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Interview with
L. DE WITT HALE
October 16, 1970

Place of Interview: Corpus Christi, Texas
Interviewer: Dr. Ronald Marcello
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Oral History Collection

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Dr. Marcello: This is Ron Marcello interviewing Representative L. DeWitt Hale for the North Texas State University Oral History Collection. The interview is taking place on October 16, 1970, in Corpus Christi, Texas. I'm interviewing Representative Hale in order to receive his impressions and reminiscences for the regular and special sessions of the 61st Texas State Legislature. Mr. Hale, one of the first questions which arose during the regular session of the Legislature was the controversy over the one year and the two year budget. Which did you favor, and what were your reasons for doing so?

L. DeWitt Hale: I did not have any strong feelings for either the one year or the two year budget. As a general proposition, I think that the State of Texas should go on an annual budget system. That would necessitate annual sessions of the

Legislature which I also favor. The government of the State of Texas has grown in size, complexity and cost to the point where it is not practical for the Legislature as its board of directors to adequately conduct the affairs of state government on a part-time basis.

I am one of those who has advocated for many years strengthening the legislative arm of the government, authorizing annual sessions, giving to the Legislature the tools and facilities to do a good job, paying them adequately for a full time operation, and putting the Legislature on a more or less full time operation. If we could do this, then it would certainly be obvious that the budget system should shift to an annual basis.

At the present time, under the biennial budget system, we are conducting hearings today, October, 1970, and trying to anticipate what the needs of state agencies will be as late as August 31, 1973. It is an impossible chore. And it would greatly facilitate the the financing of state government if we were on an annual basis.

Specifically, to answer your question, in

the 1969 session of the Legislature I voted for the one year appropriation bill. I felt at the time it was probably the most expedient thing to do from a political standpoint.

Governor Smith felt to the contrary. It was his feeling that the legislature should not delay the second year appropriation and thereby delay the tax bill for another year. It was his feeling that the constitution contemplated a biennial budget system and that we should pass the appropriations and whatever taxes were necessary for the entire two years of the biennium. As a result, he vetoed the one year appropriation bill at such a late date in the regular session that it was impossible to complete the work of the session during the regular session. And that necessitated calling the Legislature back into special session.

Marcello: Do you see any politics being played between Ben Barnes and Governor Smith with regard to this present controversy?

Hale: I think undoubtably that politics inevitably rears its head in these controversies; and I'm not at all convinced that such is neces-

sarily bad. Politics is nothing more and nothing less than an active participation by the people of the state in the processes of the government. To the extent that the people participate in the processes of government, there is inevitably going to be politics in the decision, because those of us who are elected public officials feel a certain responsibility to the people in the sense that we can't deviate too far from what the majority of the people want. Elected officials on occasion must take the lead due to the additional information we have and the superior position we're in as far as knowing what's best for Texas. But the position of leadership is a precarious one, and you can't get too far ahead of the thinking of the people on an issue, or you are going to fail. So I think there obviously was some politics being played. At the time Mr. Barnes was thinking in terms of running for governor. Mr. Smith knew that Mr. Barnes and some of his main supporters were casting longing eyes at the governor's chair in the 1970 election. I think the Governor was drawing, to some extent, a clear-cut issue

with Mr. Barnes in the event such contingency developed.

Marcello:

What was your opinion of some of Governor Smith's original tax proposals. Let me be a little bit more specific on this point. One of his taxes called for . . . one of his plans, rather, called for a tax on the petro-chemical industry, and some people have said that this was politically motivated, mainly because the chemical industry didn't support Smith in the manner in which he thought that it should. And Smith, being a rather vindictive person at times, therefore, tried to get his revenge in this way.

Hale:

I know nothing about what motivated the Governor in his recommendation. I would like to believe and do believe that he faced the task of raising additional revenue with some degree of reluctance--as all of us do. He felt that it was his duty to make a recommendation to the Legislature for a tax bill that would raise money of sufficient magnitude to meet the budget request which he had submitted. In piecing together a tax bill that would produce that amount of revenue, he had to put the incidence of the tax somewhere. I feel that it was his

conviction that the petro-chemical industry was probably not bearing its proportionate share of the tax load now levied on the business community generally. I disagreed with him. Perhaps I am a bit prejudiced since the area I represent in the Legislature is an area which has a large concentration of petro-chemical industries. Those of us from the coastal area thought that if additional taxes were to be levied on the business community, all the burden should not fall on one particular segment of business. Those taxes should be distributed somewhat more equitably among all areas of the business community rather than isolating one specific industry and putting a very heavy and really a penalty-type of tax on that one industry.

Marcello: How do you feel that the taxes between the consumer and industry could have been more equitably distributed during that regular session? In other words what would you do to equalize the taxes between the businessman and the consumer?

Hale: That's a difficult question to answer. All taxes, of course, are ultimately, payed by the

consumer. We talk about business taxes and business paying a certain part of the taxes and the consumer paying part of the taxes, whereas, in truth and in fact, the consumer ultimately pays all the taxes. When the consumer buys the product which business produces, included in the price of that product are the taxes which the business community pays. So, in a sense, argument on taxes is a play on words. I think the crux of the debate in this area really is not whether the consumer is going to pay or whether business is going to pay, but how it will be more equitably proportioned among consumers who finally pay the bill. Those who advocate more taxes on business feel that it's going to be different persons who will be paying those taxes than it would be if you levied direct consumer taxes. The burden would fall more equitably if the additional tax burden were placed on the business community and passed on to the public. If you pass a general sales tax, as we did in Texas in 1961, the incidence of the tax falls directly on the consumer in direct proportion to the amount of money he spends

regardless of his economic position. But in a business tax--a tax on jewelry, for example--the only people who pay the tax are those who buy jewelry. Since people in the lower income brackets do not buy much jewelry, they would pay very little of the tax; whereas, people of wealth who buy expensive jewelry would pay a great deal of the tax. The incidence of the tax would be different even though the ultimate consumer was finally paying all the tax burden.

In that sense there were several areas of taxation that I felt would have been more beneficial to the state than direct consumer taxes, at least to the extent of a portion of the tax bill. One area of controversy since Price Daniel was governor has been efforts to revise or eliminate the corporate franchise tax and substitute in lieu thereof a corporate profits tax. The franchise tax is a tax on the capital structure of the corporation irrespective of its true economic position in the community, whereas the real index of its ability to pay taxes is its profit and loss statement. The corporate franchise tax is an unfair tax because the burden falls very inequitably among

business corporations. In a corporate profits tax the burden would fall on a given business directly in proportion to how well it was prospering under the economic conditions of the time. If it didn't make any profit, it wouldn't have to pay any tax. The more money it made, the higher its tax burden would be. So that's one area where I think definite improvement could be made.

Marcello:

If I may break in here a moment, many people have said that a corporate income tax or a corporate profits tax would perhaps either discourage or drive some business from the state. How would you answer that particular argument?

Hale:

I do not have the statistics in front of me, but my recollection is that there are thirty-nine states now which have a corporate profits tax in one form or another, perhaps more than thirty-nine. Someone told me the other day that that figure was now up into the forties, including all of the main industrial states of the United States. I don't place any great credance in the argument that such will drive business from the state. There is nowhere

they could go, where the industrial climate is suitable for business, that does not have a corporate profits tax.

Marcello: Well I was sure, on the basis of what you have said, that was going to be your answer, but I thought I would get it in the record anyway. How close do you think Texas is to a state income tax? Or, if I may ask this another way, how close did the Legislature come in the last session, either the regular or special sessions, to passing a state income tax?

Hale: I don't think it was ever seriously considered in the last session of the Legislature, if you mean a personal income tax.

Marcello: This is what I'm referring to.

Hale: I think the first step toward income taxation in Texas will be a corporate profits tax--or a corporate income tax, if you prefer that designation. That has generally been the history in most other states. Then when the revenue needs become greater, it's a short step from there into the personal income tax field.

We're almost reaching the saturation point

on direct consumer taxes. The state sales tax now is up to 4 1/4 per cent, I believe. There are recommendations outstanding now for the next session of the Legislature to raise the rate to 5 per cent. When we reach the 5 per cent level, at least to my way of thinking, we have just about reached the saturation point on direct consumer taxes via the sales tax route. I think the next step would be to move into the income tax field, and the first step within that step would be a corporate income tax.

Marcello: How do you personally feel about a personal income tax for the state?

Hale: I look at it with a great deal of reluctance.

Marcello: Do you do this privately or publicly?

Hale: Both. Both privately and publicly. During the Eisenhower administration, an organized effort was made to attempt some type of informal agreement among the levels of government as to the area which each would utilize for tax purposes. The broad objective of this series of conferences and meetings, which President Eisenhower promoted, was a thrust in the direction of restricting ad valorem taxation to

local units of government, attempting to limit state governments to consumer taxes, and giving to the federal government the income tax field. I think we definitely need to move in a direction where we can more clearly delineate these areas of taxation. It gets one back to a basic theory of taxation. You tax one of three areas. You tax the creation of wealth, you tax the wealth itself, or you tax the distribution of wealth. It seems to me that when government units at different levels cross those lines, we get into areas of double taxation, which I think is not too good. I would like to see us move in the direction of delineation. In Texas to some extent we have moved in that direction by the state abandoning ad valorem taxation to local units of government. We receive very little revenue in the State Treasury now from ad valorem taxation. Our principal sources of revenue are consumer taxes. And, of course, the principal source of revenue for the federal government is the income tax. So in broad context, it would take a federal constitutional amendment to really nail it down. We would have a much more desirable situation than we

have with all areas of government utilizing all three areas of taxation, eventually resulting in double taxation.

Marcello: Let's move on to another topic. There was a substantial number of bills passed by the last Legislature which would probably come under the heading of social legislation. For example, the Legislature voted to increase welfare benefits. What was your particular stand on this issue? Were you for it, or were you against it, and what were your reasons for your stand?

Hale: I have consistently supported all increases in welfare programs since I have been in the Legislature, primarily for the reason that Texas has been scandalously low in most welfare categories when compared to other states. Texas welfare programs are very limited and very restricted. We have only four state welfare programs in operation: old age assistance, aid to families with dependent children, aid to needy blind, and aid to totally and permanently handicapped people. We have expanded these programs through the years, partly as a result of economic pressure from the federal

government, to include vendor medical payments. We have tried within the framework of the Texas Constitution to put as much money into these programs as we possibly could. And we are now up to the maximum allowable under the Texas Constitution, which I believe is now set at eighty million dollars a year.

I am one of those who has stood and fought through the years for an expanding role for state government in the scheme of federal-state relationships. I believe that wherever a need within the community is not met by private enterprise, government will eventually move in. I think that it would be much better for the country, for the state and for the people if these problems could be attacked and solved at state and local levels rather than have the federal government move in and attempt to do it for us. For that reason, I have been a constant advocate of an expanding role for state government. This means, of course, spending more money at the state level and making unnecessary tremendously larger programs by the federal government.

Marcello: How would you answer those critics who say

that increased welfare benefits will only endow slackers or those people who are lazy and won't work?

Hale:

I don't think that's true under the Texas program at the present time. There is just not enough money in any state program to induce a person to avoid work simply to establish eligibility for benefits. The benefits simply aren't that large. I think that the programs we have in Texas are designed primarily for people who are not mentally or physically or educationally capable of making their way entirely, so the State moves in and supplements their earnings.

There are some areas of these programs, I'm sure, where there have been abuses. There will be abuses in any type of program designed to help people. There are abuses even in charitable organizations such as the United Fund and the Red Cross. You can frequently find people getting the benefit of those charities who really don't deserve it. But I don't think you can judge the program on the basis of the abuses. I think you have to judge the program in its overall context and its overall impact on the

community. In that sense I don't think the facts in your question have been true in Texas.

Marcello: What were your feelings with regard to the Legislature's passage of a state minimum wage law?

Hale: I voted for it. I have favored a state minimum wage law ever since I first came to the Legislature. In fact, in 1953 I was one of four on the Labor Committee who voted for a thirty-five cents an hour minimum wage bill, but it never got out of committee. It was a twenty-one member committee, and only four of us favored the bill. But we have come a long way since 1953.

I think the 1969 act was a necessary piece of legislation. Although limited in scope, not as broad as it should have been, nonetheless it was a real break-through in a political sense. It involved a recognition by the Legislature as the policy agency of the State of Texas that the State was going to see that people received certain minimum pay for personal services. I think the legislation was far more monumental in the sense of it being a political break-through in ideology than it was in the amount

of money that was directly involved in the minimum wage bill.

Marcello: What were some of the arguments that the opposition used in working against such a bill?

Hale: The biggest argument is always that we can't afford it--that such a law will do one of several things. It will put many marginal businesses out of business and thereby deprive many people of their only employment.

Another argument is that there are many people in the labor market who by disposition, ability, education, inclination, or other reason are simply not worth a minimum wage. Today, business employs many of these, recognizing that they are marginal workers, because business can pay them a marginal wage. If the State tells the business to pay a certain minimum wage, many of these marginal workers are not going to be employed. Business simply will not hire them. They will hire only those who business feels are capable of earning their way at the minimum wage level. That has to be one of the most persuasive arguments against a minimum wage law. I can see that it is probably valid in some areas.

To meet that argument, certain exceptions were written into the minimum wage law. One that obviously comes to your mind, I'm sure, as an educator is that of student employees. Many businesses employ students on a part-time basis or on Saturday or during the summertime, and many of these students they feel, are not capable of carrying the load of a full-time employee. They are short-term and never become full-time productive workers, therefore, the argument goes, students should not have to be paid the same wage that full-time workers receive. I think there is some merit in that. I know that I worked my way through school, and I didn't expect to get as much per hour as an employee who was working on a full-time basis. I wasn't making the per hour contribution in service that the regular employee was making. So there are exceptions written in the Act in an attempt to meet some of those objections.

Marcello: Who were some of the opponents of the minimum wage law? Would you care to mention any of them in the House?

Hale: I would be hesitant to do so because we're tapping this in October, 1970, whereas the legislative

battle occurred in the spring of 1969. After about eighteen to twenty months I'm just afraid to depend on my memory.

Marcello: There was also legislation passed which increased workman's compensation benefits. What were your feelings in regard to this legislation?

Hale: That was Senate Bill 64 and I voted for it. It was one of the few times in my eighteen years in the Legislature when I inserted in the House Journal a reason for my vote. I normally don't put a reason for a vote in the Journal. In this particular instance I did. I voted for the bill because it had the support of such a broad spectrum of the community. Senate Bill 64 was originally worked out through negotiations between representatives of the Texas Manufacturers Association, probably the largest and most effective organization of the business community, and the AFL-CIO, certainly by far the largest spokesman for the laboring people in Texas. Those two groups collaborated with the Texas Trial Lawyers Association, composed of members of the bar who handle personal injury litigation. These three lobby groups came up with this so-called compromise compen-

sation bill.

In view of the broad background behind it, I voted for the bill, but in the reason for vote which I inserted in the Journal, I stated that I had serious doubts as to whether or not it was a good piece of legislation. I say that for this reason. The administrative procedures for handling workman's compensation claims were drastically changed by the bill, in addition to raising compensation rates. It was these administrative changes that I feared. The objective, I believe, was to set up an administrative procedure which would eliminate lawyers from workman's compensation practice.

In a similar manner the U. S. Congress has practically eliminated lawyers from handling claims under the Federal Longshoremen and Harbor Workers Act, which is a Federal workman's compensation act. The administrative procedures used under the Longshoremen and Harbor Workers Act are such that attorneys simply won't handle the claims. It means that the injured workman is at the mercy of either the insurance company on the one hand or the administrator of the program--the government

administrator of the program--on the other.

If you have a government administrator who is liberally inclined toward the injured workman, the program will work fine, and the injured workman will be adequately cared for. If the administrator happens to be business-oriented, however, and not too sympathetic with the needs of the working people, he can make rulings that will harm the injured man and deny him benefits that he actually should have.

The Texas workman's comp program has stayed on an even keel in past years because lawyers were actively engaged in this field. If the workman didn't think he was getting a fair offer from the insurance company, he could go to his lawyer. Under the new procedure in Texas, as I say, modeled on the Federal Act, the lawyers will slowly be squeezed out. Then the injured workman is going to be almost entirely within the exclusive control of the government administrator and the insurance company. I think this is bad. I fear that it will result in the total destruction of workman's compensation as we know and have practiced it in Texas since it was first passed in the early 1900's.

Marcello: Let's move on to the field of education. What do you feel was the foremost legislation passed during this past session with regard to legislation? What do you think was the most important piece of legislation passed for education? I'm asking you for a personal opinion, of course.

Hale: Well, that would be extremely difficult to say. Every session of the Legislature a great many new laws are passed pertaining to education, both at the elementary and secondary level and also in the field of higher education. What could have been the most significant piece of education legislation in the history of Texas failed to pass. That was the bill which embodied the recommendation of the Governor's Committee on Public School Education. The Governor's Committee was created four years ago and spent more than three years in making a comprehensive study of public school education. The results of such study were embodied in a comprehensive and ably-written report. At the request of the Governor's Committee, I sponsored the Committee's proposals in the House of Representatives. Senator Schwartz of Galveston was asked to sponsor the recommendations

in the Senate. Had either the Senate bill or the House bill, embodying all the recommendations of the Governor's Committee, been enacted, it certainly would have been by far the most significant piece of education legislation for this session--or for any session as I see it.

However, there were many controversial areas in the report of the Governor's Committee. The opposition, being cumulative in nature, developed enough strength that we were not able to pass the bill. Many of the recommendations of the Governor's Committee in specific and limited areas were embodied in other bills which passed. So some of the recommendations are now law, but the broad package, which embodied a complete reorganization of elementary and secondary education, failed to pass and still remains as a challenge to the Legislature.

In the field of education, we did pass a number of things. I also sponsored a bill which passed and became law known as the Texas Education Code. The Texas Education Code embodies no new law. It is simply a recodification of a great mass of education law that had grown

like topsy in the last forty to fifty years. The code was originally written back in 1960. I introduced it in 1961. It passed in the House, but because of conflicts involving the Dallas Independent School District, Senator Aikin, who was then sponsoring the code in the Senate, decided not to pass it in the 1961 session. No efforts were made thereafter to revive this code until the Governor's Committee was studying the field of education, and one of its recommendations was for a complete recodification of all education laws. So the 1961 bill was brought up to date and passed. The only substantive change made in existing law as a result of this code was simply the elimination of conflicts, and there weren't very many of these. Other than that, the code was simply an attempt to make order out of chaos and to get all of the statutes pertaining to education in a usable form, so that a person could find the law without the mountain of research which was necessary prior to the passage of the code. I think it was a significant piece of legislation and a great step forward.

Marcello: There were some new schools established by the recent session of the Legislature. And, of course, among them was the establishment of a university in Corpus Christi. What would you like to tell us about that for the record?

Hale: Well, first let me correct you. The bill establishing a university in Corpus Christi failed to pass.

Marcello: You're right. I know that.

Hale: It did not secure final passage in the Legislature. There were several bills passed in the last session which created new institutions of higher learning. I'm not sure that I recall all of them, but I believe there were four. There was a bill which created a new institution in Dallas--we call it the University of Texas at Dallas. There was one in the Midland-Odessa area which is known as the University of Texas of the Permian Basin, and it was put under the University of Texas also. There was one created in San Antonio--the University of Texas at San Antonio--and let's see, I believe there was a fourth one at Arlington. There was an existing school at Arlington, and was made into a branch of the University

of Texas with a full four-year curriculum.

Marcello: How do you feel about the placing of all of these new colleges under the University of Texas System?

Hale: I did not oppose any of them in the last Legislature; however, I have some misgivings about the growing size of the University of Texas System. Possibly it's for the best. But I sometimes wonder if we might not be better off to have independent boards of regents for each of these institutions, with only a coordinating agency to control generally the areas in which each offers courses. But anyway the decision was made to make them branches of the University of Texas, so I presume that we will have to live with that, at least for the time being.

Marcello: What factors are responsible for the defeat of the bill to establish a university at Corpus Christi?

Hale: Probably several factors played a part in our inability to pass it. First, let me say that the use of the word defeat is probably incorrect, even though I may be quibbling over your terminology. The bill to creat a university

in Corpus Christi was never defeated. It simply did not pass. I introduced a bill in the House. Senator Bridges introduced a companion bill in the Senate. He was able to pass the Senate Bill in the Senate and get it over to the House, but real late in the session. I didn't have enough time to pass the Senate Bill in the House before sine die adjournment. By the same token, I passed the House Bill in the House, but again it was late in the session, and he didn't have time before sine die adjournment to pass the House Bill in the Senate. So we were in a rather odd and unique position of having an identical bill which had passed both Houses of the Legislature and yet which did not become law because of the parliamentary situation and the time factor at the end of the session. The main reason we didn't get the college created was the time element.

Why were we so late from a time standpoint? I think there the politics of the situation again came into play. The Speaker of the House, Mr. Mutscher, and the President of the Senate, Mr. Barnes, were both fairly well committed to other institutions and gave them

priority over a university in Corpus Christi. They arranged the calendars and manuevered the parlimentary situation so that these other college proposals came to floor debate and a vote prior to our bills. That resulted in it being late in the session in both the House and the Senate when we were able to get our bills up for consideration and debate. At such a late hour, the time element killed us. I have every hope and belief that we probably will create this university in Corpus Christi in the next session.

Marcello:

I was going to ask if you had any hope in the future and obviously you do. I'm not going to ask you about the establishment of all of these new schools, except one, of course, which is of particular interest to the people at North Texas. I would like to ask you about the establishment of the University of Texas at Dallas. Were you for or against that particular proposal?

Hale:

I voted for each of these new colleges, again with some degree of misgivings. The fact remains that we do need additional institutions of higher education in Texas. More and more students are going to college. I think we

should make the facilities available to them.

The Dallas situation was rather unique in that there was a private school in operation at this location. I think the big inducement to the establishment of this branch of the University in Dallas was the fact that these physical facilities--the plant, the land, and all of the equipment that was being used--were donated to the State as a part of the consideration to the State for taking over the operation of the school and making it an official state school. The same thing happened when the state took over the University of Houston in 1961, which was then a private operation. A tremendous plant was donated to the State at no cost in return for the State taking it over. The creation of the institution in Dallas, of course, was questioned by its close proximity to several other institutions of higher learning. In Denton you have North Texas State University and Texas Woman's University. In Commerce you have East Texas State University. You have the University of Texas at Arlington, which was taken over last session as a branch of the University of Texas. The school itself

had been in operation for many years as a branch of Texas A & M University. So I think of all of those that were created last time probably the least justifiable to me was the one in Dallas.

Marcello: While we are on the subject of education, what are your personal feelings in regard to the current unrest which has been plaguing some of the state's universities among the student population?

Hale: Obviously, there is lack of communication between the students and the administration of these institutions. I certainly think that steps should be taken to bridge this gap and to establish better lines of communication between administration and students. However, having said that, I must say that students are going to have to ultimately come to recognition of the fact that the administration is going to run the school--and not the students. We simply cannot tolerate on Texas campuses situations that have developed in other areas . . . in other educational institutions outside of Texas. I have in mind one or two in California and one or two in the North and East. I do not believe

that the people of Texas, I do not believe the Governor of Texas, I do not believe the Legislature of Texas--will stand idly by and allow what is obviously a small, articulate and vocal minority of students to create chaos on the campuses of our institutions.

My feeling is simply this: I think the students have a right to be heard; I think they have a right to present their view-points. When that's done, then I think the board of regents of each institution has the legal right and responsibility to make the final decision. Once that final decision is made in a democratic manner, I think the students ought to be American enough to abide by and live within the framework of that decision. For them to take the law in their own hands by rioting, by bombing, and by other acts of violence and unlawful conduct is simply destructive of the whole structure of democratic government. I think it jeopardizes not only our educational institutions, but also our whole concept of government of the people, by the people, and for the people. One essential concept of democratic government is that you try to get your view written into

law--but if you don't, then you live within the framework of whatever law is passed. I think students must come to that posture.

I personally feel that we spend too much money on these institutions of higher education to permit students to create anarchy. It costs a lot of money to educate a child and send him through college. We operate institutions for the benefit of the many students in Texas who want a college education. If there are those who go to college for the purpose of creating a new social framework, I say let's get them out of the colleges and let them fight their social battles somewhere other than on the college campuses. The colleges are there for education. If the student is not there for education, then I think he should get out.

Marcello:

Moving on to another subject. Would you care to mention two or three pieces of legislation which you personally sponsored during that regular session and which you think ought to be a part of our record.

Hale:

We've already mentioned two that I sponsored. House Bill 300 was a comprehensive bill embodying all recommendations for change in our public

school system recommended by the Governor's Committee on Public School Education. That bill of course, did not pass. As I said before, had it passed it would have been the most significant piece of school legislation in the history of Texas.

The other bill that we have already mentioned was the Texas Education Code which was a complete recodification of all our public school laws. I sponsored it in the House and Senator Aikin sponsored it in the Senate. It was passed, signed by the Governor, and is now the law. I think it to be significant only in a structural sense. It makes few substantive changes but does recodify all the laws and get them in more useable form.

There are other areas in which I was interested. I introduced some twenty-odd bills in the last session of Legislature. Most of them are of no historical significance. We mentioned the bill creating a state institution of higher learning here in Corpus Christi. I'm vitally interested in the organization, structure, and operation of our court system. I sponsored a bill in the last session which became known as

the "Omnibus Courts Bill" which created twenty-seven new district courts. This was an attempt to set up judicial machinery to meet a growing case load in Texas courts. The bill was passed and all of those courts are now in operation, most of which are in the urban areas where the need was more apparant. They will have beneficial effect in years to come.

As an outgrowth of the "Omnibus Courts Bill," I also introduced and passed in the House a simple resolution authorizing the Judiciary Committee of the House, of which I happen to be Chairman at this time, to conduct a study of the organization, structure, and operation, and procedures of the Texas judicial system. Pursuant to that resolution the judiciary committee conducted a series of hearings all over Texas. Starting in the city of Austin, we held hearings in Corpus Christi, San Antonio, Lubbock, El Paso, Dallas, Fort Worth, Houston, and then a final hearing back in Austin, all by sub-committees during the summer of 1970. A great mass of material was accumulated as a result of these hearings. That material is now being studied and analyzed by the staff, and by

me and by other committee members. We anticipate having meetings of the full committee in Austin later this fall. It is my hope that we will work out a report which will make comprehensive recommendations for massive changes in structure, organization, and procedure of the Judiciary in Texas. If we can do this--and pass it into law--we will have made a monumental contribution to the jurisprudence of Texas.

Another significant bill that I handled last session was one making massive changes in the Texas Liquor Control Act. Minute details of the many changes need not be discussed here. Suffice to say at this point that the bill grew out of a series of hearings held prior to the last session of the Legislature. It became apparant that there were many areas of liquor control where abuses were excessive. This bill was an attempt to close loopholes in the Liquor Control Act and make administration more effective. I think this was a significant piece of legislation even though there are probably few people who are aware of it. It had little impact on the public. It affects those who are primarily engaged in the liquor business.

Marcello: Well, there's nothing else that I wish to ask with regard to the regular session. If your voice is holding out, we can move on to the special sessions, perhaps. Of course, one of the big questions that came up during the first special session was the means of getting revenue in order to meet the appropriations which had been made. One of the first targets for new revenue was an increased tax on alcoholic beverages. What was your stand on this particular proposal? Were you in favor of extending the sales tax to beer? I think usually it was known as the beer tax.

Hale: I voted to extend the sales tax to cover alcoholic beverages, but it is not limited to beer. If you go into a package store and buy a fifth of whiskey, you will pay the state sales tax.

Beyond that I opposed any additional taxes on the alcoholic beverage industry. As a matter of fact, I led the fight against those portions of the tax bill and, by amendment was successful in changing it. For example, one of the tax proposals on which floor debate took place involved raising the state tax on distilled spirits.

I offered an amendment and was successful in deleting this proposal. Alcoholic beverages-- I think I'm correct in this--are the highest taxed items on the market today in the United States. Take whiskey, for example. The federal tax on whiskey, plus the Texas state tax on whiskey, amounts to about \$2.25 per fifth. Most whiskey is sold in fifths. This tax-- the total tax impact now--figures to about \$2.25 per fifth. If you are buying a fifth of whiskey that sells for \$4.50 or less, at least 50 per cent of the purchase price is tax. If you buy a more expensive whiskey then, of course, percentagewise the tax is a lesser percentage, since the tax is levied on a volume basis regardless of the price at which the whiskey is sold. Most whiskey sells for less than \$5.00 per fifth. I think that the tax is high enough on a product where 50 per cent of the total retail sales price is tax, a direct tax levy. I think such item is being taxed enough. In fact, I think it's being taxed too much. I don't think we should ever permit a tax to get that high.

Let's just apply that tax rate to something

else. Suppose, for instance, you wanted to buy an automobile. If we put a tax on automobiles comparable to the tax on whiskey, instead of paying \$3,000 for a Chevrolet, you'd probably be paying about \$5,000. Similarly for a Ford or a Plymouth. Such tax is out of all reason and logic, and that is why I opposed any increase.

I did support, however, putting all alcoholic beverages under the general sales tax.

Marcello: What were your reasons for this other than the fact, of course, that it would raise additional revenue?

Hale: My biggest motivation was the fact that it would raise additional revenue. Beyond that, it would appear to the public that we're giving the alcoholic beverage industry a peculiar advantage by exempting it from a tax that applies to everything else. The general sales tax is really not a tax on the product itself; it's a tax on the transfer of title of personal property that's being sold. In all other areas it is superimposed on top of whatever other taxes are levied on a commodity, with the exception of gasoline. So I felt that there was logic in

the argument that alcoholic beverages should not be exempt from this tax. Now it will be treated like every other item. You go into a store now and you pay so much for the item, plus an additional amount for the tax. You must pay a little tax every time, but it's not a part of the purchase price.

Marcello: Homer Leonard, of course, was rather active in this past session, and as the chief lobbyist for the brewing industry of the state, he was opposed to the extension of the sales tax to beer. Did you in any way ever have any dealings with him? Did he contact you about your particular position? I assume that if your position was firm one way or the other, there wasn't much contact which would occur between a legislator and a lobbyist.

Hale: I know Mr. Leonard well. I served with him one term when he was in the Legislature. He is a very competent and able man and a very fine gentleman. You'll find that practically all of the representatives of various trade associations in Austin are men of that caliber.

Marcello: I'm really glad you're putting this in your record, because I think many people have the

wrong impression or the wrong idea with regard to lobbying and lobbyists.

Hale:

Most of these trade associations are well financed. They have sufficient money to hire the best. They do hire the best that's available, and as a result they have very able, competent and outstanding men as representatives or lobbyists. Mr. Leonard is certainly in that category. I had many contacts with him during the past session as I did with representatives of all trade associations. I probably have as many contacts with the lobby groups, I suppose, as any other member of the House, primarily because I'm a very active member. I get involved in a lot of things. As a result, it brings me to their attention, and they contact me.

Mr. Leonard never indicated to me that he had any strong opposition to covering the alcoholic beverage industry under the general sales tax. He was adamantly against increasing any of the direct taxes on the alcoholic beverage industry, Mr. Leonard's interest, of course, being primarily beer rather than distilled spirits. Other trade representatives

represent that segment of the industry. He didn't give us any encouragement to put beer under the general sales tax, but at the same time he always took the position that if an additional tax must be levied on the alcoholic beverage industry, the general sales tax would be the least objectionable as far as the industry itself was concerned.

Marcello: Why was that?

Hale: Well, I think primarily because it's a direct tax on the consumer and not on the industry. They would not have to take it into account in setting price or in any of their accounting procedures. It's just superimposed at the retail level where the retailer collects this additional money and transmits it to the State of Texas. I think that strictly from an accounting and procedural standpoint they felt that it would be the easiest in its impact on the industry.

Marcello: What sort of ties exist or existed during the last session between Mr. Leonard and Speaker of the House Mutscher?

Hale: Mr. Mutscher and Mr. Leonard are good friends. I assume that Mr. Mutscher is friendly with all

of the representatives of trade associations there appear before the Legislature. Obviously all of them tried to stay in the friendship and good graces of the leadership in both the House and the Senate. Mr. Mutscher represents a district southeast of Austin which is German and Bohemian in its background. Beer and alcoholic beverages are pretty much a way of life in his area. Consequently, Mr. Mutscher has been disposed to be very friendly with the alcoholic beverage industry throughout his career in the Legislature, and very logically so.

I think that much of the criticism that was leveled at Mr. Mutscher during the last session in the tax fight was certainly not justified. I think that he did no more than what any other representative would or should have done representing the type of district which he did. He felt that taxes on the alcoholic beverage industry were probably as high as they should be consistent with the general tax structure of Texas, and he was quite frank in stating such as his view. I feel that a representative is entitled to take such a

position. I think a lot of the criticism directed at him was not justified. Certainly there was no justification in the accusation made once or twice that Mr. Leonard was telling Mr. Mutscher what to put in the tax bill and was dictating to him how to run the House. Any such accusation was simply based on total ignorance by the person making the accusation. Politics simply doesn't work that way.

Marcello: While the controversy was going on with regard to the inclusion of beer under the general sales tax, there were people, especially in the Senate, who were proposing the inclusion of food under the sales tax. I'm not positive if this reached a vote in the House or not. It never did, did it?

Hale: I don't believe it ever reached a vote in the House.

Marcello: Had it reached a vote in the House, how would you have voted?

Hale: I would have voted no.

Marcello: For what reason?

Hale: I have consistently opposed the general sales tax. I was in the Legislature for the first time in 1939 when W. Leo Daniel proposed his

infamous transactions tax which was nothing more than a glorified sales tax. I was one of fifty-six members of the House who were successful in defeating that in 1939. In 1961, I was in the House when the first general sales tax was passed in Texas. I voted against it. I was in the House when the Legislature authorized the city sales tax. I voted no on that. I have consistently opposed the general sales tax as a principal means of raising revenue in the state. I feel that it is regressive in its ultimate incidence on the taxpayer, that is to say, the person least able to pay is the one on whom the heaviest burden falls under the general sales tax.

To lessen the incidence of the tax and the undue burden that it causes on the extreme low income groups, we have written exceptions into the law. I say we, meaning primarily those who were opposed to it. Our theory was, if it passed, we wanted to get it in as good shape as possible. So we wrote an exception for food, an exception for medicine, and an exception for work clothing. Work clothing, medicine, and food, and also farm implements.

I wasn't particularly for the farm implement exemption; that was a little political maneuver. But the food, work clothing, and medicine exemptions were designed to lessen the impact of the general sales tax upon the economically impoverished people, those in the low income groups. To remove those exemptions now would be to increase greatly the tax burden on the people least able to pay. For that reason I opposed it.

Marcello:

Well, apparently one of the reasons that Ben Barnes went along with the placing of food under the sales tax was because he had been assured by his people in the Senate and apparently also by Mutscher that such a bill could pass the House. Do you know anything about this, or do you have any opinion with regard to this particular line of thought?

Hale:

No. I heard the rumor during the Legislature that there was a deal between Mutscher and Barnes and their advisors. However, I seriously doubt that it was more than just a rumor. I make no claim to being the closest member of the House to Gus Mutscher. He has several members on whom he depended more heavily than he

does me. But I was fairly close to him. I think I was close enough to him and worked close enough with him, being chairman of one of his key committees, that had there been any such understanding I would have known about it. I didn't know anything about any such understanding, and I seriously doubt that there was any such understanding. I suspect what may have happened was that Barnes probably called over there and told Gus his tax package would include the tax on groceries. I know Barnes was in constant touch with Mutscher. He probably asked Gus at one time, "If we get this package set up and it passes in the Senate, do you think you can get it through the House?" And Gus probably took a look at it and said, "Well, I think maybe, hopefully, we could. We'll try." And that's probably the type of conversation that gave rise to the rumor that there was a deal. I doubt there was a deal. I don't think there was. I think I would have known about it had there been.

Marcello:

From the benefit of hindsight I think we could possibly say that this certainly was going to be a controversial measure any way you look at

it. Why do you think that a politician like Ben Barnes would have gotten behind such a controversial issue? Do you think that things were getting so desperate perhaps that everybody was trying to grasp at any possible solution with regard to raising revenue by this time?

I assume that the longer these special sessions went on, perhaps, the less in quality the tax bill became as people were getting tired and so on. Maybe I'm not making myself very clear.

Hale:

You're making yourself clear; I just don't quite know how to answer your question. I would say that the lobby groups have, I guess, as much influence in the field of taxation as they have in other fields. In this area, as a matter of general principal, they are usually working together. Governor Smith, in his recommendation for a tax on the petro-chemical industry, was trying to use the technique of divide and conquer. He was trying to get the business lobby groups to quarreling with each other over who was going to pay the tax and thereby weaken their overall influence as to the total composition of the final tax bill. But by and large, these lobby groups are of

one mind in the field of taxation. They do not want any more taxes on business. If more taxes are levied, they want direct consumer taxes. So that I strongly suspect that probably what developed in the Senate was a concentration of lobby effort to minimize the amount of business taxes. And one of the ways to avoid business taxes was to bring food under the general sales tax, because there's no doubt this would be a large revenue producer. If any understandings were had, it was probably between the leadership in the Senate and the lobby groups, rather than between the Senate leadership and the House leadership. Mutscher was publically trying to avoid any increases, direct increases, of taxes on alcoholic beverages. To that extent he was in a trading mood and willing to accept other alternatives. Barnes was probably taking a calculated risk on the political impact of the food proposal. In return gained the favor of the business lobby groups by supporting it in the Senate.

Marcello: Well, finally, of course, the Legislature did pass a compromise tax bill. I think it was one which was proposed by Senator Ralph Hall.

What were your feelings with regard to this compromise measure? I think one of the most important parts in that tax bill was the destination tax. Wasn't that one of the most important parts of it?

Hale: That was one of the big selling points on the tax bill, and that's probably going to be a rather hollow victory. The Attorney General, I believe, has held that they cannot collect that tax for some reason which I'm not informed about at this time. It was a big part of the tax package whereby the incidence of the tax would fall on those outside the state of Texas. And that was a big selling point on final passage.

Marcello: Did you personally favor the bill?

Hale: As I recall, and again we're looking back about eighteen months, I think I voted for the final tax bill.

Marcello: Well, let me go on then and ask you some general questions with regard to the events that have happened in Texas during the past year. Many people have been talking about a so-called "Taxpayer's Revolt." Do you think there is such a thing going on in the State of Texas now? Do

you give much credence to this idea that there is a "Taxpayer's Revolt"?

Hale:

No. I do not give credence to such an idea.

I see no evidence of a taxpayer's revolt. Quite the contrary, it occurs to me, and this is one of the most discouraging things about public service, that 99 per cent of the people don't know what's going on in government and don't care. Even in the field of taxation that's true. The housewife or the little businessman or the worker, when he goes to buy something and has to pay a tax, will gripe and grumble. But fifteen minutes later he's forgotten about it. He's gone on to something else. I do not think we are anywhere nearly approaching a taxpayer's revolt in the State of Texas.

Marcello:

In trying to come up with a revenue bill, it is quite obvious, of course, that there was quite a bit of bickering infighting, maneuvering, whichever you wish to call it, in the Legislature during the regular and the special session. How do you feel that this bickering and so on which went on has affected the status of the Legislature with the people in Texas? Do you think it's diminished any as a result

of the battles which occurred there during the past session?

Hale:

I seriously doubt that the Legislature gains or loses much of its public image by reason of tax fights. I think the public, to the extent they are aware of what's going on, are conditioned to the fact that taxes are unpopular and that any tax bill of any magnitude is going to result in controversy. I think this controversy within the Legislature is the expected norm in the eyes of most observers of state government.

I do think that the overall public image which the Legislature has created through the years is not a very favorable one. The people of Texas do not think too highly of the Legislature. And again, I think this presents certain ironies. If you ask the average person on the street in Corpus Christi what he thinks of State Representative DeWitt Hale, I'm conceited enough to think that most of them, even people who are politically opposed to me, would speak highly of me as an individual and as an effective member of the Legislature. Yet that same person, if you ask him what he thinks about

the Texas Legislature, he'll say well, "It's just a bunch of crooks and nitwits up there." I think you'll find throughout Texas that the people generally respect and look up to the individual members of the Legislature with whom they're acquainted, but they think that as a group it's rotten and corrupt.

It's the same type of public image that lawyers have. The State Bar of Texas financed an independent statewide poll to find out what the people thought about the legal profession. Nearly everybody interviewed thought that their personal lawyer was an outstanding leader in the community, and they looked up to him and respected him. But the legal profession, as a collective entity, was regarded with disdain, suspicion, and distrust. The same type of public attitude prevails toward the Legislature. I think the public generally looks up to and respects the individual legislator but regards the whole group with distrust.

Marcello: How do you explain defeat of the referendum which called for increased legislative salaries within the past year? Do you think this was indicative of the people's discontent with the

State Legislature? There was a referendum calling for increased legislative salaries, and it was defeated.

Hale: I think it came too soon after the preceding election. Higher pay for the Legislature was also submitted in the preceding general election, and it came within a few hundred votes of passing. We probably made a mistake in resubmitting the question again as quickly as we did. There will be an effort made early in the 1971 session to pass a constitutional amendment and set a special election early next spring to give the people another opportunity to raise the pay of legislators. In the meantime a lot of groundwork has been laid in publicizing the problems confronting the Legislature and the need for more pay to make the Legislature more effective. We hope and believe that this groundwork has resulted in educating the people to the need for an increase in pay.

Marcello: Likewise, how would you explain the defeat of the constitutional amendment calling for annual sessions of the Legislature?

Hale: I think you can go back to the business lobby

for the defeat of that one. The business lobby does not want the Legislature in session every year. In fact, they'd be tickled to death if the Legislature never met. So they take a real dim view on annual sessions. As a result of that attitude, the various trade organizations will spend considerable money to defeat a constitutional amendment for annual sessions. And if you have some money to spend, it's easy enough to defeat a constitutional amendment. The public tends to oppose change. You exploit this natural tendency if you're against an amendment. It's much easier to kill one than to pass one. I think the lobby groups are primarily due the credit, or the blame, depending on your point of view, for killing annual sessions of the Legislature.

Marcello: How would you assess Preston Smith's first term as Governor? Give me some candid opinions with regard to his first term as Governor.

Hale: Well, first let me say that Preston is a personal friend of mine. I served with him as a member of the Legislature for several years. I served in the Legislature when he was Lieutenant Governor. And, of course, I served in

the Legislature this last session while he's been Governor. Preston is a rather retiring type of personality. He is not the typical public image of a politician. He is not a dynamic and forceful speaker or leader. He lacks many of the qualities that you normally associate with dramatic and outstanding leadership. With those handicaps, a rather introvert nature and poorly endowed with many of the characteristics of leadership, I think he's done a fairly good job. Preston will never be one of the most effective governors of Texas. In the sense of providing leadership and in the context of being able to get his ideas enacted into law, Preston has been a very weak governor.

Marcello: You'd say then, as far as leadership is concerned, he didn't provide the leadership that was necessary during the past session of the Legislature to get a tax bill passed?

Hale: He certainly is not a forceful leader in the Jimmy Allred, Allan Shivers, John Connally mold of aggressive, dynamic and forceful leadership. He never will be, because he's weak in the areas that make a forceful leadership possible. I would say, on balance, that you

could rate his first two years as governor as a holding operation. He just barely did a fair job; and when you said that, you've about said it.

Marcello: How would you assess Gus Mutscher's first term as Speaker of the House of Representatives? Here again I think you've worked perhaps more closely with Mutscher than Smith.

Hale: I think Gus has done a pretty outstanding job as Speaker. Keep in mind that the role of Speaker is far different from the role of Governor. The attributes that make possible a strong and forceful governor are not the same that make possible a strong and forceful speaker. Recognizing those differences, I think Gus has been a fairly strong Speaker. I think he is strong in the Ben Barnes mold. Barnes was a very strong and effective speaker. He had the capacity for building a position of strength on the basis of his personality and his leadership rather than upon the power of the position itself. Some speakers have been strong speakers in the sense that they arbitrarily banged the gavel, ignored the rules, and tried to run roughshod over any opposition.

Neither Barnes nor Mutscher was of this type. Both Barnes and Mutscher were pretty much in command, yet they did it without really ruffling any feathers or making anybody mad. They would do it by their ability to find the common ground, to reconcile the differences, and by the force of their personality to lead the membership in the direction they wished. In that sense I think both demonstrated outstanding capacity for leadership. This technique is not necessarily going to apply to the Governor's office because it's a different ball game when you talk about leadership in the Governor's office.

Marcello: How would you assess Ben Barnes political future?

Hale: I think it has unlimited possibilities. I think he'll win whatever office he seeks.

Marcello: Why do you say that or why do you think that?

Hale: Well, Ben is a young fellow. He has made a tremendous impact on politics in Texas considering his tender age. I don't know of anyone his age that has built the position of strength he has--with the possible exception of Jimmy Allred in the 1930's. You would have to go

back to Jimmy Allred to find anyone in his early thirties that had the position of strength that Barnes has today. And if Barnes is elected Governor two years from now, it's my recollection that he would take the oath as Governor at a younger age than Jimmy Allred did. I think Jimmy Allred was thirty-five when he became Governor. And Barnes, I think, if he becomes Governor two years from now, will not have reached his thirty-fifth birthday. Or if he goes for the United States Senate, he'll certainly be one of the youngest ever to represent the State of Texas in the U. S. Senate.

Marcello: How do you think he would fare in a campaign against John Tower?

Hale: I think he can beat Tower. I think he can beat anybody in sight for governor. It depends upon which direction he wants to move. Barnes is unique. He's the nice young fellow who lives next door, with a friendly disposition and an ability to meet the people and win friends rapidly. He has an inborn natural ability to rally people to him, to work with them and to find a common cause. He is able to recognize his own limitations. He is smart enough to

surround himself with people who can supply the abilities and knowledge which he personally lacks. That in itself demonstrates a capacity for leadership. When you combine all of those things, I think you explain why Barnes has been so successful in the field of politics. Unless he makes some real bad mistakes in the next session of the Legislature, I think his chances are extremely favorable to win whatever office he seeks two years from now, either Governor or U. S. Senator. I assume it will be one or the other.

Marcello: Looking into the future just a little way, some people have said that most of the problems which will be facing the State of Texas can be described as those of an urban or rural nature. Do you feel that this is true, that most of the difficulties and most of the controversies which will arise in Texas will be more or less urban-rural in nature? Do you think that this is perhaps a fair assessment?

Hale: Do you mean in the sense of rural versus urban?

Marcello: Right.

Hale: I don't know that I necessarily agree with that. A lot of our problems are common to

both areas. We do have some issues in the Legislature which divide along the country boy-city boy line. I think there's less of that as the years go by. I think there will be less of it in 1973 and later, after the redistricting which we'll have to do this next session of the Legislature, based on the 1970 census figures.

Marcello: I was going to ask you about the one-man, one-vote ruling.

Hale: Redistricting will result again in a shift of a number of seats in the Legislature from rural areas into urban areas. And probably for the first time in the history of Texas urban areas will gain a majority vote in both the House and Senate. But you'll find on most issues that all the urban representatives don't vote alike, and on same issues all the rural representatives don't vote alike. The lines just simply aren't that clear-cut. The key factor is usually not the urban-rural division but some other basis or reason which causes members to vote as they do.

Marcello: How do you think the one-man, one-vote ruling is going to affect the Legislature during the

coming years? And what exactly is your opinion of the one-man, one-vote ruling of the Supreme Court?

Hale:

Anyone who really believes in the theory on which our government is founded, that it is a representative democracy, is going to have to admit that the only fair way of selecting representation is on the basis of the population. So I have no quarrel with one-man, one-vote in principal. I do have a quarrel with the way it was achieved. I have strong feelings that the federal judiciary has become a rather omnipotent and all-powerful arm of government which is going into many areas and many fields of activity far beyond the scope of its jurisdiction. I do not think that the federal courts should write laws or make policies. I think the policies should be decided in the legislative arena and not in the judicial arena. So that while I believe in the result which has been achieved, one-man, one-vote, I take great issue in the way it was brought about.

Taking that one step forward, we in Texas have complied with the one-man, one-vote concept.

Our last redistricting bill apportions the House seats and the Senate seats fairly well along those lines. Yet it's been challenged in the federal courts on the grounds that we have too much deviation. This, I think, is ridiculous. As long as we're within 10 or 15 per cent, I just don't think it's practical to slice the mathematical aspect of this problem any thinner.

I think the biggest single problem in the field of redistricting that now confronts us is this pending case before the U. S. Supreme Court as to whether or not multimember districts are permissible within the framework of the rules that the court has laid down for following the one-man, one-vote concept. Here in Texas we have a great many legislative districts which are multimember districts. If we have to go to single member districts, it will have a drastic impact on the Legislature. For example, the district I represent is composed of Nueces and Kleberg counties, constituting one legislative district. The population of that district is sufficient under the 1960 census that the two-county district is entitled to four repre-

sentatives. So there are four of us who represent Nueces and Kleberg counties. Each of the four runs throughout both of the two counties. If we are required to go to single member districts, we must take Nueces and Kleberg counties and fragment those counties into four separate little districts. Then each of those districts would elect one state representative. I think the results of such fragmentation will be bad for the State of Texas. It means that the unity and strength of an urban delegation is lost. Each representative will be narrowly concerned with the problems of his little area. And it'll be even worse in places like Harris County, Dallas County or Bexar County. Harris County this time will probably be entitled to twenty-three, twenty-four, or maybe twenty-five state representatives. If you fragment Harris County into twenty-four or twenty-five separate little districts, you return to all of the bad aspects of ward politics. Now they work pretty much as a unit because they represent a large area with certain common goals and common objectives. So I think it will be a change for the worse in

Texas if the Supreme Court of the United States
by judicial edict rewrites the law again and
says we have to have single member districts.