at Wichita Falls, he walked off the plane, and there was a kid standing there who had guided the plane in, showing it where to tie down, where they could fuel it and so forth. He was a typical, what

they would call, grease monkey, I guess, around an airfield-- greasy hands, greasy coveralls. Briscoe walked off the plane, shook hands with the kid, and said, "Hi, I'm Dolph Briscoe. What's your name?" I thought, "'Happy' Shahan's been working on the boy!"

At the beginning of his 1968 race, U.A. Hyde couldn't get him to work. My second cousin, Vernon McDaniel, and Davis Carter, formerly of Jack Brooks' staff, and some others, came over to help Dolph after U.A. Hyde was fired. We couldn't get him to work, either. We'd plan a schedule for Dolph, and he'd show up in his khakis, and you can forget it! He's going to the ranch! The "Catarina" was his favorite ranch; he owned several. I never met U.A. Hyde, but from what I'm told, Dolph's partner had to come up to Austin and tell Hyde he was fired. Dolph wouldn't do it! That's the type of person he is.

I know him in my own particular case, too. Of course, I was paid staff, but I had asked for a leave of absence from the Wichita Falls newspaper, which certainly didn't help my own job. I never got a "thank-you" from Dolph personally, that I can recall, certainly never in a letter, even a form letter. He did invite my cousin to come to the "Catarina" and go hunting, and I wouldn't have gone if he'd invited me because I don't enjoy hunting. But I would have appreciated the invitation. I received no acknowledgement,

nor to my knowledge did my wife or my mother, who worked their hearts out for the man. I was so embarrassed about one kid who put his job on the line in Lubbock--Preston Smith country--that when Dolph didn't write him, I wrote him and said, "Son, on behalf of Dolph Briscoe, we want to express our appreciation." Dolph just wasn't, and isn't, that kind of person. He takes what people do for him as his due.

When I felt I had to get out of the Legislature, I asked him a couple of times about a gubernatorial appointment and got nothing! He'd give me a sympathetic listen, grin, promise to do something, and do nothing--which is one thing that hurt him in the election because he apparently did it to a lot of people. He had such a lousy, lousy staff . . . he had one of the worst staffs I've ever seen a governor tolerate. I think a great deal of his loss in the election was people who were just very lukewarm because Dolph had been lukewarm to them.

I have a tendency to go around Robin Hood's barn. Your question dealt initially with vindictiveness on the part of the Briscoe camp, and I think we're definitely seeing that. Dolph and Janie and the kids and all are sort of saying, "If you won't play our game, we'll pick up our toys and go home." Several of the Briscoe children, I'm told, are working in the Clements campaign. There is a report--I

have no idea of the truth of--that Janie contacted a particular newspaper editor and solicited a Clements endorsement, although she has publicly announced--as has Dolph--that they will vote Democratic. I think there's very definitely evidence within Briscoe and within his followers of sort of a sour grapes attitude.

I think in Briscoe's case, losing like this is probably a new experience. I don't think Briscoe realized how unpopular he was becoming. You tend, when you're in a position such as a governor, to have "yes" men around you. And everywhere you go there are people who are not political but who simply want to meet the governor--they wouldn't care if it was Adolph Hitler.

So it's rather difficult, I think, to keep your perspective. I think Ben Barnes found that out. Ben Barnes had no business in the world announcing when he did that he could be governor or senator or whatever he chose-- a Muhammed Ali approach, you know. It might sell tickets to a boxing match, but it doesn't go very well in politics.

Marcello: In other words, a politician, when he loses in his party primary, has to take his lumps and keep his mouth shut, so to speak. You might not like the fact that you've been defeated, but that's the way the game's played.

Allred: Yes, I think to the general public, that's the way the game's played. Now "pols" understand this. Larry King used the

word "pols" in his book, The One-Eyed Man, which is a political novel, and I've sort of adopted it. "Pols," I think, understand more. We understand a number of things, including how amazingly personal a campaign becomes, and I'm sure that the Briscoe family feels particularly that they have sufficient grounds to be mad at John Hill, partially for things that John Hill did. And, then, too, there seems to be within campaigns a certain element of people who are of the "let-you-and-him-fight" variety, people who love to carry tales. I think sometimes some of the things that politicians react to, really, are not from the other camp at all but are either fabrications of someone's imagination or are from a third source entirely.

Billy Clayton wouldn't be speaker if it were not for such an incident, in my opinion. Billy Clayton, in his race for speaker, was considered a slow third. My man was Representative Fred Head of Athens and Troup and over in that area around Tyler. I say that because Fred's had several different homes as they've tried to redistrict him out of existence, and he ended up (chuckle) beating Rayford Price of Palestine, the speaker, on his home ground, which has to be a political accomplishment. The othe major candidate was Representative, who's now a senator, Carl Parker of Port Arthur. They were considered the front-runners. It became evident that neither could get off dead center. About that

time, Head came out with a press packet that he had worked on very hard. Fred does not get along well with the press. He's very suspicious of reporters. He wants to be able to present things just as he wants to phrase them, and the press, of course, rebels against that mightily. Also, not always do reporters present things accurately. I'm very disappointed in some of the press's performances. I guess it's been rather revealing to come from the press into politics and see that the press is not nearly as saintly and so forth as I had imagined in my idealism.

But, whatever, Fred had this beautiful press kit; it included pictures of his family and all that sort of thing. Someone came out with a mockery of this that included a very shapely nude woman. Fred's wife, Marsha, is a beautiful woman; in the parlance, she is really "stacked." Someone had taken a nude and superimposed Marsha's head on it and put it on this press packet, which I'm sure was produced solely for laughs, and perhaps for ridicule. Ridicule is a very potent political weapon. But primarily, I think, it was for laughs. Rightly or wrongly, and I think perhaps wrongly, Fred attributed that to the Parker camp. It might have come from former Representative, now district judge, Neil Caldwell of Brazoria County, but I'm not sure. No one knows the actual derivation. It may have come from Parker. Parker and Caldwell were close cronies, and both

of them liked to laugh and joke.

But, whatever, it simply intensified Fred's hatred and distrust of the Parker camp. When it became evident that he and Parker were deadlocked, he suddenly threw his support to Clayton. He was convinced that Parker's election would be bad for the state--even though Head and Parker were generally classed as liberals and Clayton was a conservative. Out of a situation that I think is similar to some of these other things in which third parties' actions or reports figure, Bill Clayton suddenly became speaker of the House and apparently is going to become a record speaker of the House--going into a third term and perhaps a fourth.

I just don't think that the Briscoe forces have taken this at all well, and at least for public view, you're supposed to take your licks and go on about your business.

There was an incident recently in which Senator John Tower, the incumbent, refused to shake hands with Representative Bob Krueger, who is running for his job. My guess is that that's going to hurt Tower immensely. One of the Houston or Fort Worth papers had a photographer there . . . it was at a press luncheon, of all things. What a time for Tower to choose to be petulant and temperamental! I believe it was one of the Houston papers that had a photographer there who got a sequence of shots of Krueger extending his hand and Tower turning away, and they were played all over the

state. CBS News ran it last night in a piece by Roger Mudd on the "high road," as he called it. He was standing beneath one of the freeways in Houston, apparently, and commenting on the "high road" that these two college professors had taken, commenting very sarcastically because the campaign has reached some new lows in personal criticism. But I think that something as small as refusing to shake hands is going to hurt John Tower a great deal.

As I say, publicly, you're supposed to take your lumps and come up smiling, just as you are in football or in business or anything else. Briscoe's people are acting pretty much the crybaby. Not that it'll hurt Briscoe politically because I don't know if Briscoe will ever try to come back in the political arena, but it is one of the things that, I'm sure, was preying on his mind and on the minds of his advisors when they were considering calling the special session.

Marcello: You were talking about Speaker Clayton awhile ago, so let's get back to him. He, of course, was one of the major proponents of a special session. What were his motives? Do you have any idea?

Allred: I think it primarily was ambition. Clayton has made very little secret of the fact that he would like to go on to higher office. I think the man is vauntingly ambitious. He is a small-town rancher from Springlake, Texas, and when he

first became speaker, he didn't even use proper English. However, he or his advisors have seen to it that he dresses much better now; he is much more carefully coiffured, if you will; and he has improved his speaking ability and his diction and his use of the English language markedly. He has a press secretary, George Works, of Wichita Falls-- "Buddy," as they call him--who is turning out some columns and trying to put some real meat into them, I think. They're weekly columns, sent out on slick paper and photoready, which figures a little later in the controversy in the special session. Clayton wants to be perhaps governor, perhaps senator. In discussing this with other "pols," I've said that I think right now Clayton's got all he can "going." He simply needs to sit back and keep his options open. His methods of keeping his options open have brought him some grief, however. Clayton was very strongly identified with the push for the special session, and I think Clayton, more so than Briscoe's people, wanted to ride the white horse. I think Briscoe's people had much more practical considerations: "We want our way on the tax cut. We want our people confirmed. We want to shaft John Hill if we can." Clayton wanted to come riding out of the West with the Legislature as his lance and spear the dragon taxes and reap all the publicity that he could from it.

Marcello: I gather that, on the other hand, Lieutenant Governor Hobby

was kind of a moderating influence when the three got together and tried to set up an agenda. Now this may be beyond the realm of your knowledge.

Allred: It is. I know Bill Hobby. He's a very low-key type of person. He is also someone, by the way, who has vastly improved his public appearance. He stammered when he was first elected. You know, Bill has come up in the light of a couple of very strong personalities: his father, former lieutenant governor, and Governor William P. Hobby, Senior; his mother, who, of course, was the first secretary of HEW and commanded the WACs in World War II. She's a very powerful, a very strong-personalitted woman, and I'll bet old Governor Hobby was, too, you know. Bill had come up in this light. He's an intelligent guy, but he stammered; he did not make a good appearance in his speeches, and so forth. He has gained immensely in confidence and know-how, but he's still pretty low-key. He knows he's going to have to work with Hill, for example. He also is not particularly keen on advancing Clayton's political fortunes because they might well collide with his own. The result, I think, would be that Bill's position would be, "Oh, all right, if you've got to do it, Dolph." But in all honesty, that's speculation. It is beyond my realm of knowledge. I am not that close to Bill Hobby.

Marcello: I gather that you, then, would not be too familiar with the

actual shaping of the agenda for the special session by Briscoe, Clayton, and Hobby.

Allred: No. In fact, one of the gripes that emerged in the session was that no one, at least in the House, was consulted in the least on whether we thought there should be a special session and, if so, what should be considered. Now I don't know what gave anybody the idea that legislators ought to be consulted, but it did emerge as an often-expressed complaint.

Marcello: Evidently, even the members of the House Ways and Means Committee were not consulted in the formulation of an agenda.

Allred: I don't know. I'm not very close to the House Ways and Means Committee. Joe Wyatt is the chairman, and I'm not very keen on Wyatt.

Marcello: There were even some charges that Clayton, Briscoe, and Hobby were more or less withholding the agenda until the last possible moment. Do you know anything about this?

Allred: No, I really don't. Knowing Briscoe's proclivity for procrastination, I'm not at all surprised that the agenda did not emerge until the last moment.

Marcello: Evidently, Representative John Bryant was rather vocal in his opposition to any special session whatsoever.

Allred: John Bryant is a fine man of good conscience and a credit to the House of Representatives in my book, and I'm sure he was very vocal. He was vocal throughout the special session. Some tend to think that John was being too negative,

but you either go along or you say something.

Marcello: In general, what was the attitude of the state legislators when they convened in Austin for this special session? Were they enthusiastic about it? Did they think it was necessary? What sort of a feeling could you detect?

Allred: Surliness. I don't think they were enthusiastic in the least. Most resented the special session. At first, it was simply a rather mild resentment, but as time wore on and as the Republicans and some others saw their chances and went ahead and brought up controversial matters, anger increased. It was like the '74 Constitutional Convention. We were being required to vote on all sorts of questions. In an election year a politician is rather "schizy" about wanting to take any sort of position, and here we were being asked to vote on a variety of questions that we really didn't want to have to address, particularly when the votes didn't mean anything. The surliness increased as the session wore on. I was not privy to any of the pre-session conferences, and I told you my estimates of the reasons--both those for Governor Briscoe and for Speaker Clayton. The membership in general would much have preferred not to be there at all. We were approaching the fall campaign time, and, also, the members just didn't want to be put on the spot. They wanted to be at home campaigning and trying to make a living which becomes increasingly important--as the time goes on that you

have to devote to the Legislature--because of the low salary that the Legislature pays. But as it turned out, Clayton's espousal of the special session backfired on him.

Marcello: In what way?

Allred: In that he was so heavily identified with it that he became the object of much of the resentment. Also, Clayton as speaker was allowing some things to come up that a speaker who had the House much more in hand, such as Ben Barnes, would not have allowed. During Ben Barnes' heyday, he would simply have sat on many of these Republican attempts to embarrass Democratic politicians. Good or bad, he would have done it. From the "pol" standpoint in an election year, as I said, they didn't want to be put on the spot about some pretty embarrassing or controversial issues. Many of the votes were on resolutions and similar instruments that put the members on record but didn't really accomplish anything meaningful except put people on record.

Marcello: After you got to Austin, the governor then put forward his original seven-point proposal. One proposal called for a repeal of the 4 percent sales tax on residential utility bills. How did you feel about that?

Allred: I didn't see how I could be against it. That's kind of an offhand answer. I think that this was part of the Proposition 13 mentality that was coming into Texas when Texas really didn't need it. Texas does not have the

financial problems California has, nor do we have the tax rate or tax system California has. The truth of the matter is, every tax cut removes a certain amount from the tax base from which the state draws its financial sustenance, and if you do too much to that base, you're just opening the way down the line somewhere for another tax bill.

Marcello: I gather that the individual homeowner, or the average homeowner, wasn't actually going to see too much of a change in his utility bill as a result of this repeal.

Allred: Approximately \$5 a month, \$60 a year. When you bring that up, there are people who say, "Well, that's money!" Pennies are money, and certainly you don't want to throw money away, but it really wasn't that much. I heard the comment several times that perhaps the voters in California were dissatisfied, but members would look at each other and say, "How many people have you had come to you and complain about the tax structure?" And the truth is that there were very, very few. I mean, you have a few who always complain about the tax structure, particularly the well-to-do who don't want to pay taxes, but there was no great, overwhelming demand in Texas. It was a time when politicians were scattering and running scared because of the overwhelming success of Proposition 13, and I think most of us read it very correctly, that it was not simply an approval of the Howard Jarvis tax plan. I think, in the long run, California is going

to regret the passage of Proposition 13 and will discover that it helps primarily the big-minded interests, which are Howard Jarvis' roots. He springs from them and is sponsored by them, and I think he is simply a demagogue who managed to catch the public's attention for the moment on a very popular subject. There was no great overwhelming cry in Texas, but the politicians recognize that Proposition 13 was a protest against the entire setup, particularly the federal setup, I think. Anyway, nobody ever likes to pay taxes.

Marcello: And we must keep in mind that Texas has one of the lowest tax rates of any state in the Union.

Allred: Yes, Texas had one of the lowest tax rates and for many years has drawn heavily on the petroleum industry and petrochemicals and so forth for a large portion of its present tax base.

Marcello: The second proposal in Briscoe's original plan called for an increase on personal exemptions for Class A beneficiaries under the Texas inheritance tax laws from \$25,000 to \$200,000.

Allred: I favored that. The Texas inheritance tax laws had not been changed since 1923 and certainly were long overdue for change, given inflation and the size--measured monetarily--of estates today, even small estates. I think that was long overdue, and I favored it and had so stated before the session began.

Marcello: His other five proposals actually would have required

constitutional amendments or certainly constitutional changes. His third proposal was to require a two-thirds affirmative vote for any new tax or increase in existing taxes, and this would have required a two-thirds vote of the entire Legislature, isn't that correct?

Allred: Yes. I believe it would have required a two-thirds vote in each house. A two-thirds vote of the entire Legislature might be a little different, so just for clarification's sake, it was a two-thirds vote in each house, if I recall correctly. I opposed this but, in all honesty, not publicly if I could avoid it. I have always kept in mind a description that comes from one of the Uncle Remus tales by Joel Chandler Harris. In the "Tar Baby" story, Brer Rabbit makes the Tar Baby and puts the Tar Baby up as a target up on the road, but he gets in the briar patch. Several times, in describing the encounters of various animals with the Tar Baby, Uncle Remus pauses to note, "Brer Rabbit, he lay low." That has been something that I've often found to be very wise, politically. On occasion politically, Brer Rabbit better "lay low."

Marcello: It's pretty hard for the Legislature to get a two-thirds majority on anything, isn't it?

Allred: Yes, it is. My reasons for opposing it were based on a variety of things. I even called California and talked to the staff of an assemblywoman and discussed how this had

worked in California because they had had it, and it had been repealed by the California Legislature and was reinstated by Proposition 13. He said the downside of it, which most people don't consider, is that it gave a great deal of power to a small group. It took only one-third of a given legislative body to block any sort of tax action whatever. Perhaps it was something almost the entire state agreed was needed. A small group could block action. He said also that--and I think it's pretty obvious--many times these people were not necessarily anti-tax, per se, so much as they were seeking leverage for their own particular designs, whatever they might be.

This was one of those topics, though, that sounds so good on the surface that it's difficult to oppose publicly. I've found you're better off not jumping into the fray until you actually have to in many cases because sometimes the fray never reaches your particular section of the battlefield, and that's what happened here. Had I been asked, I would have probably come out against it, but since I wasn't asked, I didn't particularly bestir myself to do more.

I was asked about it in a couple of letters, and in reply I said, "This allows a small group to control," and tried to point out the downside, as well as the upside, of the thing. The downside is that any tax bill that passes, in effect, has to have two-thirds of the Senate, anyway, to

be brought up out of order in that kind of strange parliamentary procedure the Senate uses, and, furthermore, when tax bills are passed, every representative then has to go back and face the people, anyway, so the people have a say. The two-thirds thing, I think, is based on the presumption that all taxes are bad, but I think the mood may change when the people see some of the things that are going to happen as a result of this Proposition 13 mentality . . . partly because of that and partly because of the bureaucratic mentality that says, "All right, if you're going to cut us, we will cut the most popular programs and leave the sheltered things alone." In general, I think that it's going to be, in the long run, better for the state that that particular proposal did not pass.

Marcello: Another one of the governor's original proposals called for taxing agricultural land and timberland according to their productivity value, rather than their market value. How did you feel about that?

Allred: I favored this. In fact, it was primarily because of this particular controversy that I voted for the sorry conglomeration that was HJR1 and is known on the November 7th ballot as the tax relief amendment. I believe it was Goebbels, who headed the propaganda arm of Adolph Hitler's administration, who said, "If you repeat a lie often enough, people will believe it." I think that's part of the psychology for

calling that monstrosity a tax relief amendment.

What happened here is that I got suckered into something without really realizing it. The background of the controversy is this: unlike New York and some others that tend to grow upward in skyscrapers, our towns tend to grow out in Texas, and the result is that farmers' fields that previously were some distance out of town suddenly find themselves with the town growing out to them. Yet the farmer is still running cattle on this or raising wheat or whatever his crop is. When the tax assessor-collector for the county comes out to assess the value of this land, how should it be assessed? Should it be assessed as agricultural land, or should it be assessed as a potential shopping center or housing development? That, of course, would make it a much higher evaluation and thereby make the farmers'--the owners'--taxes much heavier. I have supported all along the proposal that the land be valued on its current productivity rather than on its speculative value.

Now there have been a number of variations to that plan. For example, one proposal was that if the land does then become a shopping center, the new owner might be required to go back four years and pay the difference in taxes--four years being an arbitrary time set--in an attempt to equalize things a little bit, perhaps. But it seemed to me that the family farmer is having enough difficulties today. It

requires such a large investment to go into farming that we seem to be going much more to large corporate farms. Just as I hate to see the small businessman go, I hate to see the small family farm go.

There are a number of votes that I regret casting. One of them is when I was talked into voting for the repeal of the chain store tax, and I have regretted it ever since.

Marcello: Still another of the governor's proposals provided a method by which the voters themselves could initiate tax reductions or increases by statewide balloting. How did you feel about that?

Allred: I think it's an awful plan. This comes under the general headings of referendum, recall, and . . . I forget the third term.

Marcello: Initiative.

Allred: Initiative, yes. Initiative being the time when the voters could propose something, and if a sufficient number of voters signed a petition, it could get on the ballot; referendum being where the voters express their like or dislike of a particular bill; and recall being where they can recall a particular officeholder. I think these, while they sound very good, are things that could wreck our political system.

Our forefathers, I imagine, considered this when they established our government, when they set up certain terms of years, because they were, after all, coming from a

parliamentary system in which recall is almost built in. Anytime the prime minister and the party in power lose favor, there can be an election at that time rather than at a specified term, and they might be voted out of power. There is a great deal of politics involved simply in the calling of an election under the parliamentary system. Our forefathers, instead, foresaw, I think, that to be true to the oath of office, a politician--an officeholder--is going to have to make unpopular decisions on occasion. I think they reflected this in two ways: one, in the specification of a particular term, rather than the parliamentary system; and, two, in modifying the terms between the House and Senate. The House members running for election every two years must be more reflective of the currents and moods of the electorate than the senators who serve in the state four years and then in the U.S. Senate for six years per term and can assume a much more statesmanlike attitude. I think that's deliberately planned. It would seem to me, for example, that to pass a law and then have the people say, "We don't like that law," would open us to demagoguery. Now if the people took as much interest as our forefathers may have intended . . . Mr. Lincoln was very right when he said, "This is a government of the people, by the people, and for the people." If people really were that informed and took that much of an interest, then I might be a little

more in favor of these things. But I think the people are too easily swayed by demagoguery, by image-making on television and this sort of thing, and that's rather odd because basically I'm a Jeffersonian. I tend to trust the electorate, but not to the extent of following the whims of the mob day-to-day. I think, if we were to follow blindly the whims of the electorate on a daily basis, we would be in real trouble.

The best example I can think of is the Lieutenant Calley case in Vietnam. Immediately after his conviction, there was a vast wave of public sympathy because he apparently was being used as the goat to cover up for some higher-up people who had ordered his course of conduct. There was a tremendous sweep of sympathy for Calley immediately after his conviction. Johnny Nelms of Houston, who was then a member of the House, composed "The Ballad of Lieutenant Calley" and sang it for the entire House during one of the waning hours of whatever session that was. However, within a few days people began to say, "Now wait a minute. All of this other may be true, but you still don't put women and children and old people into a ditch and machine-gun them." And then public opinion swept back the other way, but it took several days.

I think we would be in real trouble if we had to go on a whimsical day-by-day basis. For example, I could see any

sort of a tax bill being voted down automatically, and I can see a great many other types of bills that I think are necessary but which are not particularly popular with the electorate or which could be presented in a light where they would not be so popular. Another thing that gives me pause is that in all three of these situations, the person who can get to the public with his message has a marked advantage. Former Attorney General Waggoner Carr used to tell the story of a young man who was saying, "I don't have much money, but I'm running for office, and I still think a poor boy can achieve election to office in Texas." And someone says, "Unless you have enough money to go on television and tell the people you're poor, they'll never know it." This is very true. This is a day, indeed, in which candidates are sold so much like soap. It's a day in which a person who has the means to reach the media has a very definite advantage. Who has that means? Certainly not the working people. The big special interests have that means. I think all three of these--referendum, recall, and initiative--have this built-in disadvantage.

Plus the fact that someone who is going about his job and conscientiously trying to do it has to make unpleasant decisions on occasion, particularly unpleasant economic decisions. That's one of the problems with Keynesian economics. It's easy for an elected body to vote tax cuts

when you need loose money, but when you need tight money, the decisions are much more difficult. Then you have to face such things as President Ford did. He took steps that were cutting inflation, but they were also increasing unemployment, and a great many people--George Meany and others--were pointing out, "Look at the number of unemployed, look at the suffering," and this sort of thing. Ford's methods were not the methods I might have used, but my point is that there are times when you have to make difficult decisions. If an officeholder, making a decision for the good of the country, or for the good of a particular portion of the country, has to make a tough call knowing that he may lose his job because of it, or that the people may then turn around and vote it down immediately before it's ever had a chance to prove its worth, it's going to make him much more shy in the performance of his duties.

It's for these reasons, primarily, that I have opposed all three of these, even though at one time I proposed such a bill myself. It never got out of committee, and the more I studied it, the more I am happy it didn't. But then I was a populist and, I guess, still am, and a Jeffersonian and so forth. I have a strong belief in the electorate. But the more I studied this, the less enchanted I became with the idea.

Now I notice that the right-wing seems to have picked

it up. Walter "Mad Dog" Mengden, a senator from Houston, was pushing such a proposal during the special session. He told the Senate during the debate that he had great faith in the electorate to make the right choice, whereupon Senator Carl Parker of Port Arthur said, "Do you mean that you can look at the makeup of this body here--the Senate--and still make that statement that you have confidence in the electorate to make right choices?" Parker, of course, is well-known as a joker, but I think he was pointing out something. People on a short-term basis are easily swayed.

I remain a Jeffersonian in that I think the people, in the long run, will generally choose correctly. If you look back at our presidential elections and others, people have gotten off a little bit on occasion, but in general I think they've made the right decisions. It's been at a time quite often when they could get off and deliberate a little more than I think referendum and recall and initiative would allow.

Marcello: Now after you get into discussing these various proposals of the governor, how much feedback were you receiving from your constituents here in Wichita Falls?

Allred: Virtually none. Most people greeted the special session with a rather large yawn, and this, I think, added to the discontent. The people were not interested; the people were not following the special session. They tended, I think, in their own

minds to dismiss it as "them politicians squabbling again."

Marcello: Comment on this: after the special session got started and the debates had begun on these bills, there was a cry that went up that there could be no tax relief without tax reform. Of course, we're getting into the whole subject of the Peveto Bill or the "Son of Peveto" Bill or whatever you want to call it.

Allred: (Chuckle) And into John Bryant's objections and this type of thing. Yes, I agree with that. I think that we're doing, or we did in the special session, what we've done to education for years, and that is to put a band-aid on a gaping wound. The Peveto Bill has drawn opposition from a number of people, including tax assessor-collectors and many others who don't like some of its provisions--principally, I think, the tax assessor-collectors dislike the idea of a central assessing agency. There were a number of controversies that surrounded this entire proposal.

I borrowed a phrase from Representative Ben Grant of Marshall. Ben is a person I respect a great deal. I have a large amount of respect for his ability to cut through all the extraneous matter and get right to the heart of something. It's apparently a result of his legal training. It's something I'm seeking to do in my own attempts at a law practice. Ben has an incisive mind. He also is not afraid to speak his mind, and he had commented . . . and I borrowed from him

the phrase, and was saying before the session ever opened, that I expected we would go down there and pass the removal of the tax on utilities and the increase of the exemption from the inheritance tax, and that we might very well not do much else. Most of the special session, given politicians being what they are and this being an election year, might well consist of "self-serving jaw-wagging," which was Grant's phrase and one I liked. I think a great deal of it was. There were a couple of controversies that arose out of this. Peveto, of course, was trying to get his bill passed.

Marcello: How did he ever get that bill on the agenda to begin with?

Allred: Well, it was toward the end of the session, and, I think, by that time everybody knew it was not going to pass. I think the attitude in Briscoe's camp was, "What the hell! Let the kid have his run." That way, Briscoe then didn't draw fire from the bill's supporters. It was probably a very astute political decision on the part of Briscoe's camp. I don't think Briscoe makes these decisions. But whoever was making his political decisions knew that for those who favored the Peveto Bill, Briscoe could say, "Well, I gave the boy a run." For those who opposed it, he could say, "Well, hell, it's so late in the session. Let him get up and demagogue a little bit. What the heck! He's not going to pass the bill." And, indeed, it didn't pass despite Peveto's giving in to changes almost to the point of emasculating the bill.

Out of this, also, came the controversy over what you were talking about awhile ago--the agricultural land exemption. John Bryant and others--and I think they were right--wanted to exclude the large timber companies over in East Texas and the large land speculators and so forth from the tax break. They argued, and, I think, correctly, that to give the tax break to these big companies would allow a removal of vast sums from the tax base that would have to be made up by the people, particularly in the smaller towns. That was one of the big squabbles that came up over the thing and, I think, one of the reasons for the decision which I attribute to the lobby--I think HJR1 was written by the lobby--to combine that with a number of other things in the bill.

That's where I got caught, because I had told the Farm Bureau and others that I favored the idea of taxing agricultural land on productivity rather than on speculative value. I was thinking that I would have a chance to vote straight up on that particular proposal in a bill. Instead, of course, they combined it with a number of other things and used it and a few things that, until you look at them, look like they're giving the old folks a break, when they aren't, and the handicapped a break, when they aren't. They put in just enough sugar to make the medicine go down.

One of the things that I felt should have been done that

was not done was the exclusion of the large timber interests and the large land speculators from the tax break. By the way, one of those who voted with John Bryant, as I understand it--I didn't particularly notice his vote, but others were commenting--was Representative "Buddy" Temple of Diboll. They call him, I'm told, in East Texas "AT-3," that he is the son of the present chairman of the board of Temple EastTex or Temple Industries or whatever it's called, which owns not only a good deal of the timber and paper-making and so forth in that area but also Time magazine, Sports Illustrated, a book publishing house, and hotels. It's a widely-diversified, industrial complex. Of course, "Buddy" Temple has money all over the place. It's my understanding that he voted for Bryant's proposal to cut out the big timber interests. "Buddy" is basically a liberal, and there were some cries, when he cast his vote, of "Timber!" around the house floor.

Marcello: Were there attempts made to work out some sort of a tradeoff between the governor's proposals and perhaps a modified version of the Peveto Bill? I guess this is where we get into that "Son of Peveto" business, do we not?

Allred: Yes, that is where the "Son of Peveto" comes from. I was not party to any of the negotiations, but as I understood it, there were negotiations, and in many cases there was some question as to the bona fides of the negotiators. Peveto,

I think, found himself finally in the process of working out something with this particular person or, you know, this particular representative or that particular senator, thinking that he was working out something with a spokesman for a group, only to discover that all he had done was work out something that suited that particular individual, not a group. This is guesswork on my part. He eventually, as you know, gave in on quite a few points in an attempt to at least bring his proposal to any sort of a vote.

Marcello: At the same time, it has been written that the chances of a Peveto Bill being passed in the next session are very good.

Allred: Very possibly so. I have voted for the Peveto Bill and probably will again, much to the disgust of my county tax assessor-collector. I don't really know because I felt Peveto lost a lot of his . . . what the Orientals, I suppose, would call "face," when he started horse-trading. Perhaps I've seen too much of Ralph Yarborough standing there and saying, "This is where I am, and I ain't going to budge an inch, and if you folks want to compromise, you're coming my way." I kind of felt like at the last Wayne folded, but in all honesty so many things were happening that I may not have had the full picture at all.

Marcello: We're up to the point where I think we can talk about the "Shifty Fifty" or the "Filthy Fifty" or whatever you wish

to call them, and Allred's name pops up at this point on several occasions. Tell me about the origins of the "Fifty."

Allred: Allred's name didn't pop up at first. As I say, I tend to be rather cautious on something like this. Basically, what happened goes back to the general resentment at the session being called at all, at Clayton's being so closely identified with the calling of the session, and the resentment, as we went along, with the fact that we were being called on to vote on all sorts of things that had absolutely nothing to do with the purposes for which the session was called. There were those who felt that Clayton should have sat on these things. To give the man his due, Clayton tends to allow almost anybody a run with whatever proposal they have, if they can get by the Eight Horsemen of the Apocalypse that comprise his committee chairmen. That, in itself, is no mean feat.

We were being put on the spot on a variety of things. Of course, a great deal of the negotiation was going on without the knowledge, even, much less the participation, of the average member of the House. As the special session increased, as it became very obvious that we were not going to do much more than we had already done in the passage of the removal of the utility tax and the increase of the exemption in the inheritance tax, and as it became much, much more evident that the session was a political liability to almost

everybody there, the grumbling increased.

I was approached, I believe, by John Bryant . . . it could have been by Ron Coleman of El Paso or Luther Jones of El Paso. Luther's family is from Corpus Christi, but he went to El Paso and built himself his own law practice and got himself elected out there, and, I understand, is a shoo-in for reelection. I don't know about Bryant, but I'm pretty sure about him, and I know that Jones and Coleman were both Temple lieutenants.

I guess we should explain here that the only serious opposition in Clayton's race for speaker was "At-3"--"Buddy" Temple. So when Temple's people started coming around and saying, "Look, some of us are going to get together," I didn't go. I felt that it was going to be a Temple rally, and it was pretty obvious, whether I liked it or not--and I'm not too wild about it--that Clayton was in for a third term. I had held off committing for a while but had finally committed, feeling that you need to be on the team, at least ostensibly. So the group had met three times, I think, before I ever attended a meeting.

The particular thing that brought things to a head, at least for me and, I think, for a number of people, were the actions of the speaker's administrative or executive assistant--Jack Gullahorn. Gullahorn is an attorney; he is very active in the Young Americans for Freedom, which is

a group much to the right of the spectrum, politically. For example, I'm sure, although I have no direct knowledge, that it was Jack Gullahorn who influenced Speaker Bill Clayton to make such a big statement on the Panama Canal treaty. The Panama Canal treaties have nothing to do with the State of Texas, per se, and I can think of very few people that the average world statesman would care less about his opinion than the speaker of the Texas House of Representatives on the Panama Canal treaty. Clayton made a big thing out of it, and I suspect he did so on the advice of Jack Gullahorn, who, as a heavy conservative, had a great many reservations about the ratification of those treaties.

In any event, what really brought it to a head for me began, I think, as solely a partisan political controversy. "Buddy" Temple asked the speaker from the back mike--what's known occasionally in the parlance as the "snortin' pole"--about the existence of some lists. Rumor had already commented that the speaker was keeping lists showing which members voted in agreement with his positions and which didn't. Indeed, Clayton himself helped nurture this idea because he would sit up front during a vote and write or do something. He may have been working a crossword puzzle, but it lent credence to the idea that he was sitting up there taking names. I compared him with a hall monitor in junior high

school.

I think we should point out here that, at the time the special session was called, the voting machine in the House of Representatives--the electronic voting machine--was out of order. It was being replaced with a new machine, and a long time overdue. The governor was really kind of forced into calling a session at that time in order to allow any enactments the time to be published, put on the ballot, to take effect in the fiscal year, and some things of that nature. What it amounted to was, the voting machines were out, so every vote that was a record vote was a roll call, and the clerk had to go through 150 names. Quite often, the members would vote, by the way, by holding up a finger. There is a code where one finger . . . you hold up your index finger and that means an "aye" vote, and you hold up the two fingers together, much like Winston Churchill's "V" for victory symbol, for a "no" vote. On occasion, people have used three for "present." When the electronic voting machines were in use, to prevent absent members from having others push their buttons, some member would ask for strict enforcement and ask that the keys that lock up the voting machines . . . that the sergeant-at-arms be directed to collect the keys of the absent members, and at one point during this special session, someone asked for strict enforcement and asked that the sergeant-at-arms be directed to take

up the fingers of the absent members--a little legislative humor there. In any event, it was a rather tedious process.

As I say, Clayton may have been working a crossword puzzle or signing mail or any number of things, but the general appearance lent credence to the rumor that was going around the floor that he was taking names. There apparently were some comparisons being made between various individual members' votes and the position of the speaker by Jack Gullahorn. These lists came to be known as "heat sheets."

"Buddy" Temple, one day, asked the speaker from the back mike about this: "Mr. Speaker, why is it that these are being gathered, and is it true that they are being gathered, and, if so, are they being gathered by a House employee?" Clayton said, "I don't really know. I'll check and let you know." Well, Clayton, of course, would just as soon that the subject go away. Temple waited a few days and then got up on the mike again and said, "Mr. Speaker, how about it?" His original question had raised enough curiosity to where most members felt that Gullahorn was keeping some sort of list.

I personally never saw one. I never saw one of the "heat sheets." I, to my knowledge, was not contacted by anybody from my home district to put any heat on me, outside of the Farm Bureau, who were putting heat on, anyway, for

their own reasons. I don't think they contacted me as a result of any "heat sheet" but simply because they wanted to get the agricultural amendment passed.

Clayton, however, tried to gloss the thing over, and it made me mad. I think here we have illustrated one of the problems with the Clayton administration. Clayton is not a parliamentary general at all. In fact, he and his gang quite often get into some of the most ludicrous parliamentary procedures and parliamentary positions. It's up, then, to the House parliamentarian, Bob Johnson, who is a very conservative, very smart, lawyer from Dallas--a former member of the House from Dallas--and a very tough man personally, to get the speaker out of hot water. The result is, in the Clayton administrations we're getting some awful precedents on the rule books that future speakers, if they want to, can point to and say, "Look how this speaker ruled on a given event." It really is pretty bad.

One of the things that happens is that Johnson sits then at the speaker's left and in a very low voice feeds comments to the speaker. As I say, Johnson is himself a very combative-type person with a very acid humor and very acid personality and yet a very likable, very human person. That's just the way he is. You've just got to kind of accept the fact that you may walk up to the desk and say, "Johnson, can I ask you a question?" and he'll look up at you and say,

"Go to hell!" But he will then grin and answer your question, and he will answer it in a way that is most advantageous to you, even though he's sitting right next to the speaker. I think Bob does a pretty good job of walking what has to be a very difficult chalkline for a parliamentarian--to advise the entire membership rather than simply the speaker. He has been very helpful to me over the years.

I think, in this case, Johnson fed the speaker some lines that may have been intended to be humorous. One of the difficulties you encounter with the use of humor is that it may be misunderstood. In this case it came off, at least to me, more as arrogance and as an acid comment, and I have very little doubt that the originator of the comment was Bob Johnson rather than Speaker Clayton. But Clayton accepted it and mouthed it and made it his own.

In effect, he said, "Yes, Mr. Temple, I have looked into the matter, and I find that there is such a thing as a 'heat sheet.' They're not being kept anymore, but beyond that" I forget his exact wording, but he ended up by maintaining that Gullahorn was on his own personal staff, whereupon one of the other members . . . I've forgotten who it was, but one of Temple's friends got up and asked if it was not true that the House rules set a ceiling on how much an individual member could pay a particular staff member.

It was well-known in the House that Gullahorn was paid roughly three times what the average member could pay any member of his staff. Clayton said, "I refer you to the rules on that," and he would not comment on anything except to maintain that Gullahorn was on his personal staff, when everybody there knew that he was making more than the rules allowed for personal staff.

I felt that it simply showed an arrogance and a lack of concern . . . I think Clayton could have headed the whole thing off if he had been very candid with the House, if he'd have said, "Yes, I found out that Gullahorn was keeping such a thing." He didn't even have to name him, actually. He could have said, "I found out that there was a member of the staff who was keeping such sheets. I apologize to the House. It was done without my knowledge. It has been stopped; it will not happen again." I think the whole tempest in the teapot would have died right there, but Clayton didn't choose to handle it this way. It made me so mad that, when I was next approached about a meeting, I went.

We met in the LaTour Restaurant, which has had several other names--the Polonnaise and some others. It is the restaurant on top of the Westgate Building, or, really, I think it's on the twenty-third floor or something--right at the top. The Press Club used to be up there, too. I don't know whether it still is. I don't think it is. I think it's

in the Austin National Bank Building now. We met in a reserved room in LaTour, and there were thirty-some-odd House members, I think. Eventually, they reached a high of fifty. I think many members went out of curiosity; I'm sure that a number went to report back to the speaker. I doubt very seriously that they were sent by the speaker. I think there were enough "toadies" who would come and rush back and say, "Here, Mr. Speaker, let me try to worm my way into your good graces by telling you what's going on with this group of rebels over here." But we knew, from the days of the "Dirty Thirty," that somebody would tell the speaker. There are no secrets in politics for very long.

Let me digress here to point out something having to do with the meetings of the "Dirty Thirty." We used to meet in Tom Moore's office on the northeast corner of the fourth floor because Tom had a refrigerator and so forth. We knew before too long that, shortly after the meetings, Mutscher knew everything that had transpired. At that time, the feeling was that Carl Parker of Port Arthur, then a representative, was the person feeding the information to Speaker Mutscher, and the resentment ran so high that Representative Bill Bass of Ben Wheeler and some others began to call Carl Parker "Captain Tuna, the Chicken of the Sea," Chicken of the Sea being a brand of tuna, of course. It's a name that will make Carl Parker bristle--today. He has denied that he was the

pipeline.

At the time, I felt that Parker might well be the pipeline for this reason: Parker and many of the representatives from that part of the country, which is heavily influenced by organized labor--the Beaumont-Port Arthur-Orange area . . . you have a great many refinery workers, petrochemicals, this kind of thing. The Oil, Chemical, and Atomic Workers, for example, is a very powerful union there. A great many of these boys would come in and play kind of a double game in that they would vote right on the issues labor considered important, but they would "go along to get along" on everything else. The result was that they were able to stay in good with the speaker and get some things done.

I remember two things about Parker, before we go on to the pipeline. One is, the last night of that '71 session, Parker came back from dinner . . . and, of course, by then, everybody was tired, tempers were short. He was walking up our aisle making some kind of a comment, and then Representative Charles Patterson from up around Georgetown said, "Get out of here, you jellyfish!" And Parker just got livid! He came over and leaned down to Patterson, who sat very close to me-- I think he was sitting right in front of me at that time--and he said, "Let me tell you something, boy. You guys can sit over here and have your pride all you want to, but I'm getting the bills passed!" This type of attitude was one reason that

I suspected Parker. You know, I knew he was playing this sort of a game even before he expressed that to Patterson. That was one reason that I suspected Parker.

I did notice, later, in the 1974 Constitutional Convention, that it was Parker, who came down into the well of the convention in the House chamber, and faced a gallery packed with organized labor, which constituted, as I say, a large part of his constituency, and said, "I'm going to vote for a constitution that includes 'right to work,' because I think we ought to have something coming out of here." This was in the waning days. It was a very dramatic moment. I never suspected before that Carl Parker had that kind of guts, but that incident makes me think that it may well be that Parker was not the pipeline.

Another thing that I've noticed in groups is that quite often the person the group suspects is not the guilty party, and there has been considerable comment since then that the pipeline was in reality Representative Joe Allen of Baytown. Again, knowing Allen's personality, I would suspect this might be correct. I have no way of knowing, but more and more the belief has come to be that it was Joe Allen of Baytown, who was very quietly sitting there and then making the reports to Mutscher. That would fit with my assessment of Allen's personality. Allen originally came to Austin pretty much as a liberal, but I think he has--it has seemed

to me, anyway--become increasingly cynical as his terms have gone on. If he wasn't in my class, he was in the next class; in other words, he came either in 1967 or in 1969. It seems to me that Joe has become increasingly cynical in his personal and political views since then. This would fit much more. He has almost ridiculed the House on occasion.

I remember there was a bill dealing with homosexuality that was up, and the "gays"--you know, "out-of-the-closet" types--were very much in evidence in the gallery. Joe was one who was always standing up to recognize imaginary people in the gallery; you know, "the Mormon Tabernacle Choir over here in this part of the gallery," etc. This particular day he said, "Mr. Speaker, would it be out of order to recognize Anita Bryant up here in the gallery?" Of course, she was an anathema to most of the "gays." It was funny, but I felt that I detected in there more than a little . . . I don't know if disgust is the word, but there was a great deal of sarcasm on the whole procedure there.

If I read Joe correctly, and I don't know that I do--you know, you can never know another man's heart--I suspect that he possibly could have been the pipeline. I don't know if anyone will ever know who the pipeline was. I thought I'd throw that in parenthetically that, despite Carl Parker being called "Captain Tuna" and so forth, it may not have been him who was the pipeline.

In any event, we knew that whatever happened in that meeting was going to go back to the speaker. I don't think there was any real attempt, as far as I know, to try to keep anything from the speaker or anybody else.

Marcello: So what did result from that meeting? In other words, what did transpire there?

Allred: I'm speaking of the meetings from the time I began attending. I attended the last several meetings in the special session and have attended those that have been held monthly since. There very rapidly developed two predominant schools of thought as to how the group should be used. One school of thought was, "Let's throw the rascals out." I was amazed to find that there were a number of other people who felt as I did--that we didn't really need a speaker going into a third term. One of the difficulties that House members have faced, and one of the reasons that I have some hope for this Sam Houston Caucus or "Nifty Fifty" or whatever you want to call it, is that the organization within the House has been primarily within the speaker's forces. The individual member has been left pretty much to his own devices, with the result that the members have no way of knowing whether any other members are feeling the same way they are, particularly when you're not in session, when the members are scattered all over the state. I was surprised to learn that there were a number of people who weren't too keen on

the third term speaker, but who had not really been able to coalesce their opposition into any formal-type of "aginnners" or whatever you want to call them. There were those, principally Temple backers, who wanted to use this organization to go get Clayton.

I kept thinking back to the "Dirty Thirty." I don't really associate the Sam Houston Caucus, as I prefer to call it, in my mind with the "Dirty Thirty." The "Dirty Thirty" was a rather loose coalition that was conjured up to meet a particular political situation. One of the things that to me was heartbreaking was that when the political situation changed, to see how rapidly the "Dirty Thirty" dissolved. We met and endorsed some people in that one election, and they were people who gave lip service to reform, and then we came to find out that reform meant many things to many people. I was afraid that something like this would happen again. If we just had an organization here that was going to be an anti-Clayton organization, I'm not sure how far it would have gotten. I wanted more than that.

Perhaps I'm admittedly being idealistic and perhaps a dewy-eyed dreamer and so forth, but I have felt for a long time--and apparently others agreed with me--that the individual member has consistently over the years lost a certain amount of his autonomy, his personal independence, and his right to represent his district as he sees fit, with

the result that we've become much more of a herd, even though, at the same time, I think the quality of the individual member has increased. I think we've got a lot more people today who are in the Legislature to do a job and not to come down and go through law school and enjoy themselves and so forth. I may be being very judgmental on previous legislators, and I'm sure we've always had sincere members. A lot of these people, though, get frustrated because the lobby controls the speaker, and therefore they don't really have to mess that much with the individual members.

I think the lobby was really rather glad to see some of the so-called--and I think they were--reform bills that were passed under Price Daniel, Jr. Daniel "laid low" when the fighting over Mutscher was going on and then espoused all the reform things when it was no longer dangerous, but who got himself elected speaker on that basis. We did pass a lobby control act that virtually stopped lobbyists buying us lunches and this kind of thing. I think the lobby really breathed a sigh of relief because it was probably costing them quite a bit of money, and they didn't really need to court the individual members as much, as long as we're just a kind of herd, you know.

What I was hoping was to have an organization that would give the individual members some sort of a voice, give them

some sort of cohesion and hopefully give a little backbone to some of our brethren who don't have quite as much as they might need. I think former Representative, now Congressman, Jim Mattox had sought something similar when he organized the House Study Group a few years ago. The first year, it was heavily partisan in its comments on bills. You know, you'd come in and there'd be a notice on your desk from the House Study Group: "This is a bill you really need to kill," which infuriated the Clayton forces. They at one time tried to do away with the House Study Group, and I had a little thing up my sleeve if they had tried to do it. I was going to try to go a different route on them.

But this is one of the problems with Clayton controlling the House Administration Committee when the Administration Committee is what says how you can spend your contingent expense money. Many representatives could not afford to help bear the cost of the House Study Group except by allocating part of their contingent expense money. In other words, they could not do it out of their personal funds. Because of the very openly partisan activities in the first session of the existence of the House Study Group, Clayton's people were threatening to do away with it in the next session.

The way that the House Study Group survived was by them becoming much more of a research arm and much less of a political thing. I think, in this case, that it is a very

good thing because many times the bill descriptions prepared by the committee clerks and so forth are inadequate, and the House Study Group really provides some in-depth research that is invaluable in consideration of various bills. I've watched more than one representative sit there during voting and follow the bills in the House Study Group report and be checking the analyses against the bills. I think the House Study Group performs a very vital function the way it is presently constituted.

But we need something where the individual members have some sort of organization. To me this was one of the good things that came out of the "Dirty Thirty." We had an organization to offset the speaker's organization. We could get together and talk and discuss strategy, and even if the speaker knew it, quite often we were able to at least have some idea of where we were going and what our goals were. There was not the feeling that you were out there exposed and alone, you know, kind of like the patrol in no-man's-land in World War I, where you felt you were just way out in front and everybody was shooting at you and you weren't sure which way you were going. What I was hoping was that the Sam Houston Caucus would provide such an organization.

I maintained apparently with some success . . . I was not the only one that maintained it, but I was one of the

principal ones, I think, who urged the approach that this be an on-going organization through not just this administration, but through whatever speaker we had, and that it be not "anti" any particular candidate or pushing any particular candidate, but that it simply be pro-member, that it be an attempt to return to the members some of the rights and privileges that we've lost through the years. It's been a wearing-away process much like the Grand Canyon must have been created. When a speaker and his team through history have seen how the members have used a certain rule to their benefit and to frustrate the purposes of the speaker and his team, the team has quite often resolved, "Boy, that will change next session!" So they make some changes in the rules each time, and the individual member sitting out there thinks, "Well, this is the start of a new session. I have my legislative program to protect, and I don't want to get on the speaker's bad side on the opening day. What the heck! That's not worth fighting over." Bit by bit, the things that weren't worth fighting over eroded away our rights to where today the membership does not have some of the things that we have had in the past--if you talk to someone who was a member in the 1940's or the 1930's. My hope was, and is, that the Sam Houston Caucus will provide an organization that can help the members have a certain amount of cohesiveness and to regain some of their rights and privileges.

Marcello: Didn't they also want some rules changes?

Allred: Well, that came later. At that point, I was simply arguing, "Let's not make it a pro-Temple or an anti-Clayton thing or anything else." There were some other names that were bandied around, principal among which, I think, was Ben Grant of Marshall. There seemed to be to be, at least, almost universal agreement that Ben Grant of Marshall would be an excellent speaker. But Grant lay very low, and I think he was intrigued by it. But it was really rather half-baked. It could be almost like the Hungarian revolution where the CIA encouraged them to get out and reportedly promised them troops and support from the United States, and it didn't come. All of the sudden these people were way out on a limb. I don't think Grant was averse to having his name mentioned, but he wasn't out there saying, "Come on, boys, let's do it!" either. I went out of my way to point that out to the speaker and his team, too, because I was afraid that it might hurt Grant if it didn't. It was very obvious the speaker knew that Grant's name, among others, had been mentioned. Bob Maloney's name was mentioned, but Bob's a Republican and in reality really didn't have that much chance to be speaker. There were some others who were mentioned along the way. Another very gutsy, very sharp guy, Representative John Wilson of LaGrange, was also mentioned some later. I don't recall him being mentioned at

that time, although some others may have brought his name up and simply didn't mention it to me.

I kept maintaining through the next several meetings that this should be a pro-member group and that we should not get involved in the politics of a particular speaker's race. This was refined somewhat by comments by people like Representative Ernestine Glossbrenner of Alice and Ben Reyes of Houston and some others, Reyes pointing out that the members as individuals were afraid when they cast their votes. They were afraid that the speaker would seek retaliation by keeping down their bills, by giving them poor committee assignments, and this sort of thing. He said the membership should be able to vote their conscience and their districts' beliefs without fear. Ernestine Glossbrenner, I thought, and a couple of others--but she's the one I particularly remember--said, "Look, we need to concentrate on rules changes because it's the rules that give the members power or take it away."

This came at a time when I had suggested that we invite Billy Clayton to come to one of the meetings. My thinking was, frankly, that Billy Clayton is not the swiftest thinker that ever came down the pike, and if we could get him away from his speechwriters and from Gullahorn, we might really put him on the spot and either get some concessions or at least--you know, the press has been covering this pretty heavily,

and the press is an ally to us--show up the guy somewhat for the type of person that he has become as speaker. The Bill Clayton who is speaker is not the same Billy Wayne Clayton that I served with, not the same kind of a guy who, when he was opposing me on a bill and knew he had the votes to beat me and I was out of the chamber--I was over at the Senate on something--waited until I came back before he brought his bill up for a vote. He still beat me, and the governor vetoed it. It was the court reporter's bill back a couple of sessions before he became speaker. But, whatever, my thought was, if we could get him away from his speechwriters and ventriloquists, we might get a lot more done or get some concessions out of the guy, and if he refused it was just one more mark against him, one more mark of his arrogance.

I don't think he's really that arrogant; I think a lot of it is poor advice that he's getting and accepting. Some of his committee chairmen, notably Tom Uher of Bay City and Representative Pete Laney of Hale Center and a couple of others like that--Charlie Davis from Hurst--are extremely arrogant, and they use their positions without much compunction to push people around. That's not Clayton's style so much. As The Texas Observer said, "Clayton is the kind of a guy that you'd want living next door to you because he'd always come help you clean out the septic tank

or pull your ox out of the mud," or something to that effect. Clayton, personally, is a very personable, very nice guy.

I had suggested, "Let's invite Clayton over here," and Glossbrenner and some others said, "Look, we don't care what the speaker says. We've asked the speaker . . . we had sent him a letter, and he hasn't responded to that. Let's concentrate on the rules and try to get some meaningful rules changes when the new session convenes on January 9, 1979." And that has been much more the way the Sam Houston Caucus has gone, rightly or wrongly. We're feeling our way; we may be making mistakes.

Clayton's strategy seems to be that we're weakening, particularly once the session ends and we've scattered, and he can probably ride it out and get reelected, which I suspect is true. But he wants to be reelected again, and there are going to be a number of things working against him there. One thing is that the fourth term is totally unprecedented; of course, the third term is totally unprecedented, but a fourth term is totally, totally unprecedented. There are a lot of members who are not very keen on having people like Laney and Uher and some others write the redistricting bill, which is going to come after the 1980 census; it will come in the 1981 session. If Clayton continues to play into our hands by taking positions that can be interpreted

as arrogance, we may very well be able to knock him in the elections of '80. But that's far away, and we may very well not be able to as well. It depends on how the Caucus behaves and whether we're able to do anything in the rules elections.

Another way in which the Caucus differs from the "Dirty Thirty" is that we had a very viable target in Gus Mutscher in the "Dirty Thirty." Here was Mutscher, who was accused of great wrongdoings, where Clayton has not been accused of great wrongdoings that the public can understand. The public doesn't understand the little indignities and difficulties in the rules. They don't really care that much, nor are they well enough informed.

Marcello: What kind of rules changes does this group want to see come about?

Allred: Well, that's still up in the air. Let me come to that in a minute. You know, Clayton is not as good a villain as Mutscher. That's one reason I hated to see Gullahorn leave. He resigned after the "heat sheet" flurry. Gullahorn's a Nazi . . . or has been depicted that way. Obviously, he's not, but he is heavily conservative, and it has been a number of his policies that have caused a great deal of Clayton's grief.

I don't think that we're going to have the type of public interest and support that we had in the "Dirty Thirty"

for the Sam Houston Caucus. I don't think the public understands the rules, or cares that much. I may be wrong, and if the press continues to play us up some, it'll certainly help. For example, Saralee Tiede, who is an Austin correspondent for the Dallas Times-Herald, has an article in the present Texas Observer that I think is a very balanced, accurate summation of the Sam Houston Caucus so far.

Let me go back a little bit and come up a little farther. In these meetings the presiding officer was John Hoestenbach of Odessa because he was a lame duck. The first meeting I went to, there were a number of stories told by Hoestenbach and others of interference from the speaker's office in their various races for reelection. I was afraid that it would simply become a debating society where people could come over and vent their anger, you know, almost like sitting around over a Coke or something and saying, "You know what that so-and-so did to me?" Then you feel better, and you go on about your business. A number of people were discovering that they felt that they saw the fine hand of the speaker's office in their races, rightly or wrongly. There was a great deal of comment along the lines of, "What're we going to do about it?" And this is when we had the differentiation between those who wanted to make it a "let's-go-get-the-speaker" thing and those who said, "Let's make it a society trying to improve the lot of the members."

The next several meetings, we kind of honed in more on what we wanted to do. One of the things was to get rid of Gullahorn. We had several of Clayton's committee chairmen-- Ben Reyes and Ben Grant and Bob Maloney, I think, who is a committee chairman, and some others--and finally we had three people go to the speaker under the rules and say, "Look, we don't appreciate the way Gullahorn's operating." About that time, it was announced that Gullahorn had really been wanting to return to private law practice, anyway, which may be true, but I can't help but think that our opposition hastened his departure.

He's being replaced by Russell ("Rusty") Kelley, who was at one time the House sergeant-at-arms and later was a lobbyist and now is coming in as the speaker's executive assistant, and I really don't know how "Rusty's" going to work out. "Rusty" has a very open, trusting face and manner, but I suspect there's a much more complex person back there, and a lot sharper person than, I think, "Rusty" projects. I think "Rusty" is one who enjoys projecting the image of one who is really not too bright, when he's much brighter back there than he's given credit for.

In any event, our opposition to Gullahorn resulted in the announcement that he was going to be going, and the press gave us considerable credit for it. At that point, we were "feeling our Cheerios," but as I analyzed the thing, and

I'm sure others did, too, it became obvious that we had an unusual situation. We were in a special session that nobody really wanted; there was a great deal of resentment, as I say, against Clayton, not only for his backing of the thing, but for his tactics once he got us in there.

But this was a special session, and it was right before election, and people needed to sound off and so forth to make their record. I could see where, when we got into a regular session environment in which the members then had legislative programs that they wanted to protect, there would be a much stronger push to "go along to get along." I don't think any of us, maybe, in the first few giddy days, really entertained too much of a notion that we were actually going to unseat Clayton. The man has got his ducks in a row for a third term, and I don't think there are too many that think they can unseat him.

We had members coming in and commenting, and more and more we began to hone in on the rules and on proposed rules changes. There were, at one time, three committee chairmen. I was named to collect members' grievances; Bob Maloney was named to collect proposals for changes in the rules; and someone else was named to contact the speaker and express our objections or something. Anyway, there was a third type. It gradually honed in on Maloney. Bob Maloney is a scholarly, very personable, very astute lawyer from

Dallas and very respected in the House. I've known him for quite awhile, and I hate to say anything . . . of course, as a Democrat, I'm not supposed to say anything good about Republicans, I guess, but he's well-liked and well-respected and, I think, a very thoughtful, intelligent guy. But it eventually more or less honed in on Maloney to come up with the proposals for rules changes--he and his committee.

What we did was collect the gripes, and I presented what gripes I was given, which were not very many. Most people went directly to the idea of rules changes. We combined all these things in the meeting and discussed them some and then, among other things, wrote the speaker with some that we could agree on. There were any number of proposals for rules changes, but a lot of them . . . in the meeting, where somebody would raise a question about them, we'd say, "Okay, let's go on to something else." Well, we picked out several on which there seemed to be pretty general agreement. I kept saying, "Now, look, you people are in a hurry to get out of this meeting, but at one of these meetings we're going to have sit down and iron out a bunch of these things and decide where we are and what we're going to propose." We have not done it yet, and this is the end of October. They are behaving as though we had a great deal of time. We don't; we've got two months, I guess, before the session opens. With monthly meetings,

that's kind of a problem.

But they kind of honed in on certain ones and sent a letter to the speaker to which he has not yet responded, which, again, I think, is unwise on his part because it comes off looking very arrogant. I suspect his people, again, are saying, "Look, they're just a flea in the blanket. Don't pay any attention to them." We may be. The whole thing may go up in smoke, but I'm hoping that it will last.

We have met a couple of times since then. The present plan is for Maloney to put the proposals in written form and mail them to all the members and invite comment. Then on November 28th, we're going to meet--this is the time of orientation for the freshmen members, anyway--and then begin to try to hone them down into what proposals we will actually make. Among the things that have been suggested are the election of officers of the House, such as the doorkeeper, the parliamentarian, the clerk, the sergeant-at-arms, this type of thing. They used to do that in the House; now, the speaker hires them. The feeling presently is that the speaker, being one who has hired them and who can fire them, then gets their loyalty. Many employees end up serving the speaker rather than the House of Representatives, where, if they were elected by the entire House, they might feel differently. I am told, however, that in the old days when they were elected, many of these people tended to get

seventy-six sure votes and tell everybody else to go jump, and it is for this reason that I have advocated a secret ballot, where nobody will know how you vote, which would prevent retaliation. I think that's the reason behind the secret ballot and our ballot box--to prevent retaliation. Now Ed Watson of Deer Park and Ernestine Glossbrenner commented at our last meeting last Saturday that a person ought to be willing to stand up and take the consequences. I'm not sure that I agree with that at all. That sounds very brave and very idealistic and all, but the truth of the matter is that people will vote differently on a secret ballot than they will on an open ballot. We found that out in the race between DeWitt Hale and Rayford Price to determine who would succeed Gus Mutscher when he resigned after he was indicted.

Another of the proposals was to elect from among the membership of the House the Calendars Committee, the Local and Uncontested Calendars Committee, the Rules Committee, and the House Administration Committee. Discussion at the last meeting brought out, though, that any person who has the votes to get elected speaker is going to have the votes to bring in any slate of committees that he wants, anyway. Consequently, having the House elect them might well just be--given the fact that we're political animals, anyway--a time-consuming thing when you know you're going to get the

speaker's slate elected, anyway. Again, I think the secret ballot is a good thing because I've known some people who would not occupy the positions of power that they presently occupy if the members could vote on them in secret ballot and be sure, again, that they would not find retaliation.

Bob Maloney came up with a suggestion that might have some merit. I haven't really studied it too much; it seems to have some merit. The speaker would go ahead and name in the substantive committees the way they're named now--half by seniority, half by the speaker. Then each substantive committee would elect one person, not the chairman or vice-chairman of that committee, to go into a special pool, and then the speaker would name enough people remaining to make up thirty-six people in that special pool. These people would then draw lots to determine the membership of the Rules, Calendars, Local and Uncontested Calendars, and House Administration Committees. One of the things Saralee Tiede points out in her article in the Texas Observer--this present issue--is that some of the members who wanted to put out newsletters and have them published by the House and mailed out at House expense after the special session found that they were being told they could not send the newsletters out if they included material critical of the tax relief amendment. The House Administration Committee said, "That's political and we won't let you do it!" And yet the speaker has sent

out sample columns to newspapers praising the tax relief amendment. The House Administration Committee hasn't done a thing about it, and the feeling is that House Administration is being partisan and hard-nosed. Pete Laney, the chairman, is a rancher from Hale Center, and he's not noted for his diplomacy. I think part of it has been just the very blunt way that Pete's gone about things sometimes. I think his attitude is much blunter than Pete himself, but in any event he's alienated some people simply by the bluntness of his approach, plus such things as these newsletter shenanigans. The feeling was that you might not have quite so much of this if you either elected them or used an approach such as Maloney suggests.

There were a variety of other proposals. I'm trying to think of what they were. I don't remember offhand what they were, but there were several things that were proposed in a letter to Speaker Clayton to which he has not yet responded. I don't know if he ever plans to respond in writing. He has responded verbally. There's been some feeling that all we're doing in the Sam Houston Caucus is airing all the gripes that we have, which then forewarns and forearms the Clayton forces and allows them to make enough concessions to sweeten the pot a little bit and get him reelected. There probably is something to that theory, but I still am very hopeful for the Sam Houston Caucus, even

though I'm not sure. You know, it's not going to spring into overnight success or anything. We're having to grope our way along.

Basically, that has been the metamorphosis of the Sam Houston Caucus to date, and it's still feeling its way.

Marcello: Ultimately, the tax package that comes out of the House and goes over to the Senate does contain several reform measures, especially in the area of property tax reform. Did the Sam Houston Caucus have anything to do with whatever reform measures were contained in that House package?

Allred: I don't think so. I think Wayne Peveto could take a box because I think some of his reform measures were incorporated, although, of course, they never survived the conference committee. I don't think the Sam Houston Caucus, per se, as an entity was that well-organized at that point. I suspect that the same mentality and the same sort of thinking that led to the formation of the Sam Houston Caucus led to some of these things but not on the goading of the Caucus as an entity.

Marcello: Like you say, even though the House version did contain reform measures, the bills evidently eventually ended up in conference committee, and I think just about all the reform measures were gutted, were they not?

Allred: Yes.

Marcello: Ultimately, what did you think, or what were your opinions,

of the compromise bill that then passed the Legislature?

For example, the bills are estimated to bring about a billion dollars in tax cuts. I've seen that figure.

Allred: Well, the billion dollars in tax cuts will result primarily from the first two bills passed--the increase of the exemption on the inheritance tax and the removal of the tax on household utilities. There was, of course, a proposal to extend the removal to all utilities. They brought it back and just put it on the household and not on business, or left the tax on business and not on the household, I guess, would be the best way to express it. I think most of those tax cuts came from that. HJR1, which became what is to be known on the ballot as the tax relief amendment, incorporated the thing I was committed for, which was the agricultural use thing, with several other things.

I ran across a young man named Paul Colbert. He is a young Jewish man. He just enjoys government, and he's very interested in it. He was very helpful to me in analyzing the bill in that he presented his viewpoints, and he was someone that I could bounce ideas off of, along with my own legislative aide, Greg Hill. Paul is on the staff of a Senate committee. He's got a very, very good mind, and we would analyze these bills.

I had voted against some of the bills and was getting a lot of flak from the Farm Bureau. I was tempted at one

point to tell the Farm Bureau to go chase itself because, really, my district is much more urban; I don't have many Farm Bureau folks, but they're right next door. Furthermore, I had given them my word that I would vote for this thing.

As I say, I was anticipating a straight-up vote, and the lobby lumped a bunch of things together. We were looking at these other things and trying to decide how much good they did. Some of it sounds good, like, requiring a record vote to have the Legislature declare that an emergency exists before they can vote certain taxes and all that, but that's eyewash. You're going to be voting for a tax bill on a record vote, anyway, and it won't take much more guts to vote that an emergency exists than it will to vote for the tax bill. Consequently, it sounds good; but it's really just eyewash. I didn't like a lot of the bill, but I had promised and when they finally came out with the bill, it was pretty much "take it or leave it," or we go to a new special session if the governor sees fit to call one. I had promised the Farm Bureau that I'd vote for it, but I also felt that they had cleaned up some of the things I'd objected to in the other bill. I had made a pretty impassioned speech against an earlier version of the bill, based in large part on Paul Colbert's research--to give credit where credit is due--but I had promised that I'd vote on the thing.

Fred Head and I had a big discussion. Fred voted

"present," and he maintained that if they didn't get the 100 votes, they'd have to go back and either come out with something else right quick that might be better or throw us into a new special session, and Fred said, "Heck, I'm ready to stay here, anyway." I think Fred really meant it. Fred has a lot of courage of his convictions, and I think he really meant that he was willing to stay there. I wasn't that sure that the governor would call another special session since most of his appointees, by that time, had been confirmed, with the very notable exception of the "water czar."

In any event, I went ahead and voted for the final version of HJR1 with deep resentment, feeling that I was being had because a lot of it was not good. I'm still not sure it was a good vote. The so-called exemptions that were being granted to the elderly and to the disabled--and they could only get one and not both, although many elderly are disabled--were very quietly being based on actual value rather than on assessed value, which really meant that in most cases taxes for the elderly would go up. In fact, they felt called upon to put into the bill . . . in HJR1, there is a sentence that says, "Nobody will have to pay more taxes." In other words, anybody that is now getting an exemption under the bill that I helped pass some years ago, which was a voluntary thing--the Municipal League fought us, and wouldn't let us make it

anything but voluntary--will not have an increase. Anybody who's got an exemption under that bill will not get an increase in taxes, and unless they were going to increase taxes, they didn't need to put something like that in.

So Allred, coming very early in the roll call . . . when the thing came, I hadn't really decided until the last minute . . . I went over and talked to my friend, Ben Grant, and we agreed that it did do some good and that apparently some of the bad was mitigated by the fact that it still would require legislative action. So I voted by holding up my right index finger and holding my nose with my left hand at the same time, which the Texas Observer saw fit to comment on a little later, which I resented. Grant voted the same way, holding his nose. I think he was following my lead there. The Observer commented in its article, "Allred held his nose, but he went ahead and voted for it," You know, "Naughty, naughty!" It's one of those things where reporters who have never had to do the thinking to arrive at a particular vote, and who had no way of knowing that I was committed on the agricultural thing, love to be critical of politicians and say that politicians make deals, which I guess they do, compromise being the name of the game.

It did get 111 votes . . . it had to have 100 votes, but it got enough to where my vote wouldn't have made any difference had I voted the other way, and I sort of console

myself a little bit on that. I don't know how many other people, had I stood firm, might have stood a little firmer by saying, "Gee, maybe they won't make the 100." Maybe it wasn't 111; maybe it was only 103 or 104, but it was enough to where my shifting my vote and Grant shifting his vote would not have made the difference.

Marcello: In the final analysis, then, you were voting for the entire tax package.

Allred: I was voting for HJR1. Now, you know, we had already passed the bills. HJR1--House Joint Resolution One--was a proposed constitutional amendment, which is one of the nine that will be on the ballot this time. We had already, by statute, removed the tax on utilities and handled the inheritance tax thing. HJR1 was obviously the only other piece of legislation of any import that was going to come out of the special session.

This was the last night of the session; again, as is always true, tempers were raw, people were tired. As near as I could assess it, talking with Paul Colbert and with Greg Hill, looking at the bill myself, talking with Fred Head and with Ben Grant--men whose opinions I value--I finally decided that we did need the agricultural exemption and that some of the other things . . . I'm not real sure that it's wise, for example, to take intangibles out of constitutional requirement for taxation.

Marcello: You're referring to the constitutional provision that bank accounts and securities be taxed, are you not?

Allred: Well, intangibles, which would include bank accounts, securities, jewelry, insurance policies, this type of thing. That was a politically volatile thing in itself in that it can be demagogued either way, as Fred Head has pointed out. I was reading something here in Charlie Deaton's newsletter . . . I guess I left it in the car. Charles Deaton writes a newsletter that goes to schools, and I subscribe because I find it very informative. On one side--it's two sides of a letter-sized page--he comments on happenings governmentally through the week, and on the other side he discusses a particular issue in depth. His discussion of the so-called tax relief amendment includes property taxes. Actually, property constitutes an estimated 45 percent of the state's wealth. Also, by taxing property, you're putting a heavy burden on the middle-class city dweller and on the farmer who tend to have wealth in land and something that's easily tangible and identifiable by the assessor-collector; but the very rich are the ones who will hold the large bank accounts, the big blocks of stock, and this kind of thing. The argument could be made one way that simply because a person owns property, he should not be made to bear the brunt of the financial burden. The argument could be made the other way. Charles Finnell is

from District 53, right next door to me. In fact, his district forms kind of a "Y" and surrounds mine on three sides, and the fourth side is the Red River--the state border. Charles Finnell and I were anticipating a couple of weeks ago that our Republican opponents were going to hit us on this point. There are those who are trying to stretch the vote to mean that anyone who says that we should retain the constitutional requirement that intangibles be taxed is voting for a back-door income tax because it would tax bank accounts and personal riches. There might well be something to it. There would be enough there, I think, to sell it to the average casual voter. I'm just as glad that at least so far it hasn't been brought up, but it is something that can be demagogued either way.

The feeling was, too, that we needed to do something about this because there have been some suits filed--the closest to Wichita County is a suit filed in Grayson County by Representative Bill Sullivant of Gainesville--which say in effect, "Mr. Tax Assessor-Collector, you are not collecting the taxes in accordance with the instructions of the constitution." The feeling is that those will probably be upheld, and that if we wanted to retain intangibles in the constitutional requirement, we'd have to seek some way to tax them, which admittedly is very difficult, but Virginia does it. I noticed that Charlie Deaton was saying that Kentucky derives 9 percent

of its revenue from taxing intangibles. But it's politically a very tough thing to do and physically a very hard thing to do. How do you find out how much heirloom jewelry somebody has in a safe deposit box in the "Zilch" Bank and Trust? How do you ascertain the actual value of that jewelry? How do you know how much stock somebody owns? The size of his bank account is pretty much each person's own business, but I was pretty much of the feeling that we should retain the requirement for the taxation of intangibles.

So I really had quite a wrench to vote for HJR1, and, yet, I had promised the Farm Bureau that I would. Also, the Legislature can still provide for the taxation of intangibles should it come up in the future, if this is approved. So I went ahead and voted for it. I have since then made some public appearances and, in discussing the amendments, have recommended to people that they look very closely at this. I tried to point out some of the problems that are inherent in this HJR1, and I hope I've got them some negative votes, I plan to vote against it.

Marcello: There was another provision in that final bill that called for a basing of state spending on the growth rate of the Texas economy. How did you feel about that?

Allred: Eyewash! This is the thing to which I referred awhile ago. You base it on the growth rate of the state's economy, but

the Legislature could by a majority record vote declare that an emergency exists; and, as I say, if you're going to vote for a tax bill, anyway, if you're prepared, in the vernacular, to "fade the heat" of voting for a tax increase, then it's no great feat to declare an emergency exists. In fact, it probably strengthens your hand a little bit because then you can say, "Yes, but look! Man, this was an emergency! We had to do this!" It struck me, really, as predominantly eyewash.

Marcello: Now we are getting some uniform county appraisal standards in that final bill, are we not?

Allred: I don't think so. To what particular portion are you referring?

Marcello: I'm assuming that this would be uniform appraisal standards for property.

Allred: Yes, I guess that is, but it seems to me there was some . . . or maybe I didn't object to that because I'm for that. I think we need more uniform appraisal. One of the ways Texas differs from California is that California has very few appraisal units where we have literally hundreds. I can't remember right offhand what my feeling was on that particular thing. Perhaps it was either that it was good or that there was some way around it where it really didn't mean what it said it meant, so I didn't need to worry too much.

Marcello: At the same time, there would not be statewide real estate appraisals. I think that was also part of it.

Allred: Yes, well, that's one of the things that a great many of the people objected to. They don't want statewide appraisals, the reason being, I think, that statewide appraisals would increase a great many people's property taxes because a lot of the counties that are not as urban as, say, Harris County and Bexar County, Dallas and Tarrant Counties--that sort of thing--don't provide as many services and don't need as much tax money and therefore don't charge as high a rate. If you went to a uniform tax rate throughout the state, you would have a bunch of people's taxes increasing. Notably, among those would be a bunch of the big landowners--the same ones, I think, that formed The Little Red Schoolhouse Association a few years ago when Governor Connally appointed the Governor's Committee for Public School Education with Glenn Ivy as the executive director. They came out and recommended consolidation of schools with student population under a certain size and a more realistic appraisal of property value. Charlie Shriner, who owns the YO Ranch, which takes up a good part of West Texas around Kerrville, and some others formed a Little Red Schoolhouse Association. I submit they didn't care any more about the "little red schoolhouse" than they cared about a turtle in the creek! But they did care about tax evaluations that would have gone up on their property had that proposal been adopted into law. I suspect the same sort of mentality was at work here.

Marcello: Well, Dave, that's all the questions I have relative to that special session. Is there anything else that you would like to comment on that we've failed to mention? I think we hit most of the high points of that session.

Allred: Yes, I suspect we have. We've pretty well exhausted a thirty-day session, I guess (chuckle). I think it might be interesting to point out that a number of the members have, when they've returned to their hometowns, ended up with various forms of endorsement. I guess it's pretty much what you'd expect, but there are certain members who have said, "We think the whole thing is great, and look at all you're going to get," and there are others who have been--as I have--rather critical of a number of things. The public's attitude seems to be rather cynical. I think the public in general looks on the whole thing as simply the machinations of politicians squirming under the gun or under the scrutiny of the public. I don't know whether the amendments will pass or not.

There has been one other thing that I would like to comment on. There's a committee studying public school taxes around the state. I don't think that it's entirely coincidental that that committee came out after the special session and said, "Look at how much we estimate various parts of the state would reap if they did tax intangibles." They pointed out that in many of the large metropolitan areas,

the taxation of intangibles as estimated by the committee could yield such a large amount of tax revenue that the schools would no longer be eligible under the present formula for support under the law that supports the public schools.

I think that was deliberately timed to try to scare a bunch of the cities into voting for this thing, fearing that otherwise they're going to lose state support for their schools and have to make it up out of local tax base. I think it was very deliberately timed. I've heard some speculation that the large cities will indeed put this over, along with some help from some of the agricultural groups such as, principally, the Farm Bureau that wants to get that part adopted that deals with agricultural land assessment.

As I say, it's a very cleverly put-together package. I think the lobby wrote it. I think they wrote it this way deliberately to try to put enough sweetening in there to where the people would vote for it and think their folks would benefit immeasurably. But the average citizen will not benefit very much. In some cases, people who turn sixty-five after this amendment will actually be paying more taxes than they would have under the present arrangement.

Marcello: Dave, I want to thank you very much for having participated. As usual, you've given me the type of detail that I'm looking for, and I appreciate your comments.

Allred: Okay.