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## With time short in Texas Legislature, bills' fate becoming clearer

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At least two bills related to Barnett Shale drilling filed by Tarrant lawmakers are still alive. STAR-TELEGRAM ARCHIVES/RODGER MALLISON

AUSTIN — With time running out and deadlines looming, hundreds of bills face 1/2 weeks of the 2009 legislative session, certain death in the remaining 2 including many affecting North Texas.

House members were scrambling to get bills to the floor Thursday, the last day they could be considered for the first time. Nearly a dozen other key deadlines await between now and the June 1 adjournment, with more and more bills dropping into the wastebasket at each interval. Provisions from bills that die could still be added as amendments to bills that survive.

The arrival of crunchtime was palpable throughout the Capitol, as lobbyists crowded the entrance of each chamber and lawmakers frantically worked with aides to map out last-gasp survival scenarios for pet bills.

In the House, weary lawmakers were showing the strain of 14- to 18-hour days that have often stretched to near midnight with the approach of the stepped-up timetable.

Here's a sampling of the bill casualty list as well as the outlook for those still standing.

## Dead

**Immigration:** For the second session in a row, lawmakers bottled up a package of bills by Rep. Leo Berman, R-Tyler. The casualties include measures to cut off state funding for "sanctuary" cities, bar illegal immigrants from attending Texas' public universities, make English the official language of Texas and require employers to verify the citizenship of new employees.

**Gambling:** Legislation to create up to 12 resort-style casinos and legalize slot machines at racetracks (HB 1724) failed to meet the deadline for a House vote. "We'll just have to see how the next 12 to 18 months shake out to see which way we go next time — or whether we go at all," said Jack Pratt Sr. of Dallas, head of the Texas Gaming Association.

## Still breathing

**Transportation:** A bill by Rep. Vicki Truitt, R-Keller, that allows North Texas counties and other urban areas to hold elections on funding transportation projects, has been approved by the House Transportation Committee. Rep. Jim Pickett, D-El Paso, committee chairman, said he is optimistic that the bill will face a vote on the House floor next week.

But a companion measure crafted by Pickett that would allow statewide gasoline taxes to rise with producer prices, didn't make the deadline and died. That measure also included one of Gov. Rick Perry's initiatives to ban the use of gasoline tax revenue for purposes other than transportation.

**Voter ID:** SB 362 has cleared the full Senate and, as of this week, the House Elections Committee. But the measure could easily die under the weight of intense partisan differences. Committee Chairman Todd Smith, R-Eules, hopes the bill will be put on the House calendar for floor debate next week. Assuming it wins House approval — far from a sure thing — the bill will then go to a House-Senate conference committee and could become one of the final big-ticket items awaiting action before the June 1 adjournment.

**Barnett Shale:** More than a dozen bills were filed to give municipalities more control over gas well drilling, but no more than a handful show any hope of surviving. SB 686, to allow the placement of pipelines along highway rights of way — authored by Sen. Wendy Davis, D-Fort Worth, and sponsored by Rep. Rob Orr, R-Burleson — has passed the Senate and could come up for floor action in the House.

Rep. Lon Burnam's HB 1533 — requiring local officials to be notified about drilling permits — passed the House this week over opposition by former House Speaker Tom Craddick and was heard in the Senate Natural Resources Committee.

**Stimulus funding:** Lawmakers still hope to override Gov. Rick Perry's rejection of over \$500 million in federal stimulus money for unemployment benefits. Senate Bill 1569 has passed the Senate and needs to pass the House soon.

If the House doesn't vote on it until the last days of the session, Perry will be able to veto it without the Legislature having a chance to override his veto. Rep. Mark Strama, D-Austin, expressed hope that Perry might not veto the bill, especially as it will likely include an amendment that could make Texas eligible for an extra \$250 million in federal funding for unemployment benefits, no strings attached.

**Education:** The much-maligned Texas Assessment of Knowledge and Skills will take on less importance if Perry signs a school accountability overhaul bill. The two chambers' versions of House Bill 3 first need to be resolved in a conference committee. Senate Bill 175 would cap the state's top 10 percent law for college admissions to 60 percent of a university's incoming freshman class. The bill has passed the Senate. Perry has recently urged the Legislature to send the bill to his desk.

**States' rights:** A resolution that would reaffirm Texas' right as a state under the 10th Amendment is still awaiting a vote in the House and Senate. Perry has given strong backing to House Concurrent

Resolution 50, and 75 of the 150 House members have signed on to support it. Critics link the resolution to Perry's recent comments regarding Texas' alleged right to secede from the union. Backers say the message represents a unified pushback against intrusive federal mandates.

**Concealed handguns on campuses:** With proponents and critics both invoking school shootings, a measure to allow those with a concealed-carry license to take handguns onto college campuses has been hotly debated. Sen. Steve Ogden of Bryan reportedly said this week that Senate Bill 1164 doesn't have the votes to get out of the Senate. The House version, HB 1893, missed the deadline to get a vote in that chamber.

**Smoking and trans fat bans:** A statewide ban on smoking in public places and certain workplaces is awaiting a vote in the Senate. Senate Bill 544 would then have to make it through the House. The original House version, HB 5, was watered down with loopholes and exceptions in committee and was then never scheduled for a full vote. The Senate also passed SB 204, a statewide ban on food containing trans fat, and is awaiting a hearing in the Public Health Committee in the House.

This report includes material from The Associated Press.

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