



Capitol Update 01-16-13

Greetings from your Texas Capitol! For those of you who are receiving our Capitol Update for the first time, let me tell you a little bit about it. During the legislative session, my ability to be in the district and meet with constituents is diminished. In order to make sure I'm providing topical and pertinent information to you, the citizens I serve, my staff and I typically compile this newsletter on a bi-weekly basis throughout the session.

While the last 18 months of traveling Senate District 22 and meeting with constituents have been truly delightful for me, I have now deployed to Austin for several months of important work. As you know, the Legislature meets every other year for 140 days in order to file bills, debate policies and enact law on behalf of the people of Texas. These are your representatives, so as always, I encourage you to check in on what's happening day to day at the Capitol. You can watch live video coverage of the chambers or committees—and even archived footage—for both the [House](#) and [Senate](#).

And now on to the Update...

Comptroller Releases 2014-2015 Revenue Estimate

Last week Comptroller Susan Combs released the much-anticipated biennial revenue estimate. This report is not only an indicator of Texas' economic health but often sets the tone for the coming legislative budgeting process. The key data points can be found below, and those interested in reviewing the full report can find it on the [comptroller's website](#).

- The biennial revenue estimate sets the limit of the General Revenue Fund, the portion of the budget over which lawmakers have the most control.
- It is projected that the state will collect \$96.2 billion in revenue during the 2014-15 biennium.
- Of that revenue, \$3.6 billion will be deposited in the Economic Stabilization Fund—better known as the Rainy Day Fund—which the comptroller predicts will grow to \$11.8 billion by the end of FY2015.
- In addition, the General Revenue Fund is expected to have \$8.8 billion left over from the current 2012-2013 biennium.
- Thus, it is estimated that Texas will have \$101.4 billion in available revenue for the 2014-2015 biennial budget.

While I join Texans in celebrating the anticipation of a healthier financial status, I believe it is important to remember that this report is merely an estimation of where we stand. There are still seven months left in the 2012-2013 biennium and there are a number of complicated budgetary facets not immediately addressed in this projection. I hope my colleagues will join me in entering this legislative session with a full awareness that we got here by sticking to the key tenets of conservative governance that have made Texas a national leader—low tax burdens, staunch tort reforms and a fair regulatory climate. Without these guiding principles, our state cannot maintain its reputation as the best place to live and do business in the United States.

Sunset Advisory Commission

During the 2012 interim I was appointed to serve as a member of the [Sunset Advisory Commission](#), which administers the recurring legislative assessment of the continuing need for a state agency to exist or be statutorily changed to better serve the taxpayers. With the final committee hearing behind us, we now begin the bill-drafting and bill-filing portion of the Sunset process. All recommendations voted on by the members of Sunset must now be drafted into agency-specific pieces of legislation to be voted on by the House and Senate and ultimately signed into law by the governor. Sunset Advisory Commission reports from 1982-2011 indicate a 29-year positive fiscal impact of approximately \$945.4 million, and we anticipate our 2012-2013 legislative changes to result in more than \$161 million in expected savings and revenue over the 2014-2015 biennium. My appointment to Sunset was an especially important one to me. I believe it is my duty to eradicate government waste and curb the unnecessary and excessive spending of taxpayer dollars whenever and wherever possible. This appointment has provided me with an opportunity to fulfill that very commitment to my constituents.

Key Dates for the 83rd Legislative Session

Time flies by pretty quickly during the legislative session. Here are a few of the key dates of which I want to make you aware:

- JANUARY 18th—Final committee assignments are to be designated by the Lieutenant Governor.
- MARCH 8th—With the exception of "local bills," all legislation must be filed with the Calendar Clerk in the office of the Secretary of the Senate.
- MARCH 11th—Unless the Governor declares emergency legislative items, this is the first day the Legislature may vote on filed legislation (both in committee and on the floor).
- MAY 27th—The final day of the 83rd regular session.
- JUNE 16th—This is the 20th day following adjournment and the last day the governor can sign or veto bills passed during the regular legislative session.
- AUGUST 26th—This is the 91st day following adjournment and the date that bills without specific effective dates become law.

Texas Senate Retains "Two-Thirds Rule"

The members of the Texas Senate voted Wednesday to continue the use of the ["two-thirds rule"](#) for the duration of the legislative session. This is the controversial tradition of preventing bills from being brought up for debate on the Senate floor unless two-thirds of senators consent. Historically, the rule has allowed a minority of senators to block passage of bills that have the support of more than half of the body's 31 senators. I was one of a minority of senators to speak out against this rule, and as such, I delivered the following statement to be recorded in the Senate journal:

"Even with the new makeup of the body, support for removing the two-thirds rule in the Texas Senate remains insufficient for passage. Thus, as in the 82nd legislative session, I wish to state on the record that I cast a "Yes" vote on the rules package so that the Senate may continue to address the people's business. I do, however, have great reservations about the two-thirds rule, which requires the consent of 21 of 31 Members to allow a bill to be considered on the floor by the entire body. This rule provides a minority of Members to direct or preclude the actions of the majority, an example of what founding father James Madison feared in Federalist 58: 'It would no longer be the majority that would rule; the power would be transferred to the minority.' The fundamental character of our republic is that the will of the majority shall prevail."

Legislative Per Diem to Hold at \$150

In December I joined my fellow Senators in requesting that the Texas Ethics Commission (TEC) not increase our "per diem" during the legislative session. Each biennium, the Texas Constitution requires the TEC to set the per diem, which covers legislator's daily living expenses and housing costs while in session. Our request was in direct response to a proposal to increase our per diem to \$179, thus matching federal employees' current per diem for the City of Austin. Though a \$29 increase may seem like a mere drop in the bucket, this action—which affects all 181 members of the Legislature—will save nearly \$740,000 during the 83rd legislative session alone. The TEC is scheduled to hold a hearing on the matter next month, and we expect they will grant our request.

I hope you found the information above to be useful. Communicating with constituents is one of my top priorities, so I will appreciate your contacts to my office in order to make certain my staff and I know what I can do to best represent you.

In the next Capitol Update, I'm excited to share with you an overview of my legislative priorities, the specific bills I'm filing, and my updated Senate committee assignments.

My colleagues and I have a great deal of work ahead of us, but I see each day as an opportunity to make sure I'm voting on the principles and policies for which I told you I would fight. I appreciate the privilege to represent the citizens of Senate District 22, and it remains my distinct honor to serve each of you in this capacity.

God Bless,



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