

Bryan man seeks Education position

AUSTIN (AP) — Charles Jones of Bryan is the only challenger this election to an incumbent on the State Board of Education, Democrat Will Davis.

Jones, a Republican who works with school districts as Job Training Partnership Act administrator for the Brazos Valley Private Industry Council, notes the race doesn't get much attention.

Jones said, "A large number of people are not familiar with what the State Board of Education does."

The two are competing to represent the Education Board's District 10, which includes 16 Central Texas counties. Seven of the board's 15 seats are up for election this year, but the other races are uncontested.

While low-profile, the State Board of Education race is an important one in Texas, whose 1,068 school districts spend \$14 billion a year in state aid, local tax money and federal funds.

The board adopts rules to implement state law, carries out education policy and approves the textbooks that are used in public schools. It also will screen and recommend the education commissioner to be appointed by the next governor.

Davis, chairman of the Education Board's finance committee, said devising a constitutional school finance plan is the state's most pressing education issue.

A state judge has ruled that the current system is unfair to poor school districts.

"The first thing we've got to do is get this finance plan acceptable to the courts," said Davis, 61. "My committee and I presented a plan last year about this time that in my judgment would have been declared constitutional by the court."

A similar plan likely will be presented to the Legislature when it convenes in January, Davis said.

"A constitutional plan will be a more expensive plan. That's one thing the Legislature has to face up to," he said. "We're at the bottom of the barrel in comparison to other states."

While it's not the Education Board's job to raise taxes, Davis said, he would support any plan lawmakers devise to fund a constitutional school system.

Jones, a former teacher and school administrator, said, "I am not against more money for the schools. But my position, if I were elected to the school board, would be to try to do ... things that would help kids and teachers that did not involve a great deal more money."

A chief problem is "massive amounts of paperwork" required of teachers, he said.

Jones, 59, said he'd work to keep paperwork at a minimum, and to give schools as much flexibility as possible in educating children.

Davis been on the State Board of Education since 1988, and he also served in 1982-84. He was an Austin school board member for 16 years, and had three terms as its president.

Davis also has been on study committees on public education, including one headed by Dallas billionaire H. Ross Perot that led to sweeping education reforms approved by lawmakers in 1984.

The Education Board became an appointed body for several years as part of that reform law. But voters in 1987 decided to return it to an elected board.

Jones ran unsuccessfully for the board in 1988. He spent 28 years as a teacher and administrator before leaving "the school business" in 1984, when he was assistant superintendent in Bryan.

Incumbent, justice run for chief justice spot

HOUSTON (AP) — The race for chief justice of the Texas Supreme Court involves two men whose differences while sitting on the high court's bench are as great as their approach on the campaign trail.

Republican Tom Phillips is seeking re-election as chief justice, while Democrat Oscar Mauzy is hoping to unseat him.

The chief justice post is one of three supreme court races to be decided.

Republican John Cornyn, a state district judge in San Antonio, and Democrat Gene Kelly, a former Air Force judge from Universal City near San Antonio, are vying for the Place 1 position.

Democrat Bob Gammage faces Republican Charles Ben Howell in the Place 2 race. Howell, a perennial Republican candidate, is a state appeals judge from Dallas. Gammage, a Houston native, is a former state representative, former state senator, and former congressman serving on the 3rd Court of Appeals in Austin.

Voters also will cast ballots in five races for seats on the Texas Court of Criminal Appeals, but the race for chief justice has drawn the most attention.

Mauzy, already an associate justice on the court, has little to lose. He'll retain his seat if he fails to beat Phillips.

Mauzy said, "I am for the people continuing to have the right to elect all their judges in open competitive elections."

"The (current judicial election) system is designed for the benefit of the people in this state and that's what I insist on," he said. "I'd never favor any plan that takes away their right to elect judges."

"Judicial philosophy, I think, is the

overwhelming issue," Phillips said. "That just comes down to whether a judge sees his role as following the law or whether a judge sees the role as the opportunity to invent the law."

"I believe in judicial restraint, and I think my record shows that. Justice Mauzy has taken a much more activist view," said Phillips, a 41-year-old, Harvard-educated lawyer from Houston. "That's our principal difference."

Mauzy, 63, a longtime Democrat from Dallas, responds by saying if correcting past mistakes made by other courts is legislating from the bench — he's guilty.

"The law is a living, breathing, always evolving thing," Mauzy said. "Those who choose to say that's judicial activism, I say that's foolishness. The beauty of the common law is that we can admit we made a mistake and correct it."

Mauzy, a state senator for 20 years, says the selection of judges is the biggest issue of the race. He favors elections for judges.

Phillips, appointed chief justice in 1987 by Gov. Bill Clements and elected the following year, has backed a merit selection system in which judges are first appointed by the governor. Instead of a regular election, they then would face a "retention" election, with voters deciding if the judge stays or goes.

But Phillips would push that a step farther, making it an open, non-partisan race the first time a person runs for a judicial post and then a retention election.

Mauzy opposes any retention election, saying it doesn't give voters a choice. He also says Phillips has not been clear on what system he really favors.

Texas Legislature 3 candidates battle for open Senate seat

By SEAN FREAKING
Of The Battalion Staff

Republican Richard Smith, Democrat Jim Turner and Independent Lou "English" Zaeske are entrenched in one of the closest Senate races in the state, seeking to represent Brazos and 17 other counties.

The seat became open when 10-year Sen. Kent Caperton, D-Bryan, decided not to seek re-election for District 5.

Smith, Class of '59, says he believes he should be the new state senator because of his experience in the Texas House of Representatives.

Smith has served as Brazos County's representative during the past six years. "I think my record in the House has given me the experience necessary to be a good senator for District 5," he said.

Meanwhile, Turner, a 1971 University of Texas Law School graduate, says he believes his experience in the Texas House from 1981 to 1984, as well as his appointment as executive assistant to Gov. Mark White, proves he will do a good job as state senator.

"My community service record speaks for itself," said Turner, who is mayor of his hometown, Crockett. "I know I will represent this area well."

Zaeske, Class of '64, says although he never has held public office, he believes Texans are ready for a new face in politics.

"People are tired of bipartisan infighting and professional politicians," Zaeske said. "I have lived in this area for more than 30 years and I believe I have the qualifications that will make me the next state senator."

Crime and punishment
All three candidates support legislation allowing tents to be used as temporary cells while the state builds additional prisons.

Turner says he would support measures to put "punishment" back into the prison system and put prisoners back to work.

"We need to make prison life an experience no one wants to repeat," Turner said. "By reinstituting the prison work program, we can teach these people a trade and teach them a lesson. We need to make sure crime does not pay."

Smith and Zaeske also support a prison work plan. Zaeske, like the other two candidates, says prisoners should be paid a minimum wage.

They also should pay for their rooms and board with money they make, Zaeske says.

"What we have now is state-run country clubs," he said. "We need some strict but creative legislation to deal with this problem."

All the candidates want to put an end to early parole for violent criminals.

"We have drug dealers in jail now bragging they're getting a good deal because they're only serving one-twelfth of

their sentence and not being made to pay restitution," Turner said. "I will change that attitude if elected to office."

Turner also has proposed a call for more money for the Drug Enforcement Agency to fight the "war against crime."

"We need to use education in our schools to stop our drug problem," Turner said. "Until we correct this problem, we will never solve our prison problem."

Education
All three candidates agree:
• Education should be the top priority in Texas government.

• Each state-run school should have a student and a faculty member on its governing board as non-voting members.

• The state's university systems should be strengthened.

• Public schools should be controlled by local educational groups, not run by bureaucrats in Austin.

However, Smith and Zaeske say they support a voucher system similar to the one proposed by Republican gubernatorial candidate Clayton Williams, while Turner supports a "guaranteed yield" system which only would apply to public schools.

The voucher system states each student would be given a voucher worth a determined amount. Students then could choose to "spend" their educational credits at private, public or home schools.

"To make education in Texas better,

we need more competition in our schools," Zaeske said. "We have enough money. We just need to spend it more wisely."

Zaeske, founder of the American Ethnic Coalition, is an "official English" advocate.

He says he believes the state should conduct its business in English. This policy would include writing court records and election ballots in English only.

He says if Texas would adopt his approach and stop spending money on programs like bilingual education, Texas would have a better school system.

Campaign ethics reform
Because Smith has received nearly \$300,000 in contributions from special interest groups and political action committees, campaign ethics reform has become a major part of the state senate campaign.

Turner says he thinks the entire political contribution scheme needs change.

"We need to have caps on the amount of money anyone can receive," Turner said. "Right now, the situation is simply ridiculous. When a candidate for governor spends close to \$20 million trying to win, we need to change something quickly."

Zaeske says he questions where Smith's loyalties lie.

"Smith may be the common-sense candidate but my common sense tells me

See Senator/Page 8B

Railroad commission candidates spar over 15-year-old issue

HOUSTON (AP) — Unlike some more high-profile statewide races this season, the candidates for a seat on the Texas Railroad Commission have little to argue about.

But in step with 1990 Texas politics, they have little nice to say about each other and have discovered an issue to divide them, although they had to go back 15 years to find it.

Democrat Bob Krueger and Republican Beau Boulter, both former congressmen, are vying to replace Kent Hance on the Railroad Commission, the agency charged with regulating oil, gas and transportation.

Because it controls the state's most important industry, a seat on the commission carries a lot of power. But because candidates woo the industry, they seem to say much the same thing.

"I think Bob Krueger's goals are the same as mine," Boulter said in a recent interview. "The question is, who can work with the Bush administration better and of course that's me."

Krueger also said the issues are similar and added, "I was voted the most effective new member of Congress by my colleagues. He was never voted the most effective anything that matters."

Krueger, a New Braunfels businessman, served in Congress from 1975 to 1979. Boulter, an Amarillo lawyer, served from 1984 to 1988. He returned to Texas after losing the Senate race to Lloyd Bentsen.

In Congress, both came to be known as champions of the oil and gas industry. Boulter sat on the Budget Committee and chaired the House Republican Energy Task Force. Krueger served on the Interstate and For-

eign Commerce Committee's energy and power subcommittee.

Both have won the "Hats Off" award from the Texas Independent Producers and Royalty Owners.

Back in 1975, Krueger supported an amendment to the windfall profits tax plan that would have allowed energy companies to avoid the tax by plowing the profits back into oil and gas development. It also included a title that would have gradually decontrolled domestic oil prices.

It was defeated 220-202, with all but one Texas member supporting it.

Boulter reopened the issue in September, pegging it on the price increases resulting from Iraq's invasion of Kuwait and the renewed talk in Washington of a windfall profits tax.

"With the current rise of anti-Texas, anti-energy sentiment in Congress, the last thing our state needs is a liberal Democrat railroad commissioner with a history of supporting the windfall profits tax and other legislation harmful to Texas interests," says a Boulter fund-raising letter.

Krueger responded with a letter explaining that the windfall profits tax didn't actually become law until April 2, 1980.

"Neither of us was a member of Congress," Krueger writes. "And neither had anything to do with the 'windfall profits tax.' He then describes his involvement in the issue leading up to the 1980 enactment as well as several points regarding the history of the amendment that he says Boulter got wrong in his letter."

Although the Railroad Commission has no say in such matters, Krueger says the issue is "as important to

the oil industry as the First Amendment is to the press."

But in this race, he says the issue boils down to "one candidate (who) is willing to be honest and the other is not."

"It's the most desperate attempt at misrepresentation," he said.

Boulter said, "It's an issue as long as he says plow-back provisions stimulate growth. Anybody who believes that believes the government can tell you what to do with your money."

On more recent issues, both men favor a national energy policy that would stabilize oil prices and reduce reliance on foreign oil.

Boulter specifically proposes the proration of natural gas production and deregulation of the trucking industry.

Krueger supports an exploration cost recovery incentive in the federal tax code, which would permit the driller to recover 65 cents per dollar of capital invested in a dry hole against the income from wells drilled after a dry hole.

He says the trucking industry should be deregulated gradually because if "we took out all controls, jobs would be wiped out overnight."

Boulter has pulled out big GOP guns to campaign for him — Sen. Phil Gramm, R-Texas, and Vice President Dan Quayle.

A Mason-Dixon poll dated Oct. 11, shows Krueger with 47 percent to Boulter's 31 percent. It had a margin of error of plus or minus 5 percent.

Boulter dismissed the poll, saying it over-samples Democrats. His latest data shows him 9 percentage points behind with 48 percent undecided.

James, Ogden fight for A&M student vote

By BILL HETHCOCK
Of The Battalion Staff

As election day draws near, both District 14 state representative candidates are campaigning hard for A&M student votes.

Democrat Jim James and Republican Steve Ogden pushed for last-minute absentee votes Friday in the MSC, hoping to increase their chances to represent Brazos County in the Texas Legislature.

Education
James, Class of '75, says disparity between rich and poor school districts is causing students in poor districts to receive inadequate education.

"We're in danger of creating an underclass in this society because children from the poorest socio-economic background go to the poorest schools," James said. "That hurts their opportunity to become better educated."

Under the current tax structure, rich districts can tax at a lower rate and still generate more revenue than poor districts taxing at high rates.

James said he supports taxes that will distribute money more evenly among rich and poor districts.

"I support requiring minimum taxing rates while still making sure all students receive a good education," he said. "We need to make sure every school district which is willing to tax at a fair rate can provide a good education."

Ogden, who earned his M.B.A. at Texas A&M, says the state's education system needs clearly defined goals and more flexibility.

"After we've established definite goals, we should give teachers and principals the authority to meet those goals," he said. "We need to decentralize, because the micromanagement system we have now inhibits creativity and flexibility."

One goal the state should set is improving average SAT scores by 100 points within 10 years, Ogden said.

His education plan also calls for tying more money to individual school performance and spending more



Jim James



Steve Ogden

on teachers' salaries and less on administration and overhead costs.

Abortion
Abortion is another issue separating the candidates. Ogden is pro-life, while James supports abortion rights.

"I'm pro-choice, but my opponent is on record as wanting to change the constitution to prohibit abortion even in the case of rape or incest," James said.

Ogden said people, not judges, should decide whether abortion is allowed.

"I believe unborn children are human beings and have a right to exist," Ogden says. "This issue needs to be resolved democratically, not by nine judges."

Political reform
Both candidates agree the Texas political arena needs reform.

James said he sees a "lack of courage" among poli-

ticians who now represent Texas.

"We have abdicated responsibility for prisons, schools and some social services to the courts," he said. "We need people who have the guts to make some tough decisions. That's the real problem facing Texas today."

Ogden said limiting politicians' terms is the best means of ethics reform. He has proposed a maximum of 12 years in the Texas House of Representatives or Senate.

"We have too many professional politicians," Ogden says. "By limiting terms, they would have to come back and live with the laws they pass while they're in office."

Taxes
To help the business climate in Brazos County and throughout the state, Ogden says taxes should be kept to a minimum.

"We need to hold the line on taxes," he says. "We're heavily taxed now. Increased revenue in Texas needs to come from economic growth."

He also says state highways must be maintained for the area's economy to thrive.

James, who is endorsed by the Sierra Club, said Texas must clean up its environment and improve its educational system to boost economic growth.

"If we're going to encourage high-tech businesses we have to give those businesses a well-educated work force, and we have to provide a clean environment to do business in," he said. "Low taxes alone are not enough to compete. We have to provide a high quality of life."

Crime and punishment
James supports putting non-violent criminals into minimum security facilities, which would provide space for violent criminals to serve longer sentences. He also wants to admit oral confessions in criminal cases and make murder during a drug deal a capital offense.

Ogden also supports longer sentences and says juries should have more authority to set stiff minimum penalties. He said more prison space is necessary to house convicts.