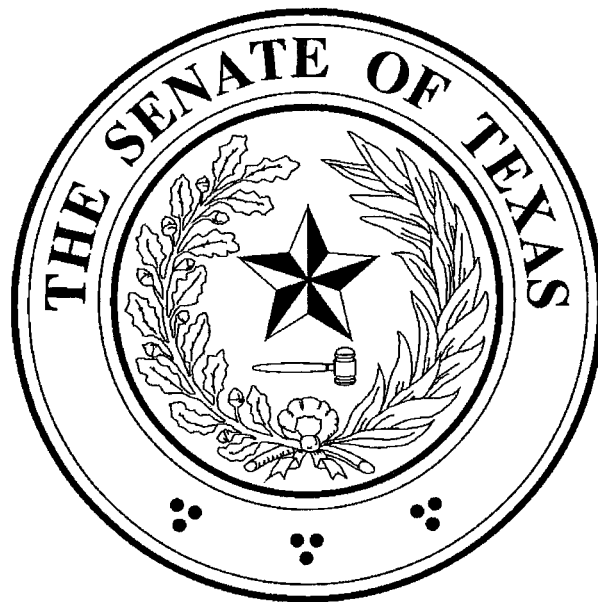


**Senate Committee on
Administration**



Interim Report to the
83rd Legislature

December 2012

October 15, 2012

The Honorable David Dewhurst
Lieutenant Governor of the State of Texas
2E.13, Capitol Building
Austin, Texas

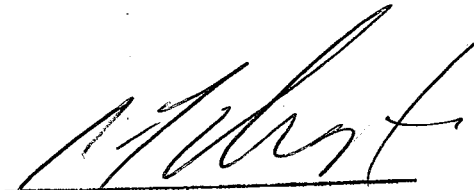
Dear Governor Dewhurst:

The Senate Committee on Administration is pleased to submit its interim report to the 83rd Texas Legislature. It is our sincere hope that these recommendations will be helpful in addressing procedural and budgetary challenges that we may face in the upcoming Legislative Session and beyond.

Respectfully submitted,



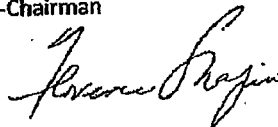
Senator Kevin P. Eltife
Chairman



Senator Carlos Uresti
Vice-Chairman



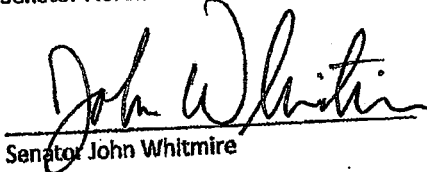
Senator Steve Ogden



Senator Florence Shapiro



Senator Jeff Wentworth



Senator John Whitmire



Senator Judith Zaffirini

Chair, Government Organization Committee
Co-Chair, Joint Oversight Committee
on Higher Education Governance,
Excellence, and Transparency
Legislative Budget Board



Judith Zaffirini
State Senator, District 21
President Pro Tempore, 1997

Committees
Administration
Economic Development
Finance
Health and Human Services
Higher Education

November 26, 2012

The Honorable
Kevin Eltife, Chair
Senate Administration Committee
Capitol Building, E1.714

Dear Chair Eltife:

Thank you and your committee staff for the time and effort you invested in preparing the Senate Administration Committee's Interim Report. I am delighted that it contains important recommendations regarding transparency and efficiency, especially regarding the use of websites and social media for committee proceedings.

Because I agree with most of the report's findings and conclusions, I have signed it. I disagree, however, with one recommendation, namely, that the temporary budgetary measure of limiting senators to one newsletter per biennium be implemented permanently. The newsletter is an extremely important tool used to meet our duty to communicate effectively with our constituents throughout our districts. In a large and diverse district, such as my Senate District 21, which covers 18 counties and stretches from the Rio Grande River to the Colorado River, the newsletter is critical to informing constituents about the activities of the state and for soliciting feedback and suggestions for a more responsive government.

While I agreed then that limiting newsletters was an important temporary measure needed to attend to the budget shortfall in the previous biennium, I believe that flexibility, rather than a fixed rule, can best address future crises while maintaining options for continued outreach and discourse with our constituents. Although some members use the newsletter sparingly, some of us depend on it heavily. Accordingly, our districts are more affected by the decision to restrict them permanently.

Capitol Office: P.O. Box 12068 • Austin, Texas 78711 • 512/463-0121 • Fax 512/475-3738 • Dial 711 For Relay Calls

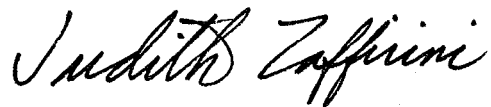
South District Office: P.O. Box 627 • Laredo, Texas 78042-0627 • 956/722-2293 • Fax 956/722-8586

North District Office: 12702 Coepperwein Road #214 • San Antonio, Texas 78233 • 210/657-0095 • Fax 210/657-0262

Thank you for including this letter in our Senate Administration Committee interim report. I look forward to working with you and the rest of the committee regarding this and other issues in the next legislative session. Feel free to contact me or my staff for additional information or whenever we can be of assistance.

May God bless you.

Very truly yours,

A handwritten signature in cursive script that reads "Judith Zaffirini". The signature is written in black ink and is positioned above the printed name.

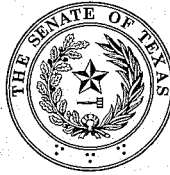
Judith Zaffirini

JZ/sg

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The Senate of The State of Texas



Senator Carlos Uresti District 19

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Dec. 3, 2012

The Honorable Kevin Eltife
Chairman, Senate Administration Committee
Capitol Building, Room E1.714
Austin, TX 78711

Dear Chairman Eltife,

I wanted to acknowledge receipt of the Administration Committee's Interim Report and congratulate you and the committee staff for all the hard work on behalf of your Senate colleagues.

The findings and conclusions detailed in the report will provide for efficiency and accountability in the way the Senate conducts its affairs — benefitting not only the members, but the Texas citizens who sent us here. Your work will help us do a better job for them.

I do want to raise one concern that I know has been expressed by other members, that being the recommendation for a permanent restriction to just one newsletter per biennium.

As you know, Senate District 19 and several other Western and Panhandle districts contain numerous counties. The vastness of these districts makes it difficult and prohibitively expensive to visit all of our constituents on a regular basis.

An annual newsletter would allow constituents in these districts to be better informed on the issues, the legislative process, and how they are being represented in the Texas Senate. They deserve to have as much information as possible. Unfortunately, a biennial newsletter is insufficient to accomplish this goal.

I appreciate the committee's effort to hold down administrative costs for our taxpayers and agree with most of the report's recommendations. While I have signed the report for these reasons, I respectfully object to the recommendation that only one newsletter be allowed per biennium.

Thank you for your work on behalf of the Senate and the people of Texas.

Sincerely,


CARLOS I. URESTI

CIU/ml

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CHARGES TO THE SENATE COMMITTEE ON ADMINISTRATION

1. Continue to develop and implement cost efficiencies in the structure and operation of Senate offices and committees. Make recommendations for improving office functions and procedures and for enhancing services to Senators, the Lieutenant Governor, and members of the public.
2. Review the online legislative resources available to the Legislature and the public, and make recommendations to enhance availability and transparency of governmental information. Ensure that any recommendations include safeguards to make certain that only reliable and appropriate resource information and official public documents are made available, that official documents are not readily manipulated by external entities, and that any information is maintained in a manner consistent with records retention requirements.
3. Monitor the implementation of legislation addressed by the Senate Committee on Administration, 82nd Legislature, Regular and Called Sessions, and make recommendations for any legislation needed to improve, enhance, and/or complete implementation.

- 1. Continue to develop and implement cost efficiencies in the structure and operation of Senate offices and committees. Make recommendations for improving office functions and procedures and for enhancing services to Senators, the Lieutenant Governor, and members of the public.**

BACKGROUND

The Senate Administration Committee (Committee) is continually evaluating ways to increase efficiency in both time and cost saving measures. During the last legislative interim, the Committee adopted several initiatives to reduce spending, specifically making reductions in newsletter printing costs, per diem allotments, committee operating budgets, and committee hearing travel expenses.

Despite signs of economic improvement in state revenue in recent months, the Texas Legislature approaches the coming biennium with a cautious sense of fiscal responsibility and continues to look for ways to reduce spending. With this in mind, the Committee has evaluated certain Senate policies and previously adopted reductions to identify additional savings.

NEWSLETTERS

Senate newsletters have been identified as a potential area of permanent cost savings. Current Senate policy regarding newsletters allows for the production of one district-wide newsletter per year. However, to achieve a temporary cost savings in the 2011-2012 biennium, the Committee opted to reduce the number to one per *biennium*. This initiative resulted in a cost savings of approximately \$1.1 million. As a cost-efficient alternative to a second newsletter, members were encouraged to send electronic newsletters instead. Due to the costs savings and positive feedback received from this change, the Committee has identified this as a prudent permanent policy.

COMMITTEE HEARING TRAVEL

In an effort to reduce travel costs, the Committee instituted a temporary suspension on any out-of-town hearings during the 2011-2012 biennium unless prior approval from the Committee was obtained. In certain circumstances, the Committee granted permission for off-site hearings, based on a description of the need for a hearing outside of Austin provided by the requesting Senate committee. This measure has helped to reduce travel costs for Senate staff and members, as well as state agency staff that typically have to attend Senate committee hearings. The Committee believes that permanently restricting committee travel in this manner is an effective cost savings.

RECOMMENDATIONS

- Senators are limited to one newsletter per biennium and are encouraged to send an electronic newsletters whenever possible.
- Senate committees must receive approval from the Committee prior to holding hearings outside of Austin and must provide an explanation of extenuating circumstances to warrant an out-of-town hearing.

- 2. Review the online legislative resources available to the Legislature and the public, and make recommendations to enhance availability and transparency of governmental information. Ensure that any recommendations include safeguards to make certain that only reliable and appropriate resource information and official public documents are made available, that official documents are not readily manipulated by external entities, and that any information is maintained in a manner consistent with records retention requirements.**

BACKGROUND

In recent years, many state and local governments have worked to increase public access and transparency in the democratic process, primarily by utilizing communication technology and social media outlets to make information about state government more accessible. Many individuals in both the public and private sectors believe that such measures are a cost-effective and convenient way to promote openness, manage emergency situations, and reach a wider audience. Furthermore, transparency and the right to access government information are often regarded as essential to increase participation in government and to build a more informed public.

As the relationship between government and technology evolves, some Texas Senate Committees have found it beneficial to enhance the technological features of their Senate websites or to utilize the services of third party websites, in order to offer increased access to committee hearings and information. For example, some committees routinely provide online links to all submitted written testimony from public hearings on the committee's official Senate website. This measure has significantly increased public access. In addition, other committees have incorporated instant posts on third party sites to provide a "play by play" update of hearing proceedings. While these options may not be appropriate for all committees, some committees have found them beneficial.

While there are several potential benefits to e-government, committees must balance the incorporation of new technologies with diligent management of all content being posted through various media outlets, paying special attention to the reliability, appropriateness, and records retention aspects of this content. As outlined in Texas Government Code, Section 441.180(11), any content posted on website that is associated with a state agency is considered a state record and is subject to state records retention requirements. Therefore, Senate committees should monitor their social media communication (documents, messages, posts, photographs, videos, and other formats) to ensure that appropriate public records retention requirements are being met. However, there are some common exceptions to retention requirements. Information that is considered duplicate content or transitory in nature, which is defined in the Texas Senate Records Retention Schedule as records of temporary usefulness that are not an integral part of a records series of an agency, is exempt from records retention rules.

The Texas Department of Information Resources (DIR) recently issued a report in order to guide state agencies in the use of social media. The DIR report guidelines establish an important framework for understanding the maintenance of social media content and can be found at the following website:

<http://www2.dir.texas.gov/management/socialMedia/Pages/guidelines.aspx>

RECOMMENDATIONS

- Senate committees should provide online links to written public testimony and other hearing documents on the Senate website prior to or during committee hearings if possible.
- Senate committees should continue to use the Texas Legislative Council and Senate Media Services to create, maintain, and enhance online features to increase public participation.
- Senate committees should review and maintain all online content in accordance with the Texas Senate Records Retention Schedule and State Record Retention Policies.

- 3. Monitor the implementation of legislation addressed by the Senate Committee on Administration, 82nd Legislature, Regular and Called Sessions, and make recommendations for any legislation needed to improve, enhance, and/or complete implementation.**

BACKGROUND

The Senate Committee on Administration typically considers legislation that addresses issues concerning the State Preservation Board (SPB), the State Library and Archives, maintenance and operation of the Capitol complex, and various administrative operations at both the local and state level. Specifically, during the 82nd Legislative Session, the Committee considered bills that streamlined the financial management of the SPB, increased the efficiency of visitor access to the Capitol, and improved the management of historic state landmarks.

RECOMMENDATION

- In all, the Committee considered 34 bills in public hearings and 21 became law. After reviewing the legislation that became law, we conclude that no further legislation is needed at this time.