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Place of Interview: Dallas, Texas

Interviewer: Ronald E. Marcello

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Approved:

O. J. Davis
(Signature)

Date:

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Oral History Collection

Senator O.H. Harris

Interviewer: Ronald E. Marcello

Place of Interview: Dallas, Texas

Date: September 7, 1979

Dr. Marcello: This is Ron Marcello interviewing Senator O.H. ("Ike") Harris for the North Texas State University Oral History Collection. The interview is taking place on September 7, 1979, in Dallas, Texas. I'm interviewing Senator Harris in order to get his reminiscenses and experiences and impressions while he was a member of the Texas Senate during the 66th Legislative Session.

Ike, let's talk about governors first of all. Compare or contrast the style of Governor Briscoe with the style of Governor Clements. I don't know if style is a good word to use or not, but let's start with that.

Senator Harris: That's pretty easy to do in that Clements came in with all sorts of question marks in people's minds. I got a lot of those inquiries, as you might imagine. People were wondering, "What's he like? Will he do this? Will he do that?" and so forth. One of the things that I told them--and it proved to be true--was that Clements was very straight. I use this as an example. One day we

were at lunch between the time that the session started and before he was sworn in. A group of us were up there having lunch. One of the fellows said, "What's he really like?" I said, "I sat around here since Connally--part of Connally's tenure--Briscoe, and Smith, and I'd hear you guys say, 'Well, I'm going over to visit with the governor.'" This was a luxury I was never afforded, to speak of. I said, "And then you'd come back and say, 'He lied to me again!'" I said, "You will not have that out of Clements." I used that facetiously. You didn't get any runarounds out of him, to speak of. You knew pretty well . . . if he told you, "I'm this way on this issue," you could go on about your business.

Marcello: Evidently, he was much more prone to have press conferences and that sort of thing than Briscoe was, also.

Harris: He was more available to the press perhaps than Governor Briscoe. He had a good press man--John Ford. I think he had a weekly deal with them. He kept up with that pretty well, and he generally had something of interest to say to them, too.

Marcello: It seemed that on occasions he would perhaps shoot from the hip or perhaps speak out a little bit too hastily, and then later on he would have to retract some of the things he said. I'm referring specifically to the business concerning the interest rates and then also the business concerning the

appropriations bill.

Harris: Yes, you're right. The interest rate, now, was talked about for the longest time. I had conversations with him, myself, and he was not taking any position for the longest time. So he gave that plenty of thought and then made his decision. I think maybe some of the folks didn't think he'd do it, and they got to jumping around, so he came back with an alternate. That was pretty well thought-out. He just decided he was making too many people mad--I'm guessing--so he mellowed a bit.

As far as the appropriations bill, yes, he said some things that he was going to do. After looking at that appropriations bill and digging into it, you find that it's hard to find something. You can "nickel-and-dime" it . . . but he came up with some pretty good vetoes and saved a pretty good amount of money.

Marcello: Is it true that when one perhaps is inexperienced, as Governor Clements was, certainly at the beginning of the session, that one does have a tendency to over-generalize, that is, in terms of saying, "We can easily save a billion dollars here or a billion dollars there."

Harris: Yes, you can over-generalize. He was operating under the premise all along that there was \$3 billion, and there was a billion of it that could be saved. The Legislature chose

not to do it, partially because of inflation and those kinds of things that just eat up the money. Even though you don't have any new programs, you're still stuck with some increased costs. So he got--as he likes to use--"half a loaf."

Marcello: Do you think that he perhaps had some adjustments to make in that he had come to Austin from being the head of a very large and powerful company to a position where actually he doesn't have a whole lot of power vis-a-vis the Legislature?

Harris: Yes, there's an element of truth in that. Even though he was governor, he was not chairman of the board, as he was accustomed to being. It was frustrating to him in some regards. He made some statements, and the legislative leadership kind of got riled before his swearing-in. Before he was inaugurated, to some degree, but after he was inaugurated, he had lots of visits with members of the Legislature and, as a general rule, came off real good with those guys. They walked out of there liking him, so he settled a lot of that from an issue of power. He said, "You guys have got a lot of power up there, but so do I. This is not a challenge; this is an observation."

Marcello: What approach did he take in dealing with legislators?

Harris: He got to know them on a personal basis as best he could, certainly the leadership and all the senators and the biggest percentage of the House members and the key committee people. Take Peyton McKnight, chairman of the Subcommittee on

Nominations . . . he called Peyton one day after the session started. He had tried to talk to him in advance, and Peyton was always playing his hard-to-get role. So Clements called him and said, "What are you doing?" Peyton said, "I'm sitting here working in my office." Clements said, "I'll be over to see you in just a minute." Peyton said, "No, governor. You're the governor; I'll come!" Clements said, "No, I'll come over there." He got up and walked over. They were talking about appointments and how they were going to be cleared through the committee, and despite all that growling and popping off that Peyton did, he worked real smooth with Tobin Armstrong, who was in charge of appointments. Things like that . . . appropriations bill.

When the primary issue was so hot, there was a rider--what we call a "mark-up"--on appropriations. That's after all the work's done on the hearings and conference committee, and they're "marking up"--getting it all in final form. Somebody stuck in a rider that said that since the state's paying for the primaries, no money could be spent for the party that had a presidential preferential primary. We'd have to spend money on our own. That didn't last but overnight. Clements solved that problem by going and talking to the guys. It was kind of a cheap shot, but it could have been gotten away with.

Marcello: On another occasion, especially with regard to the Peveto Bill, I believe he also made a trip over to the Legislature and did some personal lobbying on that particular piece of legislation.

Harris: He was interested in that county-wide appraisal system that was in there, and he did some personal work on that. He did some of this on budget execution. I made a couple of runs at that before it passed the Senate.

Marcello: Now, that was your particular piece of legislation, or at least you were the sponsor of the Budget Execution Act.

Harris: It was a constitutional amendment that will be on the ballot in 1980. We tried a couple of "go's" at it and got beat, so on Sunday before the session ended on Monday, we were in the office working on some conference committees, and he came by. His aides had suggested to him that he come and visit the members. I said, "Well, you're exactly right."

He did it this way. He came over to the session two or three times. He'd go up to Hobby, and Lieutenant Governor Hobby would introduce him, and that was about it. Finally, he took my advice: "Don't just come up there and be introduced; come in the other door and walk over--Creighton's sitting right there by the door--and say, 'Hi, Tom, how are you doing?'" You know, that kind of visit over there. He came in that next Monday, after he came by the office, and we talked about it. He came in

and wandered around. About that time, Hobby brought up the bill, and the Budget Execution Act passed. When the governor walks over and asks you to do something, I don't care who he is . . . if he walks over and says, "Ron, I sure do need this," well, you know . . . if he wants you to vote to repeal the right-to-work law or something like that, you're not going to do, but if it doesn't make that much difference . . . , he did it on that one. He could have done it on more, but all in all he had a good relationship with the Legislature. The guys that philosophically were against him had no real quarrel with him on a personal basis.

Plus the fact that earlier in the session when he vetoed a couple of bills . . . one of them in particular the truckers were interested in, and the liberals had really fought those bills and lost. Then he turned around and vetoed them. Well, he wasn't being liberal; he was being more a populist. And they just thought that was great.

Marcello: How did having a Republican governor affect you as a Republican senator?

Harris: (Chuckle) Well, I had to go to more meetings that I used to duck out on. In joint sessions I was always on the Escort Committee and those kinds of things. I got a lot more requests from people to gain an audience with the governor or about an appointment that would be out of my district. There was more work

of that nature to do--just more people to deal with because they'd come to me first. I'd say, "Well, first you've got to get your senator and then get the name of the person over there that you want to see." It wasn't my responsibility, plus I'd be encroaching on that senator's business. To my knowledge--without exception--he consulted in advance every member of the Senate when it came to an appointment. He had real good success there. Doggett gave him more guff than anybody, and really that was hurting Doggett. I think Doggett finally wised up that he was hurting his district more than he was anybody else. He was just keeping people out of service in the government.

Marcello: Now, I know that before the election and immediately after the election and before the inauguration, he was from time to time leaning upon you and the other Republican legislators for advice and so on and so forth. Did this sort of procedure continue after he had become governor and after the legislative session had started?

Harris: It lessened. George Steffas handled the transition, and I worked with he and Joanne Lay in that regard to good depth and was down there in Austin more than I normally would have been. I acted as a liaison between the members of the Legislature, talking to them and getting things . . . the whole program could best be said this way: the overriding thing was,

"If we make a mistake, let's be sure it's a new one," so they wouldn't fall into some of the pitfalls that I would have probably known about or some of us that had been there longer would know about than they would just by not being there.

That was mainly what my role was.

Marcello: Let's talk a little bit about the appropriations bill since it obviously is the most important one that comes up before the Legislature. It's almost automatic, is it not, that the Senate begins by adopting the recommendations of the Legislative Budget Board?

Harris: That's our basic rule-of-thumb that we operate on.

Marcello: Of course, the LBB's recommendations were about a billion dollars higher than what the governor wanted.

Harris: There's a reason for that. You'll remember that the Legislative Budget Board traditionally has been pretty conservative. The Legislative Budget Board is made up of five members of the Senate and five from the House. The staff's pretty conservative. They had what was fairly a "bare bones" budget, and all of a sudden, right close to the beginning of the session and in their last meeting, they just jumped in there and spent a bunch of money--about that one billion. That was the leadership of the Senate pushing that in order to be able to have that money earmarked, and then they would have some say in how it was going to be cut back. That was a little ploy not normally

done because they weren't sure what Clements' attitude was going to be, and that was the choice they made in order to have the upper hand over Clements.

Marcello: What was your personal reaction vis-a-vis the LBB's proposals and what Governor Clements wanted?

Harris: The initial LBB proposal I liked better than the one we just discussed--when they threw in that extra billion dollars. Then the governor cut a chunk of that out. As we got on into the session and by the time that we wrote the final budget, a lot of these problems that they anticipated were gone or behind them.

Marcello: What were some of these problems?

Harris: They were anticipated problems when the Budget Board did this in November or December--early December. They tried to have the upper hand on Clements in anticipation that they might need it down the line. It turned out they didn't need as much as they thought they would.

Marcello: Evidently, one of the areas where there was some controversy was the business concerning the teacher pay raise. How did you feel about this?

Harris: TSTA wanted more than they were going to be able to get.

Marcello: In the appropriations bill, there was a call for a 5.1 percent increase. Governor Clements reacted by saying that was too high, especially since they had already had some other built-in

steps, I think.

Harris: That's right. He wound up leaving it at 5.1, even though he said he wasn't going to.

Marcello: Again, this was one of those areas where he threatened to veto a bill unless there were a billion dollars worth of cuts, and, then, of course, he backed down. How does this procedure take place? Who educated him in the meantime?

Harris: (Chuckle) I don't know the answer to that because I wasn't in on the dealings with him on the budget. He worked with Comptroller Bob Bullock a lot early and, I presume, then on through the session. He had his own budget man over there, and then on the psychology of the whole thing he relied on Jim Kaster, Don Cavness, and Hillery Doran. I think they probably kept him . . . he did veto half a billion. So with that and some other savings, he could save someplace. He wasn't completely run over.

Marcello: While we're on the subject of appropriations and budgets, let's talk about that Budget Execution Act since you were the sponsor of the bill. How did you get involved in that?

Harris: When they were working on their program and going over it, and what their priorities were and who was going to handle what, I asked to handle the Budget Execution Act. When it was originally written, I thought it was a pretty good idea. The way it finally passed was not as good as I'd have liked to

have seen.

Marcello: Can you explain that further? Why isn't it what you wanted to see?

Harris: The Budget Execution Act . . . , Hobby and I agreed on this. It was in State Affairs Committee, and it got in a subcommittee. McKnight was on this subcommittee, and he and Moore had a lot to say about it. They wanted a Budget Execution Committee, whereas Hobby said, "If he wants a budget execution, I have no quarrel with it, but he ought to be the one responsible for it. If he fouls up, that's his problem." I agreed with that, but it came out as a committee instead of a single person. It's got to be passed on by the people, and then it will be resubmitted in the Legislature.

The main thing about it is that if an agency has got some money that they're either overspending or underspending or not spending properly, he can step over and have some say about it. The committee can do this now. Then if you have one agency over here that needs some money and another one's got too much, you can transfer. I think that's pretty prudent business.

Marcello: As you first sponsored it, wasn't one of the purposes to veto riders to appropriations bill and things of this nature?

Harris: Yes. We had that in there to allow him to veto riders, and we lost that battle, too.

Marcello: That's a pretty hard one to win, I guess, is it not?

Harris: Yes.

Marcello: Why is that, just for the record?

Harris: The Legislature guards that pretty jealously in that they can control the flow of that money by a virtue of riders. It's the conference committee--they have a way of legislating that.

Marcello: As I recall from my research, you did quite a bit of conferring with the governor's staff on this particular proposal, did you not?

Harris: Yes, Hillery Doran and Don Cavness and I spent a lot of time on that.

Marcello: What sort of conferring would go on? What sort of things would you talk over in shaping up that legislation?

Harris: We got our package together. We had the constitutional amendment and enabling legislation and got it into the committee. The hearing went well, and it went to a subcommittee. The main reason it went to subcommittee was because of McKnight and his interest in this committee. He sat on it awhile, and he wouldn't give me any commitment. So I just let it ride for a while. Then I finally worked on it, and we got it on out of committee. We were kind of letting the House go with it, too, at that time to see what they would do, and then they finally passed something. So then I made a run with it and lost, so we took the "no" votes and we had to figure out how

to get them to come around. We went and talked to them and got some ideas, and we shaped it around a little bit. We tried another time and got about the same amount of votes, but they weren't the same people. Some of them that voted with us had switched back the other way, so that confused us.

Marcello: What seemed to be the hang-up?

Harris: Chet Brooks didn't like it at all. He still is the only guy that didn't vote for it. He just doesn't like budget execution--the theory of it. He was leading a fight in that regard. Oh, you could see what was going on on that particular day. I remember a couple of votes we looked at that had voted for us, but they voted against us. In both instances, they got mad at the governor about something else, so they said, "To hell with him," and just voted "no." Those kinds of personality things you had to work around. Along about this time, the House bill passed, so we abandoned the Senate version and just took the House version.

Marcello: I think that on this piece of legislation, also, Clements spent some time over in the Legislature drumming up support, did he not?

Harris: Particularly at the end. He didn't at first, against my suggestion. He should have been over there sooner.

Marcello: What do you think about the creation of that seven-member

Budget Execution Committee?

Harris: I'd prefer to see it as just Clements himself--the governor.
But what we got is next best.

Marcello: Was this in the House bill?

Harris: Yes. Well, when they finally got it out of committee, it was a committee--the Budget Execution Committee. But McKnight was chairman of the subcommittee, and he wouldn't sit still for it any other way.

Marcello: Again, I guess this is one of those compromises you had to make in that the Legislature wanted to insure if there was going to be some legislative input in any enabling legislation along these lines. Actually, I think when you look at that seven-member committee, the Legislature's still going to dominate, is it not?

Harris: Yes. The governor's chairman.

Marcello: But he's outnumbered (chuckle).

Harris: He's outnumbered.

Marcello: There was some consumer-type legislation--I don't know whether that's a good word to use or not--that you were also involved in. Did you not sponsor some legislation concerning interest rates?

Harris: Yes.

Marcello: Give me the background on this.

Harris: Senate Bill 10 was for loans over \$250,000. I started out

with \$250,000, and it got amended in committee down to \$100,000. That was all right with me, except for the practicalities of passing it. So we got out there and debated it on the floor, and it worked up to \$150,000. Then, the House version was going to be \$250,000. I believe that was the way it worked. It's \$150,000 . . . whatever those loans . . . either \$150,000 or \$250,000. For loans that now go up over that, you have to incorporate. If you incorporate, and you're in a category that the legislation can set, you can pay up to 18 percent. Well, this eliminates all this incorporation, the theory being that anybody borrowing that much money is a pretty sophisticated borrower. If he wants to pay more than 10 percent, that's his business.

Marcello: And this was basically the rationale behind that legislation. What sort of trouble did you have getting that legislation passed?

Harris: It wasn't too serious. It passed the Senate in '77, and time got it over in the House. When the old seventy-two-hour rule came at midnight, if it had had another five minutes, it would have come out. It was the next one on the agenda. But it didn't. So it wasn't that difficult to pass it this session.

Marcello: While we're on the subject of interest rates, let's switch over and talk about a piece of legislation that was perhaps more controversial. This was the business concerning raising

the legal interest rate in Texas from 10 percent upward.

What was your position relative to the increase in the legal interest rates?

Harris: You're saying it a little different. Let's go back over it so we'll be sure to understand. The constitutional limit is 10 percent, but then it says the Legislature may categorize certain loans to go over that. So you establish categories unless you want to amend the Constitution. There was no effort to do that. My category was for loans over \$250,000. That home loan was single-family, duplex, triplex, and quadriplex. That category came from the federal agency on Housing and Urban Development. They categorized those types of dwellings versus . . . and anything over quadriplex is considered multi-family—apartments or whatever. So that is where they got that particular category. You can go over 10 percent on loans of single families.

Marcello: So, what was your position on that legislation?

Harris: I favored it.

Marcello: Why was that?

Harris: Because of the economic situation. We're facing the prospect of losing a lot of development in this state, and home building during the session, and still is, on the upturn. The money market was demanding it. Whatever the limit is, the market's going to control it.

Marcello: This is in many ways perhaps one of those pieces of legislation where you're damned if you do and you're damned if you don't. You can get into all sorts of problems because you voted to raise interest rates, but on the other hand, like you pointed out, if the interest rates were not raised in those categories, then that mortgage money was going to leave the state.

Harris: Home building--building living quarters--generally permeates the market more than any other single thing, perhaps. It's building skills and trades, all the suppliers, employment . . . all the different things. It goes right down through the economy.

Marcello: Who got to Governor Clements on this issue? Like we pointed out earlier, at first he publicly stated that he was going to veto any legislation jacking up those interest rates, and then again he backed off. Who got to him?

Harris: I can guess (chuckle). I don't really know. I can guess that the home builders all over the state, and the savings and loan people . . . a lot of his friends. One guy that he appointed to the banking commission from Houston was his single largest contributor, and he's in the home building business. I suspect they leaned on him. I know it was right after Easter when he vetoed that trucking bill and announced he was going to veto the interest increase. Clements' former

finance chairman was interested in two things. Those were the two things he was interested in (chuckle). He was losing on both counts, so he had some conversation with him. They finally convinced him, I guess, that this is a real problem in the money market.

Marcello: How did you feel about the modifications in the Consumer Protection Act of 1973 that were proposed by Senator Meier?

Harris: I liked it, and I wanted to see some more. I was involved in '73 in fighting the legislation that Attorney General Hill and others wanted passed--trial lawyers. I was vice-chairman of the Jurisprudence Committee and was active in trying to defeat that legislation. We made some compromises. One was that on treble damages we put the word in there "may." My conception of "may" meant that if you sue me on consumer protection, and I had knowingly defrauded you, then the court or the jury based on evidence may treble those damages.

Marcello: Or may not treble those damages.

Harris: Or may not treble them. And if you could show that I had really defrauded you on the sale of an automobile or something, then okay.

The Supreme Court came along and said that "may" meant "shall," and that's the first I ever heard that. That's one thing I did learn in law school--"may" means "may" and "shall" means "shall." There's a distinction. That opinion, I

thought, was just terrible. So that's what prompted it--the attack on consumer protection. When you got into it for that purpose, you got into it for other purposes, too.

Marcello: There were two other proposals that Meier put forth, I think one of them had to do with products liability.

Harris: It failed--just got eighteen votes on it.

Marcello: What was the other one? It had something to do with a merchant's intent to cheat a customer or something along those lines, or was that the same one as consumer protection legislation?

Harris: Yes. We argued over those.

Marcello: I would assume that the trial lawyers, like you pointed out awhile ago, were opposed to any modifications in that legislation.

Harris: They were and they fought it heavily. They fought products liability probably heavier than anything. I could give you this example on that consumer protection when we heard the bill in committee. There were five cases discussed by witnesses or committee members, and for three of them Lloyd Doggett had been the lawyer. Somebody around there--and I didn't do it--said they did some research, and he had something like sixty or seventy cases pending at that time in the Travis County Courthouse. It's a very harsh thing. You've got to send out that letter and state and outline your "laundry list"

of violations, and that guy has thirty days to cough up or make good. You just sit back and file your lawsuit and your "laundry list," and he pays up.

There was one case that was . . . you always get the extremes when they come to floor before the committee. There was a banker up in Waco who had overcharged \$7.00 worth of interest, I believe, or somewhere in there--maybe \$8.00 worth of interest--and the guy demanded \$18,000. That old banker turned it over to his lawyer, and he said, "Yes, you better pay him." He said, "Shoot, I ain't taking your opinion about that! You may not be representing us anymore." He checked around and got some guy in San Antonio that was reported to be one of the best in that business. He took a look at his case and said, "Yes, you better pay him." Over \$7.00 worth of interest! They built it up. There wasn't any going back and redoing that. By this time, he had alienated the people so bad that he couldn't settle with him. So he had to pay \$18,000 for \$7.00 worth of interest that some clerk or computer or whatever had mistakenly overcharged.

Marcello: Like you pointed out awhile ago, from everything that I've read on that legislation, Doggett was one of the outstanding opponents.

Harris: Very outspoken. It was always of interest to me. They're

quick to jump on some conservative about a conflict of interest, and they never said a word about him.

Marcello: There are a bunch of trial lawyers in the Legislature, aren't there?

Harris: Oh, yes--active in the association or members. I can't really say. But there's Doggett, Schwartz, Mauzy, Clower, Vale, Gene Jones. Oh, there's a couple more.

Marcello: This is kind of getting ahead in our interview, but some people even said that one of the reasons for the "Killer Bees" taking off was their dislike for this kind of legislation.

Harris: Here's what happened all session--a kind of an underlying thing that went on. It was a more conservative Senate than I've seen since I've been there--but not that magic twenty-one that it takes to suspend the rules. So what they started doing to us . . . we, the conservative element, were on the offensive instead of the defensive. We switched places with them. They sat there and took shots at our bills. What would normally be a ten-minute debate on the bill got into a thirty, forty minutes, an hour debate. We were only meeting early for an hour-and-a-half a day, and after you get through with the morning call, which is twenty or thirty minutes, you just get around to two or three bills. They were just taking those little bitty chubs and chubs and chubs. Maybe it would pass; maybe it wouldn't. We began to see that

happening almost every day. Well, it was postponing all these things.

Then it got down to the wire. It's interesting. I never understood their argument for taking off . . . to kill the primary bill or the products liability bill . . . anybody can argue whatever one they want to argue. But, they had twelve guys that left. If those twelve guys were voting "no," if they were all really against the primary bill, they didn't have to leave. They could just stay there and vote "no," and it never would come up. Or if it was products liability . . . the only thing that I can figure out is that they didn't trust one another to be in there collectively.

Marcello: I've heard it said that some of the people who were "Killer Bees" disliked one another and didn't get along with one another, anyway.

Harris: Particularly when they're cooped up together for five days.

Marcello: I guess you almost have to talk about the appropriations bill, school finance, and tax relief together because all three of those bills were kind of intertwined in this session, were they not?

Harris: Yes, and throw into there the Peveto Bill. There were four that were all intertwined. I told the chairman of the Finance Committee just this: out of those four pieces of legislation,

that's going to gum up the works somewhere because of the magnitude of them, the length of them. Dovetailing them together is unlikely. So we're going to spend most of the 1980's undoing some of the state's revamping some of those bills.

Marcello: Can you elaborate on that?

Harris: It's conjecture to start with. But I can pick out some areas where I think it will, and that is on property appraisal and how that's going to fit into school districts primarily. Now, that's going to affect them.

Marcello: Now, when you talk about property appraisal, you're talking about the single assessing unit.

Harris: Yes. And then the county--whoever it is in the county appraising for all the school districts--can change whatever rate they want. They have that prerogative to put in whatever rate they choose, but it's going to up it some.

Then you've tax relief over here on the other hand. Now, most of the people that have tax relief were in certain categories and were generally the aged. So that's just putting the tax burden back on. You're not going to quit spending; you can't in public schools. It takes about 65 percent of your ad valorem tax dollars.

Marcello: So what you're saying is that some people are going to get a little bit of relief, and then the bulk of the people are

going to have make up that difference.

Harris: They're going to have to pick up that difference, and that's going to be the same old middle class. You're shifting the burden. And the relief that they got wasn't that much; I mean, individually it won't be that much.

Marcello: Ultimately, what happens, then, in terms of tax relief is that the Legislature has to turn right around and give local school districts somewhere in the neighborhood of \$450 million, I think it was.

Harris: There's another problem that's coming out of it. You can look back on public school finance and see this coming all along. It's a real quandry. The people want tax relief in ad valorem taxes, but they want public schools, too. Now, if you give them that relief locally, just do away with ad valorem taxes. We're doing it a little at a time. If you do away with it in one lump, you're just shifting it down to the state. You're going to have one big independent school district. We're working our way slowly there now in that direction by giving a little relief this time to this group and then a little more over here to somebody else and then something here. That cuts primarily into the independent local school district, and the state then shuffles that money back. That's not the right way to do it.

I made a speech before last session . . . I voted against

that special session last year--you know, the tax relief thing. Mauzy and I were the only two that voted against it. It was on the ballot, and I was making some speeches, and generally we'd get asked about that amendment. I started talking about how we ought not to do this and here's why, and why it wasn't good, etc. The people were just turning me off, so I just went in and voted against it. But I quit speaking against it because that's not what they wanted to hear. They wanted to hear it was going to do great things for them.

A combination of all this . . . there's going to be a bunch of mistakes.

Marcello: Getting back to the Peveto Bill, it finally got through the Senate this time after having failed on three previous occasions. What happened this time? How did it manage to get through this time?

Harris: They changed it some. The lieutenant governor was falling for it as was Governor Clements. The leadership finally just came around with the necessary votes.

Marcello: What was it that put you in opposition to the Peveto Bill?

Harris: Generally, what we're talking about here are problems which I think it's going to create. It's going to hurt the independent school districts, particularly the smaller districts. When I say the smaller districts that are in the 8th Senatorial District, part of the Dallas Independent School District, I

mean Park Cities, Carrollton-Farmers Branch District, Irving, Coppell, and Richardson. It's not going to work to their benefit. They're going to wind up having to get money, begging the state for money. It's the beginning of centralization of the ad valorem tax structure in the state, and if we ever work into that, it will be a mistake. I see this as a step toward that direction.

Marcello: Are you referring to some sort of a statewide office in Austin?

Harris: It creates a statewide appraisal standard board that's supposed to not have any power other than supervisory, but not the final word. You know that they're going to come along asking for more power and more power.

Marcello: Are you saying, in effect, that's the way they all start out?

Harris: Exactly.

Marcello: During this particular legislative session, which issue seemed to occupy most of your time?

Harris: I had to handle too many bills, which was my biggest problem. I was vice-chairman of Economic Development and was on State Affairs; and Senator Moore was chairman of State Affairs, and Creighton was chairman of Economic Development. They're good friends of mine. People would come to them with bills that they thought better not to handle as chairman, so they immediately sent them next door to me. I wound up carrying about half a dozen that were theirs that they shovelled off

on me.

The one I spent the most time with--and not because of design, but by accident--was the reconstitution of the Barber Board and Cosmetology, because they just worry you to death. Everybody had their little old thing in there that they wanted done, and they'd come talk to you about it. Somebody else wouldn't want it, and they were fighting among themselves all the time, and I had to listen to all of it. Moore shoved those two off on me.

I spent a good deal of time with Budget Execution, the Southwest Airlines bill.

Marcello: What was the Southwest Airlines bill? Refresh my memory on that.

Harris: That's what everybody called it. The Deregulation Act of 1978 does away with the Civil Aeronautics Board in 1983 or 1985—I believe it's '83. That means there'll be no route control by the CAB on where airlines can fly into and out of. That meant, also, that Southwest Airlines was going to get some interstate flights.

Well, this gave the City of Dallas the power, if they wanted it, on intrastate flights--or any city that owned an airport--to designate that flights out of Love Field must land within 600 miles of takeoff. Or coming in, they must take off within 600 miles before they land. That is an

economic barrier on large aircraft. They cannot economically do it within that range, and there's a consequence that would have given the city power to regulate interstate flights. Well, it fell in great favor with the Legislature and passed handily.

Now, the bill I started out with was another method, and it cut the cities off from any proprietary rights before a federal agency, and that was pretty harsh. Then I got around to altering it. I got the idea from the National Airport at Washington, D.C. They had that same restriction, and that's where I came up with that idea. Then the governor vetoed it.

Marcello: Let's go into a little bit more detail on the "Killer Bees" since this is something that came up near the end of the session. In general, what were your views of the conduct and the tactics used by the "Killer Bees?"

Harris: I thought it was kind of "Mickey Mouse." It's like I said awhile ago. If they really meant what they said and that they were really against that primary bill--that's why they left--they had twelve votes there to stop it. So what was their worry? That was probably part of their attitude, in my opinion, but the other part was to stop and slow down the legislative process on legislation they were against. You know, the kid on the block that wanted to play whatever it was he wanted to play, and if you wouldn't let him, he took his

bat and ball and went home. That's kind of the way I viewed it.

There was some grandstand element in it, too, and that was fairly well depicted by their return. They had called and had it all orchestrated as to when they'd come back, and they came breezing into the chamber early in the afternoon. It was jam-packed, and they had their families with them and all that business . . . no speeches. When we went right on into business, they asked to be excused to go back and hold their press conference in the committee room. They went back there and did all that business.

Marcello: Was there any retribution from Lieutenant Governor Hobby when they returned?

Harris: No, there was not. There was a lot of talk about it, and on Sunday meeting he indicated . . . for example, we had on the conference committee for public school finance, four of them that was gone; and on the Appropriations Committee there was only one of them gone, so it could still meet. But he said he was going to announce Monday morning he was replacing them, but he never did do it.

Marcello: Was there really too much that he could do?

Harris: He could replace those guys. He had the power to appoint committees, and he could take them right off there. He could have put four other people on . . . as a matter of fact, on

that Sunday meeting we took from the Education Committee volunteers who wanted to fill those four spots on the conference committee. Mauzy was chairman and he was gone, and I believe he designated Meier to be chairman. In any event, we were going to do it that way so the conference committee could meet. It never was done.

Marcello: Now, ostensibly one of the reasons for the "Killer Bees" taking off was their dislike of the split primary. What was your position with regard to the two primaries?

Harris: I was in opposition to two primaries primarily because of the feeling in the district. It was very strong among my friends, and the biggest reason was that in two months' time we were going to be holding two primaries. That's a lot of work; they're no easy thing to put on. Plus, the secretary of state estimated it would cost us \$2.5 million to do it--an unnecessary expense. Personally, it didn't bother me one way or the other for a presidential primary.

Marcello: Politically, as a conservative, would it have helped you or hurt you?

Harris: Help me personally?

Marcello: That's as a conservative.

Harris: It wouldn't affect my situation at all--that split primary. It had the prospect of hurting the conservative element in the Senate on the Democrat side by having one primary, whereas

if you have two . . . and to that extent, I liked the idea because I didn't want to lose some of those conservatives. If we were going to get Republicans, fine; but that's not likely. Well, take East Texas. They've got Blake, McKnight, and Ed Howard. They might lose over there if they go into our primary—if the conservative element goes in our primary and makes a selection on presidential preference—and hurt them. There's no way those people are going to vote Republican in the near future. For those kinds of things, yes, I like the split primary.

Marcello: This is what I was referring to. Also, the 1980 elections are going to be important because of redistricting, too, are they not?

Harris: Oh, yes, highly important. That's another main factor. Who's going to be drawing those lines? You can't do much on secure districts that are heavily Democrat or Republican, but on those marginal ones . . . take mine, for example. I got 68 percent last time in the general election. I'd be willing to yield a few percentage points there in the drawing of those census tracts so that the 16th District could pick them up. They would wound up with two. Now, that presumes a lot of other things, but that illustrates how important the elections for '81 would be.

Marcello: Awhile ago you mentioned you were vice-chairman of the Economic

Development Committee. Is your status going to be affected any with the recent announcement that Senator Creighton is going to retire from the Legislature?

Harris: I've speculated on that (chuckle). I saw an article in the paper in which somebody asked Hobby that, and he said he really didn't have any idea, but the logical choice may be Peyton McKnight. I don't know what all that means except to say that I'm going to talk to him about it but not until after reelection (chuckle). It would be a little presumptuous for me to discuss committee assignments before then.

I'm told there's going to be an effort made by some of my friends that are outside of the Legislature--political friends--to get him to elevate me to chairmanship. Now, whether or not that happens . . . those people don't have regard for party. It doesn't make them any difference, but it's a different turn for Hobby if he gave me his Republican chairmanship. He's going to have some Democrats hot after him. That's his problem. I may suffer as a result.

Marcello: Would Governor Clements have any clout in something like this or any influence in . . .

Harris: I don't know. I hadn't thought about that, but it wouldn't hurt to have him put in a plug in 1981. There will probably be a little campaign made at the appropriate time to pressure Hobby to do it.

Marcello: While we're on the subject of recent legislative developments, what are your thoughts in regard to the switch in parties by Senator Braecklein?

Harris: I was a little surprised at that. Governor Clements asked me about that right after the session was over--about Braecklein and two or three others. I told him at that time my thoughts about what Braecklein would probably do. He's facing just a two-year term, just like I am, because of redistricting. He's fifty-eight now; he's kind of tired of it. He had a real tight race last time. He might just bow out. I might guess wrong again. For him to switch, I just didn't really think he'd do it. He fooled me there, too. We talk in terms, Ron, of percentages, not numbers. We have a 25 percent increase. (chuckle).

Marcello: Do you foresee any more of this switching taking place among the legislators, let's say, among some of the more conservative legislators?

Harris: I really don't think so. I would like to see it, but that's just my personal guess. We wanted Creighton to switch. Governor Clements worked on him real hard. Clements told him, "You just don't have any alternative, Tom." Tom said, "Yes, there's one you haven't considered." Clements said, "What's that?" Tom said, "Quitting." (Chuckle) And he, in fact, did. Your best shot would be Pete Snelson, Grant Jones,

Jack Ogg.

Marcello: You mentioned Senator Jones a moment ago. This was his first term as chairman of the Finance Committee. A tremendous number of important bills came before that committee, did it not? Obviously, there was the appropriations bill, and we mentioned the property tax reform, tax relief. They've all come before the Finance Committee.

Harris: That's right. Grant did a good job. He's a hard worker, and he's smart. He did a good job as chairman of the Finance Committee.

Marcello: Senator Harris, that exhausts my list of questions relative to the 66th Session. Is there anything else that you think we need to talk about that we haven't covered?

Harris: I can't think of anything. It was more of an unusual session because of the conservative thing--fighting the liberals in a different battleground--and then Clements. I worked harder in this session than I have in the past. I had more things I had to do.

Marcello: Is this because of those bills that you were handling yourself and then those that were given to you by Moore and Creighton?

Harris: That and then Governor Clements, dealing with him and visiting with him--just working on strategy or whatever. I guess that's about it.

Marcello: Once more, I want to thank you very much for having taken time

to participate. You've been candid, as usual, and, of course, that's the sort of thing that we're looking for in these interviews.