

84th Lege Opens Today with likely Vote on the Speaker

For the last 40-years a member's preference for the Texas Speaker of the House has been largely hidden, mostly by shadow-boxing with cryptic pledge cards. Few House members want to get on the wrong side of an unbeatable speaker. As a result, by vote-time all open opposition vanishes. January 13, 2015, the first day of the 84th session, could be different. Tea Party-oriented House members appear to want an opening day showdown in order to very publically exhibit the fractious division of the Republican Party. Locally, Representatives Bonnen, Paul and Faircloth & Thompson are all Straus supporters.

Democratic House members representing only 52 of the 150 are clearly involved in that their unified support for Speaker Straus in the last three sessions has provided the incumbent Speaker's winning edge. That cohesive support remains. According to one entry on Burkablog (Texas Monthly's popular political blog) at least 45 Democrats and 78 Republicans have already pledged to Straus. Moderate Three-term Speaker Joe Straus has a very determined right-wing opponent, Rep. Scott Turner of Frisco (just northeast of Dallas). The Texas Tribune expressed some lucidity on the confrontation three weeks ago:

Why force a vote? To keep score.

This Straus-Turner thing is not an ordinary race for speaker; it is a skirmish in the factional conflict that divides Texas Republicans. Straus is part of the establishment. Turner belongs to a vanguard of ideological conservatives who contend the establishment is too willing to work with Democrats and to water down a strong partisan advantage.

In the Senate all eyes are on Lt. Gov. Dan Patrick. To what degree will he accommodate the establishment, the moderates and the minority Democrats? He gained his reputation as a darling of

the Tea Party faction but now Patrick is the "Presiding Officer" of **all** of the Senate. Chair of the Senate Republican Caucus Joan Huffman says that unlike Washington, in Texas "we have to get things done." "There's a big difference between being the second-string quarterback and being the quarterback. You have got to make decisions on the field," said Rep. Lyle Larson, R-San Antonio, echoing the sentiments of colleagues in both chambers. "Things are moving at you a lot faster and I think that Lt. Gov. Patrick—he's already indicated that he wants to focus on the important things and, hopefully ... his governance will be more reflective of what the needs are, not so much what he was talking about in the primary."State Rep. John Zerwas, a Richmond Republican who currently serves on the powerful House Appropriations Committee, said "I think we're all going to be pretty much in sync in regard to those being priorities out there. The devil is in the details, as they say," he said. How one individual or group of individuals sees tax relief may be different than a group of others. But that's what the whole legislative process is about." [Houston Chronicle, 1-11-15]

But Democrats are fearful of two critical decisions to come from Lt. Gov. Patrick:

#1 How many Democrats will chair Senate committees and

#2 will he protect the 2/3s rule dealing the majority that it takes to bring up legislation on the floor.

We should know the answer to question #1 in the next two weeks and question #2 during the senate rules debate likely Wednesday, the 14th. Mike Ward and Peggy Fikac in Sunday's Houston Chronicle offered some political insight into the 2/3s rule question:

Some Republicans... have opposed repealing the rule outright because it can be used to keep senators from having to publicly vote on a bill that could hurt them politically.

At a Capitol news conference on Thursday, a coy Patrick said that while he has not changed his opinion that the rule should go away, senators will be allowed to decide when they approve the chamber's operating rules in the second week of the session. Republicans, most of them

conservatives, control 19 seats, a majority, and just one vote short of the 20 needed under the old rule.

Privately, several Republicans said that instead of a repeal, they will seek to change the rule to three-fifths, meaning 19 votes would be needed to debate a bill. That would give GOP senators a way to protect themselves without repealing the rule altogether. [Houston Chronicle, 1-11-15]

Those of us concerned about education and transportation infrastructure can be optimistic in that Gov. Abbott has included increased spending for both questions in his priority list and many have noted his bipartisan tone since his big victory in November.

Chair of the House Democratic Caucus Chris Turner of Fort Worth observed that with the shared goals of “education and transportation, ... Democrats are ready and willing to work together and find solutions.”

Chronicle political reporter Patrick Svitek just after Christmas day noted that, “Longtime Democratic consultant Harold Cook said it is not all doom and gloom for his party’s legislators, explaining they should feel heartened by the senior staff announced so far by Gov-elect Greg Abbott and Lt. Gov-elect Dan Patrick. Calling the officials ‘certified grownups’ and ‘honest brokers’ with bipartisan credentials in Austin, Cook said they should offer a sliver of hope to Democrats worried about this session.” Brandon Rottinghaus, a political science professor at the UH, said “Democrats in recent years have been very smart and savvy about cutting deals and holding the line when they could,” but added that in the past Republicans sometimes “bite off more than they can chew.”

[Patrick Svitek, Houston Chronicle, 12-26-14]

A hopeful sign for retired educators occurred in a video interview with four legislators conducted by *The Texas Tribune* December 5. **During a panel on the conflicts between the house and senate Sen. Larry Taylor dynamically explained the plight of retired teachers facing the TRS-Care crisis to Sen. Royce West (Dallas) and Reps. Trey Martinez Fischer (San Antonio) and Charlie Geren (Ft.Worth).**

Reps Bonnen, Paul and Faircloth have moved into new Capitol offices.

Dr. Greg Bonnen (Dickinson/League City/Friendswood) is now in E2.504 (phone: 512-463-0729), Rep. Dennis Paul (north of Clear Creek) set up his office in E2.814 (phone: 512-463-0734) and Rep. Wayne Faircloth (Bacliff/Texas City) has launched his office in E2.812 (phone: 512-463-0502). Ed Thompson (Pearland/Alvin) is in E2.506 (phone: 512-463-0707). Sen. Larry Taylor’s office remains directly under the “Pink Dome” on the ground floor (GE.5, phone # 512-463-0111). Most legislators have a district office. Sen. Taylor’s local office is in the Calder Road North County Annex and is manned by Teri Goodman in Ste. 151 (phone: 481-332-003). Dr. Bonnen’s local office is in the Annex as well and just down the hall in Ste. 116 and is managed by Faye Picard (phone: 281-338-0924). Rep. Dennis Paul has chosen an office at 17,225 El Camino Real Ste.145 (phone: 281-280-0007) soon to be opened and it will be handled by Debra Risinger. Ed Thompson has a local Pearland office at 2341 Galveston Ave, Ste. 120 (phone: 281-485-6565).

Video Discussion of TRS-Care Issues Available at TRTA.org

Adapted from Tim Lee, Inside Line, 1-7-14

TRTA has produced a 30-minute video interview involving TRTA’s “most knowledgeable legislative minds:” 1) **Tim Lee**, our always perceptive executive director, 2) **Ronnie Jung**, our highly experienced official TRTA “Consultant” and former director of the TRS and 3) **Bill Barnes**, our vigilant TRTA Legislator Coordinator.

The conversation is an extensive look into the various issues surrounding TRS-Care and is arranged so that you can skip to any part of the video to meet your special interest. **To watch the interview go to**

trta.org and scroll down to “Legislative Updates” and select “TRTA Legislative Roundtable half-hour special.”

During the interview, Tim Lee stressed the need for the Texas Legislature to address the TRS-Care funding shortfall. “We have to protect our defined benefit plan. We have to protect what we’ve already achieved in previous sessions, and work with the Legislature (to) come up with a real solution for the health insurance program,” Lee said.

The real solution Lee referred to will extend beyond the supplemental funding necessary to keep TRS-Care going, according to Ronnie Jung. Jung explained the core issue surrounding TRS-Care funding is the structure on which the health care system is built. “The problem we have is that the funding structure, which is a percentage of payroll, is not tied to the fact that we have more retirees and more health care costs,” Jung said.

Bill Barnes discussed his experiences in talking with TRTA members about the impending budget shortfall, and how an increase in medical premiums would have a negative impact on the lives of those dependent on TRS-Care. Barnes, who was encouraged by the 2013 Legislature passing a cost-of-living increase for retired teachers, said while retirees may not have control over prescription drug costs, it is possible to make an impact on TRS-Care by contacting legislators. Tim Lee echoed this sentiment and encouraged all viewers to complete the letter in the latest edition *The VOICE*.

WEP on Target for Change H.R. 5697, the Equal Treatment of Public Servants Act.

Theodore Schleifer, *Houston Chronicle*, 12-16-14

U.S. Rep. Kevin Brady has introduced a bill that would right what he sees as an unjust benefit cut for retired teachers and first responders.

...Brady’s bill would repeal the Windfall Elimination Provision, legislation passed three decades ago that sought to curtail excess and unearned Social Security benefits by workers who had not paid into the system.

The Equal Treatment of Public Servants Act, sponsored by Brady, a Montgomery County Republican, and Massachusetts Democrat Richard Neal, would replace that provision with a fairer formula, the congressman said.

“Social Security is extremely complicated, and through its formulas, it often doesn’t treat people fairly,” Brady said. “Let’s treat public servants the same as any other Americans.”

Under the existing law, government workers who do not pay Social Security taxes and instead receive a pension receive a modified Social Security benefit. According to the Social Security Administration, 1.5 million retired and disabled workers currently receive a reduction in benefits averaging just under \$275 a month.

Windfall Elimination Provision, passed in 1983, primarily hurts those who have changed careers midway through their lives. Those workers may have earned a pension, but only a small Social Security check when they retire.

The logic of the provision is to prevent double-dipping: someone who paid Social Security taxes for only a brief time — perhaps someone who worked in the private sector before becoming a longtime teacher — from collecting the same benefits as someone who earned no pension but similar lifetime earnings over their course of their entire career.

Brady, a senior member of the Ways & Means Committee who unsuccessfully sought the chairmanship of the powerful committee recently, derided the adjustment as artificial. His bill would use a formula to generate a check that correlates more closely to the actual number of years paid into the system.

“Once they’re at an age to draw Social Security, they get punished,” said Todd Clark, chairman of the Houston Firefighters’ Relief and Retirement Fund. “Public employees are not asking for anything other than what they’ve paid into.”

Brady has tried and failed to pass this legislation several times since 2004, but its price tag has been “too large to overcome,” he said. This iteration of the bill, according to the Social Security Administration,

is revenue-neutral. That figure, combined with The Woodlands' congressman's increasing clout, may give it better luck in the next Congress.

"It's been a while since this issue's been on people's radar, so we're going to really have to spend the next half of next year reeducating lawmakers about the problem and about the solution," Brady said.

Chronicle Profiles New Congressman Babin in CD36

The following is about half of a very detailed article written by Kevin Diaz, *Houston Chronicle* 1-2-15

Chronicle reporter Kevin Diaz described newly elected Congressman Brian Babin as "deeply conservative" and "deeply rooted... but tempered by the give-and-take of local government in Woodville, a town of 2,586 where he has served as a mayor, city councilman, and school board member.... Babin, a retired Air Force captain, also embodies the temperament of a hardscrabble rural district... that includes a broad swath of 'deep' East Texas, a region unto itself known for independent-minded oyster farmers, oil workers, and lumberjacks."

Babin has run and lost for the U.S. Congress twice before but he has become "a civic fixture in the Tyler County... area that was gradually shedding a tradition of conservative, Dixiecrat politics." His transition from Democrat to Republican began in 1980 with the Reagan campaign and he has remained "a stalwart of Texas Republican politics... mirroring its rightward drift. In 2008, the year President Obama was elected, Babin helped organize the Tyler County Patriots, becoming a regular speaker at tea party events...."

"Along the way, Babin and his large, theatrical, and politically active family have developed strong ties to Washington, Hollywood, and the nation's military community. Babin and his wife, Roxanne, sang in a local folk and country act in the 1970s to help pay his way through dental school. The couple went on to have five children. One of their three daughters, Marit, once worked for the National Republican Congressional Committee. A son, Leif, is a decorated Navy SEAL, married to Fox News anchor Jenna Lee.

Another son, Lucas, has modeled for Gucci and Versace, with television credits that include HBO's *Sex and the City*...."

One of his supporters "is retired NASA Flight Director Gene Kranz, the man forever associated with the phrase "failure is not an option" in the movie version of the stricken Apollo 13 moon mission.

Kranz, now 81, says he generally avoids politics but agreed to do a couple of recorded "robo" calls for Babin after deciding he would be an active NASA supporter in Congress. "He's exactly what we need to drive the resurgence of the Johnson Space Center," Kranz said...."

Former Pasadena Mayor John Manlove and primary rival commented that Babin "was tea party before [it] was cool." In last spring's primary battle against a Houston banker it had just become a question of "who was more tea party." However, "Manlove predicts that despite all the 'hard right' rhetoric Babin's experience with the responsibility of local governance will keep him well inside the margins of a deeply polarized Congress... I think he'll be one to make things work" Barbers Hill ISD Superintendent Greg Poole added that Babin "got that passion, but he's not so ideological that he becomes unproductive...."

Contact Your Legislators

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Rep. Dennis Paul - 512-463-0734
NASA area 281-280-0007
Dist. 129 area north of Clear Creek

Rep. Greg Bonnen - 512-463-0729
League City - 281-338-0924
Dist. 24 - area south of Clear Creek

Rep. Ed Thompson - 512-463-0707
Pearland - 281-485-6565
Dist. 29 - area of Pearland/Alvin

Rep. Wayne Faircolth - 512-463-0502
Texas City - TBA
Dist. 23 - Bacliff/Texas City