



# REPRESENTATIVE DONNA HOWARD

*Capitol Report • 84th Legislature • District 48*

Representing Travis County (part)

Capitol Report • Fall 2015



## TEXAS HOUSE OF REPRESENTATIVES

*State Representative • District 48*

*Dear Friends,*

*The 84th Legislature met for its 140-day regular session earlier this year. Thankfully, we completed most — if not all — of our primary objectives without an immediate special session as was required in years past. This newsletter is provided to you as a broad overview of the outcomes of our recent work at the Capitol.*

*Though it began with a great deal of promise, the session wound up being notable mainly for its missed opportunities and misplaced priorities. Rather than properly funding our public schools, the Legislature squandered available revenue on poorly-distributed tax cuts. Rather than address the state's high rate of uninsured, we wasted time wrangling over social issues and firearms. And rather than standing firm behind a long-term funding solution for roads, a majority of lawmakers once again abdicated their responsibilities and punted the decision to voters in the form of another Constitutional amendment.*

*Despite these disappointments on big-ticket issues, there were a number of smaller victories to report. I had a particularly strong session, and was very successful at passing legislation into law through a wide variety of bills, amendments, and budget riders. As always, I was proud to have the opportunity to represent your interests and to promote the values of healthy families, equal opportunity, and responsible government.*



*I hope you'll be able to attend one of my upcoming town hall meetings, where we can further discuss the legislative session as well as any other House District 48 issues of interest. It continues to be an honor to serve as your State Representative, and I look forward to hearing from you.*

*Sincerely,*

*Donna Howard*

*Donna Howard*

### ***You're Invited!***

Please join me at an upcoming Town Hall meeting. These informal gatherings are designed to not only provide a recap of the legislative session but, more importantly, to give you the opportunity to ask questions, voice your opinions, or simply listen to the concerns of your fellow HD 48 residents. I look forward to seeing you there!

**TUESDAY, OCTOBER 6**

6:00pm – 8:00pm  
Clint Small, Jr. Middle School  
4801 Monterey Oaks Boulevard  
Austin, Texas 78749

**THURSDAY, OCTOBER 8**

6:00pm – 8:00pm  
Bedichek Middle School  
6800 Bill Hughes Road  
Austin, Texas 78745

**TUESDAY, OCTOBER 13**

6:00pm – 8:00pm  
Howson Branch Library  
2500 Exposition Boulevard  
Austin, Texas 78703

**THURSDAY, OCTOBER 15**

6:00pm – 8:00pm  
Murchison Middle School  
3700 N. Hills Drive  
Austin, Texas 78731

## ★ LEGISLATIVE ACCOMPLISHMENTS ★

By virtually any measure, the 84th Regular Session was my most successful since taking office as a lawmaker in 2006. With my seniority and influence growing, I passed more policies into law than ever before. Here is a sample:

- Required the Texas Higher Education Coordinating Board to **study the barriers that community colleges face in developing work-study partnerships** with the private-sector, and to make recommendations for a pilot program to develop such partnerships.
- Directed the Center for Nursing Workforce Studies to **conduct a study on violence against nurses in the health care workplace**. This is a persistent problem, as statistics show that the health care sector leads all other sectors in the incidence of non-fatal workplace assaults, and that nurses are the most likely of health care workers to be assaulted. The study will quantify the type and frequency of violence against nurses, and identify practices that can prevent such violence.
- Extended the current dedication of funds derived from the tobacco lawsuit settlement to **support nursing education**, which will be critical as the demand for nurses in the health care delivery system continues to increase.
- Required the Texas Education Agency to **calculate average daily attendance for flex-time students in the same manner as it does for regular program students**. Flex-time students currently receive only 66% of the funding that a regular program student receives, despite completing the exact same graduation requirements. Parity in funding will more adequately cover costs and allow for expansion of flexible schedules to help students successfully complete their education.



*The Bedichek Junior Marines were honored this session for capturing a 2014 National Drill Championship.*



*The Honorary Page program is a great way to learn about the legislative process! Constituents aged 8-18 are welcome to apply.*

## PROVIDING FOR DEMAND IN HIGHER EDUCATION

As the Vice-Chair of the House Committee on Higher Education, I am proud of the advances that were made this session on behalf of our colleges and universities. One of our top priorities was to address the capital construction needs for these institutions, and House Bill 100 approved \$3.1 billion dollars of bonding authority toward 64 projects at public campuses across the state. The Legislature also took action on the Higher Education Fund (HEF), which is used to support facility funding at thirty schools such as Texas State University. Senate Bill 1191 reauthorized the HEF and included a 50% increase to reflect campus growth over the past ten years.

Like infrastructure demands, the issue of affordability was debated throughout the session. While there was discussion around reversing the de-regulation of tuition which occurred in 2003, none of the proposed re-regulation measures were successful. However, due in large part to work by the Appropriations Article III Subcommittee on which I serve and which oversees education spending, **the final budget increased funding to our main financial aid programs by a total of \$104 million**. While undergraduate education was a primary focus for members, the Legislature also established a permanent endowment for graduate medical education (GME), with the goal of eventually ensuring an available residency slot for every Texas medical student.

## ARMED CAMPUSES

Based on feedback from faculty, administrators, and students, the biggest disappointment in higher education was the passage of Senate Bill 11, which allows for handguns to be carried on our public university campuses starting in the fall of 2016. **Despite broad opposition from those who are at these schools on a daily basis, including law enforcement**, the majority of the Legislature pushed through the proposal. Institutions may set rules and establish limited gun-free zones on their campuses, but there are still numerous safety concerns, and it is impossible to predict the effect on student safety and faculty recruitment. I will be closely following the impact of this new law.

## BUDGET FAILS TO KEEP UP WITH STATE NEEDS

The 84th Legislature marked my second term on the influential House Appropriations Committee, and as the saying goes, "with great power comes great responsibility." As stewards of the state's biennial budget, **members of Appropriations have greater opportunity to steer the implementation of policy by backing big ideas with meaningful funding.** I was able to utilize an appointment to the committee, as well as a place on the subcommittee overseeing education spending, to support positive actions in numerous areas across our state government.

Entering the session, lawmakers were told to expect a surplus of \$8 billion under our constitutional spending cap, plus another \$11 billion in our state's Rainy Day Fund. With a healthy economy and ample resources, it seemed as though **the time had finally come to re-commit funding toward priorities everyone could agree on: schools, roads, health care, and workforce development.** There was also broad agreement for continuing efforts to end the longstanding budget diversions which have taken dollars dedicated for a single purpose and used them instead to balance the budget or pay for other obligations.

### **The House initially tried to make such investments.**

Appropriators suggested adding \$3 billion to public education above the amount needed for enrollment growth, funding an unprecedented General Revenue infusion of \$1.5 billion to transportation, and ending nearly \$1 billion in dedicated fund diversions. This proposal left ample room for tax cuts in the budget, while also advocating for the use of surplus savings to retire state debt early. The House version of the spending bill passed through the chamber with overwhelming bipartisan support.

Unfortunately, the final budget adopted by the conference committee — the group of ten legislators charged with working out the differences between the House and Senate markups of the bill — reversed many of these gains. The

final document contained \$800 million of unaccountable spending on border operations, cut in half the additional school expenditures, removed the extra funding for roads in exchange for a Constitutional Referendum that won't fully kick in until 2020, and eliminated an increase in the Medicaid reimbursement rates for physicians. Moreover, the conference committee report left untouched nearly \$3 billion below our spending cap, and neglected to use any of the \$11 billion retained in the Rainy Day Fund; these resources could have been applied to our state's many needs after years of underfunding and kicking the can down the road. Keep in mind that the majority of the Legislature also voted for more than \$4 billion in tax cuts which will primarily benefit homeowners (on average about \$126/year/home), businesses and out-of-state investors, but will provide little to no relief to the average citizen while also making it more difficult for the state to meet its obligations in the future. Thus, **when presented with a watered-down substitute for the far-superior House budget, I joined with 34 colleagues to vote in opposition to the final Appropriations bill.**

Despite these overriding issues, there are many notable achievements even in the scaled-back budget. The Article III Subcommittee worked with the Public Education Committee to advocate for higher-quality Pre-K in our school districts, by providing an additional \$118 million to begin the process of upgrading those services for our little Texans (though we failed to tie that funding to full-day Pre-K or codify classroom sizes). The Subcommittee also **secured a 3% increase in funding for all of our higher education institutions**, boosted funding for the Texas School for the Deaf and the Texas School for the Blind and Visually Impaired, and provided \$103 million for new public education instructional facilities.

Finally, legislators put \$768 million into TRS-Care, **honoring our commitment to retired teachers.** Additionally, Texas will also increase its share for employee pensions, putting us solidly on the path toward actuarial soundness — a rarity for any state.

## SUCCESS WITH BUDGET INITIATIVES

*My seat on the House Appropriations Committee was put to good use this session, as I was able to attach a number of riders and amendments which remained in the final budget. Among them:*

- Directed the LBB, in consultation with the Comptroller & State Demographer, to **produce a report on state revenue and cost drivers for the next 10 years**, including projected revenue sources and the impact of economic and demographic growth on state programs
- Required the Texas Education Agency (TEA) to **compile and maintain a list of the year-round schools in Texas** (which they don't currently have!), examine how they schedule their school year around assessments, and compare their performance to traditional schools
- Authorized the Commissioner of Education to spend \$2 million to **provide Texas military-connected children with additional counseling and support services** in our public schools
- Earmarked funding for the Educational Aide Program, **providing tuition exemption for paraprofessionals to go to college and receive a teaching certificate**
- Established an appropriation for the Forensic Nursing Program at TAMU-Health Science Center, which will **train nurses to collect evidence and testify in cases of physical and sexual abuse**
- Ensured funding for the Virtual College of Texas at Austin Community College, to **provide students with opportunities for Distance Learning**



*Rep. Howard discusses an amendment with Speaker Pro Tempore Dennis Bonnen.*

## NEW REFORMS FOR K-12 ACCOUNTABILITY

In 2013, the Legislature took a number of steps to reform the state's public school accountability system. This session, lawmakers built on that work in a few different ways. With the enactment of Senate Bill 149, students who have failed to pass one or two STAAR end-of-course exams may be allowed to **graduate by demonstrating proficiency through other means** determined by a local committee. House Bill 1164 directs the Texas Education Agency to develop and pilot a new writing assessment aimed at determining a student's mastery of the writing process as a whole and not simply one style.

Additional public education measures include House Bill 2804, which establishes a 2-year commission to develop and recommend new systems of student assessment and accountability. The measure also contains a highly controversial provision that will assign A-F performance ratings to schools at both the campus and district level; however, this will not take effect until September 2017, allowing members of the 85th Legislature a chance to reconsider the new mandate prior to its implementation. Another measure, House Bill 1842, **requires school turnaround plans to include local stakeholder involvement** in determining the future of a struggling campus; the legislation also forces either closure or new management for any campus that remains low-performing for five years.

### SCHOOL FUNDING ON TRIAL

It should be noted that the Supreme Court of Texas has set the school finance case to begin on September 1, 2015; therefore, **arguments before the court have likely started by the time you read this.** As you can imagine, a decision in this lawsuit could have quite an effect on the work of my Appropriations Subcommittee, and I am intently tracking the suit's progress.



*Rep. Howard confers with Speaker Joe Straus and Chairman Jimmie Don Aycock on school finance issues.*

## FIGHTING FOR WOMEN'S HEALTH

As the Vice-Chair of the Texas House Women's Health Caucus, I am deeply committed to ensuring that women throughout the state have access to family planning services. This session, my work on the issue was realized primarily through the insertion of the following initiatives into the budget:

- Directed the state's health agencies to expeditiously implement program policies to **increase access to Long Acting Reversible Contraceptives (LARCs)**, including the development of provider education and training
- Required **a more accurate understanding of provider participation in the Texas Women's Health Program (TWHP)** by removing duplications and ancillary providers from the count, and ordering a tally of the average and median numbers of program clients per provider
- Instructed the Texas Higher Education Coordinating Board to help **better ensure that Obstetricians and Gynecologists are able to participate in the Physician Education Loan Repayment Program**, taking into account the field's lower number of unduplicated clients in comparison with other specialties participating in the program

One of the most significant changes from the session on this topic will be the consolidation of two programs, the Texas Women's Health Program and the Expanded Primary Health Care for Women Program, an action that was recommended during the Sunset Review of the state's Health & Human Services agencies. In order to address stakeholder concerns about cost reimbursement and access to services, I passed an amendment which **established a Women's Health Advisory Committee to provide recommendations on the consolidation** of the two programs.

Unfortunately, the Legislature also took the step of disqualifying a trusted provider from the Breast and Cervical Cancer Services Program. This is similar to action taken in 2011 which resulted in thousands of women losing access to vital services. I strongly opposed this decision, and plan to closely watch the impact and verify that other providers are found to fill any gaps that are created.



### *Don't Forget To Vote!*

On **November 3, 2015**, voters will be asked to consider seven Constitutional Amendments, including a dedication of the motor vehicle sales tax to roads and an increase in the residence homestead exemption. A detailed analysis of each amendment can be found here:  
[http://www.tlc.state.tx.us/const\\_amends.htm](http://www.tlc.state.tx.us/const_amends.htm)

## BETTER CONSERVATION OF WATER

*Water is always a top priority for any Central Texas legislator, and my work this session resulted in the following new changes to benefit our local resources:*

- Made it easier to re-use graywater — a relatively clean form of wastewater from baths, washing machines, and other appliances — and instructed the Texas Commission on Environmental Quality to clarify its existing rules so professionals can understand and implement them. This was **a rare bill that environmentalists, developers, and cities could all agree on.**
- In working with several lawmakers, **strengthened reporting requirements for wastewater discharge.** The new standards will help ensure that companies aren't short-changing the environment out of convenience.
- Funded a competitive grant for feasibility studies on Aquifer Storage and Recharge. **Safe, reliable underground storage can save tremendous amounts of otherwise evaporating water,** and our local Groundwater Conservation District is expected to be one of the top contenders for that money.
- After nearly a decade of attempts, **required the Lower Colorado River Authority (LCRA) to finally undergo a sunset review,** based on a bipartisan bill that I Joint-Authored. This will bring much-needed transparency and accountability to the regional River Authority, the largest in the state.

## TURNING CONSTITUENT IDEAS INTO LEGISLATION

I am often approached with policy proposals by House District 48 residents. Some are more actionable than others, and this session multiple bills came directly out of these constituent requests.

One individual voiced his frustration with the process of applying for employment with state agencies. After a successful request to have the topic added to the Speaker's list of Interim Charges, I filed HB 426, which **directed the Texas Workforce Commission to modernize the state's Work in Texas website,** making it more user-friendly and improving the application process for those seeking employment. The bill was signed into law, and will help to

better ensure that we are attracting the best and brightest applicants for our state jobs.

Another constituent, 13-year-old Jacob Hale, reached out because he felt that the state's Confederate Heroes Day did not properly honor all of the Texans who fought or participated in the Civil War. I **authored legislation to make the holiday more inclusive,** by changing its name to *Civil War Remembrance Day* and moving the date so as not to conflict with the MLK holiday. Though it did not pass, Jacob and his efforts garnered a great deal of media attention; he has promised to make another push next session.



*Rep. Howard shares a moment of levity with some fellow members of the Travis County House Delegation.*



*Rep. Howard joins with Rep. Molly S. White in honoring future governor Jacob Hale.*

## WORKING WITH LOCAL LAWMAKERS ON LOCAL ISSUES

*Building relationships is vital to the success of any legislator, and few are more important than those among members of a local delegation. In addressing the needs of House District 48 and Central Texas, I have benefited greatly from a strong rapport with my fellow Travis County lawmakers. This past session was no different, and here are a few examples of our joint efforts:*

- Coordinated with Rep. Paul Workman to **protect the residents of the Austin State Supported Living Center**
- With the assistance of Sen. Kirk Watson, **sought greater flexibility over the use of Compensatory Education Funds for dropout prevention;** though the measure was approved by both chambers, it was vetoed by the Governor due to an unrelated amendment.
- Pursued solutions to **alleviate congestion and meet local transportation demands.** This ongoing effort is a collaboration between the full delegation, and is helped by Rep. Celia Israel's seat on the House Transportation Committee.
- Joined Sen. Judith Zaffirini to **more easily identify students who are eligible for an associate degree.**



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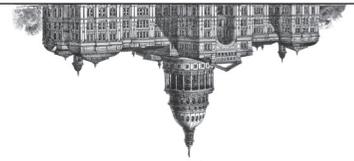
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*State Representative*

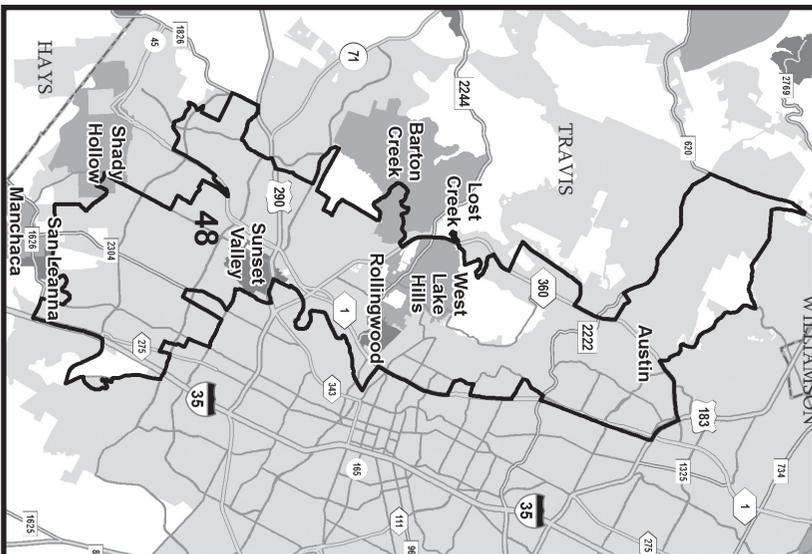
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## DISTRICT 48 MAP



*Capitol Report*  
 84th Legislative Session  
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