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Politicians, observers assess blame for Texas Legislature's special session

BY AMAN BATHEJA

abatheja@star-telegram.com

Gov. Rick Perry announced last week that he is calling lawmakers back to Austin for a special session. While legislators wait for the governor to tell them what they will be doing, one question is already being debated: Who's to blame?

The Legislature regularly meets for 140 days every two years, but the governor has the authority to call it back into session for up to 30 days at a time to tackle whatever issues he or she considers crucial enough to require the additional time.

For Perry, this special session — his eighth since becoming governor — is needed to shore up the Texas Transportation Department and four other state agencies that will possibly be forced to shut down by September 2010 if they do not get legislative authorization to continue. The others are the Insurance Department, the State Affordable Housing Corp., the Racing Commission, and the Office of Public Insurance Counsel.

Perry did not say when lawmakers will be asked to return to the Capitol, but there has been speculation that it could be as soon as next month.

'Not that special'

The question that always comes up when the governor seeks a special session is why extra time is needed to tend to the state's business.

For many, there is plenty of blame to go around. Though it's Perry's first in three years, special sessions have occurred often enough in Texas history to make even the name seem sarcastic.

"They're not that special," said Cal Jillson, a political science professor at Southern Methodist University in Dallas. "Every governor with the single exception of Governor Bush in the last 70 years has had at least one special session, and oftentimes more than one." Governors have called more than 110 special sessions since 1850. Republican Bill Clements holds the record, 11. His immediate successor, Democrat Ann Richards, called four.

Perry has called special sessions on issues such as congressional redistricting and school financing.

The Legislature will only be able to work on topics Perry agrees to make part of the session's agenda.

"I expect the call will be relatively narrow, but other issues may be allowed into the session once critical items are dealt with," Jillson said. "So it's a way to say 'You deal with my issues first.' "

John Todd, interim chairman of the University of North Texas political science department, said Texans may blame members of the House and Senate more than the governor for this latest call back to Austin.

"The Legislature had this train wreck at the end of the session and they were not able to finish some important pieces of business," Todd said. "I think this is one of those things it's hard to lay blame clearly."

During the closing days of the session, Republicans and Democrats clashed over several issues, with the Democrats creating a slowdown over a voter identification bill through a process called chubbing, in which they talked at length about uncontested bills to slow business to a halt.

Looking for excuses

Wharton County Republican Chairwoman Debra Medina, who has said she plans to run for governor, said lawmakers are looking for excuses for not getting their work accomplished.

"Few are willing to accept responsibility for failing to tend to the very business they were elected to oversee," Medina said in an e-mailed statement.

Perry, a Republican, blamed the need for a special session on a group of senators from his own party who voted to end the regular session without passing key "sunset" bills that would have allowed the five agencies to continue operating.

The senators pushed for adjournment, over the objection of Democrats, so the governor could call them back into session for a sole purpose: to consider keeping the agencies going.

Training wheels

But while Perry seems to be blaming others for the special session, others are pointing the finger at him.

His biggest political rival for another term will likely be U.S. Sen. Kay Bailey Hutchison. While she has not formally announced her candidacy, her campaign accused Perry of being AWOL during the session, too busy appearing at ceremonies and events around the state to provide leadership in Austin.

"She believes a governor needs to be engaged all 140 days, from the time they gavel on through sine die [adjournment] and through that veto period, and there can't be any diversions," said Hans Klingler, Hutchison's campaign spokesman. "Instead, I think the Legislature found the governor somewhat disconnected this session."

Hutchison told a reporter last week that a special session would likely have been avoided if she were governor.

Klingler said Hutchison made a point to not comment on issues facing the Legislature during the session. Her comments last week represented the shift she always planned to take once the session ended, he said.

Perry's campaign returned fire.

"It's really easy to criticize from the sidelines," said Mark Miner, Perry's campaign spokesman. "Senator Hutchison chose to be silent during the session, and now she's choosing to criticize from Washington."

Other possible candidates also took a swipe.

Kinky Friedman, who is seriously considering a second run, this time as a Democrat, said he sent Perry a set of training wheels last week in response to the governor breaking his collarbone in a biking accident.

"The little note said, 'Sorry you got hurt. Too bad they don't make training wheels for a legislative session,' " Friedman said.

Friedman said lawmakers have to head back to Austin because of Perry's failed leadership.

Rep. Leo Berman, R-Tyler, who is also considering a run, said it was "screwy" for Democrats to blame Republicans.

"Democrats delayed the session by five days to avoid voting on the photo ID bill," he said, referring to a lengthy filibuster by House Democrats near the end of the session. "That was it."

AMAN BATHEJA, 817-390-7695