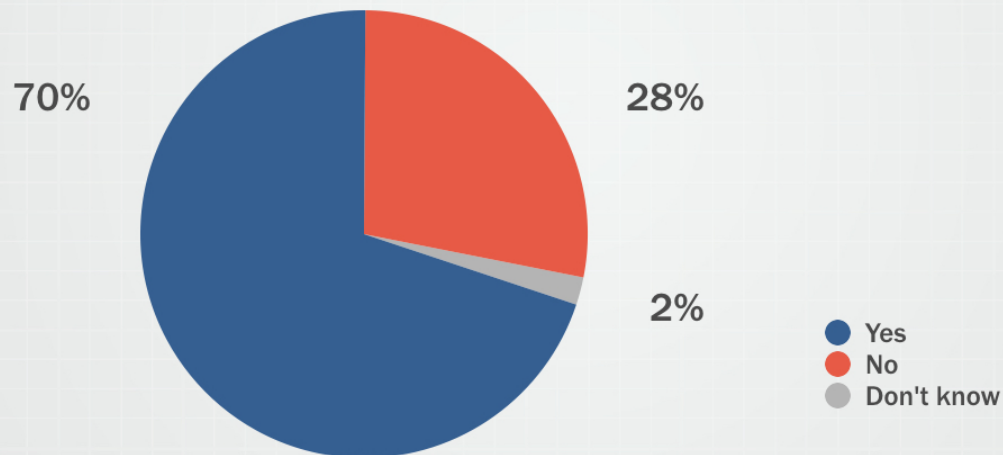


# “INSIDE” INTELLIGENCE

*The Texas Weekly/Texas Tribune insider poll  
for the week of 6 May 2016*

# INSIDE INTELLIGENCE

STATE REP. LARRY PHILLIPS WOULD LIKE TO SEE THE  
SUNSET COMMISSION GO THROUGH SUNSET REVIEW.  
IS THAT A WORTHWHILE IDEA?



Inside Intelligence is an informal survey of political and government insiders in Texas and is not meant to measure public opinion.

# INSIDE INTELLIGENCE

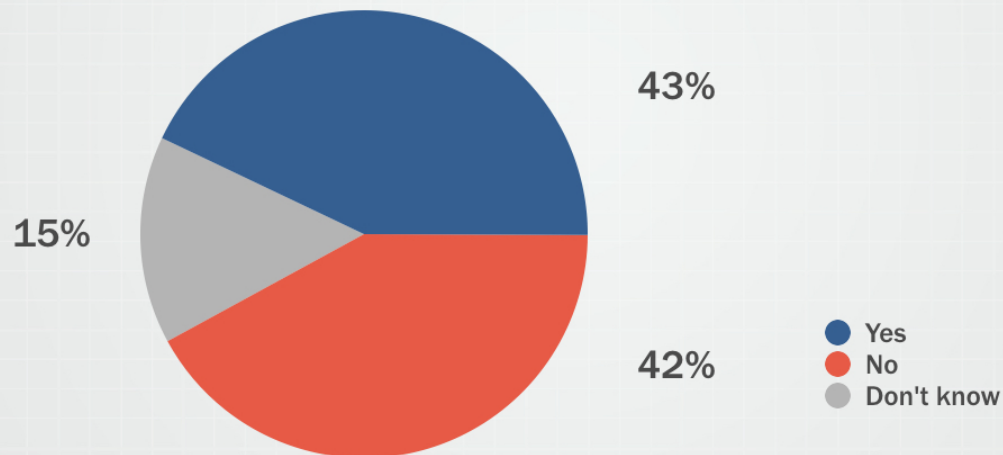
WHAT IS THE BIGGEST PROBLEM WITH THE SUNSET REVIEW PROCESS?



Inside Intelligence is an informal survey of political and government insiders in Texas and is not meant to measure public opinion.

# INSIDE INTELLIGENCE

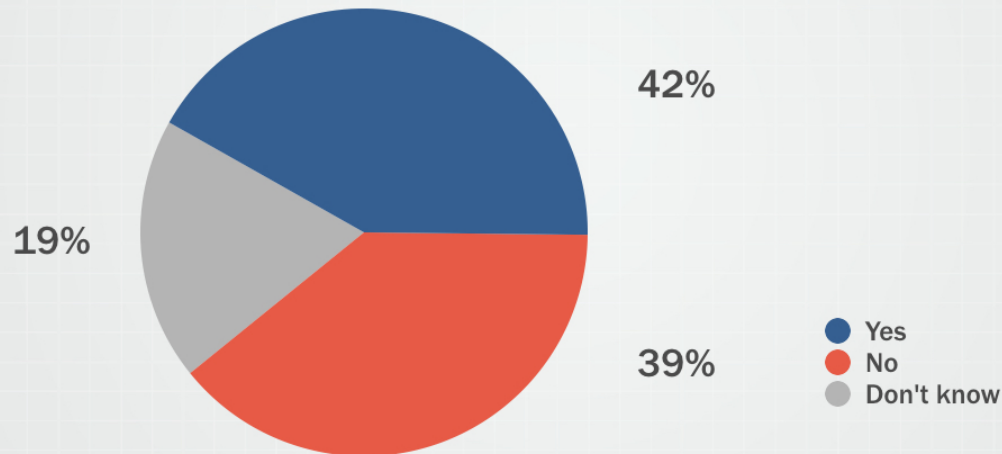
TESTING THE SAYING THAT THE THIRD TIME'S THE CHARM,  
WILL THE SUNSET REVIEW OF THE RAILROAD COMMISSION YIELD  
SUCCESSFUL LEGISLATION NEXT YEAR?



Inside Intelligence is an informal survey of political and government insiders in Texas and is not meant to measure public opinion.

# INSIDE INTELLIGENCE

HOW ABOUT TXDOT?



Inside Intelligence is an informal survey of political and government insiders in Texas and is not meant to measure public opinion.

## ***State Rep. Larry Phillips would like to see the Sunset Commission go through sunset review. Is that a worthwhile idea?***

- "Sounds dumb, but the Sunset Commission has made some incredibly bad recommendations."
- "There may be better ways to do what they do. Or there may be things they review that should not be in the purview of the Sunset Commission. Also, the large 15 agencies may be better reviewed in parts. While it is not going to get rid of the process, a review may serve to find ways to do things better."
- "Sunset is an awesome process that is quite useful for evaluating the efficiency, effectiveness, and need for an agency. Perhaps Chairman Phillips should serve on Sunset and then see if he continues to hold this opinion."
- "The Sunset Commission needs to be protected from politics in order to do a good job of assessing the government bureaucracies."
- "Why not? If they put the others through the wringer, they should set an

example by enduring the challenges their members face."

- "Why not another long running state agency?"
- "Of all Texas agencies, the Sunset Commission should be of highest priority for review and serious consideration be given for elimination. It's one-size-fits-all mentality and the making of recommendations that impede the state's economy have been present for far too long."
- "What's good for the goose is good for the gander."
- "I'll reserve judgment until I see his bill that amends to the Texas Sunset Act to allow for the Commission to be reviewed. Until then, let your colleagues do their job, Rep. Phillips."
- "If putting sunset through sunset would help to sunset sunset, then I'm for it. Sunset is a painful drag more than it is anything else."
- "Not for the reasons he wants, but because every agency should have a review."
- "No, because the Legislature wants to stifle debate on issues they don't want to have to vote on that relate to agencies, much less the agencies. It is easy to say that the amendments that

### ***What is the biggest problem with the sunset review process?***

- "It is a much needed and valid process. It does not need to be eliminated. If it were, there would be no regular, methodical process to review state agency operations. It is too bad

accompany sunset have no place in a 'review,' but the fact is that the vested interests and dominant players don't want to have the debate."

- "Goose/gander deal. But it has to be done in the county where the Commission resides, right?"
- "If you buy into the idea that agencies need a sunset review, then you need a Sunset Commission or similar entity. If you think the process is a waste, then it follows that you should sunset Sunset."
- "An alternative to a Sunset Commission could be that the joint committees attached to each agency. For example, the Railroad Commission would be jointly reviewed by the Senate Natural Resources and House Energy."
- "All agencies should be reviewed. The comptroller's office or the state auditor should review them."
- "If ultimately they desire to rid themselves of sunset, they should require by house and senate a review in a standing committee. Of course, the money from sunset could follow to respective committees."
- "Absolutely... was a bad idea when Lloyd Doggett came up with it..."

that higher education isn't subject to the sunset review process!"

- "Avoiding sudden death is not a bad thing. In all the instances where a

lifeboat bill had to be used to keep the agency alive for two more years, the Sunset Commission had already recommended it not be abolished. It is most perplexing that there is so much angst about a process that was set up by the Legislature AND is run by the Legislature. The Speaker has it right — self-regulation."

- "It's easier said than done, but the legislator carrying the reauthorization bill must keep a firm handle on the process and not allow special interests to morph it into a Christmas tree. Threats may be indicated."

- "Show me when it actually worked and we shut down an agency."

- "Except lawmakers losing control."

- "The biggest problem is the upending of what is typically a working agency. Just the sunset review process itself, to say nothing of the legislation that follows and any new laws enacted, is almost always more destructive than constructive."

- "A Sunset bill should be a matter of agency continuation, or not; and their suggestions for different agency organization or greater efficiencies should be in separate filed measures."

- "The staff level process is pretty good. What happens under the Dome is NOT Sunset's fault."

- "There needs to be a deeper look at if agencies are actually serving the populations they were formed to serve. Agencies are failing to adequately accomplish their stated missions. In fact, agency operations are at about an

all time low point after years of Perry political cronyism at the top of agency org charts!"

- "Process too easily used for policy changes instead of for operational or justification issues. And if bill is 'hijacked,' then it'll be killed and may or may not be brought up again until the next scheduled review."

- "Staff without detailed knowledge of agencies in conjunction with legislators assigned to the Sunset Commission review agencies sometimes coming up with suggestions that sound good but aren't feasible."

- "Sunset comes up with boilerplate language like collective bargaining and commission size that just doesn't work for every agency."

- "All except lawmakers losing control. They are in control but just carry water for the ones under sunset or the businesses that are subject to the agency that is being reviewed"

- "Biggest problem is lawmakers ignoring Sunset staff recommendations in favor of industry lobby recommendations. This has clearly been the case with the Railroad Commission Sunset process. It's not the fault of the Sunset Commission agency that the process has failed, but rather because of pressure from the industry lobby on lawmakers."

- "The Sunset staff."

## ***Testing the saying that the third time's the charm, will the sunset review of the Railroad Commission yield successful legislation next year?***

- "Politics..."
- "There will be a big focus on the groups and the legislators that work to do anything that jeopardizes the bills. They've already got the media helping with that, don't they?"
- "It's logical and helpful to voters to know that they're voting for overseers of the oil & gas industry, rather than railroads."
- "The fact of the matter is that it already has yielded successful legislation. Ninety-plus percent of Sunset's non-political recommendations were adopted in other legislation in 2011, 2013, and 2015."
- "The Sunset Commission staff doesn't have a vote."
- "Unclear as to meaning of 'successful' in this context."
- "I hope not. Just leave the place alone. No amount of tinkering with the RRC's laws is going to do what the elected commissioners couldn't do on their own."
- "Only if the Oil and gas industry wants it too!"
- "Third time's a charm."
- "This is a quiet, very powerful agency that has always stayed under the radar."
- "DPS was punished about three times with reviews back in the 2000s and look at them now — they're now a border patrol agency and the Texas Rangers perform public integrity investigations instead of quelling."
- "Special interests always keep the Legislature from getting rid of worthless agencies. Besides, it gives the Republicans three elected offices!"
- "It may be successful but not in favor of the people. Just for the commissioners."
- "What is your definition of successful?"
- "Big oil wins again... the two Craddick's continue to keep their oil fortune safe..."

## ***How about TxDOT?***

- "TXDOT is every member's pork and economic development need. There are a lot more fingers in that pie. This would be a great one to break into pieces. Maybe Sunset functions of the agency if the bill containing the revisions for a specific program doesn't pass."
- "TXDOT needs an ass whoopin'. When sitting commissioner requests information from the agency and he



never gets it, there is a problem. This has happened. This agency is a joke and they operate and live in an era that time forgot."

- "TxDOT is too entrenched."
- "See comment to #3, supra"
- "No. TxDOT is a whale that sunset is not going to be able to steer."
- "This is a Christmas tree piece of legislation only waiting to happen!"
- "Too many birds feathering their nests off of the mismanagement to get any real reform."

- "Money"
- "Sounds like something Jimmie Johnson used to holler in the locker room."
- "If a healthy review can get us out of the toll road business and restore the quality of the Texas highway system, then let's do it. Toll roads are double taxation while many bridges are dangerous, highways all over the state need new striping and better signage and certain area needs are left out of the future plans due to political reasons."

***Our thanks to this week's participants:*** Gene Acuna, Cathie Adams, Brandon Aghamalian, Clyde Alexander, Jay Arnold, Andrew Biar, Allen Blakemore, Tom Blanton, Chris Britton, Raif Calvert, Kerry Cammack, Snapper Carr, Janis Carter, Elna Christopher, Harold Cook, Kevin Cooper, Randy Cubriel, Curtis Culwell, Denise Davis, June Deadrick, Glenn Deshields, Tom Duffy, David Dunn, Richard Dyer, Jack Erskine, Gay Erwin, John Esparza, Tom Forbes, Neftali Garcia, Dominic Giarratani, Bruce Gibson, Eric Glenn, Kinnan Golemon, John Greytok, Jack Gullahorn, Clint Hackney, Wayne Hamilton, Bill Hammond, Steve Holzheuser, Deborah Ingersoll, Mark Jones, Walt Jordan, Robert Kepple, Richard Khouri, Tom Kleinworth, Dale Laine, Pete Laney, James LeBas, Luke Legate, Myra Leo, Ruben Longoria, Matt Mackowiak, Jason McElvaney, Steve Minick, Bee Moorhead, Mike Moses, Keats Norfleet, Gardner Pate, Robert Peeler, Tom Phillips, Allen Place, Gary Polland, Jay Pritchard, Jay Propes, Patrick Reinhart, David Reynolds, Carl Richie, A.J. Rodriguez, Grant Ruckel, Andy Sansom, Barbara Schlieff, Stan Schlueter, Robert Scott, Ben Sebree, Nancy Sims, Jason Skaggs, Ed Small, Martha Smiley, Larry Soward, Leonard Spearman, Dennis Speight, Colin Strother, Sherry Sylvester, Sara Tays, Trey Trainor, Vicki Truitt, Ware Wendell, David White, Darren Whitehurst, Seth Winick, Peck Young, Angelo Zottarelli.