



STATE REPRESENTATIVE Paul Workman

Capitol Update

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The State of Texas
House of Representatives



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Dear Friends,

It was a distinct privilege and honor to represent you in the Texas House of Representatives during the 82nd Session of the Texas Legislature. Your input is invaluable, and I appreciate everyone who called, sent emails or wrote letters to express thoughts on the many bills and issues considered.

The overarching issues of the session were an anticipated \$25 billion budget shortfall, redistricting the maps for the House, Senate, Congress, and State Board of Education, as well as handling the nearly 6000 bills filed -- 1,485 of which became law and 24 of which were vetoed.

The 82nd Legislature addressed an array of issues such as: election integrity, providing important information to women considering abortion, tort reform, a health care compact, creating more efficiency in state government, and balancing the budget without raising taxes or dipping into the Rainy Day fund for new expenditures.

There is a sign in my office which asks a question to every person who comes in -- "Is it good for Texas business?" We must work to ensure Texas remains a business-friendly state which attracts employers and provides jobs for Texans. If the climate is good for business, business will be good, and many of the other issues will largely take care of themselves.

The report on the following pages is intended to highlight legislation that affects you and those in your household. For additional information on any bill please look online at www.capitol.state.tx.us. Additionally, you are always welcome to contact my office.

During the interim, there is important work to be done on many issues that affect our community and the state as a whole -- issues such as property taxes, transportation, water, energy, education, and the economy. Your ideas, comments, and suggestions are welcome, so please do not hesitate to contact me.

Again, thank you for allowing me to serve you in the Texas House of Representatives. May God bless you and the great state of Texas.

Sincerely,

Paul D. Workman



BUSINESS AND INDUSTRY

CORRECTIONS

RULES AND RESOLUTIONS



BUDGET



When the legislature convened in January the outlook for this budget cycle - and what it would do to Texas - was bleak. The anticipated budget shortfall was some \$25 billion for a number of reasons, including:

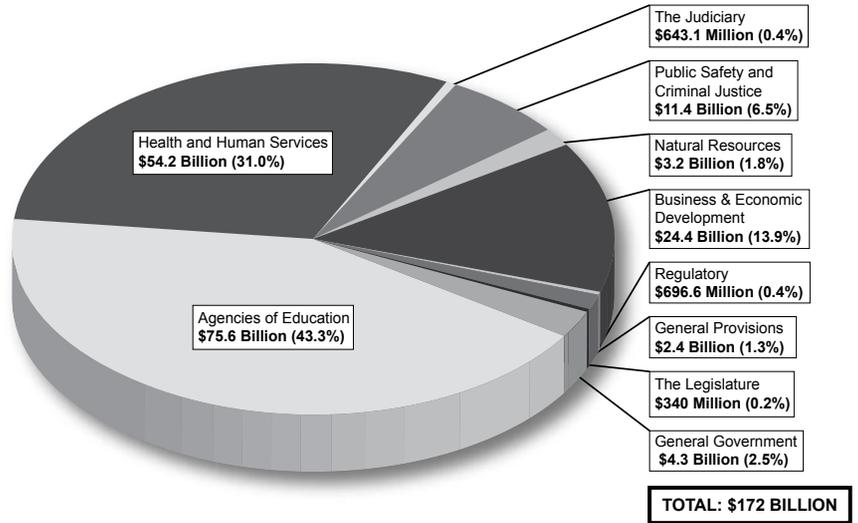
- The business revenue tax (known as the franchise or margins tax) did not meet projections and it came up \$2 billion short.
- The reduction of the property tax a few years ago contributed to a significant drop in the tax base.
- Sales tax receipts were down as a result of the economy.

Due to constitutional requirements, the state of Texas cannot operate in a deficit as the federal government does. The state must live within its means, just as each of us must do. When there is not enough money to cover expenses, the state must make spending cuts or raise revenue through increased taxes or fees. The 82nd Legislature determined to meet its budget requirements through spending cuts and passed a lean, streamlined budget of \$172.3 billion for the two-year period beginning September 1, 2011 and ending August 31, 2013. For the first time since World War II, the state's biennial budget

spends less than the previous budget -- by eight percent.

Of the \$9.4 billion available in the Rainy Day Fund, the legislature used \$3.2 billion to pay existing bills for the fiscal year that ended August 31, 2011. However, no other Rainy Day funds were used for new expenditures. We made tough and sometimes painful decisions to keep Texas living within its means in the face of one of the most significant budget challenges in our state's history.

2012-13 BIENNIAL ALL FUNDS



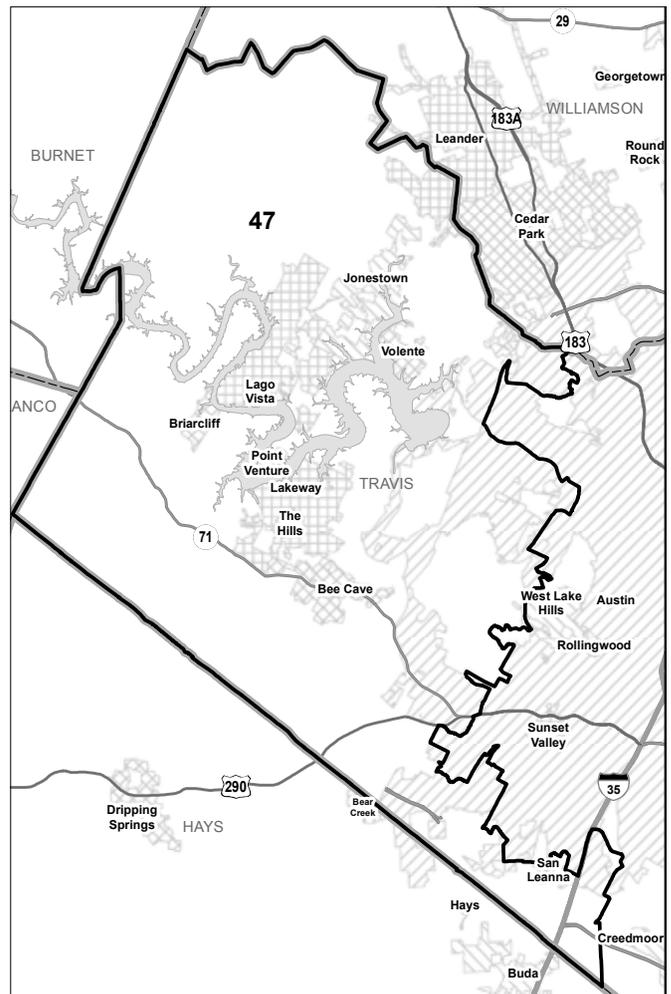
REDISTRICTING



The legislature passed new district maps for the State Board of Education, the House, the Senate, and Congress. This is the first time in 20 years that the House and the Senate maps passed during the regular session. Each map reflects the demographic changes of our state over the past 10 years and each protects the rights of voters to elect the candidates of their choice. The redistricting process is a difficult one that required many hours of work and cooperation by all members in both houses.

As you may know, federal courts are now reviewing the maps. Should the map for Travis County hold, District 47 will grow significantly. It will include almost all of western Travis County north to the county line and generally west of Loop 360. After redistricting, Travis County went from having two senators to four, with Senator Troy Fraser picking up much of the western portion of the county. District 47 will include parts of three of the new senatorial districts.

Due to immense population growth in Texas, the state will have four new seats in the United States Congress. During the special session that ended in June, Governor Perry added congressional redistricting to the agenda and the legislature approved the new map. The new seats include one extending from eastern Harris County to East Texas, a new district in the Arlington area, a new district in the Corpus Christi area, and one in part of Travis County -- District 25 -- which includes Lake Travis and goes north up to Hillsboro and Cleburne outside Fort Worth.





TRANSPORTATION



As a by-product of our rapid population growth, Texas must address numerous transportation issues, including increased congestion. Despite a lack of new funds for transportation, the legislature did pass a major piece of legislation to help keep Texas moving.

HB 1353, which I co-authored, amends current speed limits. Texas had been the only state with different day and night speed limits on rural and urban interstates. This new law brings our state up to speed with the rest of the nation by making day and nighttime limits uniform, repealing the different car and truck speed limits, and increasing efficiency for Texas motorists. Additionally, the law now allows the Texas Department of Transportation (TxDOT) to create a 75-mile per hour speed limit on any state highway found to be reasonable and safe through a speed study.

The following road segments in Central Texas are among the first recently approved for 75-mile per hour limits:

- State Highway 45 between US Highway 183 and State Highway 130
- State Highway 45 -- nine miles from US Highway 183 to Interstate 35 in Travis County
- State Highway 130 -- 45 miles from Interstate 35 in Williamson County to US Highway 183 in Travis County
- Interstate 35 -- 22 miles between Georgetown and Salado
- US Highway 281 -- 12 miles from the Lampasas-Burnet County line to eight miles north of the Burnet city limits

New speed limit signs will soon be in place, but it is important to note that the speed limit increases will not be effective until the new signs are actually installed.



Representative Workman joins students and teachers from Regents School of Austin following the presentation of HCR 62. The resolution congratulates Regents for winning the 2010 TAPPS Division III state football championship.

I continue working to identify ways to get State Highway 45 Southwest built in order to relieve the ever-increasing traffic congestion on Brodie Lane. TxDOT reports that Travis County is home to 10 of the most congested roadways in the state. Of these 10 roadways, 30 percent are in the newly redrawn House District 47.

Hays County has offered to contribute \$5 million for the conversion of Texas Highway 45 Southwest to a county road project, although only a small fraction of the newly proposed road touches Hays County. The county has also called upon Travis County to join them as financial partners in order to complete construction. I am strongly urging the Travis County Commissioners Court to accept the generous offer extended by Hays County and to vote to approve the necessary funding to get the road built.



TORT REFORM



During the legislative session, Texas built upon its strong record of tort reform over the last decade. The legislature focused not only on windstorm insurance but in fighting frivolous lawsuits as well.

In 2003, the legislature passed medical malpractice reform and capped non-economic damage awards at \$250,000. In 2005, the legislature addressed asbestos and silica lawsuit reform by mandating that specific medical criteria be met before a person could bring suit. In 2007, the legislature prohibited persons from suing manufacturers, suppliers or retailers for their own obesity.

This session, the legislature passed “loser pays” legislation, and I served as a co-author of the bill. The new law provides that a defendant can recover attorney’s fees if a suit is determined to be frivolous. It also provides for interlocutory pleadings and makes provisions to limit discovery in claims under \$100,000. When a party in a lawsuit faces the like-

lihood that he will pay court costs and lawyers’ fees when bringing a case without merit or legal basis, it is more likely that only those cases with legitimate claims will actually be filed. The goal of this law is to unburden many court dockets and help ensure more timely resolution to legal disputes.



Representative Workman discusses House rules with Parliamentarian Chris Griesel.



ELECTION INTEGRITY



Representative Workman confers with Representative Myra Crownover on legislation in the House Chamber.

After two failed attempts in past legislative sessions, the 82nd Legislature passed Senate Bill 14 to ensure the integrity of our elections. The new law requires showing a form of photo identification in order to vote. The acceptable forms of identification are:

- a driver's license;
- a personal identification card;
- a military identification card;

- a passport, or
- a concealed handgun permit

A few exemptions are included for certain disabled people and those age 70 or older. The Texas law is similar to those passed in other states, which have already survived legal challenges. This law will provide all Texans greater confidence in the electoral process, and I was proud to serve as a co-author of the bill.

Other election integrity legislation that strengthens and improves efficiency includes:

- HB 174 -- Revises the procedure for cancelling a voter's registration and the voting eligibility of a person who is deceased or a non-citizen of the United States
- HB 2817 -- Updates the Election Code with regard to state and local election processes. These changes address frequently asked questions to and from election officials and will aid in more efficient and modernized elections.
- SB 100 -- Amends current law relating to the adoption of voting procedures necessary to implement the federal Military and Overseas Voter Empowerment (MOVE) Act. Passed with unanimous legislative support, this law secures the voting rights of our military while they are abroad defending our freedom.



PUBLIC EDUCATION



Funding for education sits at the top of the state budget and is the state's highest spending priority. Despite some misinformation that suggests the legislature cut spending, the legislature actually increased state spending for public education by \$1.6 billion, or 5.6 percent. However, the one-time federal stimulus funds Texas received in the last biennium were unavailable this year, so school districts do face an average six percent cut to their operating budgets over the next two years.

Through legislation to overhaul state education spending, our local school boards now have more options on how to address their own unique situations. Some districts may choose to raise taxes, or spend their excess fund balances, or reduce their expenses, or use a combination of these things. The legislature also passed mandate relief to give local boards greater flexibility in how they handle their spending and their human resource and administrative functions.

Members of the legislature made it clear that we expect districts to look at operational inefficiencies and to address them so that we ensure the large majority of every education dollar is making it to the classroom. Additionally, Senate Bill 8 creates an Instructional Materials Allotments that enables school districts to purchase up-to-date electronic textbook content and holds the content to the same accountability standards as traditional resources.



Representative Workman joins the Junior Marine Corps from Bedichek Middle School following the presentation of HCR 109. The group later performed a rifle drill on the South Steps of the Capitol.



EMINENT DOMAIN



Since the United States Supreme Court's *Kelo v. New London* decision in 2005, the legislature has worked to reform eminent domain laws and protect private property rights. In 2009, Texas voters overwhelmingly approved Proposition 11 to the Texas Constitution, which placed restrictions on eminent domain usage for economic development purposes. This session, legislators passed SB 18, which expands the protections to Texas homeowners even further. Important provisions include:

- Clarification of the definition for the term “public use” to more effectively constrain eminent domain to true public purposes.
- A requirement that state and local governments which seek to obtain private property make a written “good faith” offer to a landowner.
- Granting a “buy-back” provision to a landowner whose property is taken through eminent domain and then not used. If an entity condemns land and does not use it for 10 years, the owner has the first right of refusal on buying back the land.
- A requirement that the Condemnation Petition state the public use purpose for the condemnation and requires a copy to be provided to the property owner.



ABORTION



The legislature passed, and the Governor signed, HB 15, known as the sonogram bill. I co-authored this piece of legislation. The law now provides that a woman considering an abortion has the right, but not the obligation, to see a sonogram of the fetus and to hear the heartbeat.



Representative Workman and House colleagues hear from Governor Rick Perry during debate in the House Chamber.



SECOND AMENDMENT



I co-authored SB 321, which allows Texans with a concealed handgun license to take their legal firearm to their place of employment, provided they store the firearm in a locked vehicle. The final version of the bill ensures that employers are not held liable for the actions of their employees should someone choose to act irresponsibly with a weapon on company premises. Locations where guns were banned under current law, such as churches and school campuses, continue to be banned locations.



Representative Workman congratulates Division 4A state volleyball and football champions from Lake Travis High School on the floor of the House Chamber. Joining the group are Principal Kim Brents and Coaches Julie Green and Hank Carter.

Join the growing list of informed Texans

On a regular basis I publish a column that appears in several, but not all, of the newspapers in House District 47. I also want to be able to keep you up-to-date on legislative news.

If you would like to receive the column and other legislative updates by email, please send an email to District47.Workman@house.state.tx.us and ask to be added to the distribution list. Please include your full name and street mailing address as well as your email address. My columns are not politically partisan in nature and are written to be useful and informative.



LEGISLATIVE PROGRAM



During the session, the following bills were part of my legislative agenda and are now law:

- HB 1174 -- Gives a County Judge or County Fire Marshal the ability to lift burn bans when conditions warrant without the need to wait for the next Commissioners meeting
- HB 2942/SB 942-- Allows the new Lakeway Medical Center to establish a tax financing district within its borders so that it can make infrastructure improvements
- HB 3389 -- Amends the real estate seller's disclosure form and requires a seller to disclose to a potential buyer that their home fuel source is part of a captive community propane system
- HB 3743 -- Allows Lake Pointe MUD #5 to maintain the roads within its borders and provides the MUD authority to bid for purchase of the water system from the Lower Colorado River Authority

During the interim in preparation for next session, I am working on a variety of issues, including:

- Reviewing how Texas funds public education and where improvements can be made
- Addressing dedicated funds in the state budget not used for their intended purpose
- Crafting legislation to regulate the propane industry, especially as it relates to community propane systems
- Creating single-member districts for the Austin City Council
- Removing sovereign immunity for the state on contractual matters
- Reviewing Texas' lien laws
- Creating a groundwater conservation district for Southwest Travis County
- Addressing drought conditions and working to protect Lake Travis



Representative Workman addresses House members on legislation.



THE "KIDS' HOUSE"



The "Kids' House" is an interactive website designed to teach children of all ages about the people, processes, and places associated with Texas government. The site includes a video tour of the Capitol, ideas for class projects and links to helpful websites. This is an excellent tool for students to learn about the Texas House, state government and Texas history. Some highlights include: the six flags over Texas, three branches of state government, state seal, how an idea becomes a law and Texas trivia. Please visit www.kids.house.state.tx.us to learn more.



HOW TO CONTACT REP. PAUL WORKMAN



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