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Texas Senate at odds over voter ID legislation, two-thirds rule

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AUSTIN – The usually harmonious Senate began its year with discord Tuesday over Republican proposals to advance voter ID legislation and change a long-standing rule that requires a two-thirds majority to take up any bill.

Much of the debate took place in a closed-door caucus of the full Senate, where some Republican senators said it was time to consider changes in the so-called two-thirds rule that requires a supermajority for consideration of bills.

At the same time, Republican supporters of a measure to require that Texans show a photo ID before voting suggested that the proposal should be exempt from the two-thirds rule, similar to the way a congressional redistricting proposal was exempted in 2003 over strong opposition from Democrats.

Lt. Gov. David Dewhurst, a strong backer of new voter ID requirements, said it was up to the Senate to decide its operating rules, though he added, "As far as I know, I don't think the two-thirds rule is going to change."

Dewhurst also said it is possible that the two parties could negotiate their differences on voter ID and pass a bill this session.

"Everybody wants to make sure that only U.S. citizens vote in our elections," he said. "This is not a difficult issue to come to an agreement on."

But Democrats indicated there is little room for compromise on either voter ID legislation or the long-standing two-thirds rule.

The parties have had a contentious battle over the ID issue, with Republicans saying it's necessary to combat voter fraud and Democrats saying that the requirement will intimidate some minorities and that there is no widespread fraud to tackle.

There are 12 Democrats in the 31-member Senate, one more than needed to block legislation under the chamber's two-thirds rule. That is how Democrats kept a voter ID bill off the Senate floor in 2007.

Sen. Judith Zaffirini, D-Laredo, said Democrats are standing firm against changes in the rule and said no measures should be exempted.

"For some people it may be a compromise, but from my perspective, it is ridiculous. The two-thirds rule has served us well and it should continue to be honored," she said.

Sen. Leticia Van de Putte of San Antonio, chairwoman of the Senate Democratic Caucus, said the activities reminded her of tactics used by former House Speaker Tom Craddick, who was replaced Tuesday. Among the complaints against Craddick was that he marginalized all but a few Democrats.

"I thought the days of Craddick politics were over," she said.

Sen. Dan Patrick, R-Houston, is pushing both voter ID legislation and a change in the two-thirds requirement, though he would like to see the Senate switch to rules calling for three-fifths, at least 19 senators, to consent before bringing up any bill. There are 19 Republicans in the chamber.

"I understand and respect tradition. But even Wrigley Field put in lights," Patrick said, referring to the Chicago Cubs ballpark that was one of the last baseball stadiums to play night games.

Senators are expected to adopt their rules for the 2009 session today or Thursday. A simple majority is needed to enact rules.