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# Perry blasts senators who let bill die, says a special session may be necessary

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AUSTIN — Gov. Rick Perry said Tuesday that he may be forced to call a special session because of actions by a group of senators the night before.

Perry appeared annoyed and befuddled at the 17 senators who voted late Monday to adjourn the 81st legislative session without casting a crucial procedural vote. That move may ultimately put operations of the Texas Department of Transportation and several other state agencies at risk of a shutdown.

"If I could tell you I understood what happened last night, I would be an absolute genius," Perry said, referring to the Senate. "I thought I was watching an episode of *Lost* for a moment."

The Senate adjourned without voting to edit a resolution that would have allowed some state agencies to continue to operate until the next regular session convenes in 2011. The bill intended to keep those agencies operating died unexpectedly in the House over the weekend, prompting lawmakers to hastily craft a "technical correction" to attach to a resolution as a last-minute fix.

The House approved the solution, but it was met with significant resistance in the Senate.

Many senators argue that the House messed up, and many House members say the Senate is at fault. Perry, who often avoids refereeing such legislative squabbles, had no qualms Tuesday with placing the blame squarely on the Senate.

"I have no idea what they were thinking or why they didn't want to pass that resolution that would have given a safety net for those agencies," Perry said.

Sen. Steve Ogden, R-Bryant, said Monday night that it was wrong for lawmakers to make substantive changes to state law through a resolution. He also questioned whether the resolution was legal.

Perry said he worked with House leaders on the resolution and said lawyers had told him it would have passed legal muster.

Lawmakers, staffers and lawyers are looking at every possible option to ensure that no part of state government is affected, Perry said. In the meantime, he stressed that the Transportation Department and four other agencies are in no danger of shutting down in the near future.

**Agencies function fine**

The Transportation Department will keep operating and is working with Perry's staff to figure out the next step, spokesman Chris Lippincott said.

"People expect us to operate a world-class transportation agency, and that's what we will continue to do," Lippincott said.

At the Texas Department of Insurance, spokesman Ben Gonzalez said that the agency continues to function and that all insurance laws will continue to be enforced.

House Speaker Joe Straus told reporters that he does not believe a special session is necessary and that "once the dust settles," state officials will find a way to keep the agencies operating.

Perry did not rule out including other issues in a special session. Democrats fear that Perry might use the opportunity to require lawmakers to consider controversial legislation requiring voters to show photo identification.

#### **Claiming successes**

Both Perry and Straus told reporters they were pleased with the overall results of the session.

"Texans woke up this morning with a balanced budget, increased money for education and a \$9 billion 'rainy day' fund that remains untouched," Perry said.

"That is not the norm around the country."

Perry now has 20 days to look over more than 1,400 bills that await his signature or veto. He can also allow a bill to become law without his signature.

Flanked by supportive House members including Kelly Hancock, R-North Richland Hills, and Senfronia Thompson, D-Houston, Straus predicted that he would be elected to another term as speaker.

"I'm delighted with my first term as speaker," Straus said. "No one was disrespectful. Everyone played by the rules."

He brushed off senators' complaints that the House handled tough issues improperly in the last days of the session. The House could not have ignored rules as the Senate occasionally did to continue passing bills after key deadlines, Straus said.

"I don't think they understand us very well sometimes," Straus said. "Once you start making exceptions, then no one knows what the rules are."

He acknowledged that the 2011 session could be difficult because of projected budget shortfalls and problems with the state's healthcare and transportation infrastructures.

"Bloody battles lie ahead," Straus said. "I think if we continue to respect each other and the rules of the game, we'll be fine."