



Senator Birdwell's 'Capitol Update' ***1-30-15***

Greetings from your Texas Capitol! As always, I welcome you to share this newsletter with your friends, family and colleagues in Senate District 22, and I encourage them to subscribe to the Capitol Update here: <http://www.senate.state.tx.us/75r/Senate/members/dist22/Signup.htm>.

Here in Austin, the legislative session is most certainly underway. In the last two weeks alone, Lieutenant Governor Patrick has announced the new Senate committee assignments, referred a large number of bills to those committees, and set high goals for the Senate Finance Committee to move its budget to the floor for a vote in just one month. In the Senate and House alike, the business of planning, crafting and filing bills is happening swiftly. Constituents, public interest groups and others are visiting with their legislators on a daily basis, educating elected officials and their staffs on the key issues they wish to see addressed this session. My team in the Austin office is taking as many as 12-15 meetings each day—a majority of them with constituent groups. I appreciate everyone who is contacting us on their legislative interests, and I continue to seek your input on the session. Beyond this general news, here are few key areas I want to address with you this week:



Left photo, L-R: Mrs. Cecilia Abbott, Ms. Audrey Abbott (daughter), Governor Greg Abbott, Chief Justice Nathan Hecht. Right photo, L-R: Lieutenant Governor Dan Patrick, Mrs. Jan Patrick, Ms. Shane Patrick-Scruggs (daughter), Judge Ryan Patrick (son).

Inauguration of the Governor and Lt. Governor

On Tuesday, for the first time in more than a decade, Texas inaugurated a new Governor, Greg Abbott, and Lieutenant Governor, Dan Patrick. I am eager to get to work with both of them in varying capacities. I had the special honor of serving as the Senate Chair of Lt. Governor Patrick's inaugural committee and, along with Mel, joined the Patrick family on the dais for inauguration. From there, I was able to snap a couple of really special photos of these two fine families during their special

moments. In particular, it was a real treat to see the Lt. Governor being sworn in by his son, Houston judge Ryan Patrick. Congratulations to the Abbotts and the Patricks on this truly special day.

Committee Chairmanships and Assignments

Lieutenant Governor Patrick announced Texas Senate committee appointments late last week, including the creation/deletion of several committees. I was humbled to be appointed to a rigorous slate of committees, including in two leadership roles. A list of those committees, including a brief description of their jurisdiction, is listed below.

Senate Committee on Nominations, Chairman — The authority to make governmental appointments is one of the powers given to the Governor by the Constitution of the State of Texas. During a four-year term, a Governor will make approximately 3,000 appointments of state officials; members of state boards, commissions and councils; members of task forces that advise the Governor or executive agencies; and state-elected and judicial offices when vacancies occur. The constitutional appointments process for the vast majority of these boards and commissions requires that nominees must be approved by the Senate Committee on Nominations and confirmed by the Texas Senate.

Senate Subcommittee on Border Security, Chairman — New to the Texas Senate, this committee will craft, review and submit legislation focused on securing and managing the porous Texas-Mexico border, and through those steps, enhancing the security of all Texans. The failure of the federal government to fulfil its constitutional obligations of controlling our southern border has forced the State of Texas to take actions to stem illegal immigration; sex-, drug- and gun-trafficking; and the potential inflow of terrorists and dangerous criminals. This committee is a subcommittee of the Committee on Veterans Affairs and Military Installations.

Senate Committee on Natural Resources & Economic Development, Member — The Natural Resources portion of this committee will handle all legislation related to oil and gas, alternative energy, air quality, and waste, as well as some water issues. The Economic Development component will focus on legislative actions that remove unnecessary governmental barriers so that individuals and businesses may compete in the free and bustling Texas economy.

Senate Committee on State Affairs, Member — This comprehensive committee deals with legislation affecting Texas state government, including its interaction with state and federal entities. In addition, the committee covers state audits and reviews, insurance, workers compensation, workforce programs, pensions/retirements, and issues of individual state authority.

Senate Committee on Veterans Affairs & Military Installations, Member — With approximately 1.7 million veterans residing in Texas, this important committee focuses on the coordination of state and federal resources applicable to veterans of our armed services and their families. Additionally, VAMI oversees the state's role in national defense, emergency preparedness, and the realignment, creation or closure of military bases.

New Rules in the Texas Senate

For a number of years, the Texas Senate operated under a rule whereby no legislation could be considered on the floor without consent from at least two-thirds of the body. With 31 members comprising the Texas Senate, this meant that no bills could be brought up for a vote—under any circumstances—without the support of at least 21 senators. When the Senate gathered to set its rules for this legislative session, I was compelled to make an argument for the removal of the so-called “two-thirds rule,” just as I have at the beginning of my first two sessions. I am opposed to this rule because, in short, it serves as a mechanism by which a minority of the members of the Texas Senate may block any piece of legislation, thus overcoming the will of the majority. As James Madison alluded to in Federalist 58, the fundamental character of our republic maintains that the will of the majority shall prevail. It is for that reason that I cast a vote in favor the rule lowering the two-thirds (21 vote) threshold to a three-fifths (19 vote) threshold. I am compelled to note, however, that I did so only after failing to garner sufficient support for a simple majority (16 vote) threshold. While I fully

support our new rules, I remain firm in my belief that a simple majority voting rule would most accurately reflect the intentions of our Founders and, more importantly, the citizens of Texas.

First Bills Filed

On Monday, I filed my first few bills for the 84th legislative session. All legislation must be filed no later than March 13th. Though every piece of legislation is important to me, certain bills get filed at certain times. Some bills are easier to prepare or have been filed past years, thus making them ready for filing early in session. Others are more complex or require appropriate timing with a companion House Bill. Still, some will come even later as I work with colleagues to craft the best bill possible, or as constituents suggest legislative ideas over the next six weeks. Here are some of the bills we have filed thus far:

SB 11, Campus Personal Protection Act – Affirms citizens’ right to carry (with a CHL) a concealed handgun while on the premises of a college campus

SB 350, State Property Inventory Bill – Requires the General Land Office to annually review the real-property inventory for state agencies, thus ensuring the state does not purchase or construct unnecessarily duplicative facilities when appropriate options already exist

SB 351, In-State Tuition Repeal Bill – Ends the practice of taxpayer-subsidized tuition discounts for illegal aliens residing in Texas

SB 352, Conditions of Bond Bill – Expands the conditions under which a bond is violated (and subsequently revoked) to persons convicted of sexual assault or human trafficking

*TSTC Red Oak Reclassification Bill** – In 2013, former-Representative Jim Pitts and I passed HB 3640, establishing a Texas State Technical College extension campus in Red Oak. Representative John Wray and I will designate TSTC Red Oak as a permanent campus of the TSTC system through two companion bills this session.

Additionally, I was proud to sign on as a joint- or co-author of several pieces of legislation proposed by my Senate colleagues. Here is a snap shot of just a few of those bills:

SCR 5 by Estes (R-Wichita Falls) – This resolution from the Texas Legislature urges Congress “to reimburse the State of Texas in the amount of \$603,600,000 for bearing the financial burden of the federal government’s responsibility to secure the Texas-Mexico international border from 2012 through 2015”.

Forthcoming Senate Bill by Bettencourt (R-Houston)* – Increases the Texas homestead exemption for school taxes from \$15,000 to \$30,000, saving the average homeowner hundreds in property taxes each year while ensuring the state fully compensates school districts for the increased exemption.

**These two bills will be filed and assigned bill numbers by Monday afternoon.*

Exciting News from Waco District Office

For several months, Team Birdwell has been assisted in the Waco District by Ms. Evi Sinopidou, a McLennan Community College student. Born in Greece, Evi moved to Waco in 2000 with her mother and American stepfather and has lived in Waco ever since. On January 22, Evi traveled to San Antonio to complete the lengthy and detailed process of becoming a naturalized American citizen. We could not be more excited for her. Evi's decision to make the transition to citizenship was one she made willingly and with much enthusiasm. Her love for America has stemmed from the opportunities that this nation has offered her, as well as a deep gratitude for the sacrifices made for the sake of the freedoms she has been able to enjoy. After this semester at MCC, Evi plans to transfer to the University of Texas to finish her Bachelor of Arts in Journalism. We wish her all the best and thank her for her service to the citizens of Senate District 22!

That's all for this edition of the Capitol Update. As always, I hope you will take advantage of the opportunity to keep up with the happenings at your Texas Capitol. Please visit my official website at www.senate.state.tx.us, follow us on Facebook/Twitter, and for all other needs, please visit the Texas Legislature Online at www.capitol.state.tx.us.

God bless you and God bless Texas!

A handwritten signature in cursive script that reads "Brian Birdwell".

Brian Birdwell
State Senator, District 22

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