



My five cents...

A weekly column from Sen. Robert Nichols
by Sen. Robert Nichols, Senate District 3

For immediate release
April 22, 2021
word count: 748

Contact: Shelby Conine
Tel: 512-463-0103

On April 21, 1836, General Sam Houston led the Texan Army in a decisive victory over General Santa Anna in the Battle of San Jacinto. The fighting lasted a mere 18 minutes. Though Santa Anna escaped the battlefield and fled, he was captured the next day and held as a prisoner of war for about three weeks until he signed the peace treaty that ended the conflict and paved the way for the Republic of Texas.

Here are five things happening around your state:

1. **Texas Senate passes bill reforming the ERCOT board**

This past week, the Texas Senate passed a bill reforming the makeup of the ERCOT board. After Winter Storm Uri, criticism of the ERCOT board was widespread. One particular sticking point was there was no requirement for ERCOT board members to live in the state. This bill would require the presiding officer, the counsellor, and every other member of the board are Texas residents. It would also give the Governor the authority to appoint the chairman of the board, with confirmation by the Senate. This bill would give the state leadership more oversight over ERCOT, its board, and its operations.

2. **Senate passes Senate Joint Resolution 45 and Senate Bill 1025**

The COVID-19 pandemic highlighted the lack of checks and balances the legislature has when it's not in session. This bill and the accompanying Senate Joint Resolution would propose a constitutional amendment regarding the powers of the governor, the legislature, and the Texas Supreme Court following prolonged disasters or emergency declarations. Specifically, the legislation would require the governor to call a special legislative session if he or she wants to continue a disaster declaration past thirty days and the declaration either affects half the state's population, affects two-fifths (102 or more) of the counties, or affects two-thirds of the counties in three or more trauma service regions. This measure would allow the legislature to provide advice and consent on continuing disaster waivers and actions. The American system of government was created on the foundation that checks and balances on each branch of government are necessary. This bill and the accompanying proposed constitutional amendment seek to live up to that ideal. If passed by the legislature, the constitutional amendment will be on

the ballot this fall.

3. Ban on taxpayer funded lobbying passed by Senate

The Texas Senate recently passed Senate Bill 10 which would ban cities and counties from hiring contract lobbyist in Austin using taxpayer money. It would however allow counties and cities to remain members of associations like Texas Municipal League and Texas Association of Counties. Those associations would also be banned from hiring contract lobbyists and from lobbying on property tax issues. Importantly, this bill does not prevent elected officials or municipality's employees from coming to Austin and testifying on a bill. It would also allow municipalities to cover travel expenses for officials or employees who come to testify. This bill will prevent large cities and counties who can afford these contract lobbyists from lobbying on legislation that would negatively effect rural areas or municipalities with smaller populations and tax bases.

4. Senate passes resolution affirming Texas sovereignty, enumerated powers

Senate Concurrent Resolution 12 passed the Senate this week. This SCR maintains and claims Texas' sovereignty under the Tenth Amendment to the US Constitution. The Tenth Amendment to the US Constitution gives all powers not otherwise enumerated and granted to the federal government to the states. This resolution states a number of instances that the federal government has overstepped its Constitutional limits. It calls on the federal government to halt and reverse its practice of assuming powers and imposing mandates and laws upon states that are not enumerated in the Constitution. By sending this resolution to the US Senate and the US House of Representatives, we are calling on them to stop their unconstitutional practices.

5. Early voting in municipal elections started this week, election May 1

Early voting has begun for local and municipal elections across the state. Statewide early voting started on April 19 and runs through April 27. Election Day is May 1. You can check your local newspaper or go online to VoteTexas.gov to find your polling place and its hours of operation. Be sure to bring your approved form of photo ID to the election place. Voting is one of our most fundamental rights as citizens and exercising your right to vote is important. Be sure to make time to vote in your local elections!

###