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ORAL HISTORY COLLECTION

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Interview with  
Senator Grant Jones  
July 21, 1976

Place of Interview: Abilene, Texas

Interviewer: Dr. Ronald E. Marcello

Terms of Use: Open

Approved: *Grant Jones*  
(Signature)

Date: February 12, 1976

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Oral History Collection

Senator Grant Jones

Interviewer: Dr. Ronald E. Marcello

Place of Interview: Abilene, Texas

Date: July 21, 1975

Dr. Marcello: This is Ron Marcello interviewing Senator Grant Jones for the North Texas State University Oral History Collection. The interview is taking place on July 21, 1975, in Abilene, Texas. I am interviewing Senator Jones in order to get his reminiscences and experiences and impressions while he was a member of the 64th Texas Legislature.

Now Senator Jones, to begin this interview, and since this is the first time that you have participated in our project, would you very briefly give me a biographical sketch of yourself. In other words, tell me when you were born, where you were born, your education-- things of that nature.

Senator Jones: I was born in Abilene on November 11, 1922. I was the youngest of five children that lived to adulthood. My parents . . . my mother was a native-born American. My father was born in the north of England. His parents were of Welsh extraction. Both were born in Wales and moved up to the north of England.

My father was raised over there and was brought to this country at age seventeen by an uncle. The uncle originally came over here to bring a load of dynamite to General Dodge for use in construction of the Union Pacific Railroad. After he got here and delivered his dynamite, then he needed employment. He worked for General Dodge, and General Dodge, after he retired from the Army, became a railroad construction contractor. My great uncle joined him in these endeavors, and that's what ultimately brought the family into Texas.

My family first moved to Abilene in 1909. My older brother was born here. And then with the construction of the railroad on to Ballinger, my family moved to Ballinger in 1910 and stayed down there until 1920. They moved back to Abilene in 1920, and I was born here in 1922. I went through the public schools in Abilene. On graduation I went to SMU.

World War II came along about that time. I had decided I wanted to fly. I could see the prospects of not finding an aircraft carrier that might not still be on top of the water, and so I ended up going into the Army Air Corps. I went through pilot training, and I ended up in troop carriers. I served in Italy. After VE Day, they sent us to South America. They were flying troops home from Europe. The Air Corps would fly

them from Africa to Brazil in four-engine aircraft, and then we'd take them in C-47's up the east coast of South America and ultimately into Miami. I was on a run that flew people from Balém, Brazil, to Georgetown in what was British Guiana. Then we'd wait for a plane to go back--just simply operated a shuttle run.

After World War II, I went back to SMU. I had been in . . . had one semester in law school before induction into the military. I went back to SMU. At this point it looked as though everybody was going to law school. I decided I'd probably do better not to go on back into law school. I went ahead and finished an undergraduate degree. In those days you could go to school three years in undergraduate school, go into law school for three years, and at the end of six years come out with a combination degree. You can no longer do that. You have to have a degree now before you can enroll in law school. But at any rate, I went back and finished my undergraduate work.

About the time I was concluding that, I decided that I'd like to take the opportunity to exercise my GI bill. I made application to Northwestern, Harvard, and Wharton graduate divisions. I ended up being accepted at Harvard and Wharton. I decided I'd go on to Wharton graduate school and majored in insurance up there. I graduated up there in June, 1948, with a

master of business administration and a major in insurance.

I came back to Texas and married a girl I'd met at SMU--a girl named Anne Smith that lived in Dallas. We came on back to Abilene. I went to work for one of the local insurance agencies here. I stayed here from October of 1948 until January, 1950.

I went to Dallas and worked for an insurance general agency called Trezevant and Cochran. It was the second oldest continuing business here in Texas at that time. What's now the Dallas News had begun in Galveston at an earlier date. I worked there for about five years as a casualty underwriter and was on the road as what was in those days called a special agent for the company. It was real interesting how the problems reoccur. My instructions when I was traveling in those days was not to call on any new agents that didn't represent us because they might want a plant. The capital structure of the insurance industry had not kept up during the war. The people don't realize that insurance companies are limited in the amount of business they can write on their capital structure. We're seeing the same thing happen again now in the insurance business. The capital structure is not able to handle the volume of business available to them. But I stayed with Trezevant and Cochran for about five years.

Then my wife and I moved back to Abilene, and I bought the insurance department out of a real estate agency--the old Tom Wagley agency. Tom was a fellow that had not grown up here. He's lived here for some time. He'd actually bought the business he was operating from his uncle. He was an amazing fellow. He had personality to charm the birds out of the trees. I'd go knock on somebody's door and explain that I was there with the renewal insurance policy. I'd explain that I'd bought the insurance department from Wagley's real estate agency. Then I'd just stop. They either thought Tom was one of the greatest people in the world or a so-and-so. I could agree with them wholeheartedly either way because he was a person that didn't pay much attention to detail. His day-to-day activities in his business were rather poorly run. But by the same token, he did have a fantastically wonderful personality. So I could agree with them.

The following year, 1955, I bought another insurance agency and grew from there. In '58 a fellow named Russell Howerton and I put our agencies together. In, oh, somewhere along '59, I became involved in work for the Texas Association of Insurance Agents. I served as a member of their casualty committee and finally chairman of the casualty committee. I then went on the board and



served as president of the Texas Association of Insurance Agents in 1963 and '64.

In 1964 I also ran for the Legislature for the first time. I was elected and served in the House of Representatives for four terms. And then in 1972 I was elected to the Senate after redistricting. I now have completed two regular sessions as a member of the Senate.

That pretty well brings us up to date. My wife and I have two children--Morgan Andrew, who graduated from law school up at Texas Tech and then went up to New York University and received a master of law with a major in taxation. I have a daughter, Janet, who graduated from SMU and is going to be down in Galveston in their graduate school and probably will have a master of science in biology--microbiology. So that brings us up to date.

Marcello: Let me just go back here a minute. Why did you decide to enter politics and run for the State Legislature? I'm sure that's a stock question that's asked to you a lot of times.

Jones: Well, for several reasons. I had been, I guess, kind of politically oriented as a youngster. I had a friend who was two years ahead of me in high school that held most of the offices that there were to hold. After he

graduated, I started trying to duplicate his effort, I guess. I suspect he and I were chiefly responsible for our local school system now having a point system so that various offices are divided amongst more different youngsters. I ended up as . . . I never was president of the band, but I was president of most everything else that I was eligible to be in.

My mother had never run for office, but she was always very active in urging people to run. I remember it wasn't at all unusual to find somebody coming by to visit with my mother before they announced for office because they didn't want to run if they knew she was going to oppose them (chuckle). She could never understand where my interest in politics came from (chuckle).

But I had been to a meeting . . . I had been active in trying to get people to run for various offices. I had been to a meeting, and there was a fellow here that was a member from . . . not a member of the House from this district. After visiting with that fellow, I said, "By golly, if that's what's running our state, we need help." I made that comment to my wife, and she repeated it at a social event.

Sometime later a vacancy occurred, and some people remembered the comment she'd made. I guess that's how I got into politics. The phone started ringing, and

it looked like we weren't going to have a particularly desirable candidate available, so I thought, "If you're going to complain, you'd better try to do something about it."

Marcello: Would you care to mention the name of the person who convinced you that there was a need for better legislators in Texas?

Jones: No.

Marcello: Okay, where would you place yourself on the political scale, that is, in terms of liberal, conservative, moderate?

Jones: I never run under any label. The reason I haven't is because they're too indefinite. I think most people, when you say the word conservative, think of someone that's opposed to change, stuck in the mud, wanting to resist change. Well, you can't do that. It's pretty obvious you've got to . . . life itself is a continuing change. Any business that tries to operate today as it did five or ten years ago is just going to go down the drain. It's pretty obvious you've got to have change, but I think many of us fail to realize that the word change and improvement are not necessarily synonymous. So I never run as conservative.

By the same token I think the use of the word liberal today in its present context in this country is a complete misnomer because historically your true

liberal was a person fighting against the centralization of power in that he was fighting against a monarchy trying to diffuse the decision-making ability. Whereas, people that are referred to today as liberals really are generally seeking to concentrate power, and generally in the form of centralized government.

So I know of one fellow that uses a figure of speech that says, "They're misnamed. They should be called left wing reactionaries rather than liberals because they're trying to bring power back into government decision-making."

Really, I think the best definition of freedom I know is pretty simplistic. I look on freedom as the opportunity of making a decision and acting on it. Anything that concentrates the decision-making ability and the ability to act on a decision reduces freedom. This is one reason I think the adaptation in this country years ago of the antitrust concept probably was good. It kept the big businesses from gobbling up the little businesses. In this same line, when the conglomerate concept began coming on, I looked on this as a bad thing because it reduced the ability for individual businesses to make a decision. The same thing's true in your holding company concept. I sure don't think it's good for a board of directors sitting on a bank holding company board in Dallas to make decisions of what's

going to happen in the economic future of Abilene. The same thing for Abilene applies to smaller communities on down the line.

Somewhere, not too long ago, I saw a fellow talking. He said he would not call himself a conservative, but he referred to himself as a man of the right. Really, I think most of your liberals, if you look at the concepts, have . . . they don't like to enunciate it, but I think inherent in the liberal philosophy is the concept that man with his freedom doesn't have sense enough to take care of himself. Therefore, we that are endowed with the knowledge of the world will have to make those decisions for him (facetious remark). It goes on over into your law and order. According to most liberals, if a man doesn't have sense enough to take care of himself and decide his own problems, society shouldn't hold him responsible when he does wrong. Therefore, we've got to try to rehabilitate him some way. We can't just say that he's a person that's not willing to live by the rules of society; we've got to put him away. It's society's fault that he's criminal. You can't hold him responsible because he really didn't have sense enough to know better.

So I sure don't call myself a liberal, as you can gather from that diatribe. I don't know. Perhaps

some individualist. I feel that an individual should have the opportunity to do as well as he can and also be responsible for his individual actions.

Marcello: Okay, now let's come a little farther up to date and talk a little about the 64th Legislature, the one that has recently been completed. Let's talk about the lieutenant governor first of all, Bill Hobby. He's been lieutenant governor for two terms now. You served in the Senate during both of those terms. What sort of an evolution did you see taking place in Lieutenant Governor Hobby's running of the day-to-day business of the Senate?

Jones: I had not known Bill Hobby before he started his campaign for lieutenant governor. I'd known some of the work he'd done on the welfare committee. I was not particularly overjoyed at the report of that committee, and, really, I was not a supporter of his in his first campaign.

When he came to the session as lieutenant governor, I don't know what I expected, but it was somebody much farther to the left than he ultimately turned out to be as far as I was concerned. Consequently, I think he's done a real fine job, you know. You kind of have to build your evaluation on what had been your expectations. I expected him to be a wild-eyed left winger from what

I'd heard from the general presentation. So I think he's done a fantastically fine job.

Marcello: What qualities has he exhibited to make you feel that he has done a good job?

Jones: I think he's, overall, taken a very responsible look at problems, tried to stay within the realms of reality, tried to meet the problems of the state, and, yet, by the same token, recognize that in meeting problems you have to try to retain a balance.

One of the problems in this country today, for instance, is the fact that we've in the last few years become so excited over the position of some extreme environmentalists that we've had the effect of ignoring economic impact as we take into consideration environmental impact. I think when you fail to try to keep a balance between various factors in your society and in your life that you make a bad mistake. I think Bill, overall, has tried to be pretty realistic and keep a pretty reasonable balance in his approach to progress.

Marcello: I've also heard it said by other senators that he really seemed to be on top of things this session, that is, he gave the appearance that he had done his homework on the various issues that came before the Senate. Did you feel this way?

Jones: I think he's attracted around him a good group of people that, again, are trying to keep him informed on all

factors of decisions that face us. Keep in mind there's . . . changing the subject a little bit. Most people when you talk to them in terms of "the lobby" have something they think of as rather sinister. I don't have this attitude because there is no one that has within his own background and understanding an ability to appreciate the impact of every piece of legislation that comes along. Unless someone is there to say, "Now this is what you're going to do to us," and give you an honest answer of their appraisal of the impact, we could very innocently just play thunder with a whole lot of our society and perhaps do things we never intended to do. I think Bill has found himself the people that have enough understanding that they can pretty well point out to him the effect of proposals, and I think he's got sufficient material and judgement that he's willing to seek out people who have an understanding and knowledge of what will be the ultimate effects of legislative proposals. I think that overall he's done a good job.

Marcello: Another attribute that most legislators seem to desire in either the lieutenant governor or the speaker of the House is fairness. That is, he would listen to me . . . he would give me adequate



input, something of this nature. Did you feel this way about Hobby, also?

Jones: Oh, I think so. I think one of the criticisms you may hear of Hobby is that he's not been as strong a leader as some would like to have seen. I think if you have a presiding officer who wishes to present himself as a strong leader, you frequently lose the opportunity for the legislative body itself to make decisions. I think Bill is . . . I'd say in general he's given every point of view an opportunity to be heard and have its run. He's not tried to direct the program. I think it's bad when a presiding officer comes to the session with "his program," and I don't feel that Hobby has tried to push a program as being his program. I think he's tried to meet the responsibilities of the state in a reasonable manner.

Marcello: Who are some of the people in the Senate that have been especially close to Hobby during his two terms as lieutenant governor?

Jones: Oh, in this last session I think you'd say the people probably the closest to him were a couple of new members. I don't know that they were particularly closer to him than some of the others, but by the same token I thought their . . . in fact, they had worked in his election his first time out and then came to the Senate. They were

probably closer to him than would normally be anticipated for a new member. That was Kent Hance out of Lubbock and Ray Farabee out of Wichita Falls. Ray replaced Jack Hightower and Kent replaced Doc Blanchard. Hightower did not run for re-election. Hance beat Blanchard. I don't know that I would say Hobby leaned particularly on anybody. I think he kept his lines of communication pretty well open. I certainly had no feeling that there was a high degree of favoritism.

Marcello: Now my next question has an obvious answer, I'm sure, but I'll ask it anyhow. On what committees do you serve in the Senate, and how did you get on those committees? In other words, give me the process by which you were appointed on those committees by Lieutenant Governor Hobby.

Jones: Well, I served on the Education Committee, the Economic Development Committee--I was vice-chairman of that committee this session--and Natural Resources Committee. Originally, Mr. Hobby sent out questionnaires to the members asking which of the committees they would prefer to serve on. I think most everybody puts down the Finance Committee.

Marcello: Is this a matter of prestige?

Jones: Well, yes and no. I'd always taken the position in the House--I took the same attitude in the Senate--

that I wasn't interested in being on the House Appropriations Committee or the Senate Finance Committee, unless I was going to be on the conference committee. I didn't want to spend that much time working and then not really have an opportunity to have an input or voice in what finally became the law out of the committee. So I served in the House Appropriations Committee one session.

Marcello: Was this during the Heatly years, if I may ask?

Jones: No, it was under Rayford Price.

Marcello: I see.

Jones: Again, I made it very clear that . . . I think it was pretty well understood that I wouldn't have been a happy appointment to the Appropriations Committee in Heatly's day because I didn't like the way he ran his show. That's another story (chuckle).

Marcello: You all can laugh at it now since Mr. Heatly is no longer chairman of the Appropriations Committee. I gather he was a very powerful man at one time.

Jones: Mr. Heatly looks on himself as the phoenix and expects to rise again. Really, you know, that's one thing that has always irritated me. Mr. Heatly obviously made a . . . reached an understanding with Price Daniel, Jr. They finally fell out,

and Daniel didn't maintain his part of the understanding. But Mr. Heatly also apparently reached an understanding with one of the candidates for speakership this time, and not Mr. Clayton. The Houston Chronicle had a story in reference to Mr. Heatly some time ago during the Constitutional Convention, in which he said that there would not be a speaker elected to the Texas House of Representatives for the next ten years that did not have the blessing of the leadership of organized labor. So he made his deal with the leadership of organized labor. If you look at his voting record in the Constitutional Convention, you can just almost plot the arrangements that had been made.

Marcello: That's interesting. It's hard for me to imagine Heatly supporting organized labor.

Jones: He moved over there very quickly when he decided that was the point to which the power had moved. Really, Mr. Clayton made it very clear to him from the beginning that he was not going to have a position of power. This was one of the main bases of the problems that Mr. Clayton had getting elected.

I was very proud of Mr. Clayton. He's done a beautiful job. He put together an almost impossible coalition and was able to get it through the session. He did a beautiful job.

Anyway, back . . . maybe I'd better keep this closed (chuckle). But back in our committees, I was not going to be placed on the Finance Committee. It was pretty obvious. I don't remember . . . there were three committees to which I had been appointed. I don't remember what the third one was--Economic Development and Natural Resources.

Marcello: Did you mention the Education Committee?

Jones: Well, this came about as a third committee. I told Mr. Hobby that I wasn't particularly anxious to serve on the Education Committee, but by the same token it looked like the committee was going to have some pretty major problems. As long as that's where the major problems were, I'd like to be helping in the decision making. So I ended up on the Education Committee. I've never been a particular favorite with the leadership of the teachers association. I don't know whether you're aware of the questionnaire they send out to the various nominees.

Marcello: You're referring to the TSTA--Texas State Teachers Association.

Jones: Yes.

Marcello: Let's talk a little bit about the questionnaire.

Jones: Oh, they send out a questionnaire that I've always felt is a pretty poor way to run for an office, when

you make a promise to a group that you're going to support a particular position without having had an opportunity to hear the opposition or without having an opportunity to know what the other problems of the state are. One time in a teachers meeting, I was informed it was my responsibility as a representative to respond favorably to all of the demands made in the name of education. If there was any money left over, then I could worry about the other problems of the state. Well, this never did seem to me to be a particularly responsible position to take, so the leadership of the teachers organization and I have never gotten along particularly well. I've had good support from individual teachers over the years but not those in a position of leadership. But anyway, I felt like I probably had a contribution to make on the Education Committee, so I ended up taking that as a third committee.

Marcello: Let's talk a little bit about the activities of the Education Committee during the 64th Session because obviously it was going to be handling what I think you would probably consider the most important issue facing that 64th Legislature, and that was school finance reform or a school finance bill. And, of course, it all stems from the Rodriguez case. Just

very briefly give me some of the background as to why Texas needed some sort of a school finance bill.

Jones: Texas back in the late '40's . . . well, first, before the late '40's, the state assistance to public school education was pretty limited. It was basically a function of individual school districts. You had a large number of very small school districts across the state, some of them offering very inadequate programs. The state's participation was pretty limited and strictly on a per capita basis based on the census of those persons eligible to be going to school, whether they went or not.

So in 19 . . . oh, late '40's or '48, I think, was the year, there was created a committee to study public school education. They came up with recommendations that ultimately became what was known as the Gilmer-Aikin public school finance law. Under that program the state undertook to provide the qualifications for a minimum foundation school program with the understanding that the state would participate on that minimum program on a state-wide average of 80 per cent of the instructional costs, and local school districts would absorb 20 per cent of the instructional costs. I'm differentiating here between instructional costs because Texas has never participated in brick-and-mortar money--buildings and things.

Marcello: This is the State of Texas.

Jones: The State of Texas, yes. Brick-and-mortar money has always been local school district money.

It was pretty obvious that not all the school districts could meet the local fund assignment of their 20 per cent average across the state, and it was pretty obvious that not all of them needed as much help from the state. So they designed what was referred to as the Economic Index.

Now keep in mind that I said that we had a lot of school districts in those days. We had many common school districts. A common school district simply latched itself onto the values of the county tax assessor and used those for the raising of their local funds. There's very little information, if any, in reference to taxable values within each individual school district, so the Economic Index is based on the counties. It used a formula that was designed to try to determine the taxpaying ability of the county.

Marcello: It's a pretty complicated formula, is it not?

Jones: Yes. The formula that's in use now has been . . . I don't know how much change has been made since it was originally adopted. I'm sure there has been some change, not a great deal, but the formula that was in use up to this time in recent history had a series of



three basic factors in it. The taxable values, the property values, within the county carried a weight of twenty. The average daily attendance of students within the county carried a weight of eight. The so-called income factors carried a weight of seventy-two. Now the income factors were made up of such things as agricultural products, manufacturing payrolls, retail sales. Most of the income factors really had no bearing on how able a school district was to raise its funds because they weren't subject to direct taxation, but they were supposed to represent the ability to pay. Well, that continued for a long time that anything that . . .

Marcello: This is Ron Marcello speaking again. During the course of the interview we had a defective tape recorder, so we had to switch recorders, and we're going to pick up the conversation at this point concerning the evolution of the school finance bill as it went through the 64th Session of the Texas Legislature while Senator Jones was a member of the Education Committee. Okay, Senator Jones, can you pick up the thread from this point?

Jones: Yes. I've always contended that anything that was put into the formula that didn't have a direct relationship with the ability of the local school district

to raise their money, which was based on ad valorem taxes, was in effect a distortion because if you charged them with factors that aren't subject to taxation, you have no way to raise the money on those factors. So it's been pretty obvious to me that we were ultimately going to have to come to a system that based the local fund assignment on property values within the school district. We come to that in this bill in this session. I think it's probably going to work better over a period of time. Now we've got one fantastically dangerous thing here. If the people turn down Article VIII, which is the finance article, in November . . .

Marcello: You're referring now to the new constitution.

Jones: I'm referring to the new constitution. If they turn that down and we come up with a local fund assignment based on property values and we base the property values in rural communities on market value, which is the standard of appraisal, you simply cannot buy land in rural Texas based on its economic value as farmland. And if we come up with the local fund assignment based on market value, then the people involved in agriculture are not going to be able to generate the income necessary to pay those local school taxes, and we're just going to play havoc with our agricultural community.

Marcello: As an aside here, how would this affect Governor Briscoe, who is a very, very large land owner in South Texas?

Jones: (Chuckle) I really don't know because . . . keep in mind, a lot of your land that's devoted to agricultural purposes is assessed at a very low figure. In the constitution we have a provision in Article VIII that provides that land devoted to agricultural purposes will be taxed based on its agricultural productivity potential. Now a lot of the land, even based on its agricultural productivity potential, is going to require an increase in assessment because some of it is assessed so low that it's not even a realistic assessment on its income potential. So a lot of land, even though it's going to be based on income, is going to have a raise in assessment.

Also, as long as we're distributing state taxes based on taxable values in the district, we've got to be able to prove or to demonstrate that land is assessed on the same basis in one school district as it is in another. This is another reason we've got to pretty well come to the concept that's contained in the Article VIII of the new constitution. What we did there, and I was on the Finance Committee that designed Article VIII, what we did was to send the appraisal function of tax

work out from regular assessing and collecting work and create a single appraisal function within each county. Then various taxing entities within that county will use that single appraisal and assess . . . they're going to assess in ratios off of that. But the city will use it; the county will use it; school districts will use it. Some areas, particularly in Harris County, have as many as twelve different appraisals on a single piece of property, no one of which is necessarily related to any of the others. I think that ultimately it's going to have to come to the concepts we embodied in Article VIII of single appraisals done by people that are qualified to do appraisal work, and done in the same manner in each appraisal district across the state.

Marcello: Did you fundamentally agree with the Rodriguez decision? How did you feel about the Rodriguez decision?

Jones: Frankly, I was very fearful that the Supreme Court would uphold the three-judge panel because . . . although that case was brought under the Fourteenth Amendment, it appeared to me that if you could come up with a requirement that the spending per student in each school district be basically the same across the state, in other words as a function of the wealth of the state as a whole . . .

They were trying to present the idea that education is directly related to the amount of money spent. Well, that's a falacious assumption. It's been demonstrated by federal studies that this is not true. Your highest cost districts in the state are the very small school districts. I can't believe that a student in a school district that's got eight graduating seniors, that those eight graduating seniors are getting a better education than are the ones coming out of larger school districts. It's just simply not a viable allegation that the quality of education is related directly to the amount of money spent. There are too many other factors that are involved.

But anyway, I was scared to death of the Rodriguez decision because had they been able to affirm that, I don't think it would have been long before you'd have had to question, "Well, what about those youngsters in Mississippi? What about the youngsters in Arkansas? Is it not discriminatory that they would not have as much money spent on their education as youngsters in New York?" So that ultimately you would come to a federal education system. It couldn't have been brought under the Fourteenth Amendment, but with what's happened in constitutional law in recent years they could have

found some provision under the federal constitution to require the federalization of the education program. I think it's a recognizable axiom that he who provides the money is going to set the standard, and we would have ended up, I'm convinced, with a federal system of education in which the complete system would have been dictated out of Washington. So I was delighted that the Supreme Court did not affirm the three-judge panel in the Rodriguez case.

Marcello: Okay, in response to the need for public school finance reform there were several various bills on the subject that came before the Legislature. For example, Governor Briscoe had a particular plan. TSTA, whom we talked about awhile ago, had a particular plan. There were several other plans, also, that came before the Legislature. Let's talk about Governor Briscoe's solution first of all.

Jones: Actually, there were three basic plans that were presented to the Legislature. One was Governor Briscoe's, one was TSTA's, and one was TEA's plan. Keep in mind TEA in recent years has been almost an echo of TSTA's legislative goals and aspirations. This is the first session I can remember where TEA has come up with anything that wasn't endorsed by TSTA.

Marcello: This is the Texas Education Association.

Jones: No, Texas Education Agency.

Marcello: Agency, I'm sorry.

Jones: The Commissioner of Education is the administrative head of that organization. I've been real distressed over the years that TEA's legislative program appeared to me to be dictated by TSTA--the teachers organization. This time they did come up with a plan that was different from that sponsored by TSTA.

Governor Briscoe came out with a plan this time. Governor Briscoe did something this time that I'm not aware of any previous governor having done, and that was hiring a fellow that was knowledgeable in the area of school finance. He hired Richard Hooker, who had been assistant executive for the Texas School Board Association, and put him in his office of Education Planning and charged him with the responsibility of coming up with a school finance program. Richard's program was in large measure . . . the governor's program was in large measure patterned after the changes that had been recently made in the State of Florida, in which they got away from the concept we had in Texas of funding on the basis of classroom teacher units per so many students in average daily attendance and then building like a pyramid on that. If you've got so many classroom teaching units, you were entitled to a principal.

If you had so many principals, you were entitled to a counselor, and on up the ladder.

Marcello: We're getting into the weighted pupil approach now. Is that correct?

Jones: Right. The governor's plan, as designed by Dr. Hooker, contemplated the weighted pupil approach. The principal difference here is that it was an attempt to measure the needs of the individual school district based on the types of students in that district, and then making the assignment of money based on the program needs rather than using simply a building block and assuming its average is pretty well the same across the state.

In the previous plans we've pretty well assumed that each school district had the same number of people that needed special education, same number of students that need vocational education. It's been a pretty lock-step formula. The weighted pupil approach gave the opportunity of more nearly reflecting funding to a local district based on the needs of that particular district. In the early stages of the session, principally through school boards and teacher activity, teachers organizational activity, the concept of the weighted pupil approach became a political "no-no." It was pretty obvious that we weren't going to be able to come out with a bill that had the weighted pupil approach.



Marcello: Why was this?

Jones: People didn't understand it. They were afraid of it. We ended up with variable personnel units, which is a kind of a refinement of the weighted pupil approach in that classroom teacher units are assigned based on a weighted definition of the needs. For instance, it's recognized that a youngster in kindergarten through grade three needs probably more intensive attention than a youngster in upper grades, and that you have different types of problems in your high school grades. And so the grades of four through six, I believe it is, have a weight of one. The grades of kindergarten through three have a higher weighting. The high school grades have an even higher weighting, reflecting the diversity of courses. Then if they've got students that are involved in vocational training, special education, so forth, they get additional weights for those students. It's the first time that we've really made a significant approach to changing the method of distributing state funds since the late 1940's. Although it was a first step, I think it holds potential for a great improvement in public school education throughout the State of Texas.

Marcello: In other words, you reacted rather favorably to the Briscoe approach with the weighted pupil idea.

Jones: Yes. I ended up on the subcommittee that was responsible for the selection of program. I ended up on the conference

committee that ultimately worked out what we now have. So I was active in the legislation that was prepared and finally passed.

Marcello: Now the weighted pupil approach is simply going to be given further study. Isn't that what ultimately came out of the committee?

Jones: Yes. Actually instead of counting per head for the distribution of classroom teacher units, we now are looking at the type of student to be taught in distributing the classroom teaching unit. It's basically the same thing as the weighted pupil approach, but it didn't use that name.

Marcello: Okay, now TSTA had its school finance program, also.

Jones: Yes, TSTA over the years has had a plan that . . . what they would like to see in public school funding. The plan they had was simply everything they had dreamed of over the years thrown into one thing. It didn't touch public school funding at all.

Marcello: It was almost strictly a teacher pay raise bill, was it not?

Jones: Yes, that's what it boiled down to. It was the aspirations of the teachers for a pay raise, working conditions, and who would be included in the minimum foundation program. It really didn't even begin to approach the problem of public school finance.

Frankly, the plan of TEA didn't do a much better job so far as the basic problem of how to distribute money of the state to the individual school district.

I think we've embarked on a program that holds great potential. It's going to require significant refinements. We'll be working on it in the Legislature for the next ten years in trying to come up with a continuing program. But I think we've made a real fine first step.

Marcello: In other words, the key here is finding a better method of taxation.

Jones: It's not really a better method of taxation. It's a better method of distributing those funds of the state that will be used for public school education to be sure we can demonstrate that they're distributed in an equitable manner.

The education article in the Constitutional Convention was one of the bitterly fought of the articles. As it originally came out of the Education Committee, it embodied the concept that was the plaintiff's position in the Rodriguez case right down the line. In reading it, literally, it would have precluded a school district from offering an educational opportunity different from any other school district in the state. Well, that's ridiculous because we've

got hundreds and hundreds of thousands of students in the school districts. You need to be able to offer a different type of educational opportunity than you can offer in a school district made up of a relatively small area. It's so impractical that it's scary to see what could have come out of that convention.

Marcello: Okay, now, again, getting back to that TSTA bill and its call for a large increase in teacher salaries, how much pressure was TSTA exerting upon the state legislators and the Education Committee in particular during this session?

Jones: Well, in the beginning you'd asked about Mr. Hobby. I was proud this session of the fact that we did not have a competitive situation between the top leadership in the state government. For the first time in a long time, there was a very close working relationship between the governor's office, the speaker of the House and the lieutenant governor. Those three had pretty well accepted the fact that we would not have a tax bill this session, sponsored in large measure through Governor Briscoe's determination. After we had pretty well gotten to the point where we could realize what was going to be required for funding of state activities, pretty well looked at what would be available, we set out with the objective that we would have to come up

with a school bill that would put not more than five hundred million new tax dollars, or new state dollars, into public school education.

It was real interesting to see TSTA's reaction to this. They very quickly revamped their program and came up with a program that was much less expensive in the first two years and then, wham, the local taxpayer would have gotten it in the neck (chuckle) in the succeeding years because they were simply saving up and compounding their aspirations in succeeding years. So we happily got past that problem.

Marcello: It was especially interesting to note the reaction of the House on the first vote or some of the first votes on that school finance bill because the first time around I think they had jacked it up to about 1.7 billion dollars or something like that, knowing full well that it would never pass. But everybody at least went on record as being in favor of the highest possible teacher pay raises and so on. I assume that it never really came to this in the Senate.

Jones: No. We pretty well had the votes to pass whatever came out of the Education Committee. It was nip-and-tuck there for awhile in the committee, but I think we ultimately came out with a good bill.

Marcello: Something else that I don't think most people focused too much attention was the fact that something had to

be done about the increased cost for maintenance and operation. It's usually something you never think about in a school program.

Jones: Well, really, this is where those of us that were working on it got kind of irritated at the teachers association. They were not particularly concerned with the operation of the schools as long as the salary levels were those which they chose. The people to whom I talked that were responsible for the running of the schools said, "We're not having that much problem hiring teachers at the current salary. But we're having just insurmountable problems in reference to funding the other activities of our school: transportation, utilities--just those things that are required to keep the door open." Most of the school administrators said, "This is really the area in which I need help." It's one reason that, I think, we were able to finally break the stranglehold that TSTA has had on the Legislature over the years.

I believe the worst bill we've passed since I've been in the legislature dealt with teachers salaries, where we passed a bill covering a ten-year period in which there was an increment to their salary in each of those ten years. The reason I think that's such a bad bill is that one Legislature cannot bind the subsequent Legislatures. Each Legislature has to make its own

appropriations. We in the 62nd, I believe it was--61st or 62nd Legislature--undertook to promise the teachers of Texas a raise over a ten-year period. It was pretty obvious most of us would not be in the Legislature for that ten years. We did them a great injustice because subsequent Legislatures might not have been willing to come up with the funds to pay that salary. And when a person asks for an increase in salary and you don't give it to him, that's pretty tough. But when you've passed a bill telling him that he's going to get an increase in salary, and he builds his lifestyle anticipating those annual increments, and then a subsequent Legislature doesn't provide the funding, you've done him a fantastic disservice. I think it was a great injustice to the teachers of Texas to come up with a bill proposing a ten-year salary schedule. I'm glad we were able to hold this particular schedule at two years at a time. I think you should. Those who are spending the money should be responsible for raising the money rather than making promises and leaving it up to future Legislatures to respond to those promises.

Marcello: You mentioned something awhile ago that I think needs to be a part of the record. This is that the governor had stated on many, many occasions that there would be no new taxes. Obviously, any school finance bill would

then have to keep this in mind. You had to work from this framework, did you not?

Jones: Well, this is the point at which I said we had determined what would be the amount available for public school education. But also keep in mind that the governor can only influence that which requires his signature or is subject to his veto. The bill we passed did not require any additional taxes at the state level, but it is going to require some pretty fancy increases in taxation in some of the school districts. It's going to cost a good bit more money.

Marcello: You mentioned awhile ago that you were appointed to the conference committee that finally ironed out the differences between the House and the Senate bill. The House bill, of course, called for greater expenditure of funds than the Senate bill. How did you get on the conference committee? In other words, why were you picked . . . why would anybody be picked on the conference committee or for the conference committee?

Jones: The rules require that the conference committee, which is normally five men, be made up of at least three people who served on the committee that heard the original proposal. So I was one of those. I think all five of the conference committee were people who had served on the Senate Education Committee in this instance.



Marcello: Who determines this? Does the chairman of the Education Committee have any input on determining the conferees?

Jones: No, it's the lieutenant governor and the speaker who appoint the conferees.

Marcello: I knew they appointed them, but I was wondering if the chairman had any input.

Jones: Well, it depends on the bill. As a normal rule the sponsor of the bill will submit names that he would like to see on the conference committee. As far as I know, most of the time the lieutenant governor will honor those requests. In this instance it was pretty obvious that it was going to be pretty close to the same people that served on the subcommittee of the Senate Education Committee that served on the conference committee.

Marcello: Who was the sponsor of the public school finance bill in this instance?

Jones: We finally boiled down to two bills. The TEA bill disappeared . . . concept disappeared pretty early. Senator Aikin sponsored the TSTA version. Senator Mauzy sponsored the version that came out of the governor's office. We ultimately used most . . . most of the concepts we used came out of the governor's bill, but we used Senator Aikin's bill as the vehicle.

It came out under his number. He was ostensibly the sponsor. But when it came to the floor it was carried principally by Senator Mauzy.

Marcello: How much time did you personally spend on that education bill during this legislative session?

Jones: I couldn't give you an evaluation on that.

Marcello: But did you spend a far greater amount of time on it than, let's say, studying other legislation that came before the Senate?

Jones: Oh, yes. It was a continuing study.

Marcello: The reason I mention this is because a couple of days ago I had an interview with Senator Mauzy, and he said that he spent so much time on this school finance bill that he honestly didn't spend as much time as he normally would on other important legislation that came before the Senate. I was wondering if this was your case, too.

Jones: To a degree, but probably not the same degree as was true with Senator Mauzy because as chairman of the committee and sponsor of the bill, he was obviously going to have to spend more time than other members of the committee. I suspect I . . . well, I'm pretty sure I spent more time on it than any other single piece of legislation during this session.

Marcello: Okay, let's go on and talk about another piece of legislation that turned out to be quite important during this

session, and this was the business concerning the establishment of a public utilities commission. First of all, let me ask you a general question. Did Texas need a public utilities commission? This is a personal opinion-type question.

Jones: Let me back off just a moment. We were talking about my philosophy earlier. I'm convinced that there are very few problems we have in this country that haven't either been created or compounded by inept regulation. There's an article in Fortune magazine in the March or April issue talking about the problems of the electric utility companies across the country. Most people don't realize the dire shape that we are in for electrical generating capacity. It's a compounding of two problems: one that the environmentalists have done, and one that inflation has done and inept regulation has done. But when regulators ignore the demands of economics in regulating an industry, they frequently beat themselves on the chest and announce how they're protecting the consumer, but in the long run they're doing the consumer a fantastic injustice because if an industry that's subject to regulation is not given a profit margin that will attract the capital that's required, that industry is not going to long be able to provide the goods and services that the consumer needs. Look at the American

railroad system. It's almost in a shambles today, and almost entirely due to the inept regulation of the federal government.

According to this particular article in Fortune talking about electrical generating companies, there's a serious question as to whether there will be enough capital available to create the generating capacity that we're going to have to have even if we nationalize it. Because at the rate we're going with the federal government's deficit spending, it doesn't have the additional borrowing capacity in this country to provide the kind of money we're going to need.

And, frankly, most of the letters I got urging the creation of a utilities commission had unrealistic expectations of what it would do for them.

Marcello: Especially, everybody believes it's going to mean lower rates.

Jones: Oh, almost invariably this was the concept. Well, cheap rates don't guarantee a supply, and our basic problems in energy in this country today are simply that the availability of supplies is running out. And if we keep the price down, all we'd do is enhance demand and reduce the opportunity to begin looking for alternative sources of energy. It's pretty obvious that the alternative sources are going to be more expensive than

the unrealistically low sources of energy we've had. And if we don't let the prices go up and encourage the development of alternative sources, we're not going to have any opportunity to make an orderly transition from a fossil fuel base into other types of fuels. Again, it's unrealistic expectations on the part of so many people that are generating problems.

Marcello: Did you see a great deal of demagoguing in the Legislature on this public utilities issue?

Jones: Oh, yes. It was an emotional issue. It was an issue that most people didn't understand, I mean, most of the public. I understand in our modern society that profit spelled with an "it" is a dirty word. But I'm continually amazed at how many people don't understand the necessity of capital in any type of economic system. Well, one of the problems Russia has had over the years is how to allocate the available capital. You've got to have capital. Capital basically comes from a productive enterprise generating a greater income than its cost of production. When you don't allow that income to be generated, your capital base rolls away. It's just discouraging to me how we're abandoning what are such obvious economic principles in our governmental activities today.

Marcello: Well, ultimately, how did you vote on the bill calling for public utility regulation?

Jones: On the final vote I finally voted against it. I think it is as good a bill as we could have hoped for. By the same token I felt like, well, if you come up with a bill that doesn't meet people's expectations, they're going to scream and holler. There's no way any bill can do what people expect it to. If we come up with some way-out consumer advocate types, we're just going to play hell with the utility industry in this state and get it in as bad a shape as it is in some other states across the country.

Marcello: What was it specifically about the final bill that you did not particularly like?

Jones: The basic concept. I think it can be demonstrated that the people of Texas have got a very good buy from all of our utilities across the state without state regulation. I don't see that the incurring of the cost for state regulation is going to improve the service enough to . . . the value that the consumer gets enough to justify the expenditure of the money for the regulation. And it holds the danger in my opinion of really reducing the value that the consumer gets in the long run.

Marcello: Okay, now a third issue that obviously became an important one during this legislative session, Senator Jones, was constitutional revision. You spent all of that time in a Constitutional Convention and didn't come out of it with a document. Yet, during this legislative

session, a constitution came out of the Legislature relatively fast, relatively quickly. How did this come about?

Jones: Organized labor has been given a great deal of the credit, or the blame, depending on your point of view, for the killing of the constitution in the convention. They didn't deserve the blame or the credit they got. I had estimated that there were about thirty votes in the convention that were fully responsive to the dictates of the leadership of organized labor. Other people that voted against it were voting against it for various reasons.

Very frankly, there was such an antipathy towards Price Daniel, Jr., that had we had anybody else as president of the convention with the identical document, it would have passed. But there were enough votes there . . . there were some votes there that were determined that that fellow was not going to get credit for having been president of the convention that wrote the new constitution.

Marcello: That's an interesting point, and I had never heard it expressed before.

Jones: Well, it's a valid observation. But then there were other people. Keep in mind the constitution as drawn is one with which nobody is completely happy. I express it saying, "There's a ringer in every article." By a

ringer I mean something that I wish was not there. Now what I consider as fine for me, other people, I'm sure, look on it from their point of view as ringers in the constitution.

But really, I think, the basic mistake we made in the convention was in adopting the rules originally. The resolution required that it receive a vote of two-thirds of the membership. In adopting the rules we came up with a provision that articles could be adopted by a simple majority and that ultimately we'd have to get a two-thirds vote for the whole document. During the proceedings, about half-way through, it began to appear to me that this was not a reasonable approach because we were adopting some articles with relatively close margins. When you adopt a series of proposals with relatively close votes and expect to get a two-thirds vote at the end, you're not being very realistic.

I proposed on the floor one or more times--I don't know how many times--that we amend the rules to provide that each article would be adopted by a two-thirds vote to get your issues and the bases or arguments narrowed down article-by-article, adopted by two-thirds vote, and then the final adoption by a simple majority. This way each article would have required two-thirds vote, but you would have been able to take the whole



smear of arguments down to a simple majority. I think it was pretty obvious we could have done it this way. I think we would have had a document come out of the convention. But that was not the decision, again, basically of the chair.

Marcello: Did you receive very much flak from your home district or from your constituency over the fact that the Constitutional Convention did not come out with a document?

Jones: Some, but not a great deal. I'm convinced that had we put the document on the ballot as a single question of "take it or leave it," that it would not have been adopted.

Marcello: Why was that?

Jones: Well, I mentioned ringers. You'll have some people that are opposed to provisions of the education article. They say, "Well, I don't like the education article. The only way I can keep that from becoming in the constitution is to vote against the whole thing." So they would organize the opposition to the whole thing based on this article. You have other people who objected to provisions perhaps in the legislative article. Each of the articles had some built-in opposition to it. By the time you combine all of that opposition, you fail to have a majority.

I've contended all along that it should be done on an article-by-article basis. It wasn't my idea to put it article-by-article at one time. I had thought, frankly--and I suspect we'll still end up--about adopting maybe two or three articles this time, and then over a period of two or three years coming up with proposals in reference to other articles. It's going to be an evolutionary process.

Marcello: Now at the beginning of the session, Lieutenant Governor Hobby was talking in terms of holding another convention made up of citizen delegates. Obviously, he dropped that idea relatively quickly.

Jones: And I'm delighted he did. In the first place, it would be extremely hard to get people who were able to run. Keep in mind you'd either have a fantastically large number of delegates, or you'd have large geographic districts. They were talking in terms of three persons . . . at one point they were talking in terms of three persons from each senatorial district running district-wide. Well, it cost in my campaign for the Senate a little in excess of \$30,000. You're not going to have many people that can raise that kind of money to run for a Constitutional Convention.

Although there was great discussion of the fact that legislators shouldn't be sitting as delegates to

a convention, I've never been a great advocate of the idea that somebody that doesn't know anything about the subject can do a better job than a person that has at least some information of the subject. If you've looked carefully at the practical application of the draft that came out of the Constitutional Revision Commission, which was an appointed group, it was a poor document so far as practical application was concerned because so many people there had never served in the Legislature, had never been active in government, and didn't understand that something that is a great sounding idea in practical application frequently is simply not a realistic approach to the problem. So much of their document was filled with impracticalities.

Of course, I think we've got a number built in with the existing document, but in my opinion it's a much better document than the one the Commission proposed simply because it had people working on it that understood the application of concepts of government that were lacking in the Commission's document. So I think a citizens convention would have been a marvelously poor concept.

Marcello: What was it that . . .

Jones: Incidentally, there was a conference of members--I was not invited--of members favorable to the leadership

of organized labor before the session started. I understand that one of the suggestions made by organized labor was, "Let's not let anything on the ballot this time because if we get a citizens convention, we can do a whole lot better through a convention than we ever could through the Legislature sitting as a convention." Again, they are one of few groups that have the manpower and the know-how to get their delegates elected. Because you've not really got enough general interest geared up for many people that were not sponsored by some powerful group to be elected as delegates.

Marcello: What was it that made Lieutenant Governor Hobby change his mind? Was it the fact that the governor and the speaker of the House were not in favor of another convention?

Jones: I don't think the people as a whole would have been in favor of another convention, particularly if we look at the cost. I just don't think you could have ever sold it as a document. Plus, I don't think you'd ever have gotten the concept out of the Legislature. Hobby is pretty pragmatic. He's not going to fight the fight that doesn't have some chance of being won.

Marcello: Okay, now you mentioned awhile ago that you were also a member of the Economic Development Committee. Virtually all of the "special interest legislation" of the state

comes through this committee. Is this an accurate statement to make?

Jones: I would argue very quickly with you on the special interest. You see, we were talking about lobbyists earlier. When I use the word lobbyist, you immediately think of somebody representing a business or an industry. The most active lobby groups in the state are those folks wanting money from the state--Texas State Teachers Association, the people with an active interest in mental health, people with an active interest in institutions of higher education. These are the powerful lobbies. The business lobby's so fragmented that it's extremely difficult for them to get together on any issues across the board because what one commercial lobby group wants another is fighting. It's across the board a marvelously ineffective group. Now between the Economic Development Committee and Natural Resources, frankly, we did see most of the legislation that would have an impact or bearing on the business and economy of the state-- what you call special interest.

Marcello: (Chuckle) Okay, you brought up the subject of lobbies. Now at this stage, and again, since this is the first time that you have participated in this oral history project, give me your attitude and your opinion of

lobbies, lobbyists, or the lobby, however you wish to describe it.

Jones: I told you earlier that I think no one has an understanding of the impact of all of the legislative proposals. Well, first let me back up. I think an industry that doesn't have someone in Austin that can come to the members and say, "Look, this is what will happen to us under this proposal," that that industry is going to be seriously crippled because through complete innocence we could add proposals that would play havoc with different enterprises across the state. I look upon the lobby as a very necessary function in the legislative procedure, whether it be a business lobby or any other type of lobby. For example, I'm not an expert in the field of education. If someone that is knowledgeable can't discuss education issues with you, it would be a pretty tough session. The same thing is true . . . I'm not an expert on the petrochemical industry. Unless someone is there to advise me on the effects and reasons for various proposals in reference to the petrochemical industry, I could very easily be totally ignorant of their needs and the effects of various proposals. Lobbyists who are there year in and year out have only the ability to give an honest answer.

Marcello: In other words, as soon as they don't level with you, they're through.

Jones: Once they become known as people who will lie to you, they're through because they've got to be generally recognized as people who will give you an honest, objective answer. The people that you read about . . . well, a lobbyist can't afford to try to buy a vote because it's just not acceptable. If he did, as one fellow says, "If he buys Joe a suit, where's mine?"

Marcello: I guess their greatest clout comes in supporting candidates to run against a particular legislator.

Jones: Yes. But again, people involved in a lobby often think they elect a candidate, but they don't. Your candidate has got to want to win. He's got to be willing to put out the work to win. In most instances, you can have all the lobby support in the world, and your candidate won't win if you don't have a good candidate. Now by a good candidate, I think you have to look at the district from which the person comes and evaluate what you would expect from that district before you say, "This fellow is a good member, and I'm going to support him." You simply have to have an understanding of the demography of a particular district before you can have an appreciation of what type of person they would select.

If there were such a thing as an average legislator, I'm convinced that he would be a little bit better than the average person in his district. As many bad things as you hear about politicians, I think most of them sincerely try to do a good job of representing the people that elected them.

I've wandered off from the original question, but to summarize my attitude toward the lobby, I think they are a necessary function. I think once they become known as persons who will not tell the truth, they lose their effectiveness. This is one reason I say your first session is going to be a learning process, because you don't have the opportunity to recognize the "white hats" from the "black hats" in one session.

Marcello: Did this happen to you?

Jones: Well, when I went to the Legislature, I was a mature man when I first went. I think that's a great advantage. I've seen some very unfortunate and sad things of people coming to the Legislature who were not sufficiently mature to have the responsibility. It's a sad thing to see a young person come down there and not realize that why people are so kind to him frequently is because he is a member. It's not because he's the world's smartest fellow. It's kind of sad for a person to come as a member before he's had an opportunity to get his character formed. It can be a rude awakening (chuckle).



Marcello: What do you consider to have been the most important piece of legislation with which the Economic Development Committee had to deal in the 64th Session of the Legislature? Again, this is a personal opinion.

Jones: I don't know that I'd have a most important single piece on the Economic Development Committee. We had legislation dealing with a pretty broad sphere of the economy. I think this time the most important legislation I worked on went through the Natural Resources Committee. I think this was probably due to the energy crunch.

Marcello: Was this the strip mining bill?

Jones: Well, really the one I count as most important was one I carried myself (chuckle).

Marcello: Well, let's talk about that one.

Jones: It failed to pass. It was dealing with the majority consent for unitization in the oil industry. I don't know how knowledgeable you are with reference to the oil industry, but normally less than a fourth of the oil in place is recoverable under primary recovery systems. By primary recovery system, I mean drilling a hole into the reservoir and the amount of oil that you can get out. Normally, if you get more than 25 per cent of that oil that's in place, you're doing good. The Legislature several years ago passed a voluntary

unitization bill. But, again, a person or company didn't buy into it unless he wants to, and you get some people that can generate some very fine competitive opportunities for themselves if they don't voluntarily come into the unit. They hold out for unreasonably high prices for their contribution to the unit, or they can receive benefits from the unit without making a contribution to its cost. Unless you've got a very lucrative unitization opportunity, the people who are contributing to the unit can't afford to carry those that are receiving the undue opportunity from it. Texas is the only major producing state that doesn't have what's referred to as majority consent unitization. This is where a majority of people that own the interest in the field want to unitize, they can compel those minority interests to either come in or be bought out.

We had a bill that they worked on over a period of, oh, four or five years that was probably as fine a bill as there is in the country in reference to protecting the interests of minority holders. It was basically the same bill that Jack Hightower carried last session. It got out of committee last session but failed on the floor. They couldn't suspend the rules when it came. It had a majority of the senators

but not enough to suspend the rules. This time they didn't even get it out of committee. I think it was a bad mistake that it didn't.

Marcello: Why was it that it never got out of committee?

Jones: Oh, you had various reasons. Most of it was people who have enjoyed or enjoy or hope to enjoy an economic advantage by having an opportunity to hold out for more than the value of their contribution to the unit. It was amazing, some of the people that showed up. One fellow showed up, and, gosh, you'd have thought we were taking bread out of his mouth. He had flown in in his private jet that day. He could have bought most . . . some of the oil companies that he was referring to as the giants. It was almost ridiculous (chuckle).

Marcello: Was there any other personal legislation that you would like to talk about and get into the record while we're on this subject?

Jones: Oh, I had never thought of myself as a big bill carrier while I was in the House. As a general rule, you can't successfully carry a large legislative program and be in opposition to a number of bills. I've ended up in the Senate carrying a lot more bills than I ever thought I would. Most of them deal with fiscal, business-oriented-type bills, or, I guess, general bills in the insurance field.

Marcello: You haven't talked very much about Governor Briscoe yet. He served two terms thus far. Give me a personal evaluation of the Briscoe administration, or Governor Briscoe.

Jones: Governor Briscoe has always been to me something of an enigma in that when he served in the House back in the late '40's and early '50's, he was at that time looked on as kind of a flaming liberal. This time when he ran he didn't have a strong opposition, certainly not a strong opposition of organized labor because of his old voting record. And, yet, he was looked upon as being kind of a champion of conservative groups.

Mr. Briscoe really went into office under a terrible disadvantage when he became governor because his only experience in government had been more than twenty years ago. The interim in which he was inactive was a period of the greatest changes in government. It has taken him a long time to recognize those changes and adapt himself. I think now he's beginning to have a better understanding, but it has been tough for him.

Marcello: One last question. In the July, 1975, issue of the Texas Monthly magazine, you were elected by the editors as one of the ten outstanding members of the Texas Legislature. Would you care to comment on that?

Jones: (Chuckle) Well, I was quite surprised at having been selected by the Texas Monthly because generally they

seem to favor a philosophy that's somewhat different from that which I normally represent. So consequently, I felt rather flattered that they would speak so kindly of me. I don't have any particular comment on that. I will admit I worked hard. I think I have as good an understanding of the overall issues as most of the members, probably better than most. I've always had a curiosity. That means you ask lots of questions. And if you try to remember answers, you end up having at least a smattering of knowledge in a whole lot of subjects. I try to keep myself informed.

Marcello: I would assume, however, that something such as this Texas Monthly article has to be some sort of an asset around election time.

Jones: (Chuckle) I would hate to try to run if I were the opposition.

Marcello: You certainly wouldn't have wanted to have been on the bottom ten--the ten worst legislators.

Jones: Well, yes, obviously, it has to be an asset in seeking reelection, and being at the other end of the scale would certainly be an obstacle to overcome because it'd be . . . you know, an incumbent has some advantages, but he also has some disadvantages in that he has established a record. Regardless of what that record is, the person

that hasn't established one can say, "Well, I'll do differently." He may not know what he's talking about but . . .

I'm kind of reminded of a story that happened shortly after I graduated from college. One of my friends had gone to Texas A & M and was hired by Anderson-Clayton and sent up to their cotton oil mill in Memphis, Texas. Memphis is a small town in northwest Texas. He'd been there three days and didn't know "boo" about running a cotton oil mill. Some schoolteachers from New York were driving through the countryside and saw the cotton oil mill and stopped and wanted a tour. So the manager assigned this young man to guide the teachers through. In talking to him later, I said, "Look, you didn't know enough about it to tell them anything." He said, "Grant, you'd be surprised what you can tell folks if they don't know anything about what you're talking about."

So a lot of times, if the public is uninformed on an issue, a man can sound very knowledgeable and not have any idea of what he's talking about. Well, this is the way an incumbent is. He's established a record, but the opposition that has no record can attack him regardless of what he did.

Marcello: Well, Senator Jones, that about concludes my line of questioning. Is there anything else that you think we need to comment about or talk about and get in the record before we close off this interview?

Jones: I'm real concerned about where this country's going in that our form of government, our form of economy, calls for a great deal of self-restraint on the part of the people. I'm fearful that we're losing that concept of self-restraint, and each of us is tending to want to know, "What can we get out of the government?" rather than, "What should we be doing for the government?" We're expecting government to solve more and more of our problems. As government solves our problems, as I talked to your earlier, any solution that the government provides reduces the opportunity for the individual to make a decision within his own realm. What I'm saying is that our country is going to be tending more and more toward a socialistic system.

What most people don't seem to realize is that the single most important factor in any productive system is the effort of the individuals involved. If you're going to have a controlled economy, you've got to have a controlled population. The opportunity of freedom and socialism are simply incompatible. I look at the proposals in reference to our economy.

Well, in the oil industry--this is the major area right now--there is the question of control. I'm not a believer in the conspiracy theory, but I can't keep from wondering if there aren't those people in Washington that say, "Let's make it so impossible for private enterprise to meet the energy needs of this country by regulation that there will be a demand for nationalization of energy resources, and then we will step in and solve the problems." Because the proposals that will provide an opportunity for an orderly transition into new sources of energy. It's just the opposite. Either it's a planned takeover, or its stupidity or something. As I say, I'm not a believer in the conspiracy concept, but I can't imagine how anybody can have any concept of how our system is supposed to work and sincerely make those proposals.

As I was saying, the more government interjects itself into our individual lives, the less opportunity we have for individual opportunity and individual action. I enjoy being involved in government work, but I don't think anybody is smart enough to make decisions for all of us.

Marcello: Do you think that one of the keys to prevent this phenomenon taking place is having strong government--competent government--at the state level in a state legislature, for example?



Jones: There used to be a federal judge out here that had a speech he made to various service clubs. It was his contention that the seventeenth amendment to the federal Constitution, adopted in 1913, was the beginning of the changes that have come about. You may remember the original Constitution provided that the members of the United States Senate were selected by state legislatures. This was a compromise. The House of Representatives represented the people of the country, and the Senators represented the interests of the individual states. So we truly had a United States. In 1913 when they adopted the seventeenth amendment and made the federal Senate subject to popular election, in effect we abandoned the concept of united states and created a separate level of government that was not necessarily related to the states at all.

I think the old man may have had something because there are those writers now that contend that ultimately the states will simply be administrative districts of the federal government. If you look and watch what's happening in the legislative halls, it begins to look like we have validity to that argument.

Marcello: How long have you been in the Legislature? You mentioned awhile ago, and I can't recall.

Jones: I'm in my eleventh year now.

Marcello: Have you personally seen an improvement or a degeneration in the quality of the legislators since you've been in? In other words, which way has the Legislature gone?

Jones: I don't know whether you'd say it has improved or degenerated because I think you have to look at the mix of members and try to pick out an average person. Keep in mind that in the House of Representatives the average tenure is a little bit under five years, and the first session of a member is basically a learning process. By the time a member finds out what he's supposed to do he quits. So its difficult to make an evaluation.

I know I said I was a mature man when I first went to the Legislature, and, yet, in some respects I was rather naive in that I perhaps expected more than was a realistic expectation of my colleagues. I think I've gotten over that in ensuing years. But it's hard to evaluate because you've got changing times; you've got changing conditions. I think as a general rule the single member district concept, although in theory it's beautiful, is a poor concept so far as the state as a whole is concerned.

Marcello: Why is that?

Jones: Well, one of the problems is the difficulty of getting people to participate in government. I'm continually amazed . . . I think government at various levels should pretty well work in a compatible manner. I'm continually amazed, in looking at my colleagues from the metropolitan areas, how frequently they look on the local entities of government as the enemy. There is very little empathy among many of the members in Austin in trying to help solve realistically the problems of local government. This is true, principally, through your metropolitan members. I suspect a lot of those people came to Austin, and the only time they'd ever been to city hall or the county courthouse is in response to a traffic ticket or paying their taxes because they don't know whose running the city. They don't understand the problems. They get lobbied pretty heavily by the firemen, policemen and various other public employee groups, and they just don't understand that tax dollars are coming out of the same pocket no matter what level of government is involved. It's discouraging.

In talking to people involved in municipal government, I frequently urge them to try to explain the problems to the members of the Legislature, bring them down and show them the operation--show them what you're talking about when you're talking about the problems of

solid waste disposal, sewage disposal problems, because most of those members have probably never even seen a sewage plant and don't understand why it's such a vital factor in the operation of the local entity of government. I guess that's one reason I said I had a curiosity because I try to inform myself on what are the problems of people across the board.

Marcello: Senator Jones, I thank you for giving me all of this time to talk to us about the 64th Legislature. I'm sure future scholars will find your comments very valuable.