

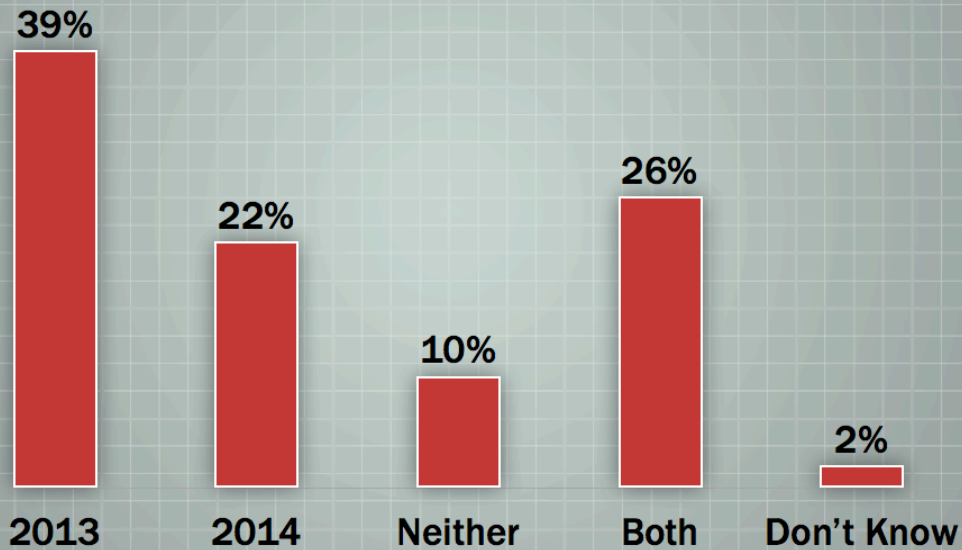
“INSIDE” INTELLIGENCE

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*The Texas Weekly/Texas Tribune insider poll
for the week of May 13*

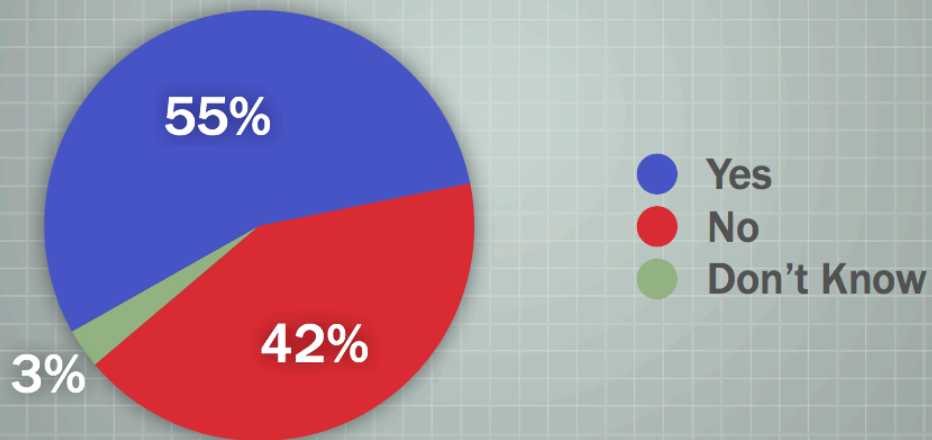
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When is a special session likely?



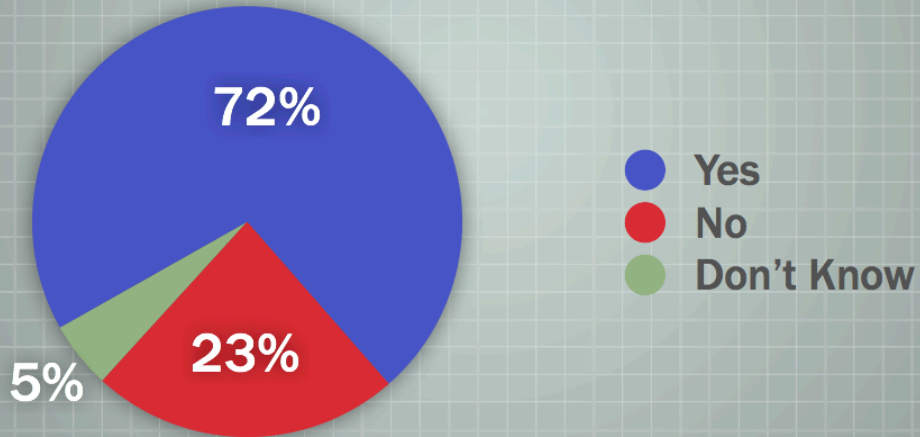
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Will there be more than one special session?



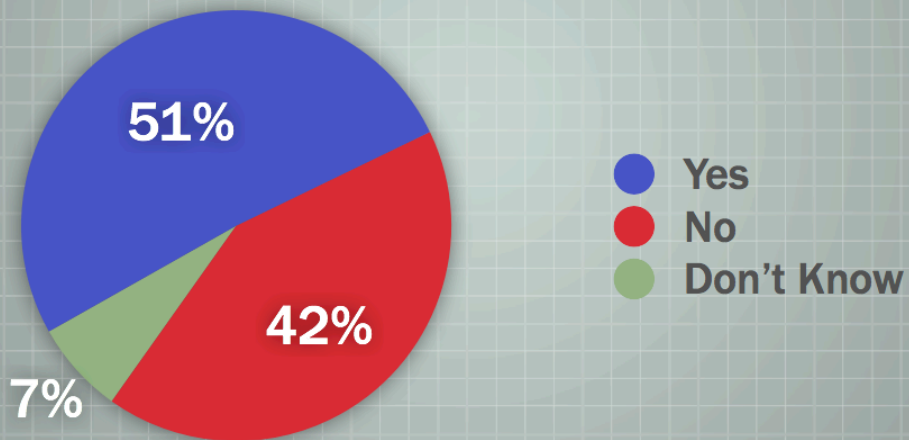
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Will there be a special session on school finance?



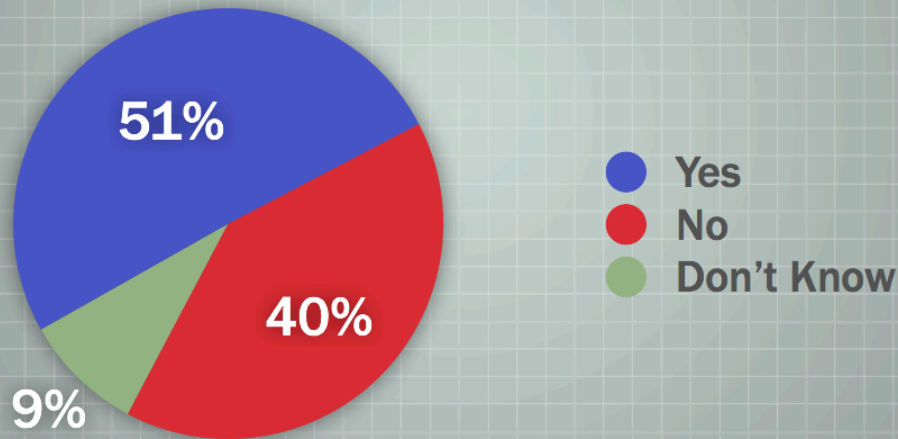
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Will there be a special session on redistricting?



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Will there be a special session on budget issues?



When do you think a special session is likely in the next two years?

- "Redistricting soon and school finance and some budget issues"
- "The Governor's infrastructure priorities will need to be addressed this year. Once the US Supreme Court gets the Feds off of our backs, redistricting will be dealt with in 2014."
- "Sooner and later."
- "The first session will be called this summer to shore up the Perry agenda - why Perry slept until April, we don't know. The second special will be called in 2014 if we lose school finance in court."
- "Education Equity will be after the Primary Elections in 2014. Redistricting will be in 2013."
- "Redistributing, Transportation, Water, Education, take you pick."
- "Rick Perry has a presidential campaign to run. Ain't nobody got time for this!"
- "The days of biennial sessions are coming to a close. If Texas were a country we'd have one of the largest economies in the world. We will have to start governing like it."
- "Except for redistricting, the other purposes for a special session are all about spending billions and billions of dollars--transportation, water,

education. I just can't see Perry calling a special session where all of the attention will be on legislators' spending and their attempts to wire around or vote to bust the spending limit. If he does call one, it will be quickly so he can use the excuse that he didn't include school finance because it hasn't made it through the courts yet."

- "If the Legislature takes care of business, there won't be a need for a special session until the Texas Supreme Court rules on public education funding, and no one knows that timeline."

- "Redistricting, water, tax cuts. Plenty of choices if Perry feels the need to create the appearance of leadership."

- "No one wants a special between primaries and general election. Too many things can go wrong."

- "The lemming wisdom says post-primary 2014 to deal with school finance. But what if the Texas courts give the Legislature a pass on school funding after this session's comparatively paltry restorations?"

- "I think it is highly likely the Governor will call special sessions for redistricting (2013) and for public education funding in late May or June in 2014."

- "Most likely, no special sessions. What's interesting is the timing of your question. Ask in the first week of February or the first week of August, and you'd get very different answers from today. But hope springs eternal and the first week of May during a session is the peak

moment when insiders desperately want to believe that a special session is right around the corner to save all their dying bills."

- "I reserve the right to change that to 2014 if the Lege addresses priority issues."

- "Let's see: redistricting, water, education, infrastructure. Get'er done."

- "Statewides shouldn't want the legislature back during election season."

- "Depends on the outcome of the constitutionality of the voting rights act"

- "Both redistricting and education are likely to require special sessions during the next two years."

- "2013 - redistricting, 2014 - ed financing"

- "Redistricting..."

- "2013 - If the so called pro-business TEA Party people don't pass a water funding investment, they will be called back and add redistricting. 2014 - Education after the Primary."

- "If a water funding bill is not passed."

- "After the July 4th week"

- "Redistricting inaction virtually bakes a special session into the cake"

- "July for water"

- "Certainly next summer to do school finance. Perhaps this summer as well to deal with RDF items."

- "Education and other Presidential or Governor items that will help Perry if he is running for one of those offices"

Do you think there will be more than one special session?

- "There will be more than one special session unless the Legislature gets reasonable on their water plan very soon. Also, redistricting is a given."

- "The first session will be called this summer to shore up the Perry agenda - why Perry slept until April, we don't know. The second special will be called in 2014 if we lose school finance in court."

- "School Finance will take 2 or 3 tries."

- "First comes the agreement on the outcome, then comes the session."

- "Only if we have 70 degree daytime temperatures in July and August."

- "Have we had an unusually high number of special sessions recently? If you did a bar graph of the number of special sessions held for each Legislature, would the last decade show a spike compared to the historical trend? It seems to me people have become much too quick to assume that a special session will occur. Maybe calling five in a row on redistricting skews our expectations. I still feel like a special session is an unusual thing that has to have the

combination of a very clear goal and a very high motivation to address it and some hope of a solution - all three simultaneously. And people think we are going to have special sessions on water and transportation and Medicaid expansion and redistricting and school finance. Really?"

- "Water / tax cut in 2013 and school finance in 2014"

- "Unfinished business, Redistricting, Education"

- "We Texans always appreciate water more during the summer."

- "I hope not."

- "Water also needs attention if funding doesn't occur in regular session. Also school finance."

- "Water, Transportation"

- "Fund water then get out of Dodge. Next up, school finance lawsuit. That will be the trigger."

- "Spring school finance and this summer for water"

- "Impossible to predict at this point."

Do you think there will be a special session on school finance?

- "Timing will depend on when the Court weighs in."
- "We'll be in session on school finance only if we lose at the Supremes."
- "It depends on the court's timing."
- "Given the extra money the legislature is spending and its dummying down of the college and career readiness expectations that drove the trial court ruling, the Supreme Court will likely demand very little more, if anything, of the legislature."
- "In early Feb, Judge Dietz gave his oral ruling and a detailed written decision was to be issued four to six weeks later. We're now nearly four months later and still don't have a written decision. The longer he takes, the longer the appeals process will take, and the longer the timeline grows. Heck, in two years during the next session we might still be waiting for the Texas Supreme Court to rule."
- "The schedule has been pushed back too far. Dietz needs to have an evidentiary hearing on the finance changes made in the session, then has to write an opinion. By the time the appeal is filed, briefs are written, oral argument is held, and the Supreme Court issues an opinion, it's way too late for a special in 2014."
- "If the money looks better and testing as well as standards are made more realistic, the case could get a review at the trial court level."
- "In prior school finance suits the final court injunction has been based on not reopening the schools for the beginning of the next school year. (In other words, no court order has ever held that the schools should be shuttered in the middle of a school year in progress.) So which August will the post-appeal injunction apply to? Not August 2013 because we don't even have a decision from the trial court (and apparently won't before July). Even assuming direct appeal to the Texas Supreme Court, probably not August 2014 because the appellate timeline (post trial motions, perfecting appeal, briefing and oral argument) makes it unlikely to have a decision before summer of 2014. Right now I would bet on a ruling from the Supreme Court after November 4, 2014. That means the final order/injunction is likely to kick in for August 2015 and can be dealt with in the next Regular session (or in a special session of the 84th Legislature). Therefore, no special session on school finance, or at least not during this cycle."
- "I promise I did not look at all the questions before I answered Qs 1 & 2."
- "Yes, but it will be a bargaining chip to get the water bill moving."
- "... Not until judgments are entered in all applicable litigations."
- "In 2014 after primary"
- "Unless 'they' think it can wait til 2015 I don't see any other way of getting to fixin' school finance."

- "So long as any part of the trail court judgment is upheld, there will be a special session on school finance."

Do you think there will be a special session on redistricting?

- "Once the Supreme Court gives Texas the autonomy it deserves, expect the Republicans to take care of redistricting."
- "We all know Gov. Perry is the only person who can call a special session. The courts can't make him do it, and I don't see him bending to the will of the courts. If there's an issue with the maps, it'll be resolved by the courts or it'll be resolved in 2015 during the 84th Regular Session."
- "It might depend on whether Section 5 of the Voting Rights Act survives."
- "A special session on redistricting is a silly idea not worth discussing. Here's why: There is no compulsion to redistrict (which would force a special session) so there would have to be a significant benefit to entice the Governor to call a special session on redistricting. The AG requested that Texas adopt the court's maps. Assuming that strategy has significant legal advantages (which is not clear), the political advantage is slim. It might reduce uncertainty about the timeline of the primaries next spring. It might give a handful of members more certainty about their boundaries. Since the current members were elected under the court map, it's obvious that passing a law copying the court map would NOT give what is usually the main political benefit - picking up additional Republican seats. Slim benefits, indeed. And on the downside the court maps (issued as part of an interim order) weren't consented to by the plaintiffs so a new law adopting those maps would still be subject to a Voting Rights attack. And, regardless of whether it copied ideas from a court order, wouldn't a new law adopting a new state plan be subject to starting over with the pre-clearance process? In summary, if the special session goes well and if a new map is adopted (neither of which is guaranteed) you still have not picked up any Republican seats, you have not settled the lawsuit and you have not avoided the Obama Justice Department. Tell me again why we are discussing this?"
- "The clock is ticking. Well, it is really not. It's going to be a hot summer at the capitol."
- "But I hope so. Current legislative and congressional districts forbid, as a de facto matter, any compromise."
- "Add it to the water session"
- "If it does happen then it'll be forced upon the Lege to do so but I really doubt it."

Do you think there will be a special session on water, transportation or other budget issues?

- "The Governor clearly communicated his priorities to the Legislature in his State of the State speech. If these priorities are not addressed now, they will certainly be addressed later."
- "If they fit the profile of the unsatisfied Perry agenda, then yes, we could have specials on any of these issues. Probably in short order."
- "If TWIA or water don't get done, then those two issues should be on a call."
- "It depends on how creative the members and the leadership get in the waning days of the regular session. It also depends on whether the Republicans will loosen the purse strings for education. As Whitney sang, 'I believe the children are our future. Teach them well and let them lead the way...'"
- "Since Perry said he was going to make an announcement in June about whether to run for re-election in 2014, I think he'll either call a special in early summer 2013 on water and/or transportation and delay his announcement for a month or there will be no special sessions at all so campaigning for all the statewide offices can begin in earnest."
- "Deadlines encourage compromise. There will be a deal."
- "Don't ask me. Ask Perry, the Dew, and Straus. They're the ones who control whether these issues are addressed within the next three weeks or will necessitate a special session."
- "There is an agreement that something has to be done about water, they just haven't agreed on what. A special might lead to an deal."
- "Despite some disagreements, I think there is broad bipartisan desire to get something done on these issues."
- "Except as allowed under the redistricting and school finance special sessions."
- "On Q1 my answer was 'no special session.' But, yes, water or budget issues might trigger a special session. However there is no way to know if that is going to happen. It always looks bleak at this point. It (almost) always gets worked out . . . or waits til next time."
- "See above."
- "I can see clearly now the rain is gone. I can see all obstacles in my way. Gone are the dark clouds that use to give us rain. It's gonna be a hot (hot), hot summer session again."
- "Either the money will be there by the end of the regular session or it won't."
- "If water bill does not pass."
- "Most likely only if added to agenda of session called for redistricting"
- "I think House & Senate will override Perry if need be or pass by veto-proof margin"

- "A legislator that cannot look at moving a small portion of the RDF into bonds for water projects is the same guy that won't repair his roof shingles and waits for it to cave in."

- "Still time for legislature to address these concerns in regular session, but odds are growing longer"

- "July"

- "Governor Perry will call them back in a heartbeat if these priorities are not passed this session."

- "Possibly this summer. Unclear where Perry will end up on this one since it likely includes the RDF."

Our thanks to this week's participants: Brandon Aghamalian, Jenny Aghamalian, Victor Alcorta, Clyde Alexander, George Allen, David Anthony, Doc Arnold, Jay Arnold, Charles Bailey, Tom Banning, Dave Beckwith, Rebecca Bernhardt, Allen Blakemore, Tom Blanton, Chris Britton, David Cabrales, Lydia Camarillo, Kerry Cammack, Thure Cannon, Janis Carter, William Chapman, Elna Christopher, Kevin Cooper, Addie Mae Crimmins, Randy Cubriel, Curtis Culwell, Denise Davis, Hector De Leon, Tom Duffy, Jeff Eller, Jack Erskine, Jon Fisher, Robert Floyd, Wil Galloway, Norman Garza, Dominic Giarratani, Bruce Gibson, Scott Gilmore, Kinnan Golemon, Jim Grace, John Greytok, Clint Hackney, Wayne Hamilton, Bill Hammond, Adam Haynes, Jim Henson, Ken Hodges, Steve Holzheuser, Laura Huffman, Deborah Ingersoll, Cal Jillson, Mark Jones, Robert Jones, Lisa Kaufman, Russ Keane, Robert Kepple, Richard Khouri, Tom Kleinworth, Ramey Ko, Sandy Kress, Dale Laine, Nick Lampson, Pete Laney, Dick Lavine, James LeBas, Luke Legate, Mark Lehman, Leslie Lemon, Ruben Longoria, Vilma Luna, Matt Mackowiak, Luke Marchant, Bryan Mayes, Scott McCown, Mike McKinney, Robert Miller, Bee Moorhead, Mike Moses, Steve Murdock, Keats Norfleet, Pat Nugent, Pat Oxford, Nef Partida, Gardner Pate, Robert Peeler, Tom Phillips, Wayne Pierce, Allen Place, Kraege Polan, Gary Polland, Jay Propes, Ted Melina Raab, Bill Ratliff, Karen Reagan, Tim Reeves, Patrick Reinhart, Grant Ruckel, Jason Sabo, Andy Sansom, Jim Sartwelle, Stan Schlueter, Bruce Scott, Robert Scott, Ben Sebree, Dan Shelley, Christopher Shields, Jason Skaggs, Ed Small, Martha Smiley, Todd Smith, Larry Soward, Dennis Speight, Jason Stanford, Bob Strauser, Colin Strother, Charles Stuart, Michael Quinn Sullivan, Sherry Sylvester, Jay Thompson, Russ Tidwell, Gerard Torres, Trey Trainor, Vicki Truitt, Ware Wendell, Darren Whitehurst, Seth Winick, Alex Winslow, Peck Young, Angelo Zottarelli.