



# Rural Texan

Office of Rural Community Affairs ☆ Rural News and Information for Rural Texans ☆ Winter 2005

## Special Legislative Issue

### New ED Will Emphasize ORCA's Capacity to Serve

By Julie V. Kelly, ORCA

At its December meeting in Rio Grande City (Starr County), ORCA's Executive Committee selected Charles S. (Charlie) Stone as its new executive director effective December 3, 2004. Prior to accepting the position, Stone had served as ORCA's manager of outreach and community services. He has been employed with the agency since February 2002.

"I believe that I share a common vision for ORCA and its role in the future of rural Texas with the agency's constituents and the Executive Committee," said Stone. "My goal is to ensure

that the state helps rural Texans make the most of every opportunity through effective delivery of services and innovative program implementation."

"I'm grateful to the Executive Committee for vesting their confidence in my leadership. I look forward to working with them as we develop ORCA's capacity as the lead agency and premier purveyor of rural health and economic development programs," he concluded.

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### Top Issues of the Session

By Julie V. Kelly, ORCA

During this legislative session, lawmakers will consider numerous issues, many of which may affect rural Texans. The House Research Organization (HRO) has issued a report on 14 topics that are of particular interest to the 79th Legislature. These include public education, higher education, health and human services, workers' compensation, business and economic development, civil practices, criminal justice, gambling, family issues, environment, transportation, financial institutions, government organization and local government.

Of these, rural Texans may be especially concerned with public school finance, water use, budgetary constraints, telecommunications and unfunded mandates.

#### Public School Finance

The issue: Population growth, dwindling federal funding, and the need to relieve property taxpayers are all factors bearing down on legislators this session. The state must generate enough funding to adequately educate all Texas

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Office of Rural Community Affairs

# Committee System is Model for Efficient Government

By Julie V. Kelly, ORCA

**D**uring the 78th Legislative Session, lawmakers passed 4,724 bills. That is in addition to the huge volume of proposed bills, resolutions, amendments and other items considered by lawmakers. This volume of work is made possible by the use of a committee system, which allows lawmakers to quickly and efficiently examine and vote on a large volume of proposed legislation.

Both the senate and the house are organized into committees, which are formed according to subject, covering everything from agriculture and livestock to ways and means. The house has approximately 30 committees, and the senate has approximately 10 committees.

The priority member of each chamber is responsible for assigning seven to 15 legislators to each committee. In the house, assignments are based on seniority and preference of the speaker. The lieutenant governor assigns senate members to committee based on his or her discretion.

For critical subject areas, the lieutenant governor and the speaker of the house may assign legislators from their respective chambers to serve on a

joint committee. The Joint Select Committee on Public School Finance is an example of such a committee.

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**The committee system is the first significant process that proposed legislation must survive before becoming law.**

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Committees are not obligated to consider every bill that is assigned to them, so the chair of each committee chooses which bills should be considered. After reviewing the legislation, the committee may issue a report on the bill, including a bill analysis, fiscal impact statement and recommendations.

The committee then refers the bill to the calendars committee of its chamber, which will then schedule the bill for review by the entire chamber. The committee system is the first significant process that proposed legislation must survive before becoming law. Most bills are said to “die in committee,” meaning they are either rejected by the committee or are never examined.

During the interim, committees take on other duties focused around their subjects. If needed, committees may continue to study their subject, develop legislation and issue interim studies. Committees may also take on oversight responsibilities for state agencies. The House Committee on Agriculture and Livestock is ORCA’s oversight committee.

- November 8, 2004**  
Legislators began prefilng proposed legislation
- January 11, 2005**  
79th Legislature Regular Session convened at noon
- January 12-13, 2005**  
Senate Orientation
- January 14-15, 2005**  
Office of Court Administration
- March 11, 2005**  
Last day legislators may file bills and joint resolutions, other than local or emergency bills
- March 23, 2005**  
Rural Caucus meets
- May 30, 2005**  
79th Legislative Regular Session concludes
- June 19, 2005**  
Last day Governor Perry can sign or veto bills
- August 29, 2005**  
Bills without specific effective dates become laws



## OFFICE OF RURAL COMMUNITY AFFAIRS

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Julie V. Kelly, Managing Editor

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# From the Desk of ...

## Chair of the Executive Committee

This January the elected lawmakers of our state convened at the Texas Capitol in Austin for the 79th Legislative Session. As they craft legislation, debate and vote, they are shaping not only public policy but also the future of Texas. They are participants in the process by which the people of Texas govern their state and have since the first Texas Legislature convened in 1846.

However, they are not the only participants. The legislative process includes many community-based players – senators and representatives, other elected officials, lobbyists, organizations and individuals. State agencies, including ORCA, often contribute to the session by providing testimony and responding to inquiries. During this process, we are fortunate to have our new Executive Director, Charles S. (Charlie) Stone, leading our agency. Stone brings to ORCA many years of experience in government and has engaged in the political process from the perspective of county judge of Refugio County and as a legislative assistant to a member of the Texas House of Representatives.

Ideally, constituents should also bring their perspective to the legislative process. Rural Texans should not allow distance or unfamiliar processes to prevent them from assisting their elected representatives and guiding public policy. There are many ways to participate. The first step is to seek information. The next step may be communicating directly with your legislators about public policy.

As rural Texans, we are an important part of the 22 million people who call this state home. It is vital that we take an active role in our state government so that the future of rural Texas is in the hands of those who know it best.

William M. Jeter III

Chair, ORCA Executive Committee

## Executive Director

As ORCA's new Executive Director, I am honored to assist the Executive Committee in leading the agency through its second legislative session. The 79th session offers opportunities to strengthen rural Texas and improve our state in many ways. Through this process, ORCA's job will be to provide legislators and their staff with information about rural Texas as they need it.

ORCA's Executive Committee, administration and staff are well prepared for the coming months of legislative activity. We have already submitted our Legislative Appropriations Request (LAR), which sets the agency's course by establishing the level of funding needed for the coming biennium.

ORCA's LAR asked for the following exceptional items: reinstatement of the mandated five percent reduction in funding so that the agency can maintain its goals; \$45,000 each year of the biennium to fund mandated audit services; funding of \$350,000 per biennium to build leadership capacity in rural communities; and \$250,000 per biennium to establish new programs that promote economic development, support colonia initiatives in the border region and help local communities build financial capacity.

During this time of opportunity, I encourage you to follow the events of the session. As always, the Executive Committee, administration and staff will work with associations and rural partners to ensure that ORCA serves and supports rural Texans in the effort to build strong, prosperous communities.

Charles S. (Charlie) Stone

Executive Director

## ORCA Executive Committee

William M. Jeter III, Chair  
Bryan (Brazos County)

David Alders  
Nacogdoches (Nacogdoches County)

Nicki Harle  
Baird (Callahan County)

Carol Harrell, Vice Chair  
Jefferson (Marion County)

Wallace Klussmann  
Fredericksburg (Gillespie/Llano Counties)

Jim Roberts  
Lubbock (Lubbock County)

Lydia Rangel Saenz  
Carrizo Springs (Dimmit County)

Patrick Wallace  
Athens (Henderson County)

Michael Waters, Secretary  
Abilene (Taylor County)

### Upcoming Executive Meetings:

February 3-4, 2005  
Austin (Travis County)

March 31-April 1, 2005  
Athens (Henderson County)

### ORCA's Mission:

"To assist rural Texans who seek to enhance their quality of life by facilitating, with integrity, the use of the resources of our state so that sustained economic growth will enrich the rural Texas experience for the benefit of all."

# From Idea to Law

## Progress of a Bill Through the Texas Legislature

### Idea for Legislation

Ideas may come from legislators, citizens, lobbyists, interest groups, the Governor or state agencies. Anyone can suggest an idea for a new law to their legislator.

### Bill is Drafted

If the legislator chooses to, he or she will ask the Legislative Council to draft a bill. The legislator will be the sponsor of the bill.

### Bill is Filed

The bill is filed in the Senate or House. It is assigned a unique number according to the chamber where it originated.

### Bill is Introduced (First Reading)

The caption of the bill is read on the floor of the House or Senate, and the presiding member of the chamber assigns the bill to a committee.

### Committee Action

The bill is reviewed by a committee, which studies the bill, holds public hearings and issues a report. If the report is favorable, the bill is sent to the Calendars Committee.

### Floor Debate (Second Reading)

The Calendars Committee schedules the bill for debate. The caption is read again and debate begins on the floor of the chamber where the bill was filed.

### Debate and Amendments

The bill and any proposed amendments are read on the floor and members of the chamber debate the bill and vote on amendments. If the bill is approved by a simple majority, it is placed on the calendar for a third reading.

### Final Passage by First Chamber (Third Reading)

The bill is read on the floor for the third time and members debate and vote on the bill's passage. Any new amendments must be approved by a 2/3 vote. The amendments are engrossed, meaning they are written into the text of the bill.

### Second Chamber

The bill is amended and voted on in the second chamber. Both House and Senate must agree on the same version of the bill.

### Governor

The bill passes the House and Senate and is sent to the Governor. The Governor either signs or vetoes the bill, or allows the bill to become law without signature. The bill becomes a law upon its effective date and is filed with the Secretary of State.

# Basic Elements of a Bill

There are two types of bills – General Bills, which apply to all people and areas of Texas, and Local Bills, which apply to limited areas of the state. Bills originate in the House of Representatives, the Senate, or in both chambers. Bills that originate in both the chambers are called companion bills.

All bills have the same basic elements, including a heading, caption, enacting clause and body. When a bill is filed it is assigned a heading, indicating its chamber of origin and consecutive number.

For example, the first bill filed by a member of the House during the session would be assigned the heading HB 1. The first bill filed by a member of the Senate would be known as SB 1.

The caption (or title) of the bill states the bill's subject. Except for general appropriations bills, the caption may have only one subject.

According to the Texas Constitution, all bills must contain an enacting clause, "BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS."

The body of the bill outlines the law or changes proposed by the legislation. Portions of text that elaborate on existing law are underlined, and portions of text that amend or delete existing law are stricken through.

The effective date of the bill is specified at the end of the bill. Bills that are designated as emergency bills contain an emergency clause, making the bill effective immediately upon passage.

Although bills are the most common form of proposed legislation, they are not the only legislative tools available to lawmakers. Other tools, such as amendments, are called resolutions. Resolutions are abbreviated in the following ways:

HCR House Concurrent Resolution  
SCR Senate Concurrent Resolution  
HJR House Joint Resolution  
SJR Senate Joint Resolution

Source: Texas Legislature Online at [www.capitol.state.tx.us](http://www.capitol.state.tx.us).

# Tracking State Government Online

By Julie V. Kelly, ORCA

The state's online resources make it possible for rural constituents to stay connected to the government from a distance, even offering opportunities to monitor day-to-day activities at the capitol and view or listen to live broadcasts of floor action in the House and Senate chambers without traveling to Austin (Travis County).

The Web site of the Texas Legislature ([www.capitol.state.tx.us](http://www.capitol.state.tx.us)) is a good place to start. This site allows users to research representatives, state statutes, session status and more. Users can also check bill status with an online search or by calling the bill status hotline at 877-824-7038.

During the session, the Senate and House post hearing schedules, calendars, audiovisual files, committee information and interim study assignments on their Web sites ([www.senate.state.tx.us](http://www.senate.state.tx.us) and [www.house.state.tx.us](http://www.house.state.tx.us)).

## House Research Organization

The House Research Organization, a nonpartisan organization of analysts, assists lawmakers by reviewing bills and reporting on current issues under consideration during the session. The

information published by the HRO is available online at no cost and is a useful resource for those seeking objective analyses on major issues.

Although the HRO is a department of the Texas House of Representatives, it functions as an independent research organization. HRO reports are not an official part of the legislative process. The following materials are available from the HRO:

Daily Floor Reports – a collection of analyses of bills scheduled on the House Calendar (available during session).

Bill Analyses – Analyses of bills that are scheduled on the House Calendar for debate. The analysis of each bill includes a review of the bill, the bill's background, and opinions for and against the bill. The HRO Web site also features a database of bill analyses searchable by bill type and number (for example, SB 10).

Focus Reports – in-depth analyses of selected current topics.

Interim News – reports on interim committee hearings and reviews of selected current topics.

Constitutional Amendment Reports – examinations of proposed constitutional amendments including arguments for and against.

State Finance Reports – examinations of the state budget process.

## Texas State Library and Archives Commission

The Texas State Publications Depository Program collects more than 240,000 items published by the state government every year. Publications are indexed in Texas State Publications, a monthly list of items received by the Texas State Library.

Information available online includes Texas Records and Information Locator service (TRAIL) and a list of libraries that maintain print depositories of some state publications.

TRAIL allows online users to search for information listed by keyword on the Web servers of more than 180 state agencies. For more information, visit the Texas State Library and Archives Commission online at [www.tsl.state.tx.us](http://www.tsl.state.tx.us).

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## Texas Register: Daily Update on State Government

By Julie V. Kelly, ORCA

For constituents who want to closely monitor their state government, the *Texas Register* is an easy-to-use resource that provides a daily stream of fresh information about state agency rulemaking, gubernatorial appointments, opinions issued by the attorney general, open meeting dates and requests for proposals. The *Texas Register* is available in a variety of formats – as a complimentary online service, as a value-added subscription service, and in print.

### Complimentary Service

The complimentary service is only available online. It is updated every Friday and includes access to the *Texas Register* and the Texas Administrative Code (a listing of all codified state agency rules). Open meeting notices posted by state and regional agencies are also available online at no charge. Executive committees and subcommittees must post their open meetings in the *Texas Register* at least eight days prior to the meeting.

### Value-Added/Subscription Services

For a fee of \$10 a month, subscribers to the *Texas Register* can receive email updates about an agency of their choice. For a \$25 monthly fee, subscribers can search by keyword the databases of the *Texas Register* and the Texas Administrative Code as well as gain access to historic materials and graphic materials. Unlike the complimentary service, the subscription service is updated daily.

### Printed Materials

The *Texas Register* is also available weekly in print for a subscription fee of \$200 per year. The printed version of the Texas Administrative Code can be ordered for \$.50 per section.

Visit [www.sos.state.tx.us/texreg/subpara.shtml](http://www.sos.state.tx.us/texreg/subpara.shtml) for more information on the *Texas Register*, or call the *Texas Register* staff at 800-226-7199.

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# Glossary of Legislative Terms

**P**aradoxically, when doing the people's business it is often necessary for legislators to use language that non-legislators may not understand. This specialized vocabulary helps legislators do their jobs effectively and efficiently.

For your convenience, the following terms are taken from Legislative Lexicon, a guide to the vocabulary of the legislative process, published by the Texas Senate Research Center.

**act** — Once legislation (a bill) is approved by both houses of the legislature and the governor, it takes effect as an act of the legislature. It is a permanent measure, having the force of law until repealed.

**amendment** — Any alteration made or proposed to be made to a bill or section thereof, by adding, deleting, substituting, or omitting.

**bicameral** — A legislature consisting of two houses, such as a house of representatives and a senate. In the United States, Nebraska is the only state without a bicameral legislature.

**biennial** — Occurring once every two years; Texas has a biennial legislature.

**bill** — A document set forth by a legislator that proposes to add to, delete, or change existing law, or create entirely new law. Any bill may originate in either house of the legislature, with the exception of revenue (i.e., tax) bills, which must originate in the House of Representatives.

**chamber** — (1) An official hall for the meeting of a legislative body. (2) A legislative body. There are two chambers in the Texas Legislature: the Senate and the House of Representatives.

**fiscal year (FY)** — A 12-month period at the end of which accounts are reconciled. In Texas, the fiscal year runs from September 1 of one year until August 31 of the next year.

**floor** — That portion of the legislative chamber reserved for members and officers of the legislative chamber and their guests granted privileged access.

**house of representatives** — One of two bodies, or chambers, in the Texas Legislature. The house of representatives is composed of 150 members elected to two-year terms; each member of the house represents approximately 150,000 Texans.

**interim** — The interval between regular sessions of the legislature.

**regular session** — The constitutionally mandated period during which the legislature meets to consider legislation. The Texas Legislature convenes in regular session on the second Tuesday in January of odd-numbered years and for 139 calendar days after that date.

**senate** — One of two bodies, or chambers, in the Texas Legislature; also known as the upper chamber. The senate is composed of 31 members, elected to four-year terms, with one-half of the membership elected every two years. Each senator represents approximately 710,000 Texans.

**standing committee** — A committee created in the rules of either house that meets during the legislative session or an interim to consider and report on measures referred or tasks assigned to it by the respective presiding officers.

**subcommittee** — A group of committee members, appointed by the chair of a committee of the house or the senate, to which proposed legislation is referred or a specific task is assigned.

**veto** — Action by the governor to disapprove a measure.

Source: Excerpts from Legislative Lexicon, published by the Texas Senate Research Center. For the complete report visit [www.senate.state.tx.us/SRC/pdf/IB\\_LexiconOct2004.pdf](http://www.senate.state.tx.us/SRC/pdf/IB_LexiconOct2004.pdf).

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## Top Issues of the Session

*(Continued from page 1)*

school children, as required by the state's constitution, without burdening taxpayers unfairly.

At stake: To address the issue, legislators may look for new funding sources, and may adjust variables such as teacher salaries, distribution formulas, school employee health plans and funding for facilities. Schools in some rural communities could lose funding and some rural schools may close.

### Water Use

The issue: A growing population, poor resource management, agricultural usage and persistent drought have drained the state's water resources, creating competition between large cities and rural areas.

At stake: The rule of capture, inter-basin transfer, regulation of groundwater conservation, rural water rights, resource management, desalination and more will be examined by legislators. With 70 percent of Texans living in large cities, rural needs may be lost in the shuffle. However, agriculture contributes 10 percent of Texas' gross product, giving rural Texas a voice above the din.

### Budgetary Constraints

The issue: Budgetary constraints are still an issue for the 79th Legislature, but they are not as severe as those faced by the 78th Legislature. State agencies are required to cut five percent from their budgets. Cutting tax exemptions and incentives may also be considered.

At stake: As a result of the five percent reduction in funding, some agencies may be forced to cut services. Legislators may consider amending the constitution to include a "Taxpayer's Bill of Rights," which would link spending to population growth and inflation.

### Telecommunications

The issue: Access to high-speed Internet service is long overdue in rural Texas. BPL (broadband over power line) systems have the potential to bring this service to remote areas via power lines.

At stake: Lawmakers may examine ways to promote broadband deployment in Texas. To benefit rural Texas, BPL must be technologically viable and financially feasible for small communities.

### Unfunded Mandates

The issue: Counties are burdened by the state's practice of assigning responsibilities to local governments without providing funding to support those responsibilities.

At stake: Legislators may consider a constitutional amendment restricting unfunded mandates.

Source: HRO focus report, Topics for the 79th Legislature, available at <http://www.capitol.state.tx.us/hrofr/focus/topics79-1.pdf>.



# Funding Opportunities

## Abell-Hanger Foundation

Supports higher education, youth activities, cultural programs, health services, the handicapped, and social welfare agencies  
Contact [www.abel-hanger.org](http://www.abel-hanger.org) for deadlines.

## Corporation for National and Community Service

94.006 AmeriCorps National FY 2005 New Grants  
<http://fedgrants.gov/Applicants/CNCS/OGM/OGM/CNCS-GRANTS-110404-001/Grant.html>  
Due Date: 3/8/2005

## US Department of Health and Human Services

93.103 Support for Small Scientific Conference Grants  
<http://fedgrants.gov/Applicants/HHS/FDA/OFACS/HHS-GRANTS-110204-001/Grant.html>  
Due Date: Multiple Receipt Dates

93.226 AHRQ Health Services Research  
<http://fedgrants.gov/Applicants/HHS/AHRQ/AHRQ/PA-00-111/Grant.html>  
Due Date: 6/22/2005

93.242 Cooperative Drug Development Group (CDDG) for the Treatment of Mental Illness  
<http://fedgrants.gov/Applicants/HHS/NIH/NIH/PAR-05-010/Grant.html>  
Due Date: Multiple Receipt Dates

93.393, 93.399, 93.847, 93.848, 93.286, 93.866 Research on the Economics of Diet, Activity, and Energy Balance  
<http://fedgrants.gov/Applicants/HHS/NIH/NIH/PA-05-009/Grant.html>  
Due Date: 11/2/2007

93.447 State Health Fraud Task Force Grants  
<http://fedgrants.gov/Applicants/HHS/FDA/OFACS/FDA-ORA-04-2/Grant.html>  
Due Date: 8/12/2005

93.779, 93.773, 93.774 Cancer Prevention and Treatment Demonstration for Ethnic and Racial Minorities  
<http://fedgrants.gov/Applicants/HHS/7530/CMS/CMS-5036-N/Grant.html>  
Due Date: 3/22/2005

## US Environmental Protection Agency

66.463 Notice of Request for Proposals for Water Quality Projects to be Funded under Clean Water Act (CWA) Section 104(b)(3)  
<http://fedgrants.gov/Applicants/EPA/OGD/GAD/DEPP-FO/Grant.html>  
Due Date: 2/10/2005

## National Endowment for the Humanities

45.149 Reference Materials Grants  
<http://fedgrants.gov/Applicants/NEH/OPUB/OPO/NEH-GRANTS-111604-007/Grant.html>  
Due Date: 7/15/2005

45.162 Landmarks of American History: Workshops for Teachers  
<http://fedgrants.gov/Applicants/NEH/OPUB/OPO/NEH-GRANTS-111504-017/Grant.html>  
Due Date: 8/5/2005

45.162 Landmarks of American History: Workshops for Community College Faculty  
<http://fedgrants.gov/Applicants/NEH/OPUB/OPO/NEH-GRANTS-111504-016/Grant.html>  
Due Date: 8/5/2005

## New ED Will Emphasize ORCA's Capacity to Serve

*(Continued from page 1)*

A native Texan who grew up in Cuero, Stone has considerable depth of knowledge concerning rural issues and has dedicated much of his career to public service. After serving in Viet Nam as a helicopter pilot with the US Army, Stone attended Southwest Texas State University and graduated with a BS in Criminal Law Enforcement. His career includes employment as a Trooper with the Texas Department of Public Safety from 1976 to 1979, followed by 10 years as a private business owner.

Stone returned to public service in 1991 and was elected to two terms as county judge of Refugio County. While serving as county judge, Stone was active in the Coastal Bend Council of Governments, ultimately serving as chair of the COG's executive board for a year. During the 76th and 77th legislative sessions, Stone worked as a legislative assistant to the chair of the Rural Caucus, State Representative Judy Hawley of Portland.

"The Executive Committee recognizes Stone's wealth of applicable career experience and ability to lead as qualities that will serve rural Texas well," said ORCA Executive Committee Chair, William "Bill" Jeter. "His dedication to public service, knowledge of ORCA and exceptional managerial acumen are needed to support the agency's goals."

"Stone's background in rural policy issues will certainly be appreciated by the communities ORCA serves. I'm confident that rural Texas will make significant progress toward sustained economic growth and improved quality of life with Stone as ORCA's executive director," noted Michael Waters, ORCA Executive Committee Secretary.

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E-mail Address: \_\_\_\_\_

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The following best describes my role(s) in the rural Texas arena (check all that apply)\*:

- |   |   |   |
|---|---|---|
| <input type="checkbox"/> Academic/Education               | <input type="checkbox"/> Environment/Water related              | <input type="checkbox"/> Non-Profit organization representative |
| <input type="checkbox"/> Agriculture related              | <input type="checkbox"/> For Profit organization representative | <input type="checkbox"/> Social Service related                 |
| <input type="checkbox"/> Community / Economic Development | <input type="checkbox"/> Government employee                    | <input type="checkbox"/> Transportation related                 |
| <input type="checkbox"/> Consultant                       | <input type="checkbox"/> Health care related                    | <input type="checkbox"/> Utilities and Telecommunications       |
| <input type="checkbox"/> Education related                | <input type="checkbox"/> Housing related                        | Other: _____  |

\*For our e-mail users, this information will allow us to provide related grant opportunities and other information to you in a timely manner electronically.



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