

AMERICANS FOR PROSPERITY

Texas ★ Legislative Report Card ★ 80th Legislative Session

AFP's Mission

Americans for Prosperity (AFP) is committed to educating citizens about economic policy and mobilizing those citizens as advocates in the public policy process. AFP is an organization of grassroots leaders who engage citizens in the name of limited government and free markets on the local, state and federal levels. The grassroots members of AFP advocate for public policies that champion the principles of entrepreneurship and fiscal and regulatory restraint.

A Message from the State Director

The Texas Legislature meets in regular session only 140 days every other year. During the 2007 Legislative Session, 10,900 resolutions and bills were filed and 5900 were passed into law. Many bills never get to the House or Senate floor for a vote.

Some of those bills which failed to get record votes included the major taxpayer protection legislation including the tax and expenditure limits. AFP-Texas staff selected the legislation which we had key voted and weighted some votes more heavily than others, depending upon the specific vote and how it relates to our mission and our legislative priorities.

Legislators should be held accountable to their constituents for the votes they take, but should also be accountable for not passing real taxpayer protections which

put taxpayers in greater control over how much government we want and are willing to pay for, as well as for not stopping taxpayer-funded lobbying, the practice of tax dollars being used to lobby against taxpayer interests.



Vote Explanations

House of Representatives

1) Secret Balloting Amendment 3 of the Rules to Elect the Speaker would have made provisions for secret ballots which would be destroyed upon tallying, not allowing for the public to know how Representatives voted. No vote taken in the Legislature should be shielded from the public.

2) Telecommunications Tax Relief House Bill 735 would have discontinued the Telecommunications Infrastructure Fund Tax which had continued on even though the primary objective of the tax had been met.

3) Merit-based Pay Merit-based pay is a sound market approach to education, which fortifies the education of Texas' children by rewarding successful teachers. Amendment 63 to House Bill 1 prohibited merit-based pay for two years in Texas.

4) School Vouchers School vouchers are important for success of Texas' students and the fiscal soundness of our education system. Amendment 74 of House Bill 1 prohibited school vouchers for two years in Texas.

5) Taxpayer-Funded Lobbying Taxpayer-funded lobbying dramatically distorts the democratic process and constituency communication while seeking to grow government. Amendment 132 of House Bill 1 would have expanded taxpayer-funded lobbying by disallowed using appropriations made for the 2008-2009 biennium to be used for lobbying on the federal level.

6) Welfare Reform Amendment 4 of House Bill 109 would have completely reversed the welfare reforms made in 2003 to the

Children's Health Insurance Program. The revisions of 2003 were fiscally sound restraints of government.

7) Property Tax Rollbacks Property tax rollbacks are an important taxpayer protection which allows homestead owners to decide just how much government they want and are willing to pay for. House Bill 2087 placed onerous restrictions on the process of citizen-initiated rollback elections while not restricting local governments' ability to raise taxes.

8) Taxpayer-Funded Lobbying Taxpayer-funded lobbying dramatically distorts the democratic process and constituency communication while seeking to grow government. House Bill 1200 would have ensured that state grants to police organization is not used for the purpose of lobbying.

9) Free Market for Utilities Private investment in and private administration of utilities market, following the free market, is the safest, most efficient way to provide Texans with their electric needs. This free market activity should not be burden by onerous government regulation and oversight. Senate Bill 482 would have required government approval of private investment in the utilities market.

10) School Vouchers School vouchers are important for success of Texas' students and the fiscal soundness of our education system. The Motion to Instruct Conferees by Representative Heflin would have prohibited school vouchers for two years in Texas.

11) Requiring Record Votes House Joint Resolution 19 proposed a constitutional amendment requiring legislators to record a vote on each legislative measure before final passage. Texans deserve to know how their representatives vote.

12) Teacher Retirement System Amendment 6 of House Bill 2427 required Cost of Living Adjustments of 5% per biennium for recipients of the Teacher Retirement System regardless of actual rise in the cost of living, recipient pay-in or

Grading Scale

A	80% or higher	"Defender of the American Dream"
B	60% - 79%	"Friend of the Taxpayer"
C	50% - 59%	"Satisfactory"
D	25% - 49%	"Poor"
F	24% or lower	"Failed the Taxpayer"

Statistical Overview

House		Senate
54.1 %	Average	33.5 %
55.0 %	Median	30.4 %
96.2 %	High	92.6 %
17.6 %	Low	8.7 %
35.9 %	Dem Avg	20.4 %
35.0 %	Dem Median	20.0 %
69.5 %	Rep Avg	40.7 %
70.0 %	Rep Median	39.1 %

Americans for Prosperity
Texas Office
Peggy Venable, State Director

807 Brazos – Number 210
Austin, TX 78701

512.476.5905 ★ (f) 512.476.5906
www.afptx.org ★ info@afptx.org

Americans for Prosperity
National Office

1726 M Street NW, 10th Floor
Washington, DC 20036

202.349.5880 ★ 866.730.0150
www.americansforprosperity.org
info@afphq.org

performance of the system's funds, which is fiscally unsound.

13) Voter ID House Bill 218 would have ensured reliability in the democratic process by requiring those wishing to cast ballots to prove their eligibility to vote.

14) Dynamic Fiscal Notes Dynamic Fiscal Notes are an important tool for legislators to realize the actual affect of fiscal decisions and will lead to greater responsibility. However, Amendment 1 of House Bill 2786 would require the Legislative Budget Board to pollute Dynamic Fiscal Notes through the speculation of fiscal affects on certain government programs which are actually affected to a greater degree through other policy decisions that are unrelated to the fiscal decision in question.

15) Franchise Tax Expansion Protection House Joint Resolution 44 would have proposed a constitutional amendment requiring a two-thirds vote of the Legislature when raising the Franchise Tax. This taxpayer protection would have ensured fiscal responsibility.

16) Smoking Ban The free market, through decisions of owners, employees and patrons, should decide if a facility should be smoke free. Furthermore, the private property rights of establishment owners should not be subverted. Amendment 20 of House Bill 9 would have disallowed the state from taking away private property rights, except to require establishment owners to inform patrons and visitors, through signs, if an establishment is a smoking facility or nonsmoking facility.

17) Taxes on Sexually-oriented Business House Bill 1751 created and imposed a new tax on sexually-oriented businesses.

18) Property Tax Relief Following school refinance reforms of the 79th Legislature, House Bill 2785 would have continued to provide for property tax relief for Texans. However, Amendment 3 of House Bill 2785 required a fiscally-impossible, across-the-board pay raise in education before additional property tax could be possible, in effect killing the tax relief.

19) School District Finance Transparency House Bill 2560 would have provided greater fiscal transparency in education by requiring school districts to post their check registries online.

20) Red-Light Cameras Red-light cameras are viewed by municipalities as additional revenue stream, and the use of red-light cameras is unnecessary government growth. Amendment 7 of Senate Bill 1119 would have ended the use of red-light cameras by September 1, 2009.

21) Cancer Research House Bill 14 expands state government far from its proper role and authorizations a great deal of undue spending and debt.

Senate

1) Senate Two-Thirds Rule The Senate adopted Rules of Procedure used in the 79th Legislature. Among these rules is the Two-Thirds Rule which prohibits legislation from being considered by the full Senate unless two-thirds of the Senate supports the legislation. A simple majority of the Senate should decide the fate of legislation.

2) Red-light Cameras Red-light cameras are viewed by municipalities as additional revenue stream, and the use of red-light cameras is unnecessary government growth.

3) Early Childhood Education Senate Bill 50 dedicates government resources to Early Childhood Education which is not the proper role of government. The legislation also adds bureaucracy to Texas' education system.

4) Local Property Tax Reduction Option and Rollback Provision Senate Bill 407 followed a recommendation by the Taskforce on Appraisal Reforms by allowing localities to hold an election for the option of reducing property taxes in favor of an expanded sales tax; the legislation also held the added benefit of protecting such reductions by lowering the rollback rate for "opt-in" communities to the original 5%.

5) Greenhouse Gas Emissions Study Senate Bill 1687 expands state government out of its proper role by requiring studies on greenhouse gas emissions.

6) Federal Regulation of Insurance Senate Concurrent Resolution 60 asks Congress to stay within its proper role by not regulating the insurance industry.

7) Voter ID House Bill 218 would have ensured reliability in the democratic process by requiring those wishing to cast ballots to prove their eligibility to vote.

8) Prevailing Wage House Bill 2625 would have loosened the requirements of local entities when calculating the prevailing wage for projects, which is a unnecessary financial burden on taxpayers.

9) Franchise Tax Revision for Zero Income Amendment 3 to House Bill 3928 would have exempted businesses from the franchise tax who do not make a profit for the taxable period.

10) Comptroller's Annual Property Value Study Amendment 1 would have increased the margin of error in the comptroller's annual property value study to 10% from 5%, thus lessening the artificial inflation experienced when municipalities try to avoid auditing.

11) Cancer Research House Bill 14 expands state government far from its proper role and authorizations a great deal of undue spending and debt.

12) Homestead Property Tax Evaluation Cap House Joint Resolution 40 proposed a constitutional amendment which would protect homesteads from being evaluated higher than the constitutional cap per

evaluation period and not calendar year.

13) Property Tax Reduction House Bill, the Appropriations Supplemental Act, made appropriations for the reduction of property taxes statewide.

14) Rollback of CHIP Reforms House Bill 109 rolled-back many reforms of the Children's Health Insurance Program passed in 2003.

15) Negating GASB Rule on Post-Employment Benefits House Bill 2365 allows local governments to ignore a General Accounting Standards Board rule which requires Post-Employment Benefits to be counted as liabilities, thus allowing local governments to ignore the future cost of post-employment benefits and leading to greater spending and debt in the future.

16) Limitations of Public Information House Bill 2564 reduced citizens' ability to access public information.

17) Taxes on Sexually-oriented Business House Bill 1751 created and imposed a new tax on sexually-oriented businesses.

House of Representatives

Allen, Alma.....	30.0	D
Alonzo, Robert.....	23.8	F
Anchia, Rafael.....	19.0	F
Anderson, Charles "Doc" ..	76.2	B
Aycock, Dan.....	65.0	B
Bailey, Kevin.....	50.0	C
Berman, Leo.....	80.0	A
Bohac, Dwayne.....	75.0	B
Bolton, Valinda.....	38.1	D
Bonnen, Dennis.....	68.4	B
Branch, Dan.....	71.1	B
Brown, Betty.....	86.2	A
Brown, Fred.....	81.0	A
Burnam, Lon.....	28.6	D
Callegari, Bill.....	66.7	B
Castro, Joaquin.....	31.6	D
Chavez, Norma.....	44.4	D
Chisum, Warren.....	76.7	B
Christian, Wayne.....	76.2	B
Cohen, Ellen.....	30.0	D
Coleman, Garnet.....	28.6	D
Cook, Byron.....	80.0	A
Cook, Robert "Robby" ..	52.4	C
Corte, Frank.....	67.1	B
Crabb, Joe.....	76.2	B
Craddick, Tom.....	100.0	---
Creighton, Brandon.....	57.1	C
Crownover, Myra.....	56.7	C
Darby, Drew.....	75.0	B
Davis, John.....	55.0	C
Davis, Yvonne.....	25.0	D
Delisi, Dianne White.....	66.7	B
Deshotel, Joe.....	50.0	C
Driver, Joe.....	65.0	B
Dukes, Dawnna.....	47.6	D
Dunnam, Jim.....	33.3	D
Dutton, Harold.....	38.1	D
Eiland, Craig.....	42.1	D
Eissler, Rob.....	76.2	B
Elkins, Gary.....	70.0	B
England, Kirk.....	61.9	B
Escobar, Juan.....	30.0	D
Farabee, David.....	42.9	D
Farias, Joe.....	35.0	D
Farrar, Jessica.....	30.0	D
Flores, Kino.....	50.0	C
Flynn, Dan.....	85.0	A
Frost, Stephen.....	40.0	D
Gallego, Pete.....	31.6	D
Garcia, Juan.....	23.8	F
Gattis, Dan.....	80.0	A
Geren, Charlie.....	70.0	B
Giddings, Helen.....	38.1	D
Gonzales, Veronica.....	20.0	F
Gonzales Toureilles, Yvonne	33.3	D
Goolsby, Tony.....	45.0	D
Guillen, Ryan.....	52.4	C
Haggerty, Pat.....	57.1	C
Hamilton, Mike "Tuffy" ..	57.1	C
Hancock, Kelly.....	63.2	B

Hardcastle, Rick.....	81.0	A
Harless, Patricia.....	71.4	B
Harper-Brown, Linda.....	76.2	B
Hartnett, Will.....	57.1	C
Heflin, Joe.....	25.0	D
Hernandez, Ana.....	23.8	F
Herrero, Abel.....	33.3	D
Hilderbrand, Harvey.....	75.0	B
Hill, Fred.....	51.9	C
Hochberg, Scott.....	28.6	D
Hodge, Terri.....	47.6	D
Homer, Mark.....	30.0	D
Hopson, Chuck.....	45.0	D
Howard, Charlie.....	71.4	B
Howard, Donna.....	38.1	D
Hughes, Bryan.....	85.7	A
Isett, Carl.....	91.0	A+
Jackson, Jim.....	70.0	B
Jones, Delwin.....	52.9	C
Keffer, Jim.....	61.9	B
King, Phil.....	80.0	A
King, Susan.....	52.4	C
King, Tracy.....	38.1	D
Kolkhorst, Lois.....	73.7	B
Krusee, Mike.....	57.1	C
Kuempel, Edmund.....	61.9	B
Latham, Thomas.....	55.0	C
Laubenberg, Jodie.....	76.2	B
Leibowitz, David.....	28.6	D
Lucio, Eddie III.....	31.6	D
Macias, Nathan.....	76.2	B
Madden, Jerry.....	65.0	B
Mallory Caraway, Barbara	38.1	D
Martinez, Armando.....	35.0	D
Martinez Fishcer, Trey ..	36.8	D
McCall, Brian.....	60.0	B
McClendon, Ruth Jones	50.0	C
McReynolds, Jim.....	45.0	D
Menendez, Jose.....	36.8	D
Merritt, Tommy.....	42.9	D
Miles, Borris.....	38.1	D
Miller, Sid.....	65.0	B
Moreno, Paul.....	25.0	---
Morrison, Geanie.....	71.4	B
Mowery, Anna.....	58.8	C
Murphy, Jim.....	71.4	B
Naishtat, Elliott.....	33.3	D
Noriega, Rick.....	25.0	D
O'Day, Mike.....	75.0	B
Oliviera, Rene.....	25.0	D
Olivo, Dora.....	38.1	D
Orr, Rob.....	55.0	C
Ortiz, Solomon.....	23.8	F
Otto, John.....	71.9	B
Parker, Tan.....	67.1	B
Patrick, Diane.....	71.4	B
Paxton, Ken.....	96.2	A+
Pena, Aaron.....	50.0	C
Phillips, Larry.....	85.0	A
Pickett, Joe.....	45.0	D
Pierson, Paula.....	17.6	F
Pitts, Jim.....	70.6	B
Puente, Robert.....	33.3	D

Quintanilla, Chinte.....	33.3	D
Raymond, Richard.....	38.1	D
Riddle, Debbie.....	80.0	A
Ritter, Allan.....	65.0	B
Rodriguez, Eddie.....	38.1	D
Rose, Patrick.....	57.1	C
Smith, Todd.....	57.1	C
Smith, Wayne.....	71.4	B
Smithee, John.....	68.4	B
Solomons, Burt.....	66.7	B
Strama, Mark.....	28.6	D
Straus, Joe.....	90.0	A
Swinford, David.....	51.9	C
Talton, Robert.....	85.0	A
Taylor, Larry.....	70.0	B
Thompson, Sefronia.....	38.1	D
Truitt, Vicki.....	56.7	C
Turner, Sylvester.....	45.0	D
Van Arsdale, Corbin.....	81.0	A
Vaught, Allan.....	33.3	D
Veasey, Marc.....	26.3	D
Villarreal, Mike.....	31.6	D
Vo, Hubert.....	38.1	D
West, G. E. "Buddy".....	52.4	C
Woolley, Beverly.....	70.0	B
Zedler, Bill.....	76.7	B
Zerwas, John.....	61.9	B

Senate

Averitt, Kip.....	26.1	D
Brimer, Kim.....	39.1	D
Carona, John.....	40.9	D
Deuell, Bob.....	30.4	D
Duncan, Robert.....	26.1	D
Ellis, Rodney.....	8.7	F
Eltife, Kevin.....	39.1	D
Estes, Craig.....	39.1	D
Fraser, Troy.....	52.2	C
Gallegos, Mario, Jr.....	20.0	F
Harris, Chris.....	34.8	D
Hegar, Glenn.....	39.1	D
Hinojosa, Juan "Chuy" ..	26.1	D
Jackson, Mike.....	52.2	C
Janek, Kyle.....	30.4	D
Lucio, Eddie, Jr.....	21.7	F
Nelson, Jane.....	52.2	C
Nichols, Robert.....	47.8	D
Ogden, Steve.....	26.1	D
Patrick, Dan.....	92.6	A+
Seliger, Kel.....	34.8	D
Shapiro, Florence.....	26.1	D
Shapleigh, Eliot.....	17.4	F
Uresti, Carlos.....	13.0	F
Van de Putte, Leticia.....	39.1	D
Watson, Kirk.....	17.4	F
Wentworth, Jeff.....	37.8	D
West, Royce.....	21.7	F
Whitmire, John.....	21.7	F
Williams, Tommy.....	47.8	D
Zaffirini, Judith.....	17.4	F