

Texas House of Representatives



**Lyle Larson**

State Representative - District 122

## **What's New in District 122**

Howdy! Hope Spring is treating you well so far. Here in Austin, we've survived over half of the 140 day session and look forward to the increased workload and floor debates.

This week in the Capitol, I met with several folks who are doing great work in our community, including former Bexar County Commissioner and current board member of the Texas Facilities Commission Mike Novak, Rolando Santos and Gabe Sepulveda with the Edwards Aquifer Authority, Wayne Alexander with Port San Antonio, Robin Stallings and a constituent from District 122 representing Bike Texas, as well as folks from the San Antonio Area Tourism Council.

It's not every day you get the opportunity to shake hands with someone who has traveled in space, like astronaut Peggy Whitson, for example, who shared her experience of embarking on multiple NASA missions to the Space Station with folks in Austin. She, along with others, from the Johnson Space Center and the Texas space industry spent the day here promoting and educating the legislature on space-based initiatives.

### **83rd Legislative Session Update**

Two of the most important issues we will discuss this session are [HB 4](#) and [HB 5](#), which will be considered on the House floor this week. HB 4 is intended to create an infrastructure bank that will LOAN funds at a rate of 2 percentage points below the market to water utilities all over our state. Some loans will be deferred until the project is built and capturing revenues. The idea is to catalyze public utilities to start building projects quickly to respond to massive shortages in both ground and surface water in the wake of the drought of 2011. The goal is to build out over \$27 billion in projects over the next 30 years. Reminiscent of the historic drought in the 1950's, it is incumbent upon us to respond to our critical need of developing water resources for future generations. House Natural Resources Chairman Allan Ritter has worked

tirelessly over the last two years developing a plan to finally address funding our state water plan. We look forward to a spirited discussion about fixing our water crisis and to moving this bill forward.

HB 5 will address the burgeoning population of new enrollees into our public school system. This legislation will also address several issues that many Texans have asked for over the last decade. HB 5 will significantly reduce some of the negative aspects of standardized testing and work to end the practice of "teaching to the test." Instead, HB 5 aims to ensure teachers are focused on teaching critical thinking to increase the cognitive development of our kids so that they will succeed both in the classroom and into their future endeavors. HB 5 will significantly increase vocational training to prepare our young folks to enter the workforce with skill sets that will last them a lifetime. The curriculum will be set up on a tiered system to address both the dropout rate. For students who endeavor to pursue a college degree, there will be an alternate track. All of the superintendents who represent the 4 school districts in District 122 (Northside ISD, Northeast ISD, Boerne ISD, and Comal ISD) have endorsed HB 5. House Public Education Chairman Jimmie Don Aycock has demonstrated the courage to transform our schools to reflect the current needs in Texas and we are grateful for his leadership.

Last week, the House Appropriations Committee voted to increase funding for public education by \$2.5 billion over the current biennium. The House will take up the budget bill, SB 1, on Thursday April 4th. We expect to be in session late into the night as we debate hundreds of amendments.

Also last week, the House voted to continue the operations of the Texas Public Utility Commission (PUC), a state agency charged with overseeing the electric and telephone industries. [HB 1600](#) included several provisions to deal with various challenges, including moving public utility ratemaking authority from the Texas Commission on Environmental Quality (TCEQ) to the PUC. This change in the law is intended to provide more consumer rights in disputing public utility rate increases. Additionally, in light of the rolling brown outs we experienced during a harsh week of subfreezing temperatures in 2011, we worked to set up a system of greater accountability. One controversial amendment dealt with a "cease and desist" provision. Currently, the PUC retains the authority to prohibit a utility from shutting off power in the case of a catastrophic incident of blackouts due to natural causes, terrorist acts or severe shortages of generation power. The amendment sought to require the PUC to seek a court order before intervening in the electrical grid. The amendment sought to the equivalent of asking police officers to get

permission from the courts when someone is shooting at a crowd or asking a fireman to get permission from the courts to rescue someone from a burning building. If we have a massive failure on the electric grid due to a natural disaster, terrorist act, or extreme climatic conditions, in my opinion, we should have capable people on the ground to make the right decisions instantly and not wait 24 hours for a judge to sign an order. We can assess their actions based on protocols in place at the time. Allowing the PUC this authority simply allows them to react faster, while ensuring it will only be used in extreme conditions if we have rolling blackouts or a natural disaster that would call for instant action to avoid loss of life.

### **Larson Legislation**

We have some great news to report: [CSHJR 42](#) and [HB 160](#), our bills that call for term limits and requiring elected officials to reimburse the state for travel and security cost for political and personal purposes overcame a major hurdle in the process. The House Committee on State Affairs unanimously voted both bills out of committee. The bills will be sent to the Calendars Committee and hopefully addressed by the full House in the next few weeks.

To date, we've presented 22 of our 52 bills in various committees. Here is a quick recap of the bills we've presented in the last two weeks:

#### **[HB 395](#): Improving efficiency at the doctor's office**

Imagine going to the doctor's office and instead of having to fill out a form, you could swipe your driver's license at a kiosk at the front desk. The information contained on the driver's license would automatically be transferred to the doctor's records, without the time consuming process of filling out the forms and the doctor's staff keying in the information.

Currently, state law prohibits physicians and other healthcare providers from using the electronic strip on a driver's license as a tool to check patients into their practice. A few sessions back, the Legislature passed a bill allowing Texas hospitals to use driver's licenses as a tool to admit patients into their facilities. We think healthcare providers should have the same ability as hospitals, as it provides both the patient and provider with a better and more efficient way to maintain medical records.

We filed H.B. 395 to allow physicians and other healthcare providers to provide patients with the option to swipe their driver's license at check in instead of filling out a form. This legislation is aimed at improving and streamlining patient access to their healthcare provider and increase medical

record efficiency and accuracy for healthcare providers. We presented H.B. 395 in the Technology Committee, along with Dr. Buddy Swift, a constituent of District 122 and owner of the Texas Med Clinics.

### **HB 1349: Removing the requirement to provide a social security number when applying for a concealed handgun license**

Last week, we presented HB 1349 before the House Committee on Homeland Security. The impetus behind this legislation is the growing concern over the requirement that a concealed handgun license applicant provide the applicant's social security number to the Texas Department of Public Safety (DPS) when applying for the license.

In an effort to ensure state sovereignty and protect the private rights of Texas citizens, H.B. 1349 prohibits DPS from requesting or requiring a social security number on the application for a concealed handgun license or for license renewal. Currently, 20 states do not require individuals to provide their social security number when applying for a concealed handgun license.

We were fortunate to have two dedicated constituents, Glen Bartholomew and Rich Lowe travel to Austin to provide testimony on the bill.

### **Committee Hearings this Week**

#### **HB 149: The Texas Liberty Preservation Act**

In late 2011, Congress passed into law the National Defense Authorization Act (NDAA) of 2012. Under the pretense of combating terrorism, Sections 1021 and 1022 of the NDAA of 2012 sets forth U.S. laws regarding the indefinite detention of “covered persons” whom the federal government suspects of being involved in undefined terrorist activities.

Within the NDAA, numerous ambiguities exist with the federal government’s method of identifying, classifying and detaining individuals deemed as “terrorists.” The most objectionable clauses, however, reside within Sections 1021 and 1022. Additionally, the detention provisions of the Sections 1021 and 1022 of the NDAA cause concern about the ever growing scope of the President’s authority, including that “covered persons” include US citizens **that may be held indefinitely without due process.**

It is widely held that Sections 1021 and 1022 of the NDAA violate the several sections of the U.S. Constitution, and multiple parts of the Texas Constitution. Sections 1021 and 1022 of the NDAA effectively authorize the federal government to determine who may be engaged in terrorist activities without defining what that would entail and it gives the federal government power to indefinitely detain these individuals.

For this reason, I filed HB 149, The Texas Liberty Preservation Act, to challenge the constitutionality of and effectively nullify Sections 1021 and 1022 of the NDAA in the State of Texas.

As of today's date, more than twenty states have introduced legislation similar to HB 149. This is clearly an issue of concern to all Texans, regardless of party affiliation. For example, in late 2012, the U.S. Senate passed the Feinstein-Lee Amendment (NDAA Amendment No. 3018), intended to prevent the military detention and trial of any American citizens or permanent residents caught on US soil, except when authorized by Congress. This bipartisan amendment was ardently supported by Senators who generally agree on little, such as Diane Feinstein and Rand Paul. Unfortunately, the amendment was not ultimately adopted, making the need for HB 149 even greater.

We will present HB 149 at the next meeting of the Select Committee on Federalism and Fiscal Responsibility on March 27th at 2:00 p.m. If you would like to testify on behalf of this bill, please contact our office to find out how.



Visiting with former Bexar County colleagues, Andy Winter, environmental engineer; Renee Green, public works director; and Seth Mitchell, intergovernmental liaison

## **In the News**

Texas Weekly: [Far Right, Far Left Agree on Little but Transparency](#)  
Dallas Morning News: [Rick Perry's actions inspire bipartisan push to rein in some practices](#)  
San Antonio Express-News: [State Senate OKs plan for term limits](#)  
Tyler Morning Telegraph: [Term limits bill heads to House after Senate's OK](#)  
Waco Tribune-Herald: [Bill Whitaker: Is it time to limit terms for state officials?](#)  
San Antonio Express-News: [Reasonable term limits would benefit government](#)  
Amarillo Globe-News: [Rangel: Out-of-state costs rack up](#)  
Beaumont Enterprise: [H.B. 160: Pay for your own security detail, Governor!](#)  
KSAT 12: [State lawmakers consider travel reimbursement bill](#)  
San Antonio Express-News: [Plenty of land for parks, but no money](#)  
Dallas Morning News: [Bill heard to make governors pay for out-of-state political costs](#)  
Houston Chronicle: [Bill would increase disclosure requirements for state-paid travel](#)  
The Republic: [Texas House considering bill to require elected official to reimburse state for travel costs](#)  
KFDA : [Bill to deny state funding for unofficial travel](#)  
Texas Tribune: [Lawmakers Mulling Term Limits for Statewide Officials](#)

As always, please feel free to contact me if I may ever be of assistance to you by phone at (210) 402-5402 or by email at [lyle.larson@house.state.tx.us](mailto:lyle.larson@house.state.tx.us).

Best,

A handwritten signature in black ink, appearing to read 'Lyle Larson', with a stylized flourish at the end.

Lyle Larson