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HK: It is worth asking whether the governor just drove off a cliff

Life would be simpler if you also defund the Judicial branch, and, oh, there is that matter of Legislative bribery.

So, Governor **Greg Abbott** threatens to line-item veto funding for the *Legislature*.

On the surface that appears to be the most poorly thought-out gubernatorial threat in my 3+ decades of watching the best show in Texas. What follows is an only partially whimsical crystal ball of what he has done and what it could lead to.

Now let's stipulate that the Governor is reputed to be an excellent attorney and has hordes of excellent attorneys at his beck and call. This poor electron-stained wretch is working in a cubby hole in South Austin with two white shepherds as legal advisors.

But let your mind roll over what Greg Abbott just did. I do not know if he committed legislative bribery but he appears to have just offered something of value, actual dollars, in exchange for legislative action. Maybe governors are exempt from the same standards mere citizens might suffer, but let's take it at face value for the moment. Under the new *Public Integrity Law* passed last session, Abbott would be investigated and prosecuted in Travis County, his domicile.

In case that is not sufficient, the Governor has just opened the door to an even greater can of worms. If you can line-item veto the Legislature's budget, you should also be able to Line Item veto the *Judicial Branch* budget.

Now, we all know that the *Texas Supreme Court* is in the thrall of the same contributors that help bankroll Governor Abbott's campaigns so a cynic might be forgiven if they thought the two branches would never really get

crosswise. But pesky voters have created some Democratic majorities on Courts of Appeals. Perhaps they could singularly get the veto red line.

And the world is changing.

The Texas Supreme Court may not always be subject to the same owner's box of contributors as it is today.

But to be serious, the mere thought of the Executive branch silencing the Legislative and/or Judicial branch must have former President **Donald Trump** kicking himself for not having thought of it first. Who needs January 6 when you can simply defund the other branches of government?

Sure, thousands of innocent state employees would become collateral damage, losing income and insurance, but if rumors are true that Governor Abbott sees himself as a viable candidate should Donald Trump not seek another term in 2024, what better way to prove you are made of the "Right Stuff" than by shutting down a branch of government and impoverishing those "evil state employees"

And the *Legislative Budget Board* and *Legislative Council* have always been vastly overrated.

But frankly, my favorite question would be figuring out who pays for the support group that helps draw the maps and prepare the legal defenses for the *Legislative Redistricting Board* that is going to draw the Legislative map anyway. I am not clear if that is the AG's or legislative responsibility.

Some have argued that Democrats simply do not have to show up for a special that includes what they and most experts believe to be a truly malicious voter suppression bill. That is why, so the argument goes, Governor Abbott tries to lure Democrats back with consideration of bail reform and no-knock warrants reform. But the truth is that those are mere aperitifs affecting hundreds or maybe thousands of possible Democratic constituents.

On the other hand, the Voter Suppression/"Election Integrity" bill arguably disenfranchises potentially hundreds of thousands of voter including, yes, some Republicans.

What Democrat or even principled Republican would ever trust the Senate as a good faith partner after their antics of this weekend. An "out of the bounds" resolution permitting something numerous new previously undiscussed items in which Democratic conferees were prevented from participating.

I am not in the business of legislative strategy, but only one member of the leadership seems to honor his word and that is Speaker **Dade Phelan**.

My suggestion?

Encourage the Governor to cancel the Legislative Branch by vetoing its budget. Argue that the judicial branch could be next. The Governor resides in Travis County so the local prosecutors could check out if he has met the threshold for legislative bribery.

In the meantime, let the national press feast on the Governor who could not shoot straight and watch those presidential aspirations evaporate as the "*Texas Miracle*" withers under the weight of silly culture wars and an election law most business leaders understand is discriminatory.

Meanwhile, the major business relocators are about to discover that while we may have lower taxes and regulation, our electric grid also has the lowest level of back up reserves of any electric grid in the country should the weather turn back south in a major way.

When the Governor inevitably calls a special session to pay the Legislative branch, the Speaker could condition it on funding only. Simply because a governor calls a special session does not mean that the Legislature is compelled to take up the items on the call.

With his veto threat, the Governor broke faith with the Legislature and he

opened the door for similar retaliation.

Finally, if Abbott does veto legislative funding, he should anticipate a much smaller gubernatorial budget next session. He can only reduce appropriations through line-item vetoes, but his pen cannot increase them.

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