



ROBERT DUNCAN  
STATE SENATOR  
DISTRICT 28

Rare Amendment to the Senate's Two-thirds Rule

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Senator Robert Duncan

"Last week we voted to change the Senate rules to allow less than a two-thirds majority on one specific issue -- voter identification.

As many of you know, the Texas Senate requires a super majority, or two-thirds of the members, to bring up any legislative measure to be considered by the Texas Senate. This rule has been very useful, especially for rural Texas and for conservatives in that it keeps bad legislation from being passed.

The requirement of a two-thirds majority is a check and balance in the system to make sure that urbans do not dominate rurals, to make sure that the majorities do not necessarily run over the minority. In other words, it requires us to come together to reach a consensus on a piece of legislation. And that's good, because any law that passes should be something that has broad support throughout the state of Texas. That's how our democracy works.

Occasionally there are some issues when, because of partisan reasons, it's difficult to pass meaningful legislation. Voter identification is one of those pieces of legislation. In past legislative sessions, we have been unable -- believe it or not -- to pass legislation that simply requires someone to identify themselves as the person on their registration card when they present themselves to the ballot box.

This session we have removed that one issue - and only that one issue - from the two-thirds rule. In doing so, we believe that in the Texas Senate, where there was a bottleneck last session, we will be able to pass meaningful and thoughtful voter identification (legislation). The two-thirds rule should not be abrogated generally. I believe the two-thirds rule is one of the most important and effective conservative tools to prevent bad legislation and too much government in the state of Texas.

The conservative position should be to protect the two-thirds rule. Only in very rare and specific situations, such as voter identification laws that are being prevented from passing based on pure partisan grounds, should we consider exceptions to the two-thirds rule.

I am very pleased with the debate on the senate floor that day. It was very civil, and it was very thoughtful. I think both sides of the issue raised very important points in the debate, but nevertheless, I think that the prevailing side was right on this particular issue. Failure to address issues regarding the integrity of the ballot box, I believe, could diminish the confidence in our people in our form of government."