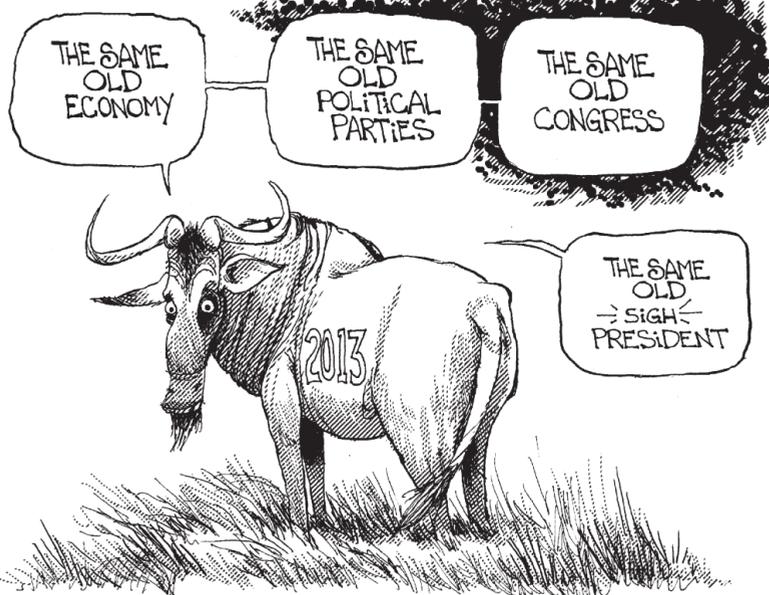


# Wednesday's

# Editorials, Columns & Letters

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Happy Old Year from the Gnu.

## State Capital Highlights

Compiled by Ed Sterling, Texas Press Association



### Texas Legislature enters 83rd session...

AUSTIN — After passage of the American Taxpayer Relief Act of 2012 by Congress on Jan. 1, "98 percent of Americans and 97 percent of small businesses will not see their income taxes go up," President Obama said.

The act, signed by the president on Jan. 2, extends unemployment benefits for 2 million Americans who are looking for work, makes no cuts to Social Security and Medicare and expands Medicaid benefits. But the Act postpones Congressional action on budget "sequestration" for two months, leaving question marks over the accounting and social intricacies of how much to cut or tweak entitlements and how much revenue to raise. So, the short- and long-term impacts on states remain unclear.

Dynamics of decisions made at the federal level add to the complexity of deliberations state lawmakers enter Jan. 8, when the 83rd session of the Texas Legislature convenes. Systemic state budget deficits in recent years have left Texas unable to avoid shortfalls. In 2011, Texas resorted to using federal "stimulus" dollars to overcome a \$6 billion budget deficit. In 2012, sales tax revenues flowed in at healthier rates, and the state comptroller soon will release her biennial revenue estimate, giving lawmakers some idea of how much cash they will have to meet the needs of Texas.

Thirsty constituents, cattle, crops, industry are sure to be addressed this session. Widespread and chronic lack of water pose problems looking for legislative solutions. And yes, Gov. Rick Perry on Dec. 28 extended his drought emergency proclamation of July 5, 2011, to a majority of Texas' 254 counties.

Those multi-billion dollar cutbacks on education in the 82nd session of the Legislature

will be addressed, and so will Medicaid. If Texas refuses to meet the required match to receive federal Medicaid funds by rejecting the Medicaid expansion, the Lone Star State could lose billions of federal dollars.

To that, Gov. Perry stated in a newspaper editorial published in July: "We have no interest in following the federal directive to expand our Medicaid ranks by over a million (people), and we are also rejecting calls to establish a so-called 'state' insurance exchange designed and ruled by federal guidelines, many of which have yet to be written. Neither of these is the proper role of the federal government and both represent brazen intrusions into the affairs of states."

Even if the Texas Legislature passes health care reform to cover more of its lower-income and older residents, the governor wields the veto pen. It takes a two-thirds vote in each house of the Legislature to override a veto.

**Benefits extension granted**  
Pursuant to the passage of the federal Taxpayer Relief Act, the deadline for jobless Texans to qualify for emergency unemployment insurance benefits was extended to Jan. 1, 2014, the Texas Workforce Commission announced.

Those benefits extend to some 120,000 Texans who would have exhausted their unemployment benefits on Dec. 31, but not for those who already exhausted their regular state unemployment benefits, federal Emergency Unemployment Compensation, and Extended Benefits, the agency said.

Emergency unemployment benefits provide temporary income for those who have lost their jobs through no fault of their own. Benefits are federally funded, and Texas employers will not be charged for any

claims paid on this extension.

### Spill settlement is reached

Transocean Deepwater Inc. defendants have agreed to pay \$1 billion in civil penalties and \$400 million in criminal fines for April 20, 2010, Gulf Coast oil spill originating from BP's Macondo well, widely known as the Deepwater Horizon oil spill.

But recovery efforts have just begun and "there remains a long road ahead to restore the Gulf," Texas Commission on Environmental Quality Commissioner Toby Baker said on Jan. 3.

Transocean is based in Zug, Switzerland. The fines are to be paid over a period of three years, per agreement with the U.S. Department of Justice.

### Capped wells among pluses

Texas Railroad Commission, looking back on its accomplishments in 2012, noted that its agents "investigated, assessed or cleaned up 253 abandoned oilfield sites and plugged 764 orphaned wells using fees paid by the industry into the Oil & Gas Regulation & Cleanup Fund."

### Water-use figures are in

A study by the Texas Water Development Board concludes "31 percent of annual single-family residential water use in Texas is dedicated to outdoor purposes, such as lawn and garden maintenance, pools, and car washing, with the rest used indoors."

In a Dec. 17 release, the agency stated the findings are based on an analysis of monthly water use data for 259 cities, and that average outdoor water use ranged from 20 to 53 percent of total household water use, with dryer areas of the state tending to use more than wetter areas.

## Paper 'n Ink... another wait...

By Lynn Brisendine

Taxes are always on our minds. Keep them low, some say. Others want to do away with as many of the onerous money draining deals every government charges to do their public business.

Tea Party members are among the loudest and most irate citizens making news in their attempts to eliminate politicians from getting in the public's pockets.

Just last week, we lived through a real drama in Washington, D.C. as Congressmen and Congresswomen argued for and against passing legislation which kept this nation from going over the "fiscal cliff."

Late night comedian David Letterman asked his audience several times over the last month or so if they understood what the "fiscal cliff" was. He generally shrugged his shoulders and made a joke about how confusing the whole issue continued to be.

Pundits and television talking heads had issued their dire predictions for months about the economic upheaval which awaited us, should we go over that cliff.

Stock markets waited breathlessly for news of a compromise or of a collapse of the deal.

The next time those markets came online they rocketed upwards. No one would find out what would have happened had the deal failed and the huge tax increases on everyone had taken place. It is not hard to imagine the markets falling many points lower than the good news prompted increases.

Sanity for some, or a loss for others, did occur and for at least two months all becomes well again. It was our system working to better our way, right? Wrong on so many counts.

Now we hear from those same "experts" the coming fight in D.C. will make last week's ordeal pale in comparison. And this next battle could result in a government shutdown.

I found this paragraph on a web site after asking for information concerning last week's critical action and vote... "Members of the Senate received the 154-page bill only three minutes before voting on it, not enough time to actually read it. The bill is full of pork unrelated to fixing the fiscal cliff. It contains \$59 million for algae growers, in order to encourage the production of environmentally correct biofuel. Electric motorcycle manufacturers are given a \$4 million green energy tax credit, and there is a wind tax credit for \$12.1 billion. \$430 million is awarded to Hollywood producers to expense up to \$15 million of their project costs. Another \$70 million in pork is designated for NASCAR and a rum tax subsidy for Puerto Rican rum makers.

## Thinking in Type...

by Brian Brisendine

A new Congress was sworn in this week and, predictably, e-mails and chain letters are flying fast and furious in support of one side or the other, or against the whole bunch.

One that promptly landed in my in-box is a retreat that arrives numerous times each year, usually with a re-hashed intro, calling for action.

The "Congressional Reform Act of 2013" is circulating, much as it did as the "Congressional Reform Act of 2012" and 2011 and 2010, and so on.

It calls for several fundamental changes demanded by the populace to remind Congress who's in charge.

At first glance, it sounds great. Let's make our elected officials more accountable and in line with the people who put them in office.

Where do I sign? But just a little research -- even a basic knowledge of how our government works -- quickly removes the teeth of the indignantly-toned missive.

The first demand is that no tenure or pension be proffered to members of Congress, rather they should collect a salary while serving and none when they leave office and they must participate in Social Security like every Average Joe.

Sounds more than reasonable, right?

But members of Congress already participate, paying Social Security payroll taxes just like nearly every other worker.

Once upon a time that wasn't true, but members of Congress were brought under Social Security way back in 1984.

The "Congressional Reform Act of 2013 '12, '11, '10..." next calls on Congressmen to purchase their own retirement plans, just as all Americans do.

But that's also nonsense. Relatively few Americans buy retirement plans entirely out of their own pockets. In fact, half of all Americans work for an employer that sponsors a retire-

ment plan.

Next, the "Congressional Reform Act of fill-in-the-blank" says we should demand the Congress will no longer vote themselves a pay raise, but instead abide by the three-percent cost of living stipend many Americans get each year.

Again, reality bites this angry e-mail in its electronic derriere.

Under current law, Congressional pay increases already are determined by a cost-of-living formula, and they take effect automatically, unless Congress votes to stop them. And in fact, that's what has happened for the past two years. Congress denied itself any pay raise in 2010 and in 2011.

Up next in the rapidly-deteriorating "Congressional Reform Act of any-year-really" is a call for all members of Congress to lose their current healthcare system and participate in the same system you and I do.

But which system? I would dare to guess that among the folks reading this newspaper, there are dozens, if not hundreds, of varying healthcare systems in use.

Most Americans are covered either by employer-sponsored health insurance or by various government-sponsored programs, such as Medicare or Medicaid.

Congress has the same health insurance options as millions of other federal employees and retirees and their families. The Federal Employees Health Benefits Program gives them a wide choice of private insurance plans.

Continuing with the "Congressional Reform Act of 20-whatever", it reads that Congress must equally abide by all laws they impose on the American people.

Well that's a no-brainer, absolutely! Or is it?

The idea that Congress

Even when our country faced extreme economic difficulty, many Congressional members couldn't pass up the opportunity to sneak in some back home deals.

Politics was going on with a vengeance. So many of our "leaders" used the event to score points with their base. But they did it in not so elegant ways.

Another snippet of the report on the website...

"Only eight Senators voted no on the Senate's fiscal cliff plan. The five principled Republicans who stood up to the Democrats were Marco Rubio (R-FL), Rand Paul (R-KY), Chuck Grassley (R-IA), Mike Lee (R-UT), and Richard Shelby (R-AL). The House voted to pass it by 257-167. Some of the House Republicans deceitfully only voted against the bill when they knew it would safely pass without their yes votes, including Majority leader Eric Cantor and Whip Kevin McCarthy."

Listening to the many groups who shout their indignation at so much, one would get the idea that cuts in every area of government are needed and by some demanded.

What we need are some good old everyday business people to take some time, go over the budgets, and by using commonsense, make cuts where they are needed. It is easy to imagine that billions of dollars could be moved into areas where the money is needed or eliminated altogether.

We continue to read about hundreds of thousands of dollars going to one group or another, like some studying the sex lives of tropical frogs. And, in truth, many such projects are included in bills too wordy and too complex for nearly anyone to understand. But, other expenses which occur in areas too many consider sacrosanct see wasted billions. Our Defense Department is a case in point. None of us want to see our defense weakened, still the cost overruns, the over-funded contracts, the waste that is apparent continues in many instances unabated. And that is just one government entity which sees millions and billions evaporating in the morass of business as usual. It truly is a broken system.

Allowing a commonsense approach will never do in this system designed to be convoluted and obscure. This is called politics.

In this, our system, the idea of being fair and offering equanimity has no place. It continues to be a contest of wills between two sides who actually hate each other.

The Fiscal Cliff has been avoided, for two months. The next ordeal awaits and the average American trembles.

has exempted itself from many of its own laws is also somewhat out of date.

A law enacted almost two decades ago applied civil rights, labor, and workplace safety and health laws to Congress, removing the basis for that criticism.

Congress members do retain a degree of immunity from arrest or prosecution. The Founding Fathers didn't want any president to try what English kings had done, sending troops to arrest their critics in Parliament.

But, members of Congress have indeed been punished and even served time for breaking the law of the land.

The final stipulation of the "Congressional Reform Act of whatever-date-is-convenient" calls for the voiding of all contracts past and present with members of congress.

It's not even clear what contracts are being called into question here, but I presume the intent is a clumsy attempt to stop the backdoor dealings we all suspect are bought and paid for by lobbyists.

I don't disagree with the idea, but a legally binding contract shouldn't be our concern, rather the winks and nods and secret shakes that seem to be the only way to get things done.

So the spirit behind the "Congressional Reform Act of 2014" (I'm just being proactive here) is honorable.

Unfortunately, the information within is just plain wrong.

I'm no fan of Congress and would whole-heartedly support any number of measures that might whip the august body back into shape.

But knowledge is power. So making factual claims that betray a profound ignorance of the system it proposes to reform quickly exposes as worthless the "Congressional Reform Act of not-in-a-million-years."



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