

Texas Legislature

Class Review

Theoretical Issues

- Functions of Legislative Bodies
 - Articulation of ideas of public
 - Representation of society: General & Special
 - Lawmaking
 - Budgeting and taxation
- Representational Issues
 - Multi vs single member districts
 - Homogeneous vs heterogeneous districts

Roles of Representative- know and understand each

- Delegate- represents ideas of district
- Advocate- represents views of special publics
- Trustee- votes own ideas
- Politico- combination of all above

Types of Districts

- Texas Senate- 31 single member districts, plurality elections, 4 year overlapping terms
- Texas House- 150 single member districts, plurality elections, 2 year terms
- No term limits for any state office
- Prior to 1970s-
 - Urban counties- multi-member, at-large districts in House
 - Single member districts for Senate

Districting Issues

- Mal-apportionment
 - Prior to 1964- urban counties limited to 1 district per 100,000 people, only one state senator
 - Federal Court required equal representation
- Gerrymandering
 - 2011- districts heavily gerrymandered to maximize Republican control of House/Senate

Organization Issues

- Bicameral vs unicameral- 49 are bi, one uni
- Session length and timing
 - Limited vs unlimited (Regular 140 days, special- 30)
 - Annual vs biennial- 43 annual, 7 biennial (Texas is only urban state to use biennial sessions)
- Level of professionalism
 - Citizen vs professional (pay, sessions, staffing)
- Partisan vs non-partisan
 - Formal party control of leadership, committees, and staffing

Compensation

- Salary- \$7200/yr
- Per diem expenses- set by Texas Ethics Commission
- Travel- rates set by statute
- Retirement- 2.3 % x years of service x salary of state district judge (\$125,000 per year) -designed to encourage members to invest minimum of 8 years

Constitutional Duties

- Legislative
- Propose amendments to constitution
- Electoral- select Governor in rare cases
- Directory and supervisory- by resolution and LBB
- Investigative
- Impeachment and removal of executive and judicial officials

Non-Constitutional Duties

- Constituent services
- Oversight
- Research

Presiding Officers

- House
 - Speaker- elected by members of House
 - **Powers established by Rules of the House**
 - Speaker pro-tem & Officers- appointed by Speaker
- Senate
 - Lt. Governor- elected by voters
 - **Powers established by Rules of Senate**
 - President pro-tem & Officers- elected by members of the Senate

Powers of Presiding Officers

- Appoints **all** committees (standing, special, interim) and designate chairs
- Refers bills to committee
- Approves appointment of employees
- Organizes calendars for legislative action
- Recognizes speakers (persons who may speak on issues)
- Rules on points of order

11

Types of Committees

- Standing- established by the rules of each chamber (substantive and procedural)
- Special- established by resolution
- Interim- established by resolution for interim (generally for studies)
- Statutory- established by law
 - LBB
 - Legislative Council
 - Legislative Audit Committee

Staffing

- Types of staffing for Legislature
 - Professional staff for chamber and the three statutory committees
 - Committee staff
 - Staff for individual members

Legislative Role of Governor

- Declaration of legislative emergencies
- Address legislature
- Call special sessions
- Vetos- item veto on appropriations bills only

Main Steps in Legislative Process

- Drafting
- Introduction and referral
- Committee action
- Floor consideration
- Conference committees*
- Governor's action
- Override of veto

Types of Legislative Instruments

- Bills- HB/SB
- Joint Resolutions- HJR/SJR
- Concurrent Resolutions- HCR/SCR
- Simple Resolutions- HR/SR

Differences between House and Senate Process

- House- bills come to floor by action of the Calendars Committee/Local & Uncontested Calendar Committee
- Senate-
 - Local Bills- certified by L & U Committee
 - Regular Bills- Posted on Intent List/ taken up by 2/3 vote of members present and voting (suspension of rules to take up and consider out of regular order)

Conference Committee

- Conditions- bill passed in different form
- Steps
 - Chamber that initiated bill refuses to concur and requests conference
 - Other chamber grants conference
 - Presiding officers appoint conference committee members
 - Conferees agree on final bill by majority of members from both chambers
 - Majority vote of both chambers to approve report

Governor's Action

- Sign bill
- Allow to become law without signature
- Veto
 - Returned to originating chamber
 - Must be passed by 2/3 vote of both chambers

Governor's Item Veto

- Appropriations Bills ONLY
- Allows Governor to remove any items within an appropriations bill.
