

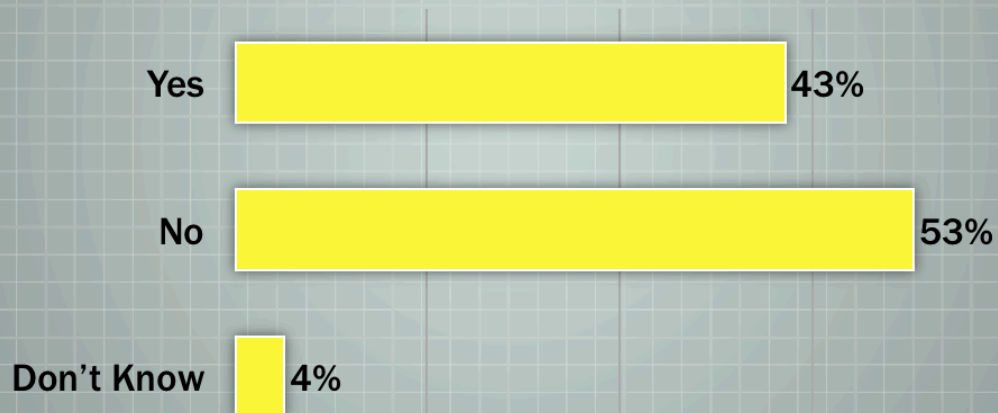
“INSIDE” INTELLIGENCE

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

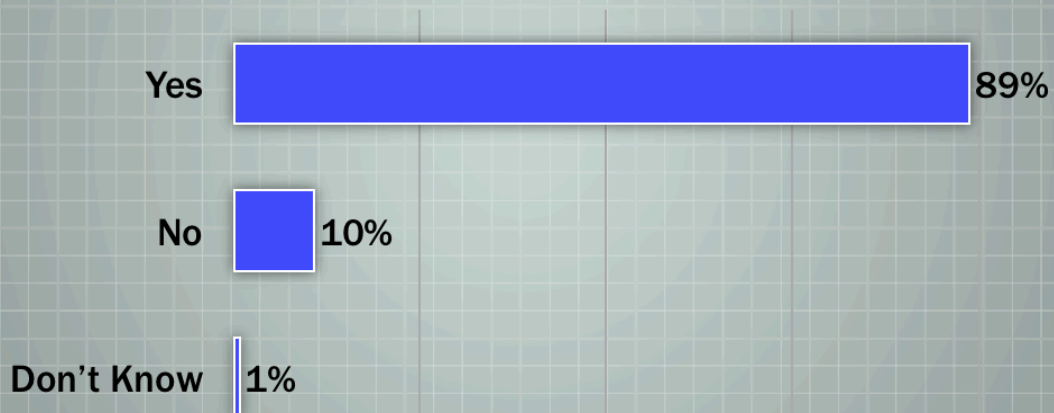
INSIDE INTELLIGENCE

With changes in membership, will the Senate operate as it has in the past?



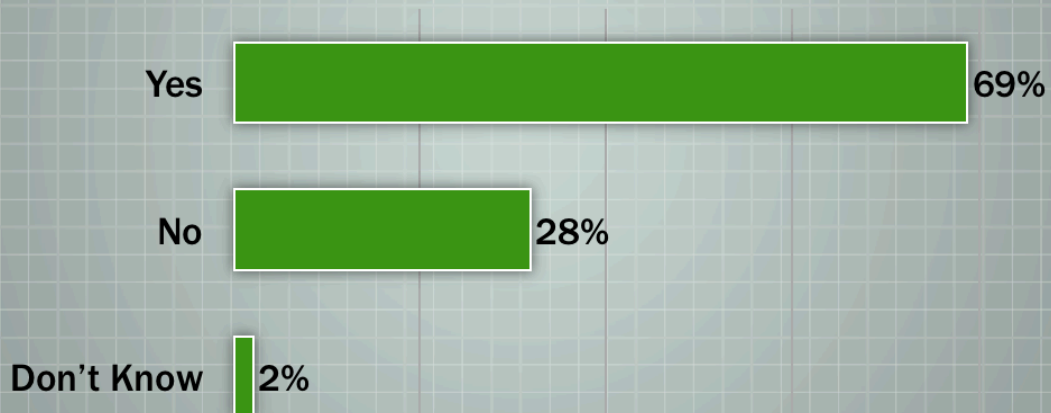
INSIDE INTELLIGENCE

Should the Senate keep its two-thirds rule?



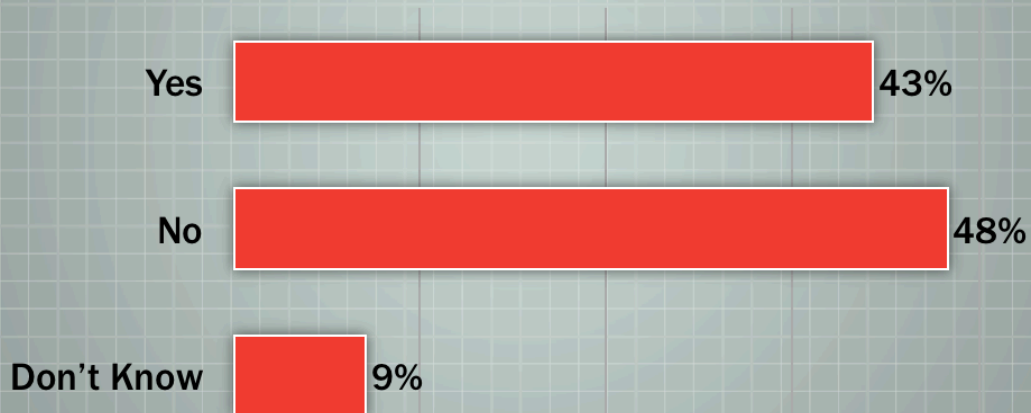
INSIDE INTELLIGENCE

Should politicians disclose personal financial information?



INSIDE INTELLIGENCE

Are current financial disclosures adequate?



With David Dewhurst returning for another session as lieutenant governor and with a handful of new Republican members, do you expect the Senate to operate as it has in the past?

- "But with a few more games being played."
- "Nothing will be the same...."
- "It will be more conservative, probably eliminating the 2/3's rule."
- "Lots of republican ambition to move up this session."
- "As long as the 2/3rds rule is in effect, the Senate will operate as it has for decades. Dan Patrick et al. need someone in addition to Wendy Davis to lose."
- "Even though there will be a number of new senators this session, it would be surprising to see the Senate altering the rules to such an extent that it changes the way it does business. However, there may be more contentious issues to be taken up, and if Gov. Dewhurst has aspirations of running again for this or another office, he may feel compelled to assist those who tried to paint him as a moderate."
- "The more conservative members, including those with Tea Party allegiances, will frustrate Senate activities. It would not surprise if that frustration leads to Dewhurst working on a coalition basis with the Ds and more moderate Rs."
- "I foresee a serious challenge to the Senate's rules that will fail. The tradeoff will be vastly different committee assignments and more social issues coming to the floor."
- "Discussed changes will be more significant than actual changes."
- "It's game on for Crazytown. What little respect for tradition remained will be gone as every effort is made to pander to the far right."
- "Much more conservative bent."
- "It will be a ship of fools--the product of no leadership since the 1997 session."
- "Get ready for the craziest show ever!"
- "Ultimately, they will operate largely as before. As they have before, the members will walk up to the precipice, stare down into the abyss, then back away, assuring themselves and everyone who will listen that they've made their point."
- "At a minimum, the guy at the top is going to be in a pretty bad mood."
- "Dewhurst stays tuned to the weather channel. So in some ways that is the way he has always operated."
- "I can see Dewhurst trying for a federal appointment of some type if Romney wins in November. Even so, I think the Senate will operate as usual with the 2/3 rule but the dynamics will be much different."
- "Even though the far right screwed Dewhurst in the runoff, expect him to

crater to them because he's got no better sense."

- "Inertia is the Greek goddess for Texas senators. Giving up the 2/3's rule will devalue each individual senator, who, coincidentally, also think they are Greek gods."
- "The Dew is a free agent shackled only by any remnant ambition to hold onto the brass ring. He's got two options: clutch tight and veer right or let loose and tell them all to go straight to..."
- "More conservative"
- "The Senate has just about had it with Dewhurst - expect a renewed sense of displeasure. The recent excitement with the prospect of his departure and the chain of events that would have triggered can only now be matched with the enthusiasm by which the remaining bit of hot air pouring from his campaign balloon provides."
- "But with the usual right of the Lt. Governor to move items along due to TEA party pressure"
- "Your question assumes that Dewhurst will return this session as Lt. Governor. In the event that he does, which is not assured, you could very well see the establishment of a Senate Majority Leader."
- "Depends on Wendy Davis being reelected and if the two thirds rule survives"
- "There is simply no way the Senate can operate as it has. Dewhurst, like Straus, does not know how to control the floor and has few lieutenants on

which to rely for help when things get sticky."

- "Didn't work last session..."
- "It will operate as it has for awhile---until we hit the first big partisan split issue. Then Rs will push to do away with 2/3rw"
- "More partisan and less fear of the Dew. Open question as to whether he will be in the mood to work with Senators. Expect him to go far right. Senators Ellis and Watson are in the driver's seats for the Ds. Ellis will emerge as a major leader of the opposition."
- "I don't expect the rules to change. Any swing in votes will be due to NEW Senators."
- "We will 'see' more activity happening in the R caucus and the Lt. Gov may not retain unilateral authority to set the calendar."
- "Will be a challenge for the Lt. Gov to control a more right-leaning majority, and a more vocal and upset minority."
- "Dewhurst will be reigned in by GOP Senators. Open revolt could break out prior to the session.... after last session, Senators avoided rolling Dewhurst only because they assumed he was heading to Washington."
- "2/3 rule may be eliminated"
- "Losing = weakness = change"
- "Although the pressure institutional Republicans are feeling from the Tea Party cannot be underestimated."

- "More or less..."
- "There will be increased pressure to run the Senate on a partisan basis."
- "Operationally yes. Ideologically no. It will be a much more conservative place."
- "It will be more like Washington now."
- "More conservative - in part b/c of the new members and in part because 2014 will require purity, statewide

and in State House & State Senate primaries"

- "Decidedly more conservative and they will make a run at neutering Dewhurst, but ultimately will fail."
- "I think Lite Gov will govern freely and let gambling pass"
- "It will be more hyper-partisan, maybe going as far as doing away with the 2/3s tradition, and taking away some of the Lt. Governor's authority."

Should the Senate keep its 2/3rds rule?

- "Only a couple of those in the upper chamber don't recognize the benefit of the 2/3rds rule"
- "Absolutely. This is the only guaranteed moderating factor. Witness voter id results from last session when senate went to committee of the whole."
- "The State of Texas, the Texas Senate and its traditions are much bigger than the tea party or any other movement. The Senate should not pass knee-jerk legislation, like the House. This rule is designed for cooler heads to prevail and for problems to be solved. No one wants legislation shoved down their pie hole. The pendulum will swing the other way soon, so be careful what you wish for..."
- "Those who want to eliminate the 2/3 rule need to understand it was their friend for years, and when the pendulum swings, it will be their friend again."

- "My prediction is the 2/3 rule is taking it's last lap around the track...gone in 2015."
- "Compromise shouldn't be a bad word even when one party holds a majority. Typically you judge societies on how the majority treats the minority. Same is true in politics (or at least it used to be)."
- "It's the only thing protecting the smart people from bad votes."
- "I shudder to think what will happen to this state without it."
- "Kills more bad ideas than good ones."
- "It's not remotely democratic, with a small 'd.'"
- "If Shelton wins its out the window."
- "Everyone will be reminded that what goes around comes around! Be careful what you ask for when you're

the current holder of the political reins."

- "Without it a small Republican primary electorate can hold the State of Texas hostage. Maybe it already is."

- "They only keep the rule when they feel like it anyway. What's the point of pretending?"

- "Now that Senator Patrick's caucus needs something larger than a phone booth to meet in - be careful what you ask for - you might just get it."

- "It keeps balance and democracy in place"

- "The 2/3 rule makes the Senate perform its duty as the deliberative body, the saucer that cools the coffee. It protects not only those in the minority party, but those in less populous areas, especially when urban and suburban areas desire their natural resources."

- "Although the Senate may be more conservative and less collegial than in the past, even the new Senators will come to see the usefulness of the rule to avoid issues that may unduly inflame the base against them -- those complex or troublesome issues where there are no clear winners and losers or business v. business fights. The Senate has effectively "amended" the 2/3 rule to end its use for some red-meat base issues."

- "Always with these trick questions."

- "But they probably won't...."

- "Yes they should...no they won't"

- "The 2/3 rule gives senators in the majority plausible deniability for their mistakes/failures. Get rid of it, and they will fully own what does and doesn't happen in their chamber. Big mistake for a politician."

- "It is foolish of the Dan Patrick types to get rid of the rule now. The Rs will now always have this many votes."

- "I think good leadership will EXEMPT certain items from the rule, which is appropriate. A Calendar Committee would be unworkable in such a small body."

- "The only absolute in this game - it's harder to get something passed than to kill it. And that's a good thing. R's will not control forever . . . killing the 2/3 rule is crazy."

- "Rule forces consideration of minority viewpoints and ideas. State is already suffering from one-party rule."

- "It keeps crazy ideas from becoming law."

- "By putting every Senator on the "calendar committee," it makes each one relevant on each issue. That is a tradition on which they should not want to turn their backs."

- "The Senate is supposed to be the good child who uses consensus to ensure we get good policy. Texas deserves the 2/3 rule."

- "Doesn't matter - still need 2/3 for a quorum even if you throw the rule out"

- "The moderate Rs that are left will join with the Democrats and

Dewhurst to preserve the 2/3rds

rule."

Should politicians disclose their incomes, investments and other personal finance information?

- "Only so we can see who is the richest."
- "Only if a conflict develops"
- "We've operated this long without knowing of conflicts of interest and personal stakes, so why change it?"
- "Yes, but we shouldn't be shocked that someone can serve for \$7200 a year but still build wealth while serving."
- "We are long past due for an ethics scandal."
- "Given the fact that in recent years members have done everything from pimp red light cameras in exchange for a Mercedes (Paging Linda Harper Brown) to pass bills to protect their beach homes (Exit stage right, Mr. Christian), a little transparency might not be such a bad thing."
- "They should report this information. I'm just nosy."
- "For president, yes. For state legislators, the current system would be enough if the income ranges were tightened up."
- "Disclosure in Texas now is an elaborate game of "hide the ball," and the kinds of things that get you investigated by federal prosecutors elsewhere is just business as usual in Austin. Everyone needs to start getting more PO'd."
- "Yawning."
- "Even if I thought they shouldn't have to - public opinion is such that your going to have to proactively fight guilty until proven innocent - may not sound fair but in this arena it actually is"
- "As long as they remain a part-time legislature NO"
- "But this does not meant that members of the Legislature should disclose their personal income tax returns. Unlike members of Congress, legislators cannot amend the Internal Revenue Code to make or break tax exemptions that benefit them personally. If you want to know whether a legislator is using tax law to their benefit, ask them for their business's franchise tax and sales tax returns."
- "NO...."
- "A person's income is his/her private business."
- "Enough is enough. Since when did running for office require the electoral equivalent of a colonoscopy? Disclosure ad nauseum will further deter otherwise good people from serving the public."
- "Too much profiteering is resulting from legislative decisions. That should be exposed."

- "To the extent necessary to determine possible conflicts, of course."
- "A long overdue reform"
- "To whom, and what, and what rules govern the release?"
- "Not beyond current disclosure"
- "As public servants, elected officials in particular are held to a higher standard and their financial lives deserve some level of scrutiny - certainly where conflicts of interest are concerned."
- "Transparency is key to public trust. But the follow up question should be "Is transparency sufficient or should elected officials recuse themselves

from deliberations or votes when they have a professional or financial interest at stake?"

- "Part time legislature does not = part time conflicts of interest."
- "They should also have to pass the standardized tests given to school kids and file conflict of interest forms on legislation affecting themselves, business associates, or family members."
- "Our current system of personal financial disclosure is inadequate. The public demands more transparency."
- "Investments yes; income no more than they do now"

Are current laws and forms for those disclosures adequate?

- "No enforcement."
- "If you want privacy, don't run for an office that controls billions in state funds and regulates entire industries. Stop whining and start disclosing."
- "Ethics commission needs to be funded adequately to upgrade technology and software. Not doing so thwarts its function.... funny given that the legislators who have to disclose the required information are also the ones who set the budget and funding for Ethics Commission...."
- "Especially not in Texas."
- "The people have a right to know how their officials make a living!"
- "Need to be updated"
- "This thong will prevent sunburns all over my body, right?"
- "Generally yes, although the financial categories of disclosure could be made more meaningful."
- "The only holes in the Ethics laws are that lawyers representing clients interest on the floor of the legislature don't have to reveal clients names, and judges have not restrictions on entertainment, travel, etc."
- "The laws are silly and outdated. And the forms, like all other Ethics Commission things, are only good if you want to play the gotcha game"
- "The direct and indirect effects of legislation should show the impact on members business dealings."

Congressman Kenny Marchant's financial investments have boomed as a result of insider trading--resulting from Congressional votes. That's happening in Austin too. It's illegal in the private sector, but legal in the public? Something wrong with that inconsistency,"

- "Some "fine-tuning" would likely be in order. With all due respect for my friends at the Tribune, I don't see the need for disclosure of tax returns. Public life is difficult enough."

- "Is this question intended to be funny?"

- "Most likely a question of enforcement"

- "But there is always room for improvement."

- "They need to include more detail."

Our thanks to this week's participants: Cathie Adams, Jenny Aghamalian, Clyde Alexander, George Allen, Jay Arnold, Tom Banning, Walt Baum, Dave Beckwith, Rebecca Bernhardt, Andrew Biar, Allen Blakemore, Tom Blanton, Jeff Bonham, Hugh Brady, Steve Bresnen, Chris Britton, Blaine Bull, Kerry Cammack, Marc Campos, Thure Cannon, Snapper Carr, Janis Carter, Tris Castaneda, Corbin Casteel, Elizabeth Christian, Elna Christopher, Rick Cofer, Lawrence Collins, John Colyandro, Harold Cook, Randy Cubriel, Denise Davis, Hector De Leon, Tom Duffy, David Dunn, Richard Dyer, Jeff Eller, Jack Erskine, John Esparza, Terry Frakes, Wil Galloway, Norman Garza, Dominic Giarratani, Bruce Gibson, Scott Gilmore, Eric Glenn, Michael Grimes, Anthony Haley, Wayne Hamilton, Bill Hammond, Adam Haynes, Ken Hodges, Shanna Igo, Deborah Ingersoll, Richie Jackson, Mark Jones, Lisa Kaufman, Robert Kepple, Richard Khouri, Tom Kleinworth, Ramey Ko, Tim Lambert, Pete Laney, James LeBas, Donald Lee, Luke Legate, Myra Leo, Ruben Longoria, Homero Lucero, Vilma Luna, Matt Mackowiak, Bryan Mayes, Dan McClung, Parker McCollough, Scott McCown, Robert Miller, Lynn Moak, Bee Moorhead, Steve Murdock, Craig Murphy, Keats Norfleet, Pat Nugent, Sylvia Nugent, Gardner Pate, Tom Phillips, Wayne Pierce, Kraege Polan, Jay Pritchard, Jay Propes, Tim Reeves, Jeff Rotkoff, Jason Sabo, Mark Sanders, Andy Sansom, Jim Sartwelle, Stan Schlueter, Steve Scurlock, Bradford Shields, Christopher Shields, Dee Simpson, Ed Small, Larry Soward, Dennis Speight, Tom Spilman, Jason Stanford, Bob Strauser, Colin Strother, Charles Stuart, Michael Quinn Sullivan, Sherry Sylvester, Jay Thompson, Russ Tidwell, Trent Townsend, Trey Trainor, Ware Wendell, Ken Whalen, Darren Whitehurst, Michael Wilt, Seth Winick, Peck Young, Angelo Zottarelli.