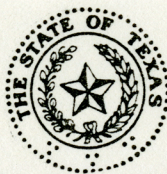


FRANCES TARLTON FARENTHOLD
DISTRICT 45, PLACE 1
NUECES AND KLEBERG COUNTIES



HOUSE OF REPRESENTATIVES
AUSTIN

COMMITTEES:
CONSTITUTIONAL AMENDMENT
GOVERNMENT AFFAIRS
AND EFFICIENCY
LABOR
MENTAL HEALTH AND
MENTAL RETARDATION
OIL, GAS AND MINING

March, 1971

FROM THE DESK OF FRANCES TARLTON FARENTHOLD

ETHICS

In my previous term as Representative and during my campaign for re-election, I have stressed the importance of four issues: Education, Ecology, Ethics and Efficiency. I trust that the events of the past month emphasized the importance of ethics in connection with our state government. Because of the SEC disclosures and their implications, a crisis of confidence has developed. Distressed with the apparent inaction on the part of the Legislature in confronting these problems, I joined with 19 fellow Legislators in asking all state elected officials and many appointees in the Executive Branch to file full, public financial disclosures for the past two years with the Secretary of State. Of the more than 400 letters mailed, we have received six affirmative replies. It appears to me our problem is three fold: a) a crisis in public confidence in our state government that is directed to all state officials, b) questionable role of the leadership in both the Executive and Legislative branch, c) a critical view of the Democratic leadership in the state. The letter spoke to the problem that envelops us all. If we are to achieve honesty and integrity in our government, strong legislation is needed. My vote in opposition to S.J.R. 15, the bill to set up a

State Ethics Commission, was based on what I think will be the effect and the lack of effectiveness of the proposed Ethics Commission. The proposed amendment is a distraction and a subterfuge to the public. There is nothing in the proposal that speaks to the one paramount point of concern, public disclosure. Rather, it sets out by a proposed Constitutional provision a limited and narrow disclosure involving only assets and liabilities and even this would not be public, but privileged information to the Commission. This provision would remove us as lawmakers one step further from our immediate responsibility to the public. Secondly, we are proposing a Commission which may not only prove cumbersome and ineffective, but also it will be difficult to alter because it will be part of our fundamental law. The only rationale that I can find to put the implementation of an Ethics Commission into the Constitution is because of the provisions regarding pay raises. And, if this is what we are about, we should say it openly and not link it to a Code of Ethics. However, it is now up to you, the voters, to make the final decision on this question of legislative ethics at the polls.

pendent Children to \$55 million.

3) H.J.R. 21 proposes that the Legislature may pass proposed constitutional amendments at a special session. I am concerned about the proliferation of statutory material in the Constitution. Sometimes constitutional amendments are necessary as the law is written; however, too often constitutional amendments involve the shirking of responsibility by legislators. By passing the responsibility on to the voters, a risk is taken because the electorate cannot be expected to have the detailed knowledge and facts on which to base intelligent decision.

4) S.J.R. 17 authorizes the Texas Water Development Board to issue \$100,000,000 in bonds to provide financial assistance to cities or other public agencies for water quality enhancement purposes. Although I supported this resolution, I have misgivings about financing through bonds instead of revenues because it costs so much more in the long run.

INSURANCE REFORM

Our problems in the field are so extensive and critical that we could ideally spend a special session concentrating just on this subject. But, of course, we do not have this choice. We have a host of bills that have just been heard in Committee that have particular pertinence to us because of the need for what is generally known as assigned risk coverage. Debate is now on the extent of this coverage and the role of the Insurance Commission in establishing

a plan. Personally I feel that the responsibility and accountability should be directly placed on the Insurance Commission.

Besides these various legislative duties, I have spoken on Family Planning proposals for Texas at an Environmental Symposium sponsored by the University of Texas and I participated in a panel on effective lobbying techniques before the American Association of University Women's Legislative Day. I also appeared in a radio panel discussion on KTRH of Houston concerning current environmental legislation.

Coming soon....A field office in Corpus Christi will be constructed by the Industrial Accident Board. The funds were provided by a transfer of \$191,000 in emergency funds from the House operating fund.

Remember....Please contact me whenever a problem arises. Sometimes an inquiry from a legislator can be of help. My office in Corpus Christi is open in the afternoons.

Sincerely
Lawrence Talton Farwell

H.S.R. 101 creates an interim study committee on population and natural resources. Hopefully, the committee's predictions will help us make wiser plans for the future. The committee will study how the human population grows and ways of humanistically controlling the rate of that growth.

NATURAL DISASTERS

H. B. 527 (co-sponsored with the rest of the Corpus Christi Delegation) increases authority of cities to make certain regulations following disaster or calamity. This legislation speaks to the many problems in post disaster crisis.

H.J.R. 26 (introduced by Representative Hannah, et al, and co-signed by myself) provides for an exemption of \$3,000 on the value of residence homesteads of all persons 65 years of age or older from all ad valorem taxes levied by any county, city, town, school district, or other political subdivision or instrumentality of the state.

EQUAL RIGHTS

H.J.R. 16 (introduced by Representative Braun and co-signed by myself) adds a new section, Section 3a, to Article I of the Texas Constitution providing that equality under the law shall not be denied or abridged because of sex, race, color, creed, or national origin.

INSURANCE

H.B. 198 (co-sponsored with Representative Nichols) a bill which allows employees entitled to workmen's compensation to select their own physicians.

CORPUS CHRISTI UPPER-LEVEL COLLEGE

H.B. 275 (introduced by Hale and co-authored by myself) has been introduced in both the House and the Senate

and referred to the Committee on Higher Education and the Committee on State Affairs respectively
ENVIRONMENTAL PROTECTION

H.B. 56 (introduced by Representative Braun and co-sponsored by myself) which establishes air, land, and water as resources in the public trust and gives citizens the right to sue for injunction against polluters, will have a public hearing before the Committee on State Affairs on March 15 at 7:30 p.m. on the House Floor.

LEGISLATIVE CHECKLIST

Revised Penal Code

H. B. 419 has been introduced and referred to the Committee on Criminal Jurisprudence.

Constitutional Amendments to be voted on May 18

1) S.J.R. 15 is the amendment relating to the formation of an Ethics Commission. I have already expressed my thoughts on this subject in the opening article on ethics.

2) S.J.R. 5 provides for emergency funds for welfare assistance to the needy. I cannot stress how crucial this amendment is to the very welfare and security of so many. It is an outrage to intelligent administrative and governing procedure that we still persist in having a ceiling on welfare spending. The amendment will remove the constitutional ceiling on state spending for three categories of welfare recipients-the aged, the blind, and the disabled, and it will raise the ceiling on Aid for De-

COMMITTEE REFORM

I have been appointed to serve on five committees for the session: Constitutional Amendments, Governmental Affairs and Efficiency, Labor, Mental Health and Mental Retardation, and Oil Gas and Mining. Since in theory the crux of legislative responsibility resides in the committee system, committee duties are not to be taken lightly. Careful scrutiny of all bills before a committee is necessary if intelligent decisions are to be made. The theory falters in practice due to a host of shortcomings resulting in serious mistakes such as the now infamous Banking Bill of the previous session which never had a public hearing before committee. Obscure riders which have serious implications should be detected in committee hearings. The rider attached to the Governor's appropriations bill which called for the Governor's signature on all appropriations above \$25,000 exemplifies the need for cautious examination of all legislation.

At the beginning of the session I attempted to introduce a Rules change which would provide for recording of testimony given before committee and make such testimony available to the general public. I feel that recorded testimony is necessary to improve the quality and verity of testimony. My proposal was defeated on the House floor, and as the situation now stands, the Chairman or a majority of the committee members can require that testimony be recorded. I feel that this is inadequate because one cannot always tell when important

testimony will be given. However, the House Administration has announced that the House does not have recorders, and if testimony is to be recorded, arrangements must be made through the Legislative Council which has only four. I also voted to limit Conference Committees considerations to adjustments between the House and Senate version of bills. Much of our efforts are useless without this restriction. We in favor of this reform mustered 39 votes.

LEGISLATION

My other legislative efforts are summarized in the following bills which I have introduced or am co-sponsoring:

ENVIRONMENTAL PROTECTION

H.B. 231 establishes state noise level standards which would ban the SST and all other supersonic transports from landing in Texas. This bill would not affect any presently operating jet aircraft, but recognizes the extreme noise hazards of the proposed SST.

H.B. 562 prohibits the construction of nuclear power and desalination plants within the boundaries of Texas until the policing power for nuclear plants is removed from the Atomic Energy Commission. Because the AEC is a proponent of the use of nuclear energy, I feel that it cannot be expected to be an effective policing agency too. Note should be taken of the problems in Kansas today with regard to the disposition of nuclear waste.