



## **Senator Brian Birdwell's Capitol Update (3-10-17)**

Greetings from your Texas Capitol! Among many other important happenings at the Capitol this week, easily the most moving was my opportunity to share a challenge coin with Lieutenant Colonel Dick Cole (USAF, Ret.), the final surviving member of the Doolittle Raiders who successfully bombed Tokyo following the Japanese attack on Pearl Harbor. Colonel Cole and family members of his late brothers-in-arms were honored guests on the floor of the Texas Senate this week. This man is a true living legend deserving of our respect and admiration, and sharing this special photo is the only appropriate way to open our Capitol Update.



### **Reforming CPS**

The Texas Senate gave unanimous approval to Senate Bill 11 by Senator Charles Schwertner (R-Georgetown), of which I am a co-author. SB 11 took a powerful first step towards fixing the gaps in our foster care system and ensuring that each and every child in this state is kept safe from harm. The bill specifically addresses the statewide foster care capacity crisis; improves accountability throughout the CPS system; ensures all children have timely access to appropriate and necessary supports and services to improve child safety, permanency and well-being; and enhances foster care redesign, which has produced positive outcomes for children and families. In addition, SB 11 strengthens and streamlines standards of abuse and neglect investigations regardless of setting, strategically focuses prevention and early intervention resources to the highest needs areas of the state, and encourages more efficient use of data to prevent recurrence of abuse and neglect. Along with the passage of SB 11, the proposed Senate budget bill (SB 1), includes critical funding support for salary increases and

additional employees to address retention issues for CPS caseworkers. This is something I proudly worked on alongside Sen. Schwertner during the interim as a member of the Senate Finance Committee Workgroup on Child Protection.

### **Article V Convention of States**

Last Tuesday, the Texas Senate took the decisive first step in its call for an Article V convention of states, which would seek to check an otherwise out-of-control federal government and return the states to their rightful balance of power in our federal system. For years, we have watched as the Executive and Judicial branches have usurped more and more power from the states, issuing dictates that become de facto law by either completely bypassing the Legislative branch or acting upon issues that the federal government has no constitutional authority to manage. To make matters worse, it is abundantly clear to me that the Congress is incapable of or unwilling to propose amendments that will limit its power—or that of the other branches—to return our nation to the original spirit of federalism intended by our founders. Today, the federal government treats the states as nothing more than subcontractors to implement its directives, and thus, it is my firm belief that the only way we will save this republic is to go about the process of the states regaining control of the federal government. This is an issue that knows no political party. Republicans, democrats and independents must unite in an effort to legislate to structure—not to personality. I believe it is the states that created the federal government, and it is the states that must control it if our individual federal representatives cannot.

Specifically, the Senate voted to pass three items—Senate Joint Resolution 38, Senate Bill 21 and Senate Joint Resolution 2. A brief description of each follows:

- SJR 38 – This resolution offered by Senator Craig Estes (R-Wichita Falls) repeals all prior Article V calls made by any previous Texas Legislature, with the exception of a previous call for a federal balanced budget amendment.
- SB 21 – Known also as the “Faithful Delegate Bill,” SB 21 provides structural guidelines and procedures by which Texas delegates to an Article V convention of states would be chosen, and how said delegates would operate if a convention were to be called.
- SJR 2 – This resolution is the actual call for the Article V convention of states, and narrowly outlines the three issues to be debated: fiscal restraints on the federal government, term limits on members of Congress and federal officials, and the reigning-in of federal powers appropriately reserved for the states.

I applaud my Senate colleagues for the thoughtful, rigorous and respectful debate of this critical issue, and am hopeful of the next critical steps to be taken by the Texas House.



*Taking a photograph with the Navarro County Day contingent—led by County Judge H.M. Davenport (center)—just outside the Senate chamber. I was delighted to recognize the group in the Senate and spend some time discussing policy with them later in the day.*

### **Senate Committee on Criminal Justice**

Since the announcement of Senate committee assignments, I have been looking forward to my first session on the Criminal Justice Committee and the opportunity it would provide for us to assess how to tackle needed criminal justice reforms. The committee will be addressing how the state deals with repeat-offenders with mental illness, rehabilitation and re-entry issues, general jail operations, and many other important factors that contribute to the safety of our state. In our first hearing, we reviewed three important bills that support our law enforcement community, each of which received unanimous support from the committee. The bills

created grant-funding for bulletproof vests that can not only protect our officers, but also allow the officers to continue to engage attackers; enhanced the National Blue Alert System, which operates like the Amber Alert system but for suspected killers of law enforcement officers; and dedicated July 7th as a memorial date for our fallen Dallas-area officers who heroically gave their lives in the line of duty. The brave men and women of our police forces risk their lives every day in order to protect the citizens of our state. They will continue to receive our support.

### **Capitol Visits from SD-22**

In just the past week alone, my team and I have enjoyed the honor of welcoming numerous cities and county groups from Senate District 22 at the Capitol! Delegations from Grand Prairie, Arlington, Navarro County, and Leadership Cleburne have made the trek to Austin to learn about the legislative process and voice their questions and concerns about Texas public policy. It is always my pleasure to see them and answer their thoughtful questions about the work of the Legislature, and to visit about the direct impact our work will have on them, the citizens we serve. In addition, I had more Honorary Pages from Tarrant County and Johnson County come down, each of whom did a wonderful job assisting Senate Messengers in making deliveries and serving on the Senate floor during session.



*Presenting my challenge coins to one of our recent groups of Honorary Senate Pages, who looked mighty sharp in their red, white and blue attire!*

### **Continued Phase-Out of the Franchise Tax**

The franchise tax imposes a great burden on Texas businesses and ultimately those who patronize them, and in recent years, the Legislature has taken concrete steps to eliminate the tax. Senate Bill 17 by Senator Jane Nelson (R-Flower Mound) will reduce the franchise tax every biennium by leveraging the growth of the economy. The overall goal of SB 17 is to continue the phase out of the franchise tax until it is completely eliminated. Under current projections, this burdensome tax could be eliminated in just ten years—a welcome bit of news for the job-creating backbone of our state.

Before wrapping up this edition of the Capitol Update, I want to share that it was with a heavy heart that I heard the news of my good friend and McLennan County resident, J. B. Owen, promoted to glory this past Sunday, March 5th. J.B. was a friend to anyone who crossed his path, and an invaluable member of his community. Please join me and Mel in our thoughts and prayers for his wife Lil and the entire Owen family.

In closing, I want to thank you again for reading this update from 'Team Birdwell.' I hope you found it to be informative and that you'll share it with your friends, family and colleagues in Senate District 22, who may subscribe to the Capitol Update [by clicking here](#). You can follow us on Twitter and Facebook, or keep in touch with legislative happenings via [capitol.state.tx.us](http://capitol.state.tx.us).

God bless,

Brian Birdwell  
State Senator, District 22

Austin: (512) 463-0122 // Waco: (254) 776-6225 // Granbury: (817) 573-9622  
[Brian.Birdwell@senate.texas.gov](mailto:Brian.Birdwell@senate.texas.gov) // [www.senate.texas.gov](http://www.senate.texas.gov)