

## TEXAS LEGISLATIVE REPORT (Jan-Feb 2009)

I hope you all had a very Merry Christmas and that your New Year will be happy and prosperous.

For your information, here's an overview of the Texas Legislature. The 81<sup>st</sup> session of the Texas Legislature meets every other year (odd years) and will begin on Tuesday, January 13, 2009.

The Texas Senate has 31 members (must be 26 years old) elected for a 4 year term. The Lt. Governor is the President of the Senate, presides over the Senate, and only votes in case of a tie. The Lt. Governor makes all Committee assignments in the Senate.

The Texas House has 150 members (must be 21 years old) elected for a two year term. The Speaker of the House is elected by the members of the House. The Speaker makes all Committee assignments in the House.

In the 2007 session, lawmakers passed bills that restricted state contracts with private road builders, strengthened handgun defense laws and brought back the Texas Tomorrow Fund in a different fund. They also approved a comprehensive state water policy, Bible classes in public schools and steroid testing for high school athletes. The Texas Youth Commission was overhauled, air quality programs were created and \$3 billion was set aside for cancer research.

Measures that failed included reforms to the top 10 per cent rule for high school seniors, photo ID requirements for voters, slot machines at race tracks, shield laws for journalists, stem cell research funding and electronic fingerprint ID systems for monetary transactions or age verification.

With an economic crisis looming, state officials are preparing the official estimate of how much money our legislators can spend during the upcoming budget, which will end on Aug 31, 2011 . Even though Texas has a more sound budget than many states, the budget watchers expect a pretty conservative budget during this session.

Susan Combs, the State Comptroller stated her team is "watching the state's economic fundamentals – home foreclosures, sales tax revenue, job creation – rather than the wild swing of the stock market to arrive at the revenue estimates, which will be delivered on January 12, 2009 ." Texas has about \$12 billion on hand in its rainy day fund and other accounts. Only \$2 billion is truly surplus revenue and that will be quickly consumed by current costs related to Hurricane Ike & Medicaid. Ms. Combs further stated, "there are a lot of very significant

needs that are unavoidable” and warned that there will not be a big pile of undedicated money awaiting legislators.

The amount of funds available to legislators will largely depend on state sales tax collections, which fill about half of the \$80 billion general revenue fund. The revenue from the revised business tax that was part of the 2006 package which reduced school property taxes by one third was forecast to bring in \$5.9 billion. It came in \$1.4 billion short the first year. Now that oil and gas prices are dropping, the state’s revenue from sales tax and business tax collections from oil & gas companies will be considerably decreased.

The hot topic items for this legislature, in addition to education funding, will probably be transportation, water, and air quality that will need increased regional planning attention. Several senators are speculating that the state will no longer fund the “big stuff” but instead hand control over to local communities to get major projects planned and funded by the voters. They agree that new air quality policies will be “imperative” for this upcoming session and noted that a lot of development is happening in areas that are water poor and that a statewide water conservation policy is needed.

Jim Walter, board chair of Envision Central Texas questioned: “How do we sustain this working together mindset as the hard legislative work gets done?” He received some hard advice: “Get all the region’s mayors and county commissioners to sign on, then bring the list to the legislature – don’t try to fight it out on the House floor.”

Our legislators have been elected by us – the voters – and they are our representatives. If you have a concern, by all means, contact your legislator and let them know your concerns.

Albert Prewitt  
TFC State Legislative Director