

Resolution Spotlight

The Resolutions adopted by the members of the County Judges and Commissioners Association of Texas (CJCAT) at the Annual Conference originate among members of Commissioners Courts and serve as the CJCAT Legislative Platform.

Opposition to Efforts to Prohibit County Legislative Communications County Judge or Commissioner → CJCAT → Legislature

Throughout the last several legislative sessions, certain legislators have continued their efforts to obtain legislation to prohibit local officials and their nonprofit associations from communicating with the Texas Legislature, said CJCAT Senior General Counsel Jim Allison.

“Using the term ‘taxpayer-funded lobbying,’ this legislation would bar local officials from expending funds to contact the legislature or support nonprofit associations that communicate on their behalf, like the County Judges and Commissioners Association of Texas,” Allison explained. “This misguided proposal would silence the voice of local officials while increasing the influence of special-interest groups.”

County Impact Statement

By Hemphill County Judge Lisa Johnson

Hemphill County is located in the northeast corner of the Texas Panhandle approximately 485 miles from Austin with a population of 3,384. In a county our size, local officials wear many hats. As County Judge, I preside over criminal misdemeanor court, probate cases, guardianships, and juvenile matters. I also serve as the Chief Budget Officer, Emergency Management Director, and the Presiding Officer of Commissioners Court. In addition, I oversee maintenance of property, manage construction projects, and supervise employees.

These responsibilities leave very little free time in my schedule. While I am able to monitor legislation periodically, I am not able to devote the extensive time required – days or even months – to review proposed legislation in depth, analyze its potential impact on our county, or estimate implementation costs. Our association lobbyists and legislative committees perform this critical work, educate us on legislation that may benefit or harm our communities, and provide legislators with essential information about the real-world impacts and costs of their proposed legislation.

Local government officials often have ideas for legislation that would benefit our counties and citizens but lack the expertise to draft such legislation and navigate it

through the process of becoming law. This is where the support of our associations and their professional staff is indispensable. At a local level, we do not have the resources to employ staff for this purpose. It is only through a collective effort, working through our associations, that we are able to get this done.

Traveling to Austin to speak to my representative or senator during a legislative session would cost approximately \$1,200 to \$1,500 for a single trip. It would take two days of travel and one day at the Capitol. This is not an expense I could personally afford, and it's not practical to be away for three days during session, which coincides with the beginning of our budget process. We work on the county budget from April through September.

Counties strive to keep costs low. The amount we contribute toward employing a lobbyist through our associations is far more cost-effective than sending individuals to Austin and hiring staff to monitor and analyze thousands of bills. Some 7,000 to 8,000 bills are filed each session; only by dividing this workload among our various associations do we have the expertise and manpower necessary to determine how proposed legislation will affect each county office and our communities. Without these resources, county governments, and more importantly our citizens, would effectively be silenced in the legislative process, leaving counties at a significant disadvantage compared with private interests that have the means to maintain a full-time presence at the Capitol.

Local elected officials serve as a strong voice for the people in our counties, people who don't have the time or the capacity to engage directly with their legislators or to review thousands of bills. It is essential that we continue to be their voice in Austin. We can only do this effectively through the continued support, expertise, and advocacy provided by our associations and their dedicated staff.

Legislative Experience

Pecos County Judge Joe Shuster, in his 24th year of office, has been through 12 legislative sessions. When it comes to Association representation in Austin, years of experience have given Shuster a dual perspective:

1. Associations such as the CJCAT have the time, resources, and expertise to examine thousands of bills for legislative impact.
2. Associations such as the CJCAT that are home based in Austin can be hands-on during the session.

A County Judge lives by a schedule, explained Shuster, who serves a population of about 14,500. Pecos County is some 340 miles from the Texas Capitol, which is a six-hour drive.

"It's impossible for me to get to Austin in a timely manner when a hearing is announced for 2 p.m. that same day," Shuster underscored.

The CJCAT has the ability to keep all 254 counties informed as legislation is proposed and amended and moves through the process.

“We need this avenue of communication,” Shuster emphasized. When advanced notice is given, the CJCAT keeps counties informed of when and where hearings are scheduled so officials can travel in when possible. When travel isn’t possible, the CJCAT legislative updates give officials a much-needed timeline so they may make calls and send emails as necessary.

The CJCAT partnership has yielded many legislative success stories, and among them is the 1115 Waiver, Shuster specified. In December 2011, Texas received approval from the Centers for Medicare and Medicaid Services for the 1115 Waiver, which allows the state to expand Medicaid managed care while preserving hospital funding, provides incentive payments for health care improvements, and directs more funding to hospitals that serve large numbers of uninsured patients.

“Pecos County was one of the first counties to take advantage of this waiver,” Shuster stated. “We received assistance with this through the CJCAT, and this is one of many examples of benefits we would not have received without the experienced representation of the Association.”

Members of Commissioners Courts worked with the CJCAT to develop the following resolution:

Opposition to Efforts to Prohibit County Legislative Communications

WHEREAS, certain legislative proposals would prohibit the use of county funds to retain experts, consultants, and lobbyists to influence legislation, pay dues to associations that influence legislation, and to reimburse county officials for influencing legislation; and

WHEREAS, any bills that would prohibit the use of county funds would effectively silence the voice of local officials and prevent effective communication and representation of their citizens and taxpayers; and

WHEREAS, county officials require the ability to collectively develop and express their positions and information through associations; and

WHEREAS, the inability to retain experienced representation before the federal and state legislative bodies and agencies would place our communities at a distinct disadvantage in efforts to obtain and retain federal and state projects and military bases; and

WHEREAS, smaller counties especially need to be able to combine their resources to efficiently and effectively present their unique issues to state and federal government; and

WHEREAS, requiring elected officials to personally expend personal resources to present the views of their citizens would impose an extreme hardship upon these public servants; and

WHEREAS, such prohibition would stifle the basic tenets of democracy and open government;

NOW, THEREFORE, BE IT RESOLVED that the County Judges and Commissioners Association of Texas does hereby express its opposition to any legislation that attempts to silence the combined voices of the county officials of this state.

Talking Points

Opposition to Efforts to Prohibit County Legislative Communications

- County officials are tasked with a multitude of state-mandated responsibilities. Commissioners Courts also develop, implement, and maintain discretionary, quality-of-life services.
- Some 7,000 to 8,000 bills are filed each legislative session. Extensive time is required to review proposed legislation in depth, analyze its potential impact on counties, and estimate implementation costs.
- Association lobbyists and legislative committees perform critical work, educating county officials on legislation that may benefit or harm communities, and providing legislators with essential information about the real-world impacts and costs of their proposed legislation.
- Associations such as the CJCAT that are home based in Austin can be hands-on during the session, where most county officials live hundreds of miles from Austin. For example, Pecos County is some 340 miles from the Texas Capitol, which is a six-hour drive. “It’s impossible for me to get to Austin in a timely manner when a hearing is announced for 2 p.m. that same day,” observed Pecos County Judge Joe Shuster.
- The majority of counties do not have the resources to employ staff dedicated solely to legislative matters, stated Hemphill County Judge Lisa Johnson. “Counties strive to keep costs low. The amount contributed toward employing a lobbyist through our Association is far more cost-effective than sending individuals to Austin and hiring staff to monitor and analyze thousands of bills,” Johnson added. “Only by dividing this workload among our various associations do we have the expertise and manpower necessary

to determine how proposed legislation will affect each county office and our communities.”

- Without these resources, county governments and the taxpayers would effectively be silenced in the legislative process, leaving counties at a significant disadvantage compared with private interests that have the means to maintain a full-time presence at the Capitol, Johnson and Shuster summarized.