



## Dewhurst to Dems: Enough is enough

### Runaway senators say they're up for legal fight in redistricting battle

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By WAYNE SLATER and TERRENCE STUTZ / The Dallas Morning News

Lt. Gov. David Dewhurst said Tuesday that Texans' patience is wearing thin and that Republican leaders are considering legal action to force 11 Democrats to end their weeklong walkout from the Legislature.

The Republican lieutenant governor repeated his call for the runaway senators to voluntarily end their boycott over congressional redistricting.

But he added, "If they don't come back in timely fashion, we're going to be forced to look at other options, including legal options."

Mr. Dewhurst declined to specify what legal action he had in mind. The Democrats, in political exile at a hotel in Albuquerque, N.M., said they couldn't comment until they know what options the GOP leader is considering.

"If necessary, we will have a legal team prepared to meet any legal challenge," said Sen. Royce West, D-Dallas. "We'll be ready to take it to whatever level we have to."

A week ago, Mr. Dewhurst and other GOP leaders denounced Democrats for considering legal action in the argument. Mr. Dewhurst said Tuesday that legal action by Republicans was different.

"They were looking for a favorable judge [with] which to file, what we felt and the attorney general's office felt, to file a spurious lawsuit," he said. "All I'm saying is there are means we have within the context of Senate rules to compel their attendance."

A district judge has ruled that state troopers cannot be used to force runaway House members back to the chamber. That ruling stems from a walkout by Democratic members of that chamber over redistricting during the regular session. It was unclear whether the ruling would affect the Senate.

Among Senate options are having the sergeant-at-arms deliver an arrest warrant signed by the secretary of the Senate, which would compel the lawmakers to return. If they refuse, they might be subject to contempt actions in court, attorneys said.

Mr. Dewhurst previously has said he will not pursue the senators outside the state. The 11 Democrat senators say they won't return from New Mexico unless Gov. Rick Perry removes redistricting from the

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agenda of the special session or Mr. Dewhurst restores a rule requiring a supermajority to consider legislation.

The Texas senators bolted from Austin on July 28, denying a quorum in the Senate and stalling consideration of Mr. Perry's call to redraw congressional boundaries.

Democrats hold a 17-15 advantage in the state's congressional delegation.

Republicans say the lines do not reflect growing GOP strength in the state and have proposed maps that would boost Republican seats by five or six.

On Tuesday, Rep. Dan Branch, R-Dallas, introduced a proposed constitutional amendment that could make it harder to stall legislative action by denying a quorum, as the Democrats have done.

Currently, a quorum consists of two-thirds of the members of the House and Senate. Under the proposal, a quorum would mean two-thirds of the number of House or Senate members within the boundaries of Texas. That would mean that lawmakers who flee the state would not be counted for the purpose of establishing a quorum.

On Tuesday, the senators were visited by several members of the GI Forum of Texas, a Hispanic veterans' group that saw its job training funds – \$300,000 – from the state and federal government terminated by the governor's office earlier this year. Democrats and leaders of the group attributed the action on the GI Forum's opposition to GOP-backed congressional redistricting proposals.

"In a petty, cold and vindictive move, Gov. Perry slashed \$300,000 in job training funds to the GI Forum because its members had the courage to stand up to Rick Perry and Tom DeLay's partisan power grab by showing up in force at redistricting hearings in South Texas," said Sen. Leticia Van de Putte, D-San Antonio, head of the Senate Democratic Caucus.

Mr. Perry rejected the assertion that the funding decision was retaliation against the group.

He said "the predictability ... of success" of the American GI Forum's job-training program was a factor in determining whether to fund it and other such programs.

"They are not being treated any different than anyone else," he said.

Ram Chavez, state commander of the GI Forum of Texas, praised the Democratic senators for taking a stand against redistricting and criticized Mr. Perry's action on the job training funds. The group has said it will have to close some offices and scale back programs.

*Wayne Slater reported from Austin and Terrence Stutz was in Albuquerque.*

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