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Lawmakers adjourn regular session

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By KELLEY SHANNON and JAY ROOT / Associated Press

In last-minute mayhem, the Texas Legislature adjourned Monday night without passing measures to keep the Texas Department of Transportation running or to issue \$2 billion in road-building bonds — inaction that Republican senators said required a special session to solve.

But Gov. Rick Perry wasn't so quick to agree. His spokeswoman said the Senate's inaction will not impact the business of state agencies and that they will keep operating.

"This has been a successful legislative session and there is still important business to take care of during the next 20 days of evaluating legislation that has passed this session," spokeswoman Allison Castle said. Perry has until June 21 to decide whether to sign or veto legislation.

A sticking point at the finish of the 140-day session was a bitter dispute between the House and Senate over \$2 billion in transportation bond funding that the House failed to pass before gaveling out of session.

Angry Republican senators said it was preferable to quit and let Perry call the Legislature back into a 30-day special session to continue the transportation department and other state agencies and pass the bonds.

Several Democrats argued against the move, saying it was dangerous to begin the shutdown process of major agencies.

"We have left a big hole and failed the people of the state of Texas," said Sen. Leticia Van de Putte of San Antonio, leader of the Senate Democrats. "The only thing I can say is we've had a complete and total failure of leadership."

Sen. Troy Fraser, R-Horseshoe Bay, blamed the House for the 11th-hour unraveling of the session — saying the chamber acted irresponsibly by adjourning sine die — the Latin phrase used to describe the final day of the session.

"The House had the ability to act," he said. "They went sine die after destroying the bulk of four and a half months of work that passed through this body."

Van de Putte said it was foolish to allow tension between the two chambers to derail the session. Both the transportation agency and the Texas Department of Insurance would face a shutdown by September 2010 unless Perry calls the Legislature back into session

to reauthorize their existence, Senate Republicans said. One Republican senator said Perry could issue an executive order to keep the agencies running.

"I don't think the people of the state of Texas care if the Legislature is doing a ping-pong across the rotunda of blame, of 'no you did it, no you did it' " Van de Putte said. "I'm afraid that we are shirking our responsibility."

She and other Democrats questioned whether Republicans really wanted a special session to pass a voter identification bill. The Republicans said that hasn't been discussed.

Sen. Steve Ogden, R-Bryan, chairman of the powerful Senate Finance Committee, said senators wanted Perry to call the Legislature back.

"We want a special session," Ogden said. "We want the TxDOT budget fixed."

Ogden said the failure to approve the \$2 billion in road funding would have a multiplying effect, meaning that \$7 billion to \$8 billion in projects could be jeopardized.

"(Perry) needs to say he's going to do it because right now the budget of TxDot is wrecked and people are going to start losing their jobs, so the sooner we get it resolved the better it's going to be for Texas."

Lt. Gov. David Dewhurst said most senators wanted the transportation bonds passed.

"We're all upset about it," Dewhurst said. "That came as a little bit of a surprise."

Legislators embarked on the last day of the 2009 session with big unfinished business: approval of a hurricane insurance compromise and the lingering dispute over the future of the Texas Department of Transportation and other state agencies.

The House used a desperation tactic Monday to try to get out of a procedural stalemate and possibly avoid a special session to keep several state agencies operating, including the transportation agency. The measure would have allowed key state agencies to stay alive until the next regularly scheduled session in 2011. But the Senate did not approve the same measure.

One serious matter lawmakers did address at the last minute was an overhaul of the Texas Windstorm Insurance Association, the only wind insurer for property owners in 14 coastal counties and part of Harris County. The state-chartered fund filled a gap when private insurers pulled away from the coast. It was depleted last year by hurricanes Ike and Dolly.

The Senate unanimously approved a compromise plan for TWIA on Monday — the first day of hurricane season. The House had done so Sunday night.

"We will be ready to enter another hurricane season with the passage of this bill," said Sen. Eddie Lucio, a Brownsville Democrat. "We're going to see the governor sign it, hopefully soon."

Associated Press writers Jackie Stone and April Castro contributed to this report.