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Questions?
Contact the Student Foundation office at 846-8193 or you can e-mail us at student@12thmanfoundation.com

AG: Perry must release zero-based budget drafts

By Connie Mabin
THE ASSOCIATED PRESS

AUSTIN — Texas Attorney General Greg Abbott's office ruled Tuesday that Gov. Rick Perry must release to the public drafts of the state budget his office was working on before he came up with his zero-based budget.

Assistant Attorney General June Harden wrote in a four-page opinion that Texas law requires that the documents be disclosed. Responding to requests from The Associated Press, the San Antonio Express-News and the Austin American-Statesman, the governor's office stated in a February letter that draft budget copies and other related materials should be kept private because of exceptions in the Texas Public Information Act.

Disclosing the documents would discourage the "frank exchange of information among government staff and agencies," Perry's office contended in asking for an attorney general's opinion on the matter.

Perry spokeswoman Kathy Walt said the office was in the process of retrieving the documents and would make them available to reporters by April 22. The opinion said Perry had 10 days to notify the news organizations of his intent to release the material. Perry could have sued to challenge the ruling.

The records comprise "literally tens of thousands of pages," Walt said. "That's what we're

starting to pull together." The ruling by Abbott's office was applauded by open government advocates.

"That's good news. It would seem that the law's very clear on this subject and I'm sure the governor will want to follow the law and release the records promptly," said Donnis Baggett, publisher and editor of the Bryan-College Station Eagle.

"The public has a definite right to know and a need to know how he arrived at his numbers," said Baggett, who's also vice president of the Texas Daily Newspaper Association.

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— Donnis Baggett
Bryan-College Station Eagle

The three news organizations made their requests separately over a nine-day span in January after Perry proposed on Jan. 17 that Texas spend nothing in the next two fiscal years.

Perry's proposal listed amounts spent in previous budget years in each category, such as education and public safety, and then recommended zero be spent on that item for

the coming two-year cycle. Perry, a Republican, described the proposal as historic and using zero as a starting point allows legislators to judge the dollar ultimately spent by agency against every funding request. Republicans Lt. Gov. David Dewhurst and House Speaker Tom Craddick agreed.

Royce Poinsett, the governor's assistant general counsel, argued that the budget work documents should be exempted from release because they were papers that would be used in evaluating legislation for approval or veto because they were memoranda within government agencies and are part of a deliberative process.

The AP in its written request Jan. 23 asked for the most completed work product or draft version of the governor's budget proposal, including any documents detailing recommended budget cuts.

In an interview on Jan. 23, the AP and the American Statesman, Perry spoke of budget recommendation he was working on.

"I will give a good starting point budget," he said. "I will work with the Legislature to work with, work with us."

Perry said his budget proposal would be based on available revenue, or the amount of money comptroller says state lawmakers have to spend in fiscal year 2004-05. He did not rule out but would not be specific.

Perry was adamant that there be "no new taxes."

NEWS IN BRIEF

American Air could bankrupt if workers don't approve plan

DALLAS (AP) — Labor leaders at American Airlines warn that workers could reject concessions designed to save the world's largest carrier from bankruptcy, but the company has declined to renegotiate the deals.

Results of the voting by employees are expected by April 15, and a company spokesman said Tuesday that American would file for bankruptcy "very soon" if any of the unions reject concessions, which total more than \$1.6 billion a year.

Leaders of unions representing pilots, flight attendants and mechanics struck last-minute deals March 31 as American executives warned that the company's lawyers were minutes from marching into bankruptcy court.

Now, the deadline deals are running into criticism.

The deal would result in layoffs for 25,000 American's 12,000 pilots. Those remaining would take a pay cut of 23 percent the first year and a slightly smaller 17 percent cut the remaining years. They would get stock options and salaries in later years of the contract.

"Bankruptcy is not a pretty option, but it would be a worse deal than what we're voting on now," Greg Shayman, a Fort Worth-based pilot and member of a group opposed to the concessions agreement.

Even if the unions ratify the wage and benefit cuts — part of American's plan to cut overall spending by \$4 billion a year — the company could wind up in bankruptcy, "and then those stock options would be worthless," Shayman said.

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