

# Item 18



## Travis County Commissioners Court Agenda Request

**Meeting Date:** Tuesday, July 9, 2013  
**Prepared By/Phone Number:** Deece Eckstein, 854-9754  
**Elected/Appointed Official/Dept. Head:** Deece Eckstein, 854-9754  
**Commissioners Court Sponsor:** Judge Biscoe

### AGENDA LANGUAGE:

CONSIDER AND TAKE APPROPRIATE ACTION ON LEGISLATIVE MATTERS, INCLUDING:

- A. UPDATE ON LEGISLATIVE ACTIVITIES;
- B. [HCR 1](#), APPROVING THE ITEM OF APPROPRIATION TO THE PUBLIC INTEGRITY UNIT MADE BY THE GENERAL APPROPRIATIONS ACT FOR THE 2014-2015 STATE FISCAL BIENNIUM NOTWITHSTANDING THE OBJECTIONS OF THE GOVERNOR; AND
- D. ADDITIONS TO THE PRIORITIES, POLICY POSITIONS AND THE POSITIONS ON OTHER PROPOSALS SECTIONS OF THE TRAVIS COUNTY LEGISLATIVE AGENDA.

### SUMMARY AND IGR COORDINATOR RECOMMENDATION:

IGR recommends that the Court adopt the attached resolution in support of HCR 1 by Representative Turner.

### BACKGROUND:

- 1) The Second Called Session of the 83<sup>rd</sup> Texas Legislature is underway, with both the House and Senate scheduled to return from a Fourth of July break on Tuesday afternoon. The Senate is [scheduled](#) to consider SJR 1 on transportation funding and SB 2 on juvenile sentencing at that time. The House calendar for Tuesday has not been published at this time (Wednesday, July 3).
- 2) There are 21 days remaining in the Second Called Session.

## ISSUES AND OPPORTUNITIES:

*Transportation funding* – [SJR 1](#), which will be debated on Tuesday:

- a) allow oils and gas tax revenues, now sent to the Rainy Day Fund (RDF), to be split between the RDF and the highway fund (Fund 6);
- b) requires that the new Fund 6 revenue be dedicated exclusively “for constructing, maintaining, and acquiring rights-of-way for public roadways other than toll roads”; and,
- c) requires that the balance in the RDF must be at least one-third of its maximum constitutionally-authorized balance before the above provisions could be implemented.

IGR has testified previously in support of this legislation. Senate passage is likely, but the concept faces opposition in the House.

The House Appropriations Committee [meets](#) Tuesday morning to consider several transportation-related bills – [HB 8](#), [HB 15](#), [HB 16](#), [HJR 1](#), [HJR 2](#), and [HJR 7](#). HJR 2 is the companion to SJR 1.

- 2) *Juvenile sentencing* –This issue is in response to the Supreme Court’s opinion in *Miller v. Alabama*, which held that mandatory sentences of life without possibility of parole are unconstitutional for juvenile (meaning under-18-year-old) offenders. [SB 2](#), the vehicle in the Senate, will be considered by the Senate Tuesday. The House Criminal Jurisprudence Committee will [meet](#) on Monday to consider similar House bills.
- 3) In addition, Representative Sylvester Turner has filed [House Concurrent Resolution 1](#), related to “approving the item of appropriation to the Public Integrity Unit made by the General Appropriations Act for the 2014-2015 state fiscal biennium notwithstanding the objections of the governor.” This is the proposal to override Governor Perry’s veto of the PIU funding. The resolution has not yet been referred to committee.

**FISCAL IMPACT AND SOURCE OF FUNDING:** Not applicable.

**REQUIRED AUTHORIZATIONS:** None.

**NAMES, PHONE NUMBERS AND EMAIL ADDRESSES OF PERSONS WHO MIGHT BE AFFECTED BY OR BE INVOLVED WITH THIS REQUEST:**

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# Resolution



WHEREAS, the Public Integrity Unit of the Travis County District Attorney's Office is charged with the enforcement and prosecution of important fraud, consumer protection, and public corruption laws in Texas; and,

WHEREAS, its caseload includes referrals for fraud prosecution from over a dozen state agencies, including the Comptroller, the Texas Department of Insurance, and the State Auditor; and,

WHEREAS, over the last 6 years, the Public Integrity Unit has obtained 684 convictions and obtained court orders for more than \$11.8 million in restitution – not including money that the State was able to recoup through other means by virtue of its efforts; and,

WHEREAS, for over 30 years the Texas Legislature has recognized the statewide importance and value of the Public Integrity Unit and, accordingly, funded its operations; and,

WHEREAS, an appropriation of \$7,573,426 for the Public Integrity Unit was included in the 2014-2015 budget, passing both the House and Senate by overwhelming margins; and,

WHEREAS, Governor Rick Perry has line-item vetoed the appropriation for the Public Integrity Unit, precipitating the layoff of 31 lawyers, investigators and support staff; and,

WHEREAS, Representative Sylvester Turner has filed House Concurrent Resolution 1, which would set aside the Governor's veto and restore the Legislature's original intent; and,

WHEREAS, the Travis County Commissioners Court believes it is the Legislature's responsibility to fund the operations of this important agency, whose work protects and benefits all Texans; NOW, THEREFORE,

BE IT RESOLVED that the Travis County Commissioners Court urges members of the Texas Legislature to support H.C.R. 1; and

BE IT FURTHER RESOLVED that the Travis County Commissioners Court wishes to communicate its support for H.C.R. 1 to members of the Travis County delegation and the entire Legislature.

IN WITNESS whereof we have hereunto set our hands this 9th day of July, 2013.

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SAMUEL T. BISCOE  
COUNTY JUDGE

\_\_\_\_\_  
RON DAVIS  
COMMISSIONER, PCT. 1

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SARAH ECKHARDT  
COMMISSIONER, PCT. 2

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GERALD DAUGHERTY  
COMMISSIONER, PCT. 3

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MARGARET J. GÓMEZ  
COMMISSIONER, PCT. 4