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Interview with
REPRESENTATIVE DAVE ALLRED
October 31, 1979

Place of Interview: Wichita Falls, Texas

Interviewer: Ronald E. Marcello

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Approved:

Dave Allred
(Signature)

Date:

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Oral History Collection

Representative David Allred

Interviewer: Ronald Marcello

Place of Interview: Wichita Falls, Texas Date: October 31, 1979

Dr. Marcello: This is Ron Marcello interviewing Representative David Allred for the North Texas State University Oral History Collection. The interview is taking place on October 31, 1979, in Wichita Falls, Texas. I'm interviewing Mr. David Allred in order to get his reminiscences and experiences and impressions while he was a member of the 66th Texas Legislature. Dave, why don't we begin by having you tell me a little bit about the Sam Houston Caucus--the formation of it and how it got started.

Mr. Allred: Well, the Sam Houston Caucus was a group of representatives who banded together to try to get some changes in the rules, and who ended up being completely stonewalled by Speaker Bill Clayton.

The beginnings of the Sam Houston Caucus came in the special session of 1978. During a special session, many members have a lot of time on their hands, and a number of them, including people like John Hoestenbach, the then-representative from Odessa who was not going to run again, and some others felt they had some grievances, and they began to meet.

I didn't go the first couple of times because, at that time, Buddy Temple of Diboll was running for speaker, and some of the people who were trying to get this group together to air complaints about the speaker were from the Temple camp. While I would probably be more in agreement with Buddy Temple's philosophy, he didn't have a chance of being elected, so I wasn't that interested in going to the meetings.

Then rumors began to go around that Clayton or his staff was keeping records on who was voting for his philosophy and against it--"hit lists"--and that the speaker and his people were becoming involved in some of the members' elections back home. It was said one of the speaker's assistants, a young lawyer named Jack Gullahorn, was at least involved in some races and in some things that really he had no business being in, such as maintaining the "hit lists." At least that was the rumor.

Buddy Temple got up in the special session and asked that the speaker look into this and give a report to the House because Gullahorn was a staff member. The speaker said he certainly would, and then nothing came of it. So Buddy waited a few days, and then he went back and publicly asked the speaker about it. And the speaker maintained that Gullahorn was one of his personal employees and therefore he could be engaged in political activity.

The difficulty with that was that Gullahorn was being

paid roughly three times the limit for personal staff. We're given an expense account, and we're given a limit as to how much a member can pay any one staff member on his or her personal staff. Gullahorn, as the speaker's administrative aide, was drawing roughly three times that. I felt it was rather obvious that he was an employee of the House of Representatives, not on the speaker's personal staff, and therefore should not have been involved in politics.

When the speaker very blandly maintained this, it made me mad. I think--and several other people also had this reaction--that had the speaker said something like, "I have investigated this and have found that there was some activity like this going on; I have reprimanded the person responsible," he wouldn't have even had to name Gullahorn. Everybody knew who he was talking about. He might have said, "I have reprimanded the person responsible. It will not happen again." He could have probably avoided what came afterwards, but he didn't do it that way; he chose to maintain that Gullahorn was on his personal staff and so forth.

That made me mad, and I started going to the meetings. A number of others did, and we threw the meetings open. We made no secret about them, primarily because we had learned in the days of the "Dirty Thirty," when we were in opposition to speaker Mutscher, that there are no secrets in politics. When the "Dirty Thirty" would meet, Mutscher had a full report

within a few minutes of what transpired.

At that time, there were several people who felt that the person who was telling Mutscher was Representative, later Senator, Carl Parker of Port Arthur. Parker denied it. Representative Bill Bass of Ben Wheeler and some others began calling Parker "Captain Tuna, the Chicken of the Sea." As you know, Chicken of the Sea is a brand of tunafish. It made Parker very, very mad, and he has, as far as I know, vehemently denied the charge and maintained that he was not the leak.

I have since heard some speculation that the person who was actually informing the speaker was Representative Joe Allen of Baytown, but I don't know. Joe Allen was very quiet and didn't have a whole lot to say. That, of course, in no way proves that it was Joe Allen. I don't guess anybody will ever know for sure, unless the speaker or Tommy Shannon or someone else tells who was reporting. But, anyway, those were the speculations. I don't know that anybody has ever confronted Joe Allen and whether he has denied it or not. Really, it doesn't make much difference now.

The main thing is that we knew that there were no secrets in politics and that the speaker would know what was going on anyway. So we began in the restaurant on top of the Westgate Building. That restaurant has had a number of names, and I don't know what it's called right now. The Westgate Building is just west of the Capitol. Using the Governor's Mansion as

a landmark, just across Eleventh Street from the Governor's Mansion is what is still called the "Funeral Parlor," although it has now been taken over by the House of Representatives as an office building. Then there's a parking lot, and then on that next corner, right opposite First United Methodist Church, is the Westgate Building. There's some restaurant on top, and I've forgotten what it's called now. It's gone by a dozen different names. Anyway, we began to meet in one of the meeting rooms in this restaurant.

The press began to call the group all sorts of names, depending on the numbers. They were always interested in how many attended. The reporters didn't attend for a while, but later on some did; principally, a very good Capitol correspondent for the Dallas Times Herald, Saralee Tiede. . . Saralee is an excellent reporter, and she and some others later attended some of the sessions, but at first they depended for information simply on people who were there.

So there were several meetings, and people began to come in. I remember John Whitmire of Houston was saying the speaker had been involved in his race. Some of the Chicano members were commenting about things that they felt emanated from the speaker's office. Sometimes it seemed pretty obvious that they did, and sometimes it was rather difficult to be sure. I suspect they probably were correct because Jack Gullahorn, is an activist. He's very active in an organization called Young

Americans for Freedom, which is very right-wing. Gullahorn, as much as I can tell, is himself very right-wing. He is an activist, and I would suspect that's the way he'd play the game. He'd think of himself as playing hardball politics and that he was simply doing politics the way it was supposed to be practiced.

But whatever, there began to emerge within the Sam Houston Caucus two schools of thought. Both of them were pretty well-agreed that something had to be done, but the difference in the schools of thought was in the proposed remedy. One school of thought, which included most, if not all, of the Temple supporters, said, "We ought to get rid of the so-and-so, and the way to do it is not to vote for Clayton next time when he comes up for speaker." Well, I had seen how the "Dirty Thirty" deteriorated from a group fighting for an investigation of a scandal into a political machine. If you'll recall, the "Dirty Thirty" toward the end endorsed a bunch of people for political office because they said they were for reform, and then we came to find out what we should have realized all along, that reform means different things to different people, and a great many people who embraced the banner of reform had no real interest in reform as I understood it. Since then we've seen a number of reform laws but with comments being made about how they're going to have to be amended so legislators can "live with them" and this type of thing. For that reason, I was opposed to having

this caucus or whatever you want to call it involved in a particular race. We had as many, I think, as forty-five at one time, and the press laughingly called it the "Filthy Forty-five" based on the old "Dirty Thirty" idea. There were some people who felt that it ought to have a real name, and I believe Representative Ben Reyes of Houston proposed that it be called the Sam Houston Caucus. I was not at the particular meeting in which the name was adopted. But they began to meet everyday, or everyday or so, in this restaurant to air grievances. One school of thought said, "We should throw the rascal out the next time we get a shot at him, which is the 1979 speaker's election."

I felt that we should not have the organization tied to any one speaker candidate. What I envisioned--and I was probably being visionary at the time, and I recognized that I was, but I had high hopes--was an on-going organization, not based for or against any particular speaker. I was afraid that if it became too openly in opposition to Clayton that he would step on it, and he had the power to do it. Of course, he did it, anyway. I think he was ill-advised, and told him so later on, and he kind of agreed with me in a private conversation which, I'm sure, he would deny if it ever became public. But anyway, I'll go into that in a minute. My feeling was that it could be an on-going organization in which members of the House could get together and find some

strength in numbers.

The way the House is presently organized, the only real organization is in the speaker's office, and each member is dealt with separately. You never know how the other members are standing unless somebody speaks up. The result is that you often feel alone out there when you're not. I discovered there were many others who did not like the idea of a fourth term for Bill Clayton, for example, who didn't like the idea of a third term for Bill Clayton, which I agreed with. I didn't like it, either, but didn't know others shared my opinion--and it might be dangerous to inquire since word could get back to the speaker. I discovered several things of this nature. There were a number of grievances that we had.

So what I was hoping was that the Sam Houston Caucus would become an on-going organization of members of the House dedicated to preserving the rights of members of the House because, as I think I've observed before in these oral history sessions, the rights of members of the House of Representatives are not taken in a fell swoop like an invasion or something--they are eroded away. Each speaker, as he's running for speaker, talks about what he wants to do for the membership and all this sort of thing, but when he becomes speaker, he begins to immediately try to consolidate power within the speaker's office. The way

it's done is that in the writing of the rules, which is one of the first things you consider once a speaker is elected and before committee chairmanships and committee assignments have been announced and so forth. It's right at the opening day or so of the session, and members are understandably reluctant to oppose the speaker because it could mean poor committee assignments, and it could mean that none of your legislation would get through. We saw a great deal of that in the Calendars Committee, under Representative Tom Massey of San Angelo. But the result is that the speaker and his team will propose rules that weaken the rights of the individual member and put more power in the speaker's office. Each member thinks, "Well, what the heck, I don't want to alienate the speaker."

We needed an organization, I felt, and I still feel this way, that will allow members to have a certain amount of organization and so forth to withstand some of this pressure. That's one of the things that the "Dirty Thirty" provided, was that we could get together and plan strategy. Even if the speaker knew it, sometimes he couldn't do anything about it. Similarly, former Representative, now Congressman, Jim Mattox of Dallas formed the House Study Group--he was the principal guiding light of the formation of the House Study Group in its first session. It was

violently partisan and--very liberal--and it gave some organization in opposition to the speaker, so much so that the speaker tried to get it scotched. And the next session, the Study Group had to go more to being strictly analytical. The Study Group would provide analysis of bills and things of this nature. So I had seen, through the House Study Group and through the "Dirty Thirty," the power that an organization could exist, frankly, to give a little backbone to some of our friends who don't have too much backbone and who might, if they had enough pressure from our side, might vote with us, but otherwise were going to knuckle down to the speaker everytime.

Marcello: Was this a bi-partisan group?

Allred: Yes, there were Democrats and Republicans active in the group. For example, one of the most active, and one of the most respected members of the House, was Representative Bob Maloney of Dallas, who is a Republican.

The group met and began to organize and finally the viewpoint that I espoused, although I was not the only one who espoused it, prevailed in that it didn't become a tool to try to advance Buddy Temple's speakership candidacy. I think, if I had it to do over again, I would do the same thing. I've wondered about it because it might be that we could have beaten Bill Clayton, but

I doubt it. Had it become simply a vehicle for one person's speakership aspirations, I think it would have gone down--so much so that there was talk at one time where people began to recognize, "All right, Temple cannot beat the speaker, so instead let's find somebody new, find a new face on the horizon and propose that person." Maloney was mentioned.

The one that I would personally have supported in a minute is Representative Ben Z. Grant of Marshall. Ben is an old friend and a man of honor, and I think he votes the way he sees the issues. I envy him--his talent to be able to cut through all the extraneous matter and put his hand right on the core of any given issue. So there was some talk that somebody like this might be proposed as a speaker candidate in lieu of Temple, and then we'd try to get everybody who was mad at Clayton for one reason or another to rally around them.

But it didn't seem to me that even that this person would have a chance. Clayton, it seemed, was just too strongly entrenched, so much so, in fact, that when Ben Grant's name was mentioned, I went to Ben and said, "Now look, I don't think you ought to get out in front on this thing because I think you're probably in line for a chairmanship, and I just feel like that, if you got too far out front, Clayton would cut you down in a minute.

Consequently, let other people do your pushing." I also remarked, in Clayton's hearing, that Grant and some of these people had been mentioned as possibilities, but apparently by others, and, for example, I had not seen Ben Grant do one thing to try to advance his speakership proposal that others had made. This was to try to protect Grant from being cut completely off by the speaker and by the speaker's staff. The speaker himself, I think, is probably a half-way decent guy, although he and I would differ politically. The people around him giving him advice--and I attribute some of this to Jack Gullahorn and some to the lobby in general, the so-called practical politicians around him--are much more hard-nosed. So I felt that they would see to it, even if the speaker didn't, that anybody who really crossed him was going to be in trouble.

Now former Representative Ed Harris of Galveston, who is now a district judge, maintains that sometimes when a speaker gives his opposition jobs on obscure committees, "Broom Closet Committee" or something, this then gives the opposition plenty of time to plot and scheme and raise hell, and I think there's something to that.

But whatever, nothing came of the proposal to make the Sam Houston Caucus a vehicle for any one speaker candidate. Instead, we ran a survey of members of the

House and asked them for proposed changes in the rules. We met and selected those that we really wanted to strike for, and I don't remember offhand now what they were entirely. One of them, for example, had to do with when committee reports had to be signed.

This was because there was much complaint about D. R. (Tom) Uher of Bay City, who is one of the speaker's right-hand men and who in his day was one of the right-hand men to Gus Mutscher. Tom Uher has a Ben Barnes-type personality. He came to Austin, saw where the power lay, and went to it and said, in effect, "Here am I! Use Me!" I note that he has been mentioned as a possible successor to Clayton, although so far he's kind of laying low.

Jerry ("Nub") Donaldson of Gatesville is, for the moment, at least, out front for the mantle of Clayton to fall on his shoulders. I'll say this for "Nub," that during the regular session in debate and so forth, he was more considerate of the other viewpoint than most of the people on the team would be. Of course, you can afford to be considerate when you have the ways greased, but, anyway, "Nub" is a much nicer person than Uher.

One of the things that Uher did as chairman of the House State Affairs Committee, which traditionally has been one of the speaker's burying committees, in that, you know, you could bury a bill there and never hear from

it again, was that if the committee reported out a bill that Uher personally opposed, it was said he simply stuck the report in his pocket and refused to sign it--and got away with it.

Whatever, there were a number of things that came up in the proposals that were being made. All this took some time. The caucus began to meet, oh, once every three or four weeks in Austin, and the number dropped drastically.

Marcello: Now all this is taking place during the special session?

Allred: Up to this point, most of what I've described took place during the special session. The members had lots of time on their hands, and they were disgruntled. Governor Briscoe had called the special session as a widely-vaunted tax cut session, and it was ridiculous. We knew that most of the things were not going to be passed, and the things that really were going to be approved were passed within the first few days, and the rest of the time we were just kind of sitting on our hands. There was a lot of campaign rhetoric going on and this kind of thing. The members knew that when the people actually got down to it, the tax cuts that were approved would mean perhaps what--five dollars a household. The people were going to be pretty mad about it, and the members felt that they were kind of out on the firing line, that Briscoe had called the special session with strong urging from Bill

Clayton, and so they were kind of unhappy with Clayton on that point, anyway. Like anything else, if you get a bunch of people together and they don't have a lot to do, they start getting into mischief (chuckle). In any event, all of this that I've described pretty well up to this time came about during the last days of the 1978 special session, this so-called tax cut session.

Marcello: What contacts or communications were maintained between the end of that special session and the beginning of the regular 66th Session?

Allred: Well, we met several times--met three or four times--and that was, like, August, and we met in September, October, November, and early January, as I recall, in Austin. But those meetings were attended generally by the hard-core--by eight to ten people, perhaps.

At one of them, Gullahorn showed up along with "Rusty" Kelley--I believe "Rusty's" first name is really Russell--who is presently the speaker's administrative aide. One of the things that we accomplished for good or for bad was that Gullahorn had been wanting to get out, anyway, and go into private law practice, and we raised enough Cain that Gullahorn finally resigned from the speaker's staff. Now the outcome of that was that he became a lobbyist and because of his close ties with Speaker Clayton, a very successful, highly-paid lobbyist who was hired on several bills that

people wanted to get through. There were reports of Speaker Clayton telling people, "If you want to get that bill through, hire Jack Gullahorn." Now whether that's true or not, I don't know. But they showed up at one of the last meetings.

We sent a copy of the proposed rules changes to the speaker and asked for his comments. He chose to ignore us. During the voting on rules, the first or second day of the '79 session, he stonewalled us. His people made it a "are-you-going-to-support-the-speaker-or-aren't-you?" type issue. He could have actually gone through and probably granted us many of the proposed rules changes without really cutting a lot of his power, but he chose not to do that, I suspect, on advice from some of the so-called professional "pols" like Gullahorn and some of the lobbyists.

After that, apparently, the Sam Houston Caucus was effectively dead. I kept trying to maintain to the press that it didn't necessarily have to be dead, that once the session was over then Clayton would lose a lot of his leverage on the members because he no longer controlled legislation as to whether it would pass or not. It may still turn out that there'll be enough disgruntled members.

Clayton has pulled some pretty bad "boo-boos" for someone who has ambitions to state-wide office, as he obviously does. One "boo-boo" was that he alienated,

particularly in his committee assignments as well as in some of his actions, the Chicano Caucus, Mexican-American Caucus, as they called it. I know Paul Moreno, representative from El Paso, just kind of took an oath that he'd never do anything for Bill Clayton. I think that could hurt Clayton in a state-wide race when he'd start going into places like Corpus Christi and Brownsville and MacAllen and Laredo and places like that, into portions of Houston, Dallas. There are a lot of places where the barrio really has a say. Whoever's the "jefe" there, whatever he says goes. I think it could hurt Clayton.

Then, too, he did something that I couldn't believe. He was speaking to the Travis County Bar Association and used the time-honored belief of each speaker that you have to start off with a joke, and the joke he told was terribly racist. Bill is a graduate of Texas A & M University, and he was telling about how the Aggies had particular luck recently with having their black football players hang onto the ball. The reason was that they painted the ball green on one side and silver on the other, and you never knew a black man yet who would let go of a watermelon or a hubcap. My legislative aide, Greg Hill, is very friendly with several blacks and attended a black wedding two or three months after Clayton's faux pas, and it was still, he said, one of

the main topics of conversation. The blacks were very offended by this comment by the speaker of the House.

I think Clayton is creating a lot of problems that he doesn't have to, including the fact that I will remember--and I think some others will remember--how he stonewalled us and refused to talk to us on the proposed rules changes. During the session, they held Speaker's Day . . . and I'll give him credit. Since Price Daniel, Jr.'s day--and Clayton has kept up the tradition--Speaker's Day has not been so much a time to give gifts to the speaker as it was in the days when the lobby presented Ben Barnes with a new car, for example, but more a day in which there was a party and things of this nature that were not so obviously seeking influence with the speaker. But on Speaker's Day, he had a breakfast at the Green Pastures Restaurant, and I caught a ride out there, and then I caught a ride with Bill Clayton back to the Capitol. There were just the two of us. As we were getting into the car I said, "Bill, I really was disappointed. I don't think you needed to stonewall us the way you did on those rules changes. If you would have just talked to us, several of those were good rules changes." He said, "Yes, I suspect that's probably so." Privately, he admitted to me that much, at least. He did not offer any excuse for stonewalling us. I guess he just figured that I was enough of

a pro myself to know that that's the way things are done when you're playing big boys' politics or something. But I kind of got the impression from Clayton that had he done it himself, rather than on the advice of these other people, the outcome could have been different. He didn't say anything like that, however, so my impression could be wrong.

Marcello: What was the atmosphere like in Austin at the beginning of the session when you had a Republican governor for the first time? Talk a little bit about what that was like.

Allred: Well, it was about the same as before. Of course, there were a lot of people who were surprised by Clements' election, and I was one of them. After Clements was elected, there were a number of people around the state who said, "Oh, I saw it coming; I knew that Clements was going to be elected." I only heard one person call it. Representative Fred Head of Athens told me about two weeks out that he had noticed the number of Briscoe supporters who had switched not to John Hill after the primary, but to the Republican candidate. He said, "I really think Hill may be in trouble."

I didn't see it. I felt that Hill was a shoo-in, so much so that I was very busily getting my feelings hurt over the way John Hill treated me when he was in Wichita Falls, and over the way he's treated me in general. A couple of sessions ago, when I had made up my mind that

I was going to have to get out of the House simply because I could not afford to stay in any longer--I had an obligation to my family and this sort of thing--I began to cast around for a job. I asked Dolph Briscoe, as an old friend of the family--my father had helped his father and so forth--if he would help me. At first he assigned a staff member, P.L. Parker, who did nothing and would not even return my phone calls. Then I went in and said, "Dolph, your staff member has done nothing. If there's going to be any help given, it's going to have to come from you personally." He said, "Let me see what I could do," and I never heard another word out of the so-and-so. It was for this reason, as much as any other, that I did not support Dolph Briscoe in the primary with John Hill. I felt that even after I'd supported him, he had let me down at a time when I really needed him. But I wasn't too keen on Hill, either, because I had called John Hill and said, "Do you know any place where I could look for a job?" And all I'd gotten out of John Hill was a lecture on how I had a good name in Texas politics, and if I would just sacrifice a little more, then I could stay in the House. To somebody who is going deeper and deeper into debt, that sort of advice from a millionaire didn't set very well at all.

But in addition, when John Hill would fly in for air-

port visits up here in Wichita Falls, during the campaign with Clements, I would go out and be one of the ones in the crowd greeting him at the airport. He spoke to a luncheon one day, and he spent about five minutes on what a fine senator Ray Farabee was, and then he happened to notice me sitting back there, and he said, "Oh, yes, there's Dave Allred, and I look forward to working with him, too." So I went up afterwards and complained to him. I said, "John, you know, these are my people, and I need to show that I'm in good with the nominee and who's obviously the next governor." So then he said, "Well, you're absolutely right, and I wouldn't hurt your feelings for the world." I'm sure he was thinking, "Oh, God, deliver me from political prima donnas." I'm sure I was being a prima donna to a certain extent, but, damn it, it was my home territory.

So then he flew in a little later for an airport visit out here at Kickapoo Airport, and he did the same thing. I spoke to his staff member, Ernie Stromberger, who's formerly of the Dallas Times-Herald and later public relations chairman of the State Bar of Texas and now John Hill's press aide. I got him aside and said, "Now look, I don't appreciate this at all."

But it happened again, a third time, before the election. I went back to John and said, "John, once is a mistake; twice, maybe; but three times, it's got to be deli-

berate! Now what's going on?" He, of course, denied that there was anything deliberate about it, and I suspect there probably wasn't, looking back on it. I was pretty hot at the time. But it was my territory, and I needed to look good to my home folks, and I felt like he didn't help. His staff didn't brief him on what district he was going into. It's sheer common courtesy, when you're going to somebody's district, that you at least tip your hat to him in front of his constituents. For a nominee not to do that, it was pretty bad, so much so that after the election, John Hill called me--and I'm sure he was calling a number of people around the state--and one of the things that he said was, "Look, I want to let you know that I really feel bad about that, and I hope you don't hold it against me." I said, "Oh, no, John, I don't," and, you know, good luck and all that.

But I remember it, and I remember it with rancor, even today. There is a quotation that's attributed to Governor Preston Smith--I don't know whether he actually said it or not--"In politics you forgive and remember." Perhaps that's what I'm doing. I have a pretty long memory where slights are concerned. I guess most of us do.

But, whatever, I did not see that John Hill was in trouble. Now, after the fact, in talking to some people like Dr. Jim Kitchens, formerly of TCU and at that time

with the Texas Trial Lawyers Association, now in independent business in Atlanta as a campaign consultant, he was telling me about the type of machine that Bill Clements had operating in the Dallas-Fort Worth area. If you've got enough money--and Clements spent around seven million dollars to get elected--you can really get some things going. This was a machine in the political sense of the word, not in the mechanical sense, in which voters were called. They were getting lists from the polls as to who had voted, and then they were calling people who hadn't voted but who had indicated that they favored Clements and were trying to get them to the polls in the afternoon. They started this around ten or eleven o'clock in the morning, calling people and saying, "You haven't voted yet. Can we get you a ride to the polls?" and all this kind of thing. Kitchens, who is a professional campaign operator, said it was one of the prettiest operations he ever saw. Had I known all this beforehand, I might have been able to see the handwriting on the wall. But I didn't hear a lot of talk, outside of Fred Head's one comment prior to the election, that even indicated John Hill was in trouble.

But as far as a Republican governor, oh, he was rather ineffective, I felt.

Marcello: He shot from the hip quite a bit, did he not?

Allred: He still does. He made a lot of comments, and I noticed during the session that he seemed particularly intent on alienating the Legislature--the very people he needed to pass his program. At one point toward the end, Paul Ragsdale, who is a rather militant black representative from Dallas, had been in to talk to the governor, and at the end of his conversation, he said something about, "When can I say that you're going to call the special session?" And Governor Clements is supposed to have smiled evilly and said, "That will come at the time that is least convenient for you." This was rumored. I don't know if this is true. These and some other comments by Clements made me feel that the governor just didn't care, I guess is the best way to phrase it, about his legislative relations that much. He is a shoot-from-the-hip person.

Marcello: Did you almost get the impression at the beginning that he was still trying to operate as the head of a company and the the members of Legislature were just so many board members?

Allred: Yes, very much so. Of course, that's his background. He headed Sedco, one of the biggest companies in the world in that field, and so he probably expected that people would kowtow to him. But it really hurt his image, and it made him seem a long distance away, for one thing.

I don't know that he really treated us so differently than any of the Democratic governors though.

Marcello: Yes, in many ways, I think, he was very similar to a Shivers or a Daniel or Preston Smith or Briscoe.

Allred: There were quips during Briscoe's administration. Briscoe loved to go to the Catarina, which is one of the ranches that he and his family own near Uvalde. He would spend a lot of time away from the office, and there were quips that during one of his short visits to the office, the governor did so-and-so. Later, when they finally put his portrait in the Rotunda, as they do each governor, there was some joking that it was a very bad portrait because it showed Briscoe in the office, and he was so seldom there.

Whatever, I remember, during the 1977 Session, the last night of the '77 Session, Briscoe and his wife Janie came on the floor around eleven o'clock with the session due to end at midnight and the education bill still out. I went over, and I said, "Dolph, don't let them use these same tactics they always do of rushing the education bill in at the last minute and trying to force it down. The members won't buy it. They're mad." He kind of smiled and said, "Well, I'm not here for something like that." Well, he should have been there for that! That's called leadership, and he wasn't exercising it.

Clements was much the same way. He did veto one bill

that was overridden. That's the first time I've ever seen a veto overridden personally, and I'm told that it's the first time that a veto had been overridden in perhaps twenty or thirty years. I've talked to Representative Ben Grant of Marshall about that, and Ben and I both agree that it could have happened just as easily had it been a Democratic Chief executive. It was not so much a "dirty Republican let's-go-get-'em" type of thing as it was a confrontation between the Legislature and the chief executive. The Legislature wasn't about to let him get away with something like that. Many members voted for override because it was a local bill and the local representative wanted it.

Marcello: Well, on other occasions, he would make some of those rash statements, and then he would have to back down.

Allred: Yes, as politicians say, he would have to "clarify" what he'd had to say. Now Clements did have some effect. He would announce that if such-and-such was done, he would veto it. In the Legislature, this then had a restricting effect: "Well, you know, we can't do that because the governor says already he'll veto it." I'm not sure that he really would have in some cases, but he might have.

Where Clements, I think, makes his big difference is in the everyday operation of the government. As John Wilson says, the reason that people get excited about the governor is not because of his power with the legislative

branch . . . because under the Texas Constitution, he has very little power in that respect. He's a figurehead. But he makes a lot of appointments to the boards and agencies that run the state government day in and day out, and therein lies his power. And the fact that he names them quite often to a six-year term means his influence will go on in state government long after he's gone. He has also been cutting some personnel, cutting out some of these bureaucrats and this sort of thing.

He, I think, was taking a calculated risk there, one of two calculated risks that he took in taking on large groups of people. He took on the state employees, and he took on the teachers. But I think his calculated risk was that the rest of the public would say, "It's time somebody stood up to those folks." He would lose some votes from the state employees and the teachers but in the process gain a great many other votes from people who like to see a strong governor stand up to the bureaucrats and to the teachers--this type of thing.

I heard the theory expressed during the session, too, that simply the fact of having a conservative chief executive encouraged many people to run with conservative ideas that they might not have run with in the Legislature otherwise. Ben Grant has commented that Clements was gone a lot during the session, and I don't know if that was good or

bad. We don't vote along party lines, anyway, pretty much. Congress has the majority and minority parties and this kind of thing, but we were much more apt to have a liberal-conservative split or, more recently, an urban-rural split, than a split along classic party lines. It seemed to me that Clements didn't really have a team in the Legislature--representatives that were close to him and that really were kind of doing his bidding. I guess the last governor to really have a team was John Connally. It didn't always do him a lot of good, but then Connally, I think, had a staff problem. I think a lot of Connally's staff did him a disservice and only told him what they thought he wanted to hear. In my book, he had a very poor staff.

Clements did hire some former legislators, including Hillary Doran of Del Rio and James Kaster of El Paso and perhaps one other. I believe there were three, and I can't think of who the other one was. But anyway, they were ex-members, and Democrats. Jim Kaster, primarily, handled the governor's liaison with the House of Representatives and did a fair job.

Marcello: What sort of a reputation did Kaster have in the House prior to serving on the governor's staff?

Allred: A good ol' boy reputation. Representative John Wilson has a theory that the good ol' boy club runs the House of Representatives, and I think he's probably right in

that you want to be known as a good ol' boy if you're going to get your legislation through. Kaster had a good sense of humor. He has a lot of children, and that's one reason they say that he quit the House. He just couldn't support his large family. He's got five or six kids or something. He became the tax assessor-collector in El Paso and then later hired out to be the governor's liaison man with the House of Representatives. He's in tremendous physical shape, personally; he runs four or five miles a day.

One of the "Kasterisms" that I remember the most was during the time when we were to debate the Medical Malpractice Bill, the issue the Texas Medical Association and Texas Trial Lawyers had fought over for a long time. We were going to debate the new bill on that, and the gallery was full of doctors. This was, oh, three or four sessions ago . . . two or three sessions ago . . . something like that, and there were just a whole slew of doctors in the gallery waiting for the debate to begin. Kaster got up and said, on the microphone, "Mr. Speaker, I note that we have a great many doctors in the gallery today, and I'm wondering if you could have some five-year-old magazines distributed that they can read while they're waiting for this debate to begin." He got a good laugh. Kaster has a good sense of humor.

He was basically a conservative in the House--an urban-type, obviously, coming from El Paso. He had a good reputation. Hillary Doran had a good reputation. Hillary, I think, is a very nice guy, even though he and I would disagree a lot on political things. One of his big things was that he opposed daylight savings time. He used to keep his watch on standard time, which he called "God's time." So I think Clements probably had good people going for him. He had a lot better than Briscoe did. Howard what's-his-name from over at Beaumont kept having members complain about him leaning on them and lobbying in violation of the House rules and things of this nature. Kaster didn't do that. Kaster operated much quieter,

But Clements did not have a team per se, even among the Republicans, and he seemed to take the attitude that he got in by himself and that he was the governor. It's very easy to think that everybody loves you just because you got elected, and I think he was guilty of that or was just being tough. Then, too, he had a staff that I would fault on two grounds. One, it was a pretty stuffy staff. They were drawn, I think, primarily from business, and they were used to the business way of doing things as opposed to the political way, which is usually a little more relaxed. Then, secondly, his staff was very, very

green. They didn't really know a lot about what they were doing.

Ben Grant has pointed out--and Ben's a Democrat, but, as I say, he can also grasp issues and see both sides--that Clements faced some difficulty as well in that he didn't even get inaugurated into office until the Legislature had already been in session for a week, and then it was probably pretty difficult for him to fashion a legislative program that late. But he'd known since November he was going in and should have been planning. He came out for a number of things. The Legislature, for the most part, refused to pass them, and then he would come out and say, "Well, I still feel it's a moral victory because of thus-and-such." He'd find some way to put a good face on it. Of course, under our present system, that's one way that you handle things because the press will report what you have to say, putting a good face on it, and there may be columns and so forth later on written that you're full of baloney. But the average citizen isn't going to read those columns, and he will at least have heard your version of the thing.

Marcello: Like you mentioned awhile ago, I think he found out very early in the session that the powers of the governor are limited. There's only so much that the governor

can do vis-a-vis the Legislature.

Allred: Extremely limited. I think he was figuring that the governor was more like the chief executive of a company. Another thing, he was being just as blunt as the head of a large company can be with people whose salaries and jobs depended on him. He could be as blunt as he wanted to be. But he tried this bluntness with the Legislature, and I know a bunch of folks who came away from meetings with the governor incensed. There were often times he didn't really have to make an enemy, but he did by trying to be blunt.

I gather he still shoots from the hip a lot. Witness his little episode over at Texas A & M, where he was talking about using skin-diving as a birth-control method because it was found that you could cause problems with expectant mothers if you got too much pressure on them. It was probably just one of those little off-the-cuff statements, but he's got to learn the Governor of Texas or the President of the United States, people in offices of that type, can't make those little off-the-cuff remarks without facing the consequences.

Let me see if I can think of anything else. During the session, I personally didn't feel any different with a Republican governor than I would have with a Democratic governor. I do not like Clements personally. I have only met him formally once, and that was on the morning

of April 11th, when Wichita Falls was hit April 10th with a very damaging tornado. I got in here at three o'clock in the morning, and the governor came in about eight or nine o'clock to survey the damage, and that was the first time I'd ever shaken hands with the man. I had deliberately avoided trying to fawn over him. I just didn't like his personality that he projected during the campaign, and I found that he was pretty much like that. I didn't like that. I noticed, during the time we were on the ground deciding who was going to fly in what helicopter, Clements was very short with his staff. There were two Department of Public Safety helicopters there on the morning of April 11th to take the members of the Legislature and the governor and his party to survey the damage. He did, however--and I give him credit--make sure that both members of the House, myself and Representative Finnell, and the state senator, Ray Farabee, got included in one of the helicopters. He at least knew enough to play that political game. But, in general, I just don't like the man. He's very abrupt, very gruff, and I just don't like that type of personality, plus the fact that he's a Republican.

I get a humor service that I use in my speeches, and just in making quips with people, I've found that when you have to make small talk, if you can leave them laughing, they seem to enjoy that. Robert Orben puts out this humor

service, and one of his stories was what he called a Gulf of Mexico Halloween, which I was translating into a Bill Clements Halloween, where you have a large tub of oil and people come and bob for water--a commentary on the oil spill in the Gulf of Mexico and a well being drilled by Pemex but with Sedco equipment. I have commented--and I think some others have--that if you believe that Sedco was going to allow an expensive off-shore drilling rig to be used by Pemex without providing some personnel on there that knew what they were doing, then you believe in elves and fairies and Rumpelstiltskin. Along with that, Clements commented that he didn't see any real problem with the fact that the oil spill was soiling the beaches and that suits by the Justice Department and by Attorney General Mark White were politically motivated. So I called Representative Luther Jones of El Paso and reached him at John Whitmire's house in Houston. Luther is running for chairman of State Democratic Executive Committee, the state Democratic chairman, in effect, to succeed Billy Goldberg. There's a lawyer out of Houston who's running, and then Carrin Patman, the wife of Senator Bill Patman of Ganado, is also running. Of that group, I think Luther would probably be my choice. So I called Luther and suggested to him that he might want to use this Halloween joke as a

way to take a gig at Governor Clements and also get mentioned in some of the columns around the state and keep his name before the public. I don't know whether he actually used it or not, but I suggested it to him.

But in general I just didn't notice very much difference at all in a session with a Republican governor as in a session with a Democratic governor, particularly the Democrats who have been governor recently, many of whom who have been Republicans in all but name.

Marcello: Let's talk about some of the specific legislation that came before the 66th Legislature. From everything that I've read, it seems as though the so-called consumer legislation that was already on the books came in for a great deal of battering this time around.

Allred: Yes, and it was a real fight in that some of the consumer people themselves couldn't agree. I was talking with a guy in Washington who was a federal employee, but he was familiar with the Texas state law. State law provided, for example, for treble damages. He was lamenting the fact that the Legislature had changed that because he said Texas really had the outstanding law in the nation up to that point. Of course, he was looking at it from a consumer standpoint. Now I have also heard the opinion that people always tend to think of the application of that law as between the innocent consumer and some hard-hearted

multimillion dollar corporation. But it has also applied to the individual little merchant on the town square, and treble damages there could seriously hurt the guy and then put him out of business. One man, a member of the House, commented to me that if you can recover your damages and so forth--your actual damages--plus attorney's fees, then you have virtually been put back in the position in which you were before. I didn't quite agree with him. I liked the treble damages, maybe because it made my job as a lawyer easier. There's one automobile dealership in Wichita Falls that we've had a lot of complaints about, and I was talking to the guy who ran it, and he said, "Well, I'll always try to settle with you." He said, "Under Texas law, it's just no good for a businessman to try to go to court on some of these consumer claims." Well, I like that kind of a feeling. As Ben Grant has pointed out, the extra damages encouraged people to look to products liability, to look to quality control, to look to new ways of meeting problems that they might not otherwise look to because they just weren't being forced to do so.

On the other side of the coin, I guess, if a man makes an innocent mistake, he might still be liable for treble damages, and that could really cause him problems because everybody makes mistakes. So there's really split opinion on whether things like the treble damages, for ex-

ample, were good or bad. As you know, treble damages were done away with. There is some question as to whether verbal statements should have been included in some of this. But verbal statements are what the customer comes to depend on, and you have some verbal statements that fall into the category of what the law calls "puffing," where the guy is really trying to explain his product and so forth, as opposed to representations that this is a great little thing and it'll fly you all the way to the moon or something, which are not true. It's rather difficult to show, unless there were witnesses--and there seldom are, unless it's just a man and his wife or something--to show the verbal statements that the customer depended on.

Another thing we had a lot of consumer question about was the automobile documentation fee, where the bill called for the \$35 fee to be set out in bold print in a car purchase contract with a statement that the buyer doesn't have to pay the dealer--the buyer can have this done himself. I voted for the bill because I felt it did bring the fee out in the open and limit it. There were others who said, "Well, if they're given permission to charge that \$35, they're going to charge it." I felt they probably were charging a fee anyway, and this way it was outlined and limited in the contract.

Products liability was a big thing. We've come a long

way on products liability and safety devices, like I said, and it just would have been pretty bad had some of the bills passed. There was the bill, for example, that proposed that a businessman shouldn't be held responsible beyond the state of the art on a product. Well, you could hold that whatever the status quo is is the state of the art, and therefore it would cut down very much on any experimentation to try to improve the state of the art.

Probably the biggest consumer topic of the whole session was the usury bill. I knew that was going to be a fight because several months prior to the opening of the session, the previous fall, Durwood Curlee of the Savings and Loan League had come to Wichita Falls with Jerry Hall, who had been press secretary for former Governor Smith and is a public relations counselor in Austin now. They were trying to drum up support for raising the usury limit from 10 percent to 12 percent. The consumer groups made it a big issue and opposed the Savings and Loans. I remember the AFL-CIO, for example, put out a little badge that you could pull the little paper off the back and stick it on your shirt, that had a picture of a pig, and it said, "Shame on the greedy Savings and Loans." I guess they were trying to hurt them business-wise. That was probably one of the biggest fights, and we did finally vote to raise the interest

ceiling to 12 percent.

Marcello: How did you feel about raising the interest rate?

Allred: I opposed it. I felt it was a temporary thing, but I could be wrong. Higher interest rates may be coming along. But toward the end, I voted for it because one of the men of the First-Wichita National Bank here, Bill Terry, a man I've known for a good long while, called me and commented that even though I had previously voted against it, we were down to the fact now that they did have enough votes to pass it; but that it would take ninety days for it to go into effect and with Wichita Falls having been hit by a tornado, they needed it immediately; and that I better get back up to the floor, and vote to let it go into immediate effect, rather than waiting until September first. I finally did vote for it--pretty much on the strength of Bill's arguments that I'd have trouble explaining to tornado victims why I didn't support it for immediate effect. Since then, I'm told that prime interest rate has gone to 14 percent or something, so the 12 percent limit really doesn't do very much good. But it was a hard-fought--hard-fought--subject, and I voted with the "keep-it-at-10-percent-people" until almost the very last.

Marcello: Let's talk a little bit about tax relief. This seemed to be a subject that occupied a great deal of time in the

Legislature this time. Here again, I'm sure that on a subject like tax relief, you find a great deal of demagoguing, do you not?

Allred: Oh, tremendous amounts of demagoguing! One thing that was proposed to be tax relief that came out of the session before, with the idea of old folks' exemptions on homes. They did increase the exemption from \$3,000 to \$5,000 in that bill, which the people voted on. But they took the whole exemption of the market price of the house, where we had had it on the assessed value of the house. So even though they increased the exemption from \$3,000 to \$5,000, you still take \$3,000 off assessed value, and you're quite often getting a lower tax amount than when you take \$5,000 off the market rate. Tax relief is something that has been particularly demagogued, especially given the Proposition 13 set-up in California. It's political suicide for a politician to be against tax relief, and yet the truth of the matter is that there's only so much tax relief you can afford to give, and then you're in trouble in trying to finance government.

Marcello: Also, did you not have to implement some of the provisions that were in that 1978 tax relief amendment? For example, you had to provide about \$430 million for local school districts, did you not, because they had been mandated to bring about local tax cuts?

Allred: Yes. The constitutional amendment was passed, and much of it was left for statutory authority to be provided by this Legislature. The Legislators did that to a certain extent, but even after all the discussion at the time, and all the rhetoric and so forth, it didn't turn out to be really tax relief at all, or such a small amount that the average person hardly felt it.

Marcello: What was your position with regard to taxing farmland, ranchland, and timberland on the basis of its productivity rather than on the basis of its market value?

Allred: I thought it was a good idea. I also voted with Luther Jones pretty well to prevent the big corporations from being tempted to speculate on land because of the tax break. Basically, the plan dealt with land. The situation was particularly true where a city is growing and expanding its boundaries. You have a piece of land that's right outside city limits and would make somebody a nice shopping center. You could go ahead and use it for that purpose, but if it was kept for agricultural purposes, then it was assessed at what it would produce and not at what it might sell for as a prospective shopping center. I thought that was a good idea.

They did have a provision which I think stayed in the bill that if you did then sell it for a prospective shopping center, you had to go back and pay the tax

difference for about four years. There was an argument, too, over whether or not big companies ought to be able to do this because they could afford to speculate and hold land, and, of course, there were a lot of points to the timber companies over in East Texas, and I know the timber companies flooded lobbyists in there because I saw several of them, and that was kind of watered down. But I pretty well, as I recall, voted against the big timber companies as well.

Marcello: Representative Peveto finally got a bill passed through the Legislature after three tries. I guess this was a third try because they called it the "grandson of Peveto." Describe the process by which the Peveto Bill finally got through the Legislature.

Allred: Well, Wayne Peveto of Orange had pointed out sometime back that the state had any number of taxing authorities--hospital districts, cities, counties, school districts, water districts--and the result was a terribly uneven pattern of taxing. What you were having was suits in different places maintaining that the state was not fulfilling its responsibilities, and these suits were being found in favor of the taxpayer. Peveto was trying to get a more organized system of assessment and collection.

The tax assessor-collectors opposed it, and they're pretty powerful because they're in the courthouse gangs

in all of our 254 counties. They felt, I think, that it would take away some of their jobs because, if you have a central taxing authority for the city, the county, the school district, and the whole thing, it might be them, or it might not be them. Peveto basically was simply trying to put more order into our taxing system and have fewer assessing bodies. At first it looked as though his bill was dead, but he just kept plugging and kept plugging, and they finally allowed kind of, as you say, the "grandson of Peveto" through. But it was pretty heavily emasculated, too; it was not anywhere near what Wayne had initially proposed.

Marcello: Well, the big hang-up seemed to be in the Senate, though, wasn't it? In other words, as I recall, that Peveto Bill passed the House on two previous occasions . . .

Allred: He'd passed it a couple of times, yes.

Marcello: . . . and it died in the Senate.

Allred: Well, the Senate's easier to control. The Senate has a thing . . . this is part of what the "Killer Bees" was all about. You have to have a certain number of people before you can even bring something up out of the usual order of business, and if the lobby only has to control, say, sixteen or seventeen senators, as opposed to, like, seventy-five House members, the Senate is a lot easier to control. It's more of a "clubby" atmosphere. I suspect

that's why the stand was made in the Senate.

Marcello: I'm also sure that the fact that Senator Jones was handling that bill in the Senate probably helped Peveto, too.

Allred: Yes, Grant Jones is a very highly respected guy.

Marcello: Not only that, but he is chairman of the Finance Committee, too.

Allred: That's right. He took over from A.M. Aikin. I'd forgotten that. I'm so used to Aikin being chairman of Finance; he was for so many years. I think the "Killer Bees" is a kind of interesting thing in itself.

Marcello: What are your comments relative to the "Killer Bees," even though, of course, you were not a member of the Senate.

Allred: If I'd been in the Senate, I'd have been one of them. The interesting thing is that the general public thought they were pulling some kind of a sneaky deal. There have been similar things for many, many years.

There was one article in the Austin paper that described something that happened, I think, about 1911. The fight was between the wets and the drys. The governor who was outgoing would have signed a prohibition bill before he left office if it could be rushed through the Legislature. You know, the Legislature meets, and then a week or so later the governor's inaugurated. But the incoming governor--I believe he was O.B. Colquitt-- was opposed and would veto a state-wide prohibition bill.

So they got a bill and tried to rush it through, but a number of senators disappeared. They caught the train down on the Congress Avenue bridge and went to San Antonio and then to a ranch near Bandera operated by one of the lobbyists and one of the lawyers for the Pearl Brewing Company.

So for all these many years, one legislative tactic for delay has been to have a certain number of senators absent themselves. Enough would leave so they could not bring up anything out of order, and neither could they bring up any change in the rules out of order. So the "Killer Bees" were not anything new as far as the strategy. It's just the first time it'd been used in a long time. It's much easier for the Senate to do something like that because in the House you'd have to get about seventy-six people to walk, and it's difficult.

I've been in on a few times when we've tried to walk and break a quorum. You get down to your office or wherever you're hiding out, and you never know what the others are doing, and you have really no way of keeping track of what's going on on the floor, and the result is that you feel kind of isolated. You wonder if the others have returned and you're holding out uselessly and ought to be back in the chamber. That's one reason why, when the "Killer Bees" took off, they kept the senators all together, although I

understand Gene Jones finally took off; and Chet Brooks finally came back a little bit earlier and maintained that he'd been out of the state and didn't know what was going on. When you're out, you're always wondering if someone will "flake." A "flake" is a person who will give in to pressure and change sides. I think that's one reason why the "Killer Bees" stayed so close in the Capitol when it was finally disclosed where they were hiding.

I had a unique experience, too, in viewing the "Killer Bee" episode from the law enforcement standpoint, in that a number of my friends are in the Department of Public Safety. They were mad at Lieutenant Governor William P. Hobby, Jr., and others for these comments that said in effect, "The DPS couldn't catch a cold." The law enforcement officers' search for the "Killer Bees" was very, very limited. They had no subpoena power; they had no real warrants, per se; they were not dealing with underworld characters, so their "stoolies" in the underworld were no good. As one guy said, "They were always telling us to go get 'em and all, but all we could do is go up and knock on the door and say, 'Is he here?'" In Gene Jones' case, it was reported his brother went out ostensibly to get the morning paper and was arrested and brought back to Austin in the senator's stead. His brother

was apparently a decoy to pull attention away while Jones went out the back door because he was indeed in the house when the DPS showed up. But I know that from a law enforcement standpoint, the law enforcement people didn't like it at all, didn't like being ordered to go get them and bring them back and yet being given few tools with which to work. They felt it made them look silly.

There was a party at Aquarena Springs in San Marcos one of the weekends the "Killer Bees" were away. It was almost laughable. I've found you can generally spot an FBI agent in a crowd just by the way he's dressed and the way he acts. Well, at the party were two guys in big boots and leisure suits, wandering around trying to look inconspicuous.

I was up in a motel room. I had a circulation problem in my leg, and I had to raise my leg and let gravity pull some of the blood down, and I was up stretched out in the hospitality suite of Southwest Texas State University there, in the little hotel at Aquarena Springs, right at the headwaters of the river.

Sam Kinch, Jr., a correspondent for the Dallas Morning News, was also in the suite. He saw these two guys walking by and called them in and said, "Hey! Hey! You got one of them in here!" They kind of laughed. They knew the chances were 99 to 1 that their leg was being pulled, but

they had to check it out. They were two DPS types, and we invited them to have a coke with us, and they, I think, sipped a coke for a minute and then left. But you could tell that they were embarrassed because they didn't like having people laugh at them, either.

Marcello: Well, as I recall, when the "Killer Bees" finally did come back, they went out of their way to mollify, so to speak, the Department of Public Safety and so on.

Allred: I don't know about that, but I would imagine so. But it was a legitimate tactic, and I felt it was for a good cause because I opposed the split primary.

Marcello: Let's talk a little bit about your views concerning the split primary.

Allred: All right, the basic issue, of course, was the presidential primary to be held next year in Texas. Of course, you get into local politics in that John Connally and George Bush are both from Texas and are both running for president. Connally is considered to be one of the leading contenders, so much so that it was really, at that point, at least, being figured the GOP nomination race was between Connally and Ronald Reagan, the former governor of California. It was felt that if Connally could get a primary victory under his belt very early, it would boost his candidacy. And where could Connally get a good primary victory? Texas! So there was much talk that we

ought to have the presidential primary on a different day from the party primaries. This was known as the proposal for a split primary.

The feeling was that a lot of people then could go ahead and vote for Connally in the split primary and then go back during the party primaries and do what they've always done. A lot of Republicans cross over and vote in the Democratic primaries to try to elect more conservative lawmakers. Some of the conservatives were really sweating it because they were afraid that, if we didn't have split primary, a bunch of people would go vote in the presidential primary and get some of the conservatives who hold their legislative seats by very, very slim margins defeated.

My personal viewpoint was that I favored the same-day primary as opposed to a split primary. That's why I say that if I'd been in the Senate, I would have been one of the "Killer Bees." As you may know, a number of the House members wore representations of a bee in their lapels, either little toy bees . . . or one guy had a plastic pen, and then the AFL-CIO had a little thing printed up about the time they came back; a diamond-shaped thing, with a picture of a bee, almost like the CB emblem. It showed a roughlooking bee in it saying "Thanks." There were "Killer Bee" T-shirts and a variety of things of that nature. Their

opposition was to the split primary, and they were able to prevail. They finally got Lt. Governor Bill Hobby to agree the split primary bill wouldn't come up if they'd come back and do other Senate business. Time in the session was running on quickly.

Marcello: The next elections in Texas are going to be quite important so far as State Legislature is concerned, are they not, because you're going to be involved in re-districting?

Allred: Yes. There are any number of people leaving the House. We have a turnover of about a third every two years in the Legislature, in the House, anyway. It seems to me that there's an even higher percentage leaving this time. Ben Grant has told me that he's going to run for district judge. A number of the Houston boys have announced for the city council. Clay Smothers, the "oreo" from Dallas, is going to run for Congress as a Republican, and good riddance. He's nothing but a demagogue. An oreo cookie is two black wafers outside and white cream filling inside. The term oreo has come to mean a person who's black on the outside but white on the inside. I feel many of Smothers' stands were against the best interests of blacks. It just seems to me that I've heard a great deal about people who are leaving the House of Representatives this coming election, so we may have a little larger than

average turnover, average being about one-third every two years.

It's going to be an interesting thing in the next election, particularly because the Republicans smell blood. They feel that neither Jimmy Carter nor Senator Ted Kennedy is really a salable property as a party presidential nominee, but that it will be one or the other. The rumor is that Democratic legislators are all going to have opponents, and the Republicans will do as much as they can to try to take advantage of the fact that they anticipate a heavy vote in favor of Connally.

Marcello: Some people say this whole business over the split primary was only a sham in that the real motive of the "Killer Bees" was to protect their own interests as trial lawyers. In other words, it gets back to that consumer legislation that you talked about previously.

Allred: Well, I'm sure that was part of it, but the split primary was the thing that they decided on as the vehicle, and they felt pretty strongly about the split primary. But I think you're absolutely right. There were other issues, of which that was one of the more important ones, that were kind of lurking in the wings. If you can postpone action, then you may have blocked the bill you oppose when you're in a limited-time session. It's a practice

that's done in the House quite often. The legislative slang term for it is "chubbing." The way it's done in the House, as the session winds down, in the last few days, its members will ask as many questions, relevant or otherwise, as time will allow on any piece of legislation with the idea then that the longer you take on whatever bill happens to be under consideration, the less chance there is of getting to the bill that you're "chubbing" farther down the list.

Marcello: I have another question concerning state finances. There was a bill that passed the Legislature this time called the Budget Execution Act. In effect what it did was, it increased the budget power of the governor. Are you familiar with that piece of legislation, and, if so, what were your observations on it?

Allred: Only vaguely. I opposed increasing the budget execution powers of the governor. I just didn't like the idea of centralizing more power in the chief executive. He's already free to dabble quite a bit.

Marcello: I guess one of the things that did perhaps help in the passage of this bill was that it called for a seven-member budget execution committee, which the Legislature would ultimately control. It included the lieutenant governor and the speaker and the . . .

Allred: Well, there's some question, too, on this oversight bill

that's up for constitutional amendment this time and that the people are going to vote on on the 6th of November.

Marcello: What personal legislation did you pass this time?.

Allred: Very little. I was really kind of handicapped this time in that I had been in a car wreck, a pretty serious car wreck, in September of 1976 and spent two months in Brackenridge Hospital in Austin. I still have some problems that are brought about by the car wreck, and, I think, complicated by my being overweight, including the fact that more blood goes down into my left leg than comes up. It has resulted in skin discoloration and skin ulcers and several things. I have to wear an elastic stocking to help, and I am supposed to lie down a couple of times a day and raise my leg above my head to let the gravity pull the blood down. The doctor really put the fear of God into me. He suggested that if I wanted to hang onto the leg, I'd better do this.

Eventually, I was able to get a hospital bed. We borrowed a hospital bed from a hospital there in Austin, through the Texas Hospital Association, and the House of Representatives wired a loudspeaker into my office where I could listen to the debate, and I'd lie down there on the bed. It was really kind of handy for me. I'd lie down there with my leg up and dictate and run my staff and run my office and nap and all sorts of things,

and yet I could keep up with what was going on. The rule in the House at that time was that you could come up and register your vote within an hour after a vote had been taken so long as it didn't change the result. So what I'd do is save up several, and then, just about before an hour had elapsed, get up and go register for a whole slew of them. This way, I was able to keep my voting record up. But it severely handicapped me as far as participating in debate, and also it severely handicapped me as far as special legislation.

We did put through something for Midwestern University, and I guess that was primarily it. I've never carried a whole lot of legislation. I've emphasized other things, such as service. But it was the sort of thing where, particularly in the last half of the session, I had some health problems that are aggravated by my weight. This was worrisome health-wise and because it might be used against me in the next election.

Marcello: Well, Dave, I think that's probably a pretty good place to end this interview. I want to thank you very much for having taken time to participate.

Allred: Well, certainly. If there's anything else you want to cover, I'll be glad to try, at least.

Marcello: Well, those are all of the questions that I have. Is there any other issue that you think we need to talk about?

Allred: No. I did want to, as I say, get into the Sam Houston Caucus, which we've covered. I can't think of anything else, right offhand. You've covered such things as the influence of the GOP.

One little thing has occurred to me, and I was talking to Ben Grant about this the other day. I talk to Ben by telephone some because I do respect his judgment on things. I was commenting that I felt that the lobby was pretty much in control, that this was a special interest session. Then while I was cleaning out my desk and a box of papers, I found some old issues of the Texas Observer, and they were saying the 60-such-and-such Legislature was a special interest controlled session. Apparently it seems that way every session. I was particularly disappointed, as I recall, at the end of the '73 session because we were coming right out of the "Dirty Thirty," and we had such high . . . at least I had such high hopes for reform, and much of the reform didn't come about.

Marcello: Well, did you find that the lobby was more active in this Legislature then, let us say, in the 65th?

Allred: No, I don't think so, really, in looking back. Although, at the end of the session, I was commenting that I really did feel that it was a special interest session. I'm pretty much of the opinion now that every session is a

special interest session because the lobby is hired to be down there.

I did think it was interesting in that some of Clements' opposition to the teachers seemed to rub off in other ways. The Texas State Teachers' Association has pretty generally associated the quality of education with how much you pay teachers. The TSTA this time was more at odds with the governor and some legislators. Usually, people are just kind of waiting in line to help out the teachers, but this time they didn't seem to because the teachers seemed to be divided. Of course, TSTA had supported John Hill so heavily, with my first cousin as the president of TSTA at that time, Virginia Allred Stacey. Her father and my father were brothers. But more than that, it came down to a fight over how much of a raise they'd get, Clements holding out for 5½ percent, the teachers wanting more. I voted with the teachers all the way, but a number of other people didn't. They kind of used the controversy as an excuse. The teachers' organization was more embattled this time than I've ever seen them. The Texas Federation of Teachers, AFL-CIO, is a union. It's small, but active and vocal. There was much comment this time from a number of quarters that by being so vindictive and so "I'm-going-to-hold-the-line-on-state-employees-and-teachers-

to-5½ percent-despite-double-digit-inflation" that Governor Clements had done more toward unionization of Texas teachers than any of his predecessors.

I'm sure that as soon as you leave, I'll think of a hundred subjects, but that's all I can think of right now.

Marcello: Well, Dave, once more, I want to thank you very much for having participated. As usual, you've been most candid, and that's, of course, what we're looking for in these interviews.