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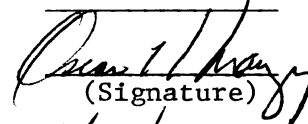
Interview with
SENATOR OSCAR MAUZY
February 19, 1982

Place of Interview: Dallas, Texas

Interviewer: R. E. Marcello

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Oral History Collection

Senator Oscar Mauzy

Interviewer: Dr. Ronald E. Marcello

Place of Interview: Dallas, Texas

Date: February 19, 1982

Dr. Marcello: This is Ron Marcello interviewing Senator Oscar Mauzy for the North Texas State Oral History Collection. The interview is taking place on February 19, 1982, in Dallas, Texas. I'm interviewing Senator Mauzy in order to get his reminiscences and experiences and impressions while he was a member of the 67th Texas Legislature.

Senator Mauzy, to begin this interview, let me ask you a few general questions before we get into the specifics of legislative session. What was it like to serve in a Senate without Patman, Clower, and Schwartz this time?

Senator Mauzy: Well, it was a delight to serve without Patman. I miss Schwartz a great deal, as I did Clower, and Gene Jones from Houston. Gene has been a very, very valuable member of the Senate.

Dr. Marcello: How was the activities of the Senate affected by the reduction of what I would consider the number of "libs" there from twelve to about eight?

Senator Mauzy: It made it much more difficult for those of us who had survived, frankly. A number of us met before the session started and agreed on as much strategy as we could at

that point in time--to, in effect, try to stay together on as much as we could, get eleven votes. We were going to be playing defense again all session, We knew that. It was particularly important that we held those meetings before the session started because we had a number of new members coming in. Kent Caperton beat Bill Moore, and he was a very valuable member for us, Bob Glasgow replaced Tom Creighton, and we had been led to believe that he would with us most of the time. It turned out that that wasn't so. But that was the strategy that we agreed on early.

Marcello: Were there any carry-overs with regard to the "Killer Bees" affair during the last session? In other words, did any repercussions of that carry over into the 67th Session?

Mauzy: No, just as I thought it would not, I did not anticipate, truthfully, Schwartz and Jones losing. Just before the election, I did anticipate that Clower was going to lose. The same situation never arose where...I think we taught the lieutenant governor and his crowd a little lesson on the rules where if they were going to try to run over us and there was something we had eleven votes on, they weren't going to let us get into a position to pull the quorum bust again.

Marcello: Did you ever see the lieutenant governor...did he ever indicate that he hadn't forgotten about the "Killer Bees" affair in the 67th Session?

Mauzy: Yes, there were a couple of things that he said and did at one

time or another where obviously he had gotten his feelings hurt by it all, but it didn't carry over very much. I don't think Hobby is a vindictive or a vengeful man. Really, we caught more hell from Clements and from his new Republican running mates over there in the Senate than we did from Hobby.

Marcello: Do you want to elaborate on that a little bit? You mentioned his Republican running mates over in the Senate,

Mauzy: Well, of course, Dee Travis claimed that that was one of the things that he beat Clower with. I don't agree with that, but, nonetheless, he did so he was always trying to gig. John Leedom is another "turkey" that,..anything that he can think of to try to and gig you with, he is going to, and he would bring it up from time to time. He would imply that he and the governor had just been talking about it the other day, and that was the reason Schwartz and Jones and Clower didn't come back, and that would be the reason I wouldn't come back if I didn't mend my ways.

Marcello: Do you think that the Reagan landslide in the Dallas-Fort Worth area had a lot to do with people like Leedom and Travis being elected?

Mauzy: Yes, I do. I really thought that Kessler was going to beat Leedom, but it just didn't work out. I think the Reagan coattails were more responsible, truthfully, for Travis beating Clower than it was Leedom beating Kessler.

Marcello: During the 67th Session, you evidently decided to switch from the chairmanship of the Education Committee to the chairmanship on the Jurisprudence. Why was that?

Mauzy: I was told by the lieutenant governor that that was what he was going to do. In fact, shortly after the election and before the session started, he called and asked me if I could come to Austin to meet with him--that was probably a week after the elections--to talk about the committees. I thought at the time, "Well, something is fixing to happen here." I did not request the change, but he asked me to do it basically for three reasons: he wanted me on that committee because he knew what my position was on initiative and referendum; he wanted me on there because he knew what my position was on abortion; and also he wanted me on that committee because he knew what my position was on wiretapping. He thought that I could help him, and he agreed with me on all these three issues. He thought that I could...well, frankly, that I had the balls on me to stand up and be his "hit man" on all those things--which I considered a compliment, by the way.

Marcello: Of course, the Education Committee is always important, but, like you point out, the Jurisprudence Committee was going to be dealing with some pretty tough issues this time around.

Mauzy: Well, that plus the fact that, you see, we have finally adopted the idea of funding the public school system through the appropriation bill rather than having to write a massive

school finance bill every year. Consequently, it would not take as much time and effort to handle public school financing as it had in the past. This is something that took us ten years to finally do, but we finally did it, thank goodness.

Marcello: Okay, let's talk about some of the issues that came up before the Jurisprudence Committee, and one of the things you mentioned was initiative-referendum. First of all, I would like to know exactly what your position was on initiative-referendum and why.

Mauzy: I'm opposed to initiative and referendum because I think it is utterly unnecessary. We have initiative and referendum right now in the state of Texas. There isn't a city charter that I know anything about that doesn't provide for initiative and referendum, and I think it is all political demagoguery on the part of Clements and the people that are preaching it. Philosophically, I certainly have no problem with the people being as involved as they possibly can be in the public's business. But I think initiative and referendum has been used by demagogues like Bill Clements and Walter Mengden and other people who just think it is a way to whip up public opinion. Hobby knew that that was my position, and I had voted against it many times in the past as a member of the Jurisprudence Committee. He knew that I would schedule it at a time only after I had my five votes to make sure it didn't get out of there, which I subsequently did.

- Marcello: Comment on this statement: "Initiative-referendum has never lived up to its expectations,"
- Mauzy: I don't know who said it, so I don't know what their expectations were. As I say, I just don't think it is necessary today in Texas because we have already got it. We have a form of even lawmaking authority in that constitutional amendments have to be submitted from the Legislature to the people for ratification, so I just think it is something we can do without.
- Marcello: How important do you really think it was on Clements's wish list of the things he wanted in this legislative session?
- Mauzy: Oh, it obviously wasn't important to him at all. He had learned in the 1979 session that he wasn't going to get it, and Walter Mengden used to cry on my shoulder all the time about how that damn fool Clements had walked off and left him, that he wasn't ready for it and that he wasn't pushing it and all this--all of which is true. I think he intended to use it just as a campaign issue so he would have something to run on again this year.
- Marcello: As I recall, he did say a great deal about it at the beginning of the legislative session, but as the session rolled on, it seemed to me as though it virtually disappeared as an issue, so far as he was concerned.
- Mauzy: That's right. He quit talking about it, and if he had've really been serious about it, he would have sent someone over

there or come over himself to testify for it, none of which he did.

Marcello: What role did Waggoner Carr and the so-called "Texas Thirteen" play in the debates on initiative-referendum?

Mauzy: They appeared before the committee and presented their side of the argument as well as it can be presented. I have a great deal of personal respect for Waggoner Carr individually, and his intelligence and his ability to articulate the points he believes in. The group he put together has become something of an effective lobbying force as well as a fund-raising force for people.

Marcello: What kind of feedback were you receiving on initiative-referendum from the corporate lobbyists? I'm referring now to such people as Jim Nance.

Mauzy: As a practical matter, his law partners tell me he has retired from the practice of the law as a practical matter. This is the only thing he had got left to keep him on the payroll and getting to come to Austin. He likes to hang around the Legislature; he had done it for years. Jim just wears himself and everybody else out. He is insufferable on the subject truthfully because the arguments that he makes are the kind that would cause me to vote for it. It was really difficult for me to be civil to the guy. I told him early, I said, "Jim, it is not going to get out of committee. I'm going to take care of it." But he would just keep coming around every week, every week, every

week.

Marcello: What arguments did he put forward to oppose initiative-referendum?

Mauzy: Oh, my God, he wrote about a hundred-page brief where he analyzed every state that had any form of it and what the results had been. Really, as I say, it is his only reason for existence these days.

Marcello: Why was business so opposed to initiative-referendum?

Mauzy: Oh, I think for the reason that they could see the AFL-CIO being successful in circulating petitions and calling for a corporate excess profits tax on the ballot, and if they ever got it on the ballot, it would damn sure pass.

Marcello: What role did Clements's lobbyist play on this issue? I'm referring to Bob Close.

Mauzy: None! I never saw the guy. I know who Bob Close is, but he never appeared before the committee, and he never contacted me or anything else. So as far as I can determine, neither Clements nor Bob Close nor anybody on his staff played any role.

Marcello: Okay, so again, briefly discuss exactly what happens to initiative-referendum when it comes to your committee.

Mauzy: We set it down for hearings, after I had my votes committed to vote with me, to send it to subcommittee for further study. Once I get those votes committed, then I set it for hearings and give everybody as much notice as they want. I tell them, "Let's

sit down and agree--the proponents and the opponents--on how long this hearing is going to last, How much time are you going to need to put your case on fully and fairly?" That is what we did this time. We set aside one afternoon, four hours, and this was all done by agreement between Walter Mengden and,,I guess Parker was the one leading the charge against it on the committee. So I handled it the only way I know how to handle things like that, which is get the two antagonists together and agree on a set of rules that everybody can live by and will be fair to both of them, and that is what we did.

Marcello: Now another one of the important issues that you mentioned as being one of the reasons for the lieutenant governor putting you on that committee was the issue of abortion. Again, let's start the same way with this. What exactly is your own personal position and feelings with regard to abortion?

Mauzy: My feeling and position is that the Supreme Court of the United States correctly decided in Rowe vs. Wade and that there is no legislation necessary or needed or in the public interest for dealing with this subject. I'm perfectly happy with what the Supreme Court wrote nine years ago. I continue to think that they correctly stated the law; they correctly protected the constitutional rights of every citizen of this country. So I just don't think we needed to do anything about it anymore,

I acknowledge that others feel very strongly on this subject,

I must say that the proponents of the state regulation of abortion were more "far out" and radical this time than I've ever seen before. In the past three sessions, I guess, mine has always been the swing vote on the committee as to whether to pass it out or kill it--any form of it. But this time, those folks really got very ugly. For example, both during the hearing, which was an extended hearing, and afterwards, they would just really personally attack the integrity of anybody on that committee that didn't agree with them. They went so far as...after the committee hearing was completed and we sent the bill to subcommittee, they circulated petitions with...I remember specifically that they did this to Bob Glasgow from Stephenville and Kent Caperton from Bryan. They circulated petitions around and printed their picture on there and said, "This member of the Senate is a baby killer." This was some pretty stout stuff, and they hung them up in various church lobbies around. There was a guy named Howze, who was a doctor in Austin and who came down and testified for the committee, and he was as "off the wall" as anybody I have ever seen. It was a very emotional and misguided, in my opinion, attempt to try to equate people who didn't agree with their position as being murderers. This is something I resent very much.

Marcello: Awhile ago, you used the term "they" in referring to these people. Was there a specific group or organization that was leading this charge?

Mauzy: Yes, there were a couple. One was called the Right To Life Committee, and it identifies with the national crowd in Washington on this. There was another crowd from Houston. I have forgotten what their title was, but these were really vitriolic, vicious people.

On the other hand, I must say that my side of the argument was better represented and better prepared this time to come and defend that position than they ever have been in the past. We produced, I thought, a very outstanding hearing on the subject, where the matter was fully aired, and I think the respective points of view were presented as well as they can be under those circumstances.

Marcello: What role does the Moral Majority play in this? Again, I'm referring to this particular issue before your committee.

Mauzy: Some of the people that identify with them came down--some of the extreme, right-wing, evangelical, Protestant-type preachers primarily. That "great American civic leader," Cullen Davis, for example, he and his wife had to come down and give us their expert views on the subject. Of course, they came with all those pictures, like they always do, and what I remember specifically about this guy Howze was that he really made some "far out" allegations.

John Leedom had a bill in,,,see, what we did, we heard all the bills relating to abortion on the same day. That is the reason it took so long. I have forgotten exactly what

Leedom's bill did, but it was something to the effect that medical doctors and teaching medical schools could not use an unborn fetus for any scientific purpose or something, and they made the flat allegation that there were two medical schools in California where they deliberately aborted women without their notice or consent just for the purpose of having some unborn fetuses to preserve in formaldehyde and use to experiment with it--that it was genetic experimentation. I mean, it was some of this weird stuff. It developed that they were not correct; it had not happened. But that was the kind of thing that you would have to expect to listen to.

Marcello: I know that way back yonder in past legislative sessions, whenever the Equal Rights Amendment and things like that were debated, the so-called "pink ladies" would appear. Were they involved in the abortion issue and so on, or didn't you see them this time around?

Mauzy: I'm sure that some of the same people were involved, but they weren't in their uniforms this time anyway.

Marcello: Okay, let's talk about the third issue that you mentioned awhile ago, and that was in part responsible for you being given the chairmanship of that committee. Let's talk about the law and order issues. Again, first of all, let's take a wide approach, and I just want you to give me your opinions with regard to so-called law and order issues. Generalize at this stage, if you will.

Mauzy: Okay, Most of the things that Clements put in his so-called law and order package are ideas that have been introduced by various members from time to time year after year after year. There really was not one single new idea in the whole subject. It followed a basic course, and some of it I agreed with and voted for, for example, increasing the severity of punishment on people who physically assault either children on the one hand or older people or handicapped people on the other. That was something a lot of us have been talking about and trying to do something about for a long time. Bill Clements didn't originate that idea.

Some of the other things,..I don't remember what all was on that checklist of his, but, if I can remember, there was eleven bills in that package that he sent up, and I wound up voting for seven or eight of them because there were things that I think anybody who believes in effective law enforcement and crime control can and should support. My point is, though, that he wasn't the first one to think of all of this. The new wrinkle that they came in with was a so-called "war on drugs" thing, and some of those bills I did not support, and could not.

The triple prescription bill, for example, I think, is just unconstitutional on the face of it, and I tried to point that out to those folks and suggest a way that they could accomplish what it was they were,..their purpose was notable and something that I support, too. If there is some doctor

out here prescribing illegal drugs to people and making a profit off of it and getting people hooked and become addicts, by God, they ought to be punished--just like any dope dealer down here on the street peddling drugs ought to be. I predict that eventually that bill will be stricken down. The surprising thing to me about that bill was that we didn't hear from any medical doctors. I called up some of my friends, and I said, "Listen, what are they trying to do down here?" I said, "Can you even handle the bookkeeping, the record keeping, that is necessary on this without having to put on another nurse or receptionist?" They would say, "Well, no." And I would say, "Well, you had better get down, and the Medical Association better come over here and present some evidence to help us. If you don't, I can tell you that the mood around here is such that it is going to pass." Then they would call back and say, "Well, we don't want to get involved with opposing that bill, because if we do people will think that we are all a bunch of damn drug dealers, and we're not. So if that bill will help catch a few bad apples, why, okay." However, since that bill became effective on September 1, I have heard from a number of doctors who are really raising hell about it, and with good reason,

Marcello: What role does Ross Perot play in all this?

Mauzy: Perot is a very intelligent, cunning man. He organized that "war on drugs" thing as well as I have ever seen anything

organized and orchestrated. He really got a lot of awfully good people who are awfully concerned about their kids in the public schools and the drug use that is so prevalent. He got them involved and put on a very effective campaign to enact a number of these things. The only thing I resent about it was that he was doing it with the public's tax money. Clements had made him a grant of \$758,000, I believe is what it was, through the Criminal Justice Fund to organize all of this. The other thing I didn't like about it, in addition to them using public tax money to do all this, was the implied threat that went with everything. If you disagreed with them about one jot or tittle, then you are a dope dealer, too--you know, that kind of mentality. Anybody can create a lot of heat, but it takes someone who really respects the rights of others to shed some light on the subject.

Marcello: Did you have any personal contact with Perot as some of these pieces of legislation made their way through your committee?

Mauzy: Yes. I have known Ross Perot for some time--not well, but I have known him for a number of years--and he called and wanted to come down and did. I made an appointment to talk with him and a lawyer who works for him, named Rick Sayles, who is the leg man on all this for Perot. We had a very--I think--reasonable conversation. I tried to point out to him that the original draft of their head shop bill was patently unconstitutional, and there are two cases that had been decided that said so.

I gave him both those cases, and I said, "Look, Ross, I know what you are trying to do, and I agree with what you are trying to do. But the way you are going about trying to do it, you are not going to accomplish anything. So all of us get the benefit of having a great voting record. We vote against and all this stuff, and the public sends out their applause and everybody thinks, 'Well, we have solved the drug problem of this state.' And about a year-and-a-half or two years later, well, somebody takes the first case up on appeal when there is a conviction under it, and the court knocks it out. Then we have again raised false expectations in the people's minds, and we haven't accomplished anything in the process." I wasn't totally successful, although I must say in their defense that they did rewrite the bill substantially to try to meet those arguments. I'm not sure that they did completely.

Marcello: Perhaps one of the more controversial parts of that entire package of legislation was the proposal to admit oral confessions as evidence,

Mauzy: Yes,

Marcello: What was your reaction to that particular bill, first of all, and then talk about its fate as it went through the committee,

Mauzy: I take personal credit--individually--for the fact that the oral confessions bill was passed in the form in which it was passed. It will be, if used the way that statute provides that

it must be used, it can be an effective tool for law enforcement; and at the same time, it is not going to violate anybody's civil liberties. In the past, when they introduced oral confessions, it has always just been unlimited. Any police officer or redneck deputy sheriff could get up there and say, "Well, the defendant told me this and that and the other thing," and you don't have to connect it up, and you don't have to have a corroborating witness, and you don't have to have proof...you know, it just permits a law enforcement officer to get up there and do sloppy law enforcement work and get away with it by perjuring himself as to what the defendant allegedly told him.

So when we were hearing that bill, I got Roy Minton, who is an old and dear friend, to come over and testify on it, as Roy did on several bills. He is a very respected criminal lawyer in Austin. Roy made the observation, he said, "Listen, if you guys want to do something to allow oral confessions, I can understand that, and I have no objections to it if you just add one little feature to it. And that is that the oral confession must be video-taped and a copy of that tape made available to the defendant at the time." That is how you can see what confessions you get are legitimate, truthful confessions and which are being coerced and pistol-whipped out of people and one thing and another.

Well, originally Glasgow wasn't going to buy that idea, and so he was able to run over me in committee. See, I sent up a

complete substitute. Why, I introduced a separate bill, as a matter of fact,

Marcello: That's right. Glasgow was carrying that bill for the governor when it first came into committee.

Mauzy: That's right. So I introduced a bill that did just exactly that. It was his bill exactly, but it would require it to be video-taped. So we heard both bills at the same time, and he beat me in committee five-to-four. Then we get out on the floor, and I run at him with my amendment, and I got, I think, eleven or twelve votes for it.

But then it went over to the House, where I had been doing a little missionary work, and we put the amendment on the House side, so then it comes back to the Senate. Glasgow was strutting around there like a peacock, saying, "By God, we are not going to concur in those House amendments! We're going to go to conference, and I'm going to knock that amendment off!" "Well, I don't believe that's right," I said, "I believe that before it is all over with, you think about it--a few hours or days--and I think you will join me in my motion to concur in the House amendments." He said, "No, I never will!" I said, "You think about it a day or two, Bob."

So he then got around to checking where his votes were and found that I had flipped and had the majority now on my side because we had a commitment out of the speaker as to who would be the House conferees, and it was going to be either that bill

with the video-tape amendment on it or no bill whatever. When Glasgow realized what had happened to him, then he graciously consented to concur in the House amendments. I take a great deal of pride from that accomplishment.

Marcello: You mentioned awhile ago that you did some "missionary work," to use your words, over in the House. Can you elaborate on this.

Mauzy: Yes, I went over and met with Lynn Nabers, who is chairman of the Criminal Jurisprudence Committee on the House side. He is a good lawyer and a good man. I had some meetings with Lynn before the session ever started in which we kind of tried to agree on a game plan on how to handle all these kinds of things, including the wiretap bill. Lynn is just an easy fellow to work with; he can bring some people to the table that I can't, for example. Lynn is entitled to a great deal of credit on that.

Marcello: Another one of those pieces of law and order legislation concerned wiretapping. Describe, first of all, what your position is with regard to wiretapping as it appeared in the original bill, and then talk about its fate as it went through the committee.

Mauzy: Okay, by the way of background, wiretapping has been getting introduced ever since I have been in the Legislature. It has never made it all the way through and signed until this year. In the past, the Senate has passed wiretapping once

or twice before. It was after an awful lot of people got cut up, swapped votes, frankly, particularly with Clements, in 1979. So I knew that the mood of the majority view in the Senate was for it. There was no way anybody could make it acceptable to me because it just violates a fundamental human right, as far as I'm concerned, that is, the right of privacy.

But I also knew the background, that it had passed the Senate in the past and had been killed on the House side. So my original position was that I would not hear that bill as a Senate bill in committee, that the members of Senate had been cut up on it before and hadn't made it, and therefore we were going to exercise our traditional prerogative and say, "Look, the House refused to pass it last time. Before we will even consider it, you pass it through the House," thinking that we had a lock on the bill on the House side, which is another mistake I made. I believed Billy Clayton, when he told me that he would personally see that that bill never got of committee. Well, we all know what happened on that. So Nabers did a good job delaying it as long as he could and tacking on a few amendments that he could before it finally passed in the House. Then it passed through the House, David Dean came down to see me first about it, and I told him, "David, this is the way it is going to be." He said, "Well, I think the governor will understand that."

Then that afternoon the governor called and asked me to come over and see him about it that afternoon, so I did. I told him just that, and I told him why. He said, "Well, I can kind of understand that," and he said, "What can I do? How can I amend this bill to make it acceptable to you?" I said, "Governor, there is nothing you can do to make it acceptable. I am just constitutionally opposed to it." What he was trying to do, then, was bargain with me, you see. That's what he was up to because he has learned that you can call most of those clowns in down there and offer them a little sop on something else and flip them. I think that impressed him, was the fact that someone would sit there and look him in the eyeball and say, "There is just nothing you can do to make it acceptable."

He agreed that we ought to require the House to pass it first, and then that's when he went to work and turned Clayton around and got it through the House. Then it comes to the Senate, and I had a little game plan, anticipating that possibility. I would load up the docket each week, where we would have a number of bills carry over that we weren't able to reach, that were important Senate bills where other members had asked for hearings. So I was on the deliberate slow-trail program. I thought that...well, I know that at one time--because I discussed it with Hobby-- that that was how we were going to handle it. It just would

come to a hearing, or if it did we would filibuster the damn committee hearing,

Marcello: And what was Hobby's reaction?

Mauzy: Originally, he thought that was great strategy. Then something happened to Hobby. I don't know what it was, but I have got my own thoughts about it. The next result was, I had set it for hearing, and it, I believe, was number 108 or 109 on the docket,

Marcello: At one time, I know it was number 88 (chuckle).

Mauzy: Yes, it did worked its way up a little (chuckle). I was prepared to go through with it. I had the active support of Lloyd Doggett on the committee to help me, because what we would do is stall and filibuster the bills ahead of it in committee so that we couldn't get to it,

Then one day Hobby called me in and said, "What's happening on wiretapping"? And I told him. He said, "Well, I'll tell you, you know I'm still opposed to it, but it is important to my political future." This is a direct quote: "It is important that that bill be heard and the majority be able to work their will." I said, "Well, is there any question in your mind as to what the majority view is on that bill in that committee?" He said, "No, but I think the governor has got the votes to report it out." I said, "That's right." I said, "Are you still opposed to it?" He said, "Yes, I am opposed to it, but nonetheless I'm telling you,

as straight as one man can talk to another, it is important to my political future that that bill be heard and that the committee vote and the majority work its will," I said, "Well, that surprises me and disappoints me," I said, "I'm the guy that is taking all the heat, Governor, You're not." You know, by that time the press was up to what I was doing, too. It was pretty obvious to everybody what I was doing. You know, I said, "I'm the guy that has got to take the heat, not you," He said, "Well, but they're saying that because I appointed you,..." I said, "So what! So you appointed me!" And I said, "I'll hear the bill when we get to it, after the House has passed it. That's what I'm doing." So he said, "Well, what would you think about this? What if I could get them to agree to a two-year self-destruct clause?" I said, "Well, it still wouldn't make it palatable to me, but it would make the sting a hell of a lot worse,"

Marcello: Meaning that they would have to go back two years hence and pass the thing over again or reject it.

Mauzy: Right. If they passed it, then it self-destructs in two years. So then he said, "Well, let me see what I can do, and then I'll be back in touch with you." And about an hour-and-a-half later, he came down to my office and asked me to see him privately, which I did. He said, "I couldn't get a two-year self-destruct, but I got a four-year self-destruct." I said, "Well, that still isn't going to make it palatable to

me," He said,,and again he used the term, "It is important to me politically that that bill be heard. They'll agree to a four-year self-destruct,"

So I said, "All right, I'll set the bill," He said, "Oh, you're going to have to do more than that. You're going to have to get to it and hear it." He said, I'm going to see that the Senate lets your committee meet while it is in session, if necessary. The Senate will stand at ease or whatever. Whatever it takes, that bill is going to come out of committee this week."

Well, it didn't come out of committee that week because I had some pretty good witnesses lined up who had really researched that bill--Frank Maloney, who is a lawyer there in Austin, Roy Minton again, and a couple of other guys. They came in with really some very constructive suggestions. They suggested that if you are going to have a wiretap bill, build some safeguards in it--some criminal penalties for violating it, civil penalties, where the individual that is wiretapped can sue the other guy for civil damages, things like that. So we had to hold the bill for another week to get all those amendments incorporated, the ones that we convinced them ought to be on there,

Then it came out, and then they pulled their famous slight-of-hand trick. It came out of committee and,,see, under the rules, the committee chairman doesn't have to send up a report

to report the bill out for forty-eight hours. That is how Bill Moore killed the medical school bills at TWU. It came out of his committees, but he just walked around with the committee report in his pocket for forty-eight hours before he sent it up, and by that time it was too late. Well, that is exactly what I was going to do with this one. I was going to do everything within the rules that I could to just slow it down that much longer and hope that by doing that we might be able to successfully get a filibuster going, where there was so much stuff behind it that was more important. So I was walking around there with a committee report in my pocket, and Hobby said, "Why don't you go ahead and send up that committee report. I said, "Oh, tomorrow is good enough." He said, "Aw, why don't you go ahead and send it up. You're not going to save any time." As I remember, that was on a Wednesday, I said, "Well, we're going to be in session on Friday, so I'll just send it up during morning call on Friday morning." We always send up committee reports during the morning call. He said, "Well, I think you ought to send it up now,"

My better judgement told me not to do it, but I did it anyway. So when I did, he immediately recognized Ed Howard, who was the sponsor, to move to suspend the printing rule and all the other rules that would require that it would have been... well, we could have delayed it over the weekend. Actually, I think his motion was to set it for special order, which they did,

for Saturday morning. It only takes a simple majority to set it for special order,

I don't appreciate or approve of Hobby making that deal because to me it was a violation of an implicit agreement that he and I had, that I would string the thing out as long as I could--within the rules--and he wouldn't be involved to any extent to see that that was averted. Frankly, it has affected my friendship with Bill Hobby,

Marcello: From what you have said, it appears as though Hobby was in the middle between you and somebody else. Who was that somebody else, the governor?

Mauzy: Yes. I have concluded in my own mind that what Clements told him was, "You go on and let that bill come up, and I'll see to it that you don't have a Republican opponent next time." This is based on the way Hobby phrased that: "It is important to me politically and personally." You know, "The governor and I have been able to work together," and this, that, and the other. I can just read between the lines. That's exactly what the deal was, without either one promising that that would be the deal.

In fact, I told Hobby at the time, "I bet you I know what the deal is," and I laid it up to him. "Oh, no," he said, "that isn't so." I said, "Well, all I'm going to say to you is that it's a bad deal from your standpoint because what you are saying is, 'I'll deliver today, and Clements, you deliver next year.'"

I said, "That's dumb business, first of all," I said, "Secondly, Bill Clements doesn't control the Republican Party. He doesn't control George Strake or anybody else. Anybody that wants to run for the lieutenant governor's office can run for it, and if they get the Republican nomination, Clements has got to be against you, Hobby. It's a bad deal all the way around!" Of course, he denied there was any deal, you understand. But I'm convinced, in my own mind, that that is exactly what happened. Sure enough, Mr. Strake is out here running and raising money and raising hell and jumping on Hobby about me.

Marcello: Awhile ago you mentioned that you thought you had the support of Bill Clayton on the wiretapping bill, and then he seems to do a flip-flop. Are we getting into the business concerning the state water plan at this point?

Mauzy: Yes, we sure are. That is exactly what happened. Again, I can't prove this, but, you know, things happen--people change positions. Clayton's commitment to me was that the bill would not pass the House before May 15. I said, "Mr. Speaker, if you can keep it over there until May 15, I can handle the fifteen remaining days, until June 1. So that was the original deal, and that deal was struck between me and Billy Clayton and Lynn Nabers the first week of the session.

Marcello: Did you ever get around to talking to Clayton as to why he possibly changed?

- Mauzy: No, because I don't think it is necessary for me to do that (chuckle). I think I know what happened. It would be like talking to Hobby about his deal. He would deny it, and there is no way you can prove it, of course.
- Marcello: This whole thing is kind of interesting. It seems to me as though the governor found some real weaknesses in both Clayton and Hobby as to what they wanted or needed and virtually had them by the balls and did a job on them.
- Mauzy: That is exactly right. In each instance, it was because both those guys were trying to promote their own personal political self-aggrandizement to the detriment of what they really believed in. To me that indicates a lack of character, truthfully. That is the reason, as I say, my friendship with Bill Hobby has suffered a great blow.
- Marcello: Now at one point, in the debates and the business over this wiretapping bill, Doggett did try to organize a filibuster, did he not?
- Mauzy: Yes, but we all knew it was doomed to failure when they set it for special order. That was when, I think, there was two weeks left in the session. There was no way we could sustain the filibuster for that long, tag team amendments or anything else. And Hobby let us know that he was not going to recognize a tag team amendment filibuster because we had all the amendments strong and ready. That is exactly what we were going to do. The three of us that were ringleading that was me and Peyton

McKnight, and Lloyd Doggett, and Hobby went around there and got the votes to keep us from it,

Marcello: How would you react to those critics of what you were doing who said, "This is simply the work of the trial lawyers. They have a special interest in this piece of legislation,"

Mauzy: Well, trial lawyers aren't involved. The Trial Lawyers Association are civil lawyers who sue other people for civil damages when they get hurt--the kind of law I practice. The criminal defense lawyer was actively against it for what I consider to be good, legitimate reasons, and they had every right to be. The truth of the matter is, most of the criminal lawyers I know didn't really oppose the bill passing because they would see that if it did that they are going to make lots of money representing lots of folks who get busted on this thing--specifically, drug dealers.

Marcello: What was the attorney general's stand on wiretapping?

Mauzy: Oh, Mark would tell me privately that he was very much opposed to it and this and that and the other, and why don't you do this and do that and do the other thing, but when push came to shove, he wilted like he does on so many things.

Marcello: Do you want to follow up on that?

Mauzy: Well, yes. For example, early, early, early in the session, we had a meeting in my office one Sunday afternoon on this proposal of Clements's that when the feds cut off the L.E.A.A. money, then that cut off the major source of the Criminal Justice

Division from which the governor had been making all these grants all these years, So they had a bill in there to expand the Criminal Justice Division and to leave it where the governor individually made the sole decision as to how these grants would be authorized and all, That seemed like a bad idea to me, and Mark White came over and met...it was Chet Brooks, Lloyd Doggett, Peyton McKnight and I, Mark White, and Bill Hobby--that Sunday evening,

We came up with a strategy that, obviously, you can't be against law and order, and if you just opposed the bill, then that is what is going to get hung on you. So what we were really against was Clements individually being able to dispense these funds because that is the damndest political weapon a fellow can have. He'll reward every redneck sheriff out in these little rural counties, and he'll organize the courthouses against the Democrats, is what he'll do. It is just that--it is political walking-around money.

Marcello: And the courthouses are important.

Mauzy: They certainly are. It is our only chance to ever win this damn state again. So we came up with an idea that we would have a three-member committee who by majority vote would have to decide this, and the three members would be the attorney general because he is chief lawyer of the state, the governor because that is where it has been in the past, and the comptroller because he is the one that has to certify and audit

their books and all that good stuff. So everybody signed off on it; everybody agreed to it,

We get out there...and there was some indication that Clements would buy that, but he didn't. But in any event, we got out on the floor, and I told Mark, "Now, goddamn it, you walk around here, and you get our votes up on this. You're the guy that's pushing this idea,"

I knew, of course, what Mark was going to be up to, was trying to play Clements off against Bullock. That is what he was up to. He said, "Oh, yes, I'll do that." Well, he didn't do it, and it took the damn votes away from us. So the final compromise position--I think the House put it on--came back, and the Senate wouldn't concur, and so we took White off and put the lieutenant governor on. See, this was another one of these deals that Hobby made with Clements during a time where now the majority would be Hobby and Clements against Bullock. So as far as I'm concerned, Bullock is the only one that came out looking good on that one.

Marcello: Okay, let's talk about another issue that occupied a tremendous amount of time in the Legislature, and, of course, I'm referring to redistricting.

Mauzy: Yes.

Marcello: Now let's talk about congressional redistricting, first of all. Then we will talk a little bit about legislative redistricting. First of all, as a Democrat, what kind of a redistricting bill

were you interested in seeing coming out of the Legislature?

Mauzy:

I wanted a bill that would maximize the number of Democratic seats in Congress from Texas and minimize the number of Republican seats. I have been totally up front and on top of the table with that position, both in the 1971 redistricting and this year's redistricting. Redistricting is a purely political decision, and it is the bottom line, as far as I'm concerned, after every decade, I still sit there in amazement at how some people can flake off on that subject. Well, here is this Jody Powell article that I want to leave with you. You can attach it to the transcript. The Republicans have been very successful in several places--and Texas was one of them--in how they were able to achieve their ends, which was, of course, exactly the opposite of my position. They wanted to maximize Republican congressmen and minimize Democratic congressmen, and I understand that--it is a fair fight. It's perfectly okay with me. What I don't understand is, when you have got twenty-three votes and the Republicans have got eight, how it is they can beat you? Well, I now know the answer. Again, Mr. Clements was promising everybody this, that, and the other thing.

Marcello:

Also, does it go back to these same things we have talked about before, that is, a state water plan for Clayton and no candidate for Hobby, perhaps?

Mauzy:

Yes, I think so--that and some other things. That doesn't

explain how the Republicans could get people who profess to be loyal Democrats like E. L. Short to vote with them or some other folks who, as I say, profess to be loyal Democrats. See, I don't consider Ed Howard to be a Democrat. The guys that I don't understand how they voted on this, considering the district that they come from, are Roy Blake over in East Texas,,,his is a Democratic district, By the way, I have noticed he has drawn a strong Democratic opponent this year who is going to take him out of the primary, and that is going to be one of the votes he is going to take him out with, John Traeger down in South Texas, his district is so Democratic it is unbelievable, and they flipped him. Of course, you know, Ogg is Ogg and nobody knows where he is at at anytime. But I think you are going to see public backlash on that in the Democratic primary this year, and it's going to get those guys who flipped over there and helped the Republicans on redistricting.

Marcello: How about Wilson?

Mauzy: Well, John Wilson is largely over-rated (chuckle). He was doing the bidding of Clements. I don't know why. I don't know what he got out of it. I must say they were pretty damn smart to pick him to be their alleged Democratic floor leader because when the session started, John wasn't expected to live the whole session. He is suffering from cancer, and so he could get up there and be pontifical and all this

bullshit about, you know, "I'm not going to be coming back anyway, and I just want to do what is right for the people," As it turned out his cancer proved not be be terminal, but his ignorance probably is going to prove to him to be politically terminal.

Marcello: Okay, let's talk a little bit more about the gutting of Representatives Frost and Mattox.

Mauzy: That is what it all came down to in the end. You will remember that in the regular session, the Senate passed a plan that really wasn't too bad. Our congressional plan wasn't too bad. The House did a number on us and came back to the conference committee, and I had had the good sense early to get an absolute commitment out of Hobby that I would be on the congressional redistricting panel, that I would be a conferee if the bill went to conference, and that Santiestaban and McKnight would be conferees with me. So I had my three votes the whole time, and we hung it up, if you'll remember. We couldn't get the House to give a goddamn inch because Clayton had his three pretty well locked up over there. So we just went through the Mexican standoff number all that time while Clements was trying to...he called in Hector Uribe and Hugo Berlanga from the House and offered them the very same deal, and for their everlasting credit they stayed hitched with it. He told them, "I'll let you all write all the districts where there is a Mexican-American majority if you will vote with me

on the Dallas situation," It all came down to the Fifth and Twenty-fourth Congressional Districts,

Marcello: What kind of contact in this maneuvering did you have with either Frost or Mattox?

Mauzy: Oh, I had been working with them on practically a daily basis since the general election of 1980. We all knew this was going to come to this, and it was going to come down that way. We obviously had to anticipate what the numbers would be, but we knew that it would, because John Wylie Price and that bunch of "turkeys" had made it clear for some time that they had already sold out to the Republicans and that they were going to cooperate with the Republicans to get a "majority minority district." So Jimmy and Martin and I worked very, very closely together throughout. In fact, it was Millie Burner's only assignment during the session, was to work on redistricting, and we had all the help and cooperation in the world from both Martin and Jimmy and from Jim Wright, too.

Jim Wright took a great interest in this, particularly late in the session, after Phil Gramm pulled his little stunt. My desire was to, as I say, maximize Democratic districts, minimize Republican districts, and part of doing that was also to kick Phil Gramm's ass totally out of Dallas and Tarrant County, where he never should have been in the first place when they passed that silly damn thing in 1971 when

"Tiger Teague" was there. I said it was wrong then, and it is wrong now. So Jim was very, very helpful, I must say. He did monumental yeoman service, and I see Mr. Gramm is going to get to explain himself away in the primary this year, too.

Marcello: We talked about this off the record a little bit, but let's just get it on the record. What was your reaction to the Republican contention that the minorities needed their district?

Mauzy: Ron, my position is that you cannot do that. The Supreme Court of the United States had held that when you are drawing district lines, you cannot draw them along racial lines for the purpose of diluting or excluding anyone. To me it is as clear as it can be that the converse of that is also true--it is axiomatic. You cannot draw district lines along racial lines to include everybody either. Now that is the constitutional argument, and that it is the one, I think, you are going to see us win the congressional case on because we made Wilson admit that he drew those lines solely along racial lines, and the state didn't have sense enough to offer up a defense to him. Then I testified as to what the impact of it was, and, of course, the impact was that you totally negate any influence of minority groups in half of the Fifth Congressional District by making everybody into the Twenty-fourth District. I really feel very, very confident that that court is going to come down about next Monday and say exactly

that, and if they do I think you are going to see that same rationale followed by the Legislative Redistricting Court over here across the street.

Marcello: Is it not true that, . . . well, obviously, with Mattox and Frost in the Congress, minorities had two friends there,

Mauzy: Absolutely, absolutely. The way we tried to demonstrate that--any fair-minded person would have proved it to them-- is that there were amendments proposed to the Fair Housing Act in 1980. The Republicans were trying to gut the Fair Housing Act, as they always do and always will. The Republicans were trying to gut the Fair Housing Act, as they always do and always will. The Republican amendment failed by one vote in the Congress of the United States, and Frost and Mattox both voted with the minority groups against that Republican amendment; and if either one of them hadn't been there, it would have gone on. I don't know of a more dramatic way to demonstrate how important it is that we look after the rights of minorities to have maximum political influence they can in as many places as they can.

But we could all see it coming when John Wylie Price and Jesse Jones and that bunch made their deal with the Republicans where that they would finance some black that blacks would pick in the Democratic primary against me and Martin, and if it came to it, Jimmy Mattox, too. Time

will tell whether their little ploy is going to work or not, I happen to think it is not, But that is what we run elections for--to find out,

Marcello: What role do possible judgeships and things like that play in the support that those Democrats that you mentioned seemed to give to the Republican plan? I have seen some things in the newspapers about the possibility of promised judgeships or appointments and things of that nature,

Mauzy: I don't think Clements is guilty of that, I think that Fred Meyer, the Republican county chairman here, is because, first of all, no governor can legitimately promise that to a member of the Legislature because he is prohibited from appointing any member of the Legislature to an appellate judgeship because you vote on the appropriation bill that raises those guys' salary every year and the constitution specifically prohibits that, But I do know that Fred Meyer has promised a bunch of people a bunch of things, that he'll get Clements to appoint them, this, that, and the other, and he has been very effective with it and has carried through on a couple of them,

Marcello: In congressional redistricting, what ultimate role does the governor have? What role does he play?

Mauzy: The veto power, that's all, That is one I was wanting to check to him, But a funny thing happened along the way, The eighteen votes I had committed when all that business

started in the special session shrunk to fifteen, Bill Hobby's being one of them,

Marcello: Talk a little bit about your own problems with regard to legislative redistricting, and I'm talking about your district in particular.

Mauzy: I don't really consider it that much of a problem, truthfully, as far as where the lines go or are drawn. There was very little dispute about that until Leedom tried to amend the Senate plan on the floor in a totally unconscionable and unconstitutional way. What he tried to do was to add five more black census tracts to my district. The only trouble was that they weren't contiguous to the rest of the district, and I just got to stick that one up his elbow publicly on the floor of the Senate. This guy gets up and makes the arguments, you know, that only black people can represent black people. I said at the time, and I mean it, "That is the most racist remark I have ever heard in my life! I'm absolutely astounded to hear anybody, white or black, say that in 1981!"

Marcello: Especially coming from him.

Mauzy: Yes, that great civil rights, civil liberties record he has got.

Marcello: This is a quote that I found and that was attributed to you, and it made reference to a comment that you supposedly made about Hobby: "Forgive and remember."

Mauzy: Well, that is a sign that hangs on my wall in Austin, because that is my political philosophy and always has been. That's exactly what I'm going to do with Bill Hobby. Every arrangement that he and I have in the future is going to be arm's length and in writing and maybe sworn to.

Marcello: The breach between you and Hobby has come that far?

Mauzy: It sure has. Ron, I just can't do business with people whom I can't trust, and I always could trust Bill Hobby until then. That's not to say we agreed all the time--we didn't. But I'm sorry. Maybe that is a character defect on my part, but I can't just kind of grin and walk away from something like that--I can't.

Marcello: Obviously, in this whole business over redistricting, and, again, I'm getting back to congressional redistricting, nationwide the Republicans felt that they had a pretty good chance of getting control of the House. At least they thought so.

Mauzy: Yes. And I think they have done their work very well around the country in congressional redistricting, and I think they might had been able to pull it off if Mr. Reagan's economic plan was working; but the simple fact of the matter is that it is not working, and everybody knows that now. Being a Republican candidate in November, 1982, for the Congress of the United States is not going to be a big plus in lots and lots of places, including Texas.

Marcello: Let's talk a little bit about Governor Clements. Did you

see any kind of an evolution in the governor as a political animal between the last session and this session? If so, comment upon it.

Mauzy: Oh, yes. Let me tell you, there is all the difference in the world. That fellow went to school very well during his first session down there, and when we came back to the session in 1981, Clements had learned his political lessons. He had learned that you have got to accommodate yourself to the then existing system and the traditions and practices that are followed there, that you don't order the Legislature to do something like you do when you are chairman of the board in a corporation. That is a different context that you have planned, and I give him high marks for learning those lessons, and he is very effective at it.

I think the last time we talked I told you about the experience of him calling me into his office. Well, this time he called me and asked me to come over on two or three occasions, and we had very good, frank, straight-up discussions where he would try to offer me something to get me to change my mind and all. It didn't work, but the guy has learned very well. He has been a lot faster learner than I thought he was going to be, and I give him total credit for it. His staff was a much better operation this year than it had been in his first session. He has learned where the bodies are buried a lot better than he ever knew before,

He has learned to swing and shake with them.

Marcello: What role do you think he played in the defeat of Schwartz?

Mauzy: None, I'm basing this on what "Babe" tells me and told me at the time. I think what beat "Babe" Schwartz was basically three things: one is that...and I think the main thing... remember, that "Babe" only lost by about 500 or so, as I remember. About ten days before the general election, he was involved in one of his numerous hearings in that lawsuit between he and Moody down there in Galveston. Moody's lawyers are evidently a bunch of real goddamn "turkeys," and the guy said something to him and claims that Schwartz swung on him in the courtroom. "Babe" tells me he didn't swing on him. He says the threatened to and probably should have. But, anyway, I think the public reacts against any officeholder who behaves like that, and I think that if I had to put my finger on one thing that lost the election for him, it would be that. The second thing, I think, is that you have got to give the Republican Party credit for getting out and organizing and supporting their ticket from the top to the bottom, which is what a party ought to do. To that extent, then, the Reagan coattails did provide...well, that could have provided the margin right there. The third thing is that (chuckle), as much as I love Schwartz and all, and put up with all his tirades, a lot of people don't. Frankly, there is bound to be at least 500 people in that district who voted that day at one time

or another Schwartz has insulted or questioned their lineage (chuckle). And I just think it caught up with him, as it will with almost anybody, if you stay in office too long.

Marcello: Awhile ago,, I'm picking up on some miscellaneous...am I safe in assuming that the things that we have covered are the things that occupied most of your attention throughout this session?

Mauzy: Oh, yes. The redistricting fight, of course, was the bottom line on everything. The wiretap bill,,,the so-called law and order package and war on drugs stuff occupied an inordinate amount of time with the committee,

Marcello: Just for the record, awhile ago we were talking about Billy Clayton's water plan for Texas, and you made some comments about it. When the proposal was first brought forward, what was your reaction to it?

Mauzy: I was opposed to it because I have seen these things come and go before, and it's a damn poor way to legislate. Now I know that we have got a problem with the water supply in Texas, and I want to do something about it, but you don't do it by throwing money at it and writing a blank check. That is just "bass ackwards," I want them to come up with a specific plan as to what water is going to be needed where and how they propose to get it there and what it is going to cost and who is going to pay for it,

The water trust thing is an interesting thing. The history of that thing in the regular session, the House passed it and sent it over to the Senate, and Hobby was against it, and there were several of us who had been outspoken against it. Hobby then finally cratered at the end and let it get out of committee after they had watered it down substantially.

But then, as I remember, they were trying to get up on that thing the Saturday before the end of the session on Monday. Hobby called me up to the desk, and this was after we had had our falling out on redistricting and wire-tapping and everything, and so the relationship is really strained between us. So I didn't go up there, so he sent the parliamentarian down there. "Listen, Governor Hobby, really wants to see you up there for a minute on something that is very important even to him, too." So I went up there, and he said, "Have you looked at the intent sheet today?" I said, "No, why?" Because they were already debating it; they were asking Howard questions. We hadn't suspended the rules yet. And he said, "Well, if you look at it, you will see that House Joint Resolution so and so is not on there, and so if you would raise the point of order, I would probably have to sustain it under the rules, wouldn't I?" I said, "Thank you very much." I went out and raised the point of order, and he sustained, and that was that. So what I'm saying is, I

think there was two things behind that: first, Hobby was trying to reestablish a relationship with me; and secondly, he actually wanted to kill it after he had cratered in the committee and let them get out with it.

Marcello: This is a question that I always ask you in these sessions, and I'll ask it again. How come you didn't push for changes in the Senate rules this time?

Mauzy: Well, because I was afraid that with the make-up being what it was down there, truthfully, I would get fewer votes than I had ever gotten before. I don't think that helps along the process by which we are eventually going to get those things,

It is interesting about that question. I have been telling people for some time, including Hobby, that he is a damn fool for taking this guy Strake for granted with the mood of the state right now. First of all, anybody that has been in office for as long as Hobby has, the mood is to "throw the bastards out," regardless of their records or anything else. The public is just down on officeholders, and being an incumbent is not necessarily a political advantage anymore in this state. Secondly, this guy Strake has convinced me that he can put Hobby in the shade when it comes to raising money and getting out here and spending it effectively. So I think at this point in time that there is a distinct possibility that Strake could beat Hobby in November, and if

that happens--and I'm not the only one that thinks so--that is what will put me across on getting the rules changed. It really is the main reason I'm running for reelection instead of quitting. I think that if that were to happen,, and I'm not saying that I want it to happen, I don't; I want Hobby to be reelected. But I think it could happen, and if it does, and assuming the Legislative Redistricting Board plan for the Senate is basically adopted by the court--and I take it from that conversation that it is going to be--then the Senate will wind up being either twenty-four and seven or twenty-five and six. Let's say it comes out to twenty-four and seven and that Strake gets elected lieutenant governor. Then it is going to be incumbent upon me and people like me to get down there and get these guys organized and the first day of the session take away from the lieutenant governor the power which he should never have had originally--to refer bills, appoint committees--and we are going to organize that Senate, if I have got anything to say about it, along partisan lines just like the United States Senate is organized. I'm going to be a candidate for majority leader. See, Ray Farabee has been quoted publicly as saying all this same kind of thing, so I'm not the only one who...and nobody down there is closer than Farabee is to Hobby.

I think it is a real possibility. I hope it doesn't happen, but if it does, I may be able to pull it off. Even

if Hobby gets reelected, I still might be able to pull it off, just based on the way he conducted himself specifically on congressional redistricting the last time. Let me tell you, he ripped it with a bunch of our guys forevermore.

Marcello: Awhile ago, I think I heard you say that you were, in effect, contemplating not running again. You had contemplated that?

Mauzy: Yes, I had thought about it all last year,

Marcello: Why were you contemplating getting out of politics?

Mauzy: Well, I really believe that a fellow can stay in office too long. The same kind of thing that happened to "Babe" Schwartz can happen to me or anybody else. You can stay there long after your effectiveness starts to diminish. When it gets to be nothing but a game to you or when it gets to where... well, let me put it to you this way, because this is how Jack Strong explained it to me when he quit. He said, "The time to quit is when you have been there so long and you have become such good friends with various people that they come to you, and they say, 'Look, I want you to vote for so and so because it will help me personally,' and it is something you are opposed to philosophically, and you give serious thoughts to voting that way for just that reason. Then you have been here too long, and it is time to quit." Well, that hasn't happened to me yet, but on a couple of occasions it has gotten close to it. You know, I'm human like everybody else, and so the main reason...as I say, I

never make a political decision until after a session is over, so I didn't ,,,but I was thinking about it, truthfully, during the regular session and during the special session.

About the 1st of September, my wife and I and Millie Bruner and a couple of other people sat down and had a long, hard talk about it: "Can you really be fair to yourself and to a district to walk off and leave them at this time with the Republican lieutenant governor business a distinct possibility? Are you being true to yourself, and are you being true to the people that you have always worked with for?" I decided that I was willing to go it one more time.

I have seen guys stay there too long, and I've seen them get beat, too, for that reason among others, and I just don't want that to happen to me. I've got too much ego and too much pride in myself and in the things that I have been able to accomplish to see that happen. I thought long and hard as this year's primaries approached and all the redistricting litigation occurred.

One of the other things that has convinced me I was right to run again is what the courts said over there the other day, when they said, "We're going to adopt the provisional plan for only two years, but we are going to direct the Legislature to redistrict the Legislature again in 1983," That proved to me that I made the right decision because the people of that district are damn sure going to be a lot better off

with me down there rather than Jesse Jones or Al Lipscomb or this clown Mancuso, whoever he is, that is running in that. I know where the bodies are buried, and I know what the law requires, just like...I can't tell you how confident I am that we are going to win that congressional lawsuit along the very lines I argued for, and if we do, I still think that it will set the precedent that the Legislative Redistricting Court will follow. If it comes to them having to justify rejecting this plan or that plan or the other plan, man, they got the pattern right there before them. That is kind of a long-winded way to answer your question.

Marcello: Okay, well, I think that is a pretty good place to end this interview, and, as usual, I want to thank you very much for having participated. You have been candid, as you always are, and, of course, that is what we are looking for in these interviews.

Mauzy: Yes, well, we talked about the day my wife and I were on campus. This is really a very great added dimension to education for historians of the future--scholars of our political system--and that is the reason I enjoy participating so much. I can be totally candid; I can be frank; and I think that can be helpful to the future scholars as they try to analyze what in the goddamn hell was going on in the Texas Legislature in the 1960's and the 1970's and 1980's.

The last thing I want to see happen is...I don't know whether you keep up with one of my favorite councilman, Max Goldblatt. They were talking about the Central Expressway thing the other day, and, of course, Max is at least studying the monorail system. They all keep talking about widening it or double-decking it or whatever, and Max says, "A couple of hundred years from now, they are a going to come around here, and some archaeologist is just going to dig down there through all that, and they are going to find the present city of Dallas down there; and they are going to wonder what in the goddamn hell are they doing with all that concrete out there." I think oral history will help those folks answer why they are going to find all that concrete down there.