

Texas Committees

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1 The Purpose of the State Legislature

The state legislature has 3 main functions:

- Create laws
- Appropriations - funding, especially transferring money to another entity
- Oversight - Legislature can call people from the executive branch to testify to a committee about a bills implementation

2 Committees

Committees allow for division of labor and specialization. Committees act as small legislatures, with committee members voting to present the bill outside the committee.

The presiding officer of a chamber of congress can assign bills to committees, where the committees can discuss and edit the bill, call witness for or against the bill, etc.

Killing a Bill

Committees are often used to kill bills. There are two main ways to do this.

- **Pigeonholing** - The presiding officer can assign a bill to the wrong committee, for example a healthcare bill to the transportation committee. This is called **pigeonholing**. The bill will likely never leave the committee
- **Tagging** - Only happens in the Senate. Each Senator can tag a bill once. If the bill is tagged, hearings on that bill are delayed for 48 hours. Any work done during this 48 hours is void.

A **discharge petition** is a way to stop bills from begin pigeonholed. The bill is removed from committee and put to a vote. Discharge petitions tend to make a mockery out of the committee system, so they aren't used often.

The Calendar

The calendar is used for controlling the flow of legislation from committees to the floor.

In the House

In the House, there are 4 types of House calendars:

1. **Daily House calendar** - a list of new bills and resolutions that are scheduled by the rules committee for consideration by the House. Must be distributed 36 hours before it is valid.
2. **Supplemental House calendar** - This contains old business, including bills that didn't get finished previously.
3. **Local, Consent, and Resolutions calendar** - a list of local or non-controversial bills scheduled by the committee.
4. **Congratulatory and Memorial calendar** - a list of congratulatory or memorial resolutions or motions.

In the Senate

The Senate uses one calendar. Senate rules state that all bills must be discussed in the chronological order they were placed in.

The Blocking Bill The first bill on the Senate calendar is called a **blocking bill**. It deals with something insignificant, like the flowers around the state capital. This bill will never be voted on. This is to allow the Lt. Governor to call a vote to suspend the chronological order rule. If 19 of the 31 Senators vote yes, then the bill that the Lt. Governor proposed will be discussed. Otherwise, nothing would get done since the blocking bill is in the way. This allows the Lt. Governor to pick which bills or worked on.

The Floor

The floor is where members of congress meet to debate, amend, vote on, pass, or defeat legislation.

The House Floor The legislators who are attempting to get a bill passed are known as the **floor leaders** while their legislation is being discussed. When it comes time to vote, the vote is recorded. It is public information (as of 2007).

Bills start off in a committee, which may pass a bill. Before it can be placed on the calendar, it goes through the House Rules committee. They will pick a day for debate, grant a certain amount of debate time, and determine if a bill is open rule (able to add amendments while debating) or closed rule.

The Senate Floor After a bill is passed through a committee, it can be put on the calendar. The Senate must vote on **suspension of the rule**, which may bring the bill up for a vote. We normally expect bills to pass in the Senate, since 19 votes are required to move the bill to the floor, and 19 is enough to pass a bill.

Point of Order A point of order is a formal question concerning the legitimacy of a legislative process. A success point of order can result in the postponement or defeat of legislation.

Filibuster A filibuster is unlimited debate. It exists in the US and Texas Senate. Texas filibuster rules are more strict than at the federal level. Whoever starts the filibuster must end the filibuster, they must stand up, they cannot eat, and they must stay on topic. If one of the rules is violated, the presiding officer can end the filibuster.

3 How a Bill Becomes a Law

A bill cannot reach the governor unless the Senate and House version are exactly the same. A **conference committee** negotiates disagreements between the House and Senate. Once the bill passes both the House and Senate, it becomes an act of legislation and moves to the governor.

Once the governor gets a bill, they may

- Sign the bill into law - It will take effect in 90 days unless there is a specific start date for the bill, which most do (usually Sept 1).

- Abstain from signing - The bill will become a law in 10 days if the legislature is in session, 20 days otherwise.
- Veto? He didn't say anything about this

Restraints on the Powers of the Presiding Officers

- Personality - some officers are hardheaded, others are more easy going.
- The team - officers must build a team of legislators, which can be tricky
- The lobby and bureaucracy - state agencies may want something
- The governor - has the power to veto
- Political climate - what the public wants
- Political or economic ambition
- Other legislators - the hardest to get for a presiding officers