

# Cases ready for Austin

## Legislators returning

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AUSTIN - Here they go again.

Nineteen months after the 80th Legislature ended in turmoil because of an unsuccessful attempt to oust unpopular House Speaker Tom Craddick, state lawmakers return to Austin on Tuesday for another 140-day session.

Lawmakers don't anticipate any Craddick drama this session. The Midland Republican was ousted and Rep. Joe Straus, R-San Antonio, a relatively new legislator hardly known outside the Alamo City, is expected to lead a House almost evenly divided along party lines, 76 Republicans and 74 Democrats.

In the Senate, Republicans still are firmly in charge with a 19-12 majority.

Some legislators and Capitol watchers predict the session will focus more on policy issues and less on politics.

Nonetheless, they also expect some heated debates, perhaps not as divisive as during the last session but still contentious, particularly on social issues.

"I think it's going to be a very productive session," predicted Sen. Robert Duncan, R-Lubbock, expected to become president pro tempore of the Texas Senate, the first official in line to succeed Gov. Rick Perry and Lt. Gov. David Dewhurst if something were to happen to both leaders.

"The first and most important issue is the budget," said Duncan, who sits on the Senate Finance Committee. "Fortunately this session, and I think as a result of the many measures we implemented in previous sessions, Texas enjoys a surplus when most states are suffering greatly with deficits."

State Comptroller Susan Combs on Monday will release the biennial revenue estimate for 2010-11. Combs predicted last spring that the Legislature may have a surplus of as much as \$11 billion.

Former Rep. Talmadge Heflin, R-Houston, who chaired the House Appropriations Committee in 2003 when the Legislature faced a \$10 billion deficit, already has warned his former colleagues to avoid the mistakes of 2001, which led to the shortfall two years later.

Eight years ago, despite a national recession on the horizon, the Legislature had a \$6 billion surplus and increased spending by 16 percent, Heflin recalled.

Two years later, while the nation had recovered from a mild recession, the state surplus was gone and the \$10 billion deficit forced lawmakers to drastically cut spending, especially funding for social programs such as the

state schools for the mentally disabled and the Children's Health Insurance Program.

"Texas is still a good place to do business because compared to the rest of the nation we are doing well," said Heflin, who now heads the Center for Fiscal Policy at the Texas Public Policy Foundation, an Austin think tank.

"But you need to be careful when you have money in the bank. We'll have continuing cooling (of the economy) in 2009 and they (lawmakers) need to be frugal."

The budget is expected to trigger a spirited debate, but will be on policy differences and not on politics, predicted Rep. David Swinford, R-Dumas.

"Your vote is always based on what you think it is best for the people in the district that you represent," said Swinford who intends to focus on legislation that would address the high dropout rate in public schools.

Other issues expected to get lots of attention include public school finance, windstorm insurance, homeowners insurance, property-tax relief, border security, illegal immigration, college tuition deregulation, the right to carry concealed weapons on college campuses and reforming the Texas Assessment of Knowledge of Skills test.

In addition, the Sunset Commission is expected to recommend the overhaul of troubled agencies such as the Texas Department of Transportation, the Department of Public Safety and the Texas Youth Commission.

Dick Lavine, senior policy analyst at the Center for Public Policy Priorities, said that while he understands the nation's economic crisis will affect Texas, lawmakers need to keep in mind that the state keeps growing and has added more people - 8 million - than any other state during the past two decades.

Public schools and universities, programs for the indigent population, the state highway system and other programs will need more money than what they received in the previous session, Lavine said.

"We have a lot of money in the Rainy Day Fund, last I heard it was \$6.7 billion," he said. "That's what you have a Rainy Day Fund for, to use it when times are tough."

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