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Editorials  

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Texas Senate was right in rejecting last-minute 'correction'

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Star-Telegram/Ron T. Ennis

Gov. Rick Perry said Tuesday that watching the Senate on the last night of the legislative session was like watching an episode of the TV drama *Lost*.

Welcome to our world, governor.

Of course, from the point of view of many Texans, Lt. Gov. David Dewhurst and the 31 senators have a lot of company on the befuddling *Lost* island. Perry and the 150 members of the House join them there.

Perry blamed 17 senators for ending their 140-day session Monday without approving a House measure to save the Texas Department of Transportation, the Department of Insurance and three other agencies from going out of business. He might call a special session to fix the problem, but he assured everyone that "the idea that somehow or another these agencies are going to go away — that's not going to happen."

The resolution that Perry wanted senators to approve broke fundamental rules about how the Legislature is supposed to operate. It was major legislation, yet it was pushed through the House on Monday as a "technical correction" of a barely related bill that had been approved a day earlier. Perhaps it was a fitting end to a session that never seemed to get serious about much of the work that Texans needed done.

The five agencies had been under review for years, part of the ongoing "sunset" process by which each state agency must periodically prove it is operating efficiently and effectively. The theory is that agencies will "go away" if they can't justify their continued existence, but few actually do.

Lawmakers argued about the Transportation Department, the Insurance Department and the others for the entire session and failed to pass bills to reauthorize them. The process specifies a way to handle that: Agencies can be moved to a "safety net" bill at the end of the session, extending their time in the sunset process. The Senate passed a safety net bill, but the House missed Sunday's deadline for approving it.

As if to say "oops," on Monday the House approved the "technical correction" resolution. At about the same time, the Senate approved its own 14-page "technical correction" resolution preserving the Transportation Department's ability to sell bonds. The House adjourned without addressing the Senate resolution.

At least the Senate debated the House resolution and made a reasoned decision not to approve it.

The resolution was the legislative equivalent of designing a skyscraper by scribbling on a napkin. House and Senate rules preserve the last day of the session largely for ceremonial matters, not for hasty decisions on important legislation. Anything that can't be done in 139 days shouldn't be done in one.

As Sen. Glenn Hegar, R-Katy, said, the resolution "would fundamentally shift the manner in which we have done business in this state for several decades."

In other words, it's dishonest and a bad precedent to disguise failed legislation as a "technical correction" of another bill.

Have you followed all of that, or does it leave you feeling like you're watching *Lost*? Legislative gimmicks sometimes are hard to understand. Just ask the governor.

Perry's probably right that these agencies aren't going to go away soon. If it takes a special session to make sure of that, then let's have a special session.