

# **FOR THE RECORD**

**How Do Your Lawmakers  
Vote on Business Issues?**



**The 2007 Report of the Texas Legislature  
80th Regular Session**

# Did Lawmakers Make the Grade for Your Business?

## FOR THE RECORD

The Texas Association of Business (TAB) continues its tradition of working at the forefront of sensible change in government by publishing the 2007 *For the Record*.

The *Results* publication, released earlier this year, grades the Legislature as a whole on key business issues and legislation that passed during the session. *For the Record*, however, assesses each individual legislator's performance based on a tally of key votes supported or opposed by TAB.

Each session, TAB contacts the Legislature about bills and issues that will impact Texas businesses. This includes sending letters to members' offices, testifying on bills in committee hearings, and meeting with legislators and their staff to address our concerns. Typically, these efforts are made on a bill in its entirety, but often, TAB will seek action on an amendment that could redefine legislative intent with relation to how it impacts business. In other instances, TAB may advocate on particular procedural steps that are necessary for final passage.

Once the Legislature has adjourned *sine die*, TAB begins the process of reviewing the votes. Under current Texas law, all votes cast are not necessarily record votes. This means that many more record votes may be taken on some bills than are taken on others. The job of TAB is to capture the record votes taken on bills that provide a snapshot of how members supported business across-the-board.

However, this job may be easier in future sessions. Legislators did approve a measure that takes the issue of record votes to the public. Proposition 11, if passed in November, will require all final votes cast in the house and senate to be recorded. This is a good first step to holding legislators accountable, although it is the second reading vote that is the more accurate vote.

The 2007 *For the Record* uses ten votes to score senators and fifteen votes for scoring state representatives. These votes collectively represent a wide sampling of TAB-supported and opposed bills.

Legislators who scored 90 - 100 are recorded as Champions for Free Enterprise and legislators scoring an 80 - 89 are noted as Fighters for Free Enterprise. As members may win only one award after each session, TAB will honor the higher of the two scores – either 2007 or Cumulative.

*For the Record* is viewed across the state as an accurate measurement of lawmakers' attitudes toward business. Legislators count on *For the Record* to reflect their actions during session. Constituents count on it to know if their senator or representative kept their campaign promises. And businesses count on it to judge who in the Capitol puts jobs, economic prosperity, and a thriving workforce at the top of their priorities.

TAB is honored to be the voice of business in Texas and will continue its mission of making the Texas business climate the best in the world.

### How to Read the Votes:

**+** Pro-Business Vote

**–** Vote Against Business

**P** Present Not Voting

**E** Excused

**A** Absent (Unexcused)

**C** Chair

# How did your Senator **VOTE** on Business Issues?

## Champion for Free Enterprise

Scores highlighted in **red** are legislators designated as TAB Champions for Free Enterprise. A legislator must score a 90 or a above to receive this distinction. This is the highest honor that a legislator can receive from TAB.

## Fighter for Free Enterprise

Scores highlighted in **gold** are legislators designated as TAB Fighters for Free Enterprise. A legislator must score an 80 or a above to receive this distinction.

## Senate Votes 80th Regular Session

Senator	1	2	3	4	5	6	7	8	9	10	2007	Cumulative
Averitt	+	+	+	-	+	+	+	+	+	+	90%	86%
Brimer	+	+	+	+	+	-	-	+	+	+	80%	90%
Carona	+	+	+	-	+	+	+	-	+	+	80%	85%
Deuell	+	+	+	-	+	+	-	-	+	+	70%	80%
Duncan	+	+	+	-	+	A	-	+	+	+	70%	81%
Ellis	+	+	+	-	+	-	-	+	-	-	50%	41%
Eltife	+	+	+	+	+	+	+	-	-	+	80%	85%
Estes	+	+	+	-	+	+	+	+	+	+	90%	90%
Fraser	+	+	+	+	+	-	+	+	+	+	90%	91%
Gallegos	Not scored due to health complications during session.											
Harris	+	+	+	+	+	-	+	-	+	+	80%	84%
Hegar	+	+	+	-	+	+	+	+	+	+	90%	90%
Hinojosa	+	+	+	-	+	-	-	-	+	-	50%	43%
Jackson	+	+	+	+	+	+	+	+	-	+	90%	87%
Janek	+	+	+	-	+	+	A	A	+	+	70%	83%
Lucio	+	+	+	-	+	-	-	-	-	-	40%	46%
Nelson	+	+	+	+	+	+	+	-	+	+	90%	88%
Nichols	+	+	+	-	+	+	+	-	+	+	80%	80%
Ogden	+	+	+	+	A	-	-	+	+	+	70%	77%
Patrick	+	+	+	-	+	+	+	-	+	+	80%	80%
Seliger	+	+	+	-	+	+	-	+	+	+	80%	85%
Shapiro	+	+	+	-	+	+	+	-	+	+	80%	84%
Shapleigh	+	+	+	-	+	-	-	+	-	-	50%	27%
Uresti	+	+	+	-	+	-	-	-	+	-	50%	50%
Van de Putte	+	+	+	-	+	-	-	-	+	-	50%	38%
Watson	+	+	+	-	+	-	-	-	+	-	50%	50%
Wentworth	+	+	+	-	+	+	+	-	+	+	80%	74%
West	+	+	+	-	+	A	-	-	+	-	50%	44%
Whitmire	+	+	+	-	+	-	-	+	+	-	60%	45%
Williams	+	+	+	+	+	+	+	-	+	+	90%	97%
Zaffirini	+	+	+	-	+	-	-	-	-	-	40%	37%

# Senate Votes

## 1 Telecom Infrastructure Fund Repeal – HB 735, *Third Reading and Final Passage*

HB 735 repeals the Telecom Infrastructure Fund (TIF). The TIF was designed to provide telecommunications services to remote parts of our state. Where years ago, these areas were isolated from the rest of Texas, today they are well-connected via standard and high-technology.

The financing for TIF came from a 1.25% tax placed on the bill of every telephone line – residential, business, and mobile phone – assigned in Texas, often double-taxing telephone consumers. In recent years, however, TIF revenues have been redirected for uses that have nothing to do with telecommunications or technology. As a result, by repealing the TIF, HB 735 ensures that Texans do not continue paying the tax.

The vote occurred on third reading and final passage. A vote for final passage was a vote with TAB. HB 735 passed both chambers of the Legislature and was signed by the governor.

## 2 Credit/Refund for Diesel Fuel Taxes – HB 1332, *Third Reading and Final Passage*

HB 1332 reinstated a tax exemption for diesel used in manufacturing or oil drilling that was inadvertently repealed in 2003.

Formerly, diesel fuel, which is a tangible good that qualifies for motor fuel taxation, was taxed only if it was to be used for the purpose of moving vehicles on public roads. However, the Legislature moved the point of taxation of diesel fuel to collection at the state level, which imposed a 20 cent-per-gallon tax on clear diesel fuel. Clear diesel fuel is the only feasible option for both manufacturing and machinery that is used when drilling for oil.

HB 1332 reinstates the tax exemption by offering either a tax credit or refund on clear diesel fuel for those uses not taxed prior to 2003.

The vote occurred on third reading and final passage. A vote for final passage was a vote with TAB. HB 1332 passed both chambers of the Legislature and was signed by the governor.

## 3 Leak Detection Technology – HB 1526 *Third Reading and Final Passage*

HB 1526 provides incentives for business and the use of alternative leak detection technologies in industrial processes to make for cleaner air. HB 1526 approves a unique technological advancement for use in the detection of leaks and emissions from previously unidentified or recognized sources.

Reduction of air emissions is a critical component in Texas meeting federal ambient air quality standards. HB 1526 is another mechanism for industry to find and remove leaks, which may contribute to air pollution.

The vote occurred on third reading and final passage. A vote for final passage was a vote with TAB. HB 1526 passed both chambers of the Legislature and was signed by the governor.

## 4 Autism Coverage Mandate – HB 1919 *Motion to Adopt Conference Committee Report*

HB 1919 expands a mandate for certain treatments of brain injuries and a new mandate for the treatment of autism.

Employers in Texas are free to offer coverage for as many treatments and ailments as they can afford. Every mandate raises the cost of insurance, forcing many employers to drop coverage altogether. The goal of the Legislature should be to make health care coverage more affordable, not less. HB 1919 will cost small and medium-sized businesses that provide health insurance approximately \$150 million in increased premiums over the next five years, forcing some to quit offering any employee health care benefits at all.

The vote occurred on the motion to adopt the conference committee report, an important procedural step in passing the bill. A vote against the motion was a vote with TAB. HB 1919 passed both chambers of the Legislature and was signed by the governor.



## Senate Votes

### 5 Career/Technology Education – HB 3485

#### *Third Reading and Final Passage*

HB 3485 adds provisions to state law promoting a career and technical curriculum that will assist high school students in becoming more prepared for career and postsecondary opportunities. Furthermore, this legislation looks to improve the high school graduation rate by giving career direction to students who may otherwise not be motivated toward completing secondary education.

Texas businesses are seeing an increasing number of people entering the workforce missing crucial training preparations and, in many cases, with little-to-no developed skills. This causes new workers to have difficulty holding a steady job, and leaves employers with the challenges of high job-turnover and constant job training for new hires. A curriculum better focused toward preparing students for their futures will help employers and employees overcome barriers that stand between schools and the workplace.

The vote occurred on third reading and final passage. A vote for final passage was a vote with TAB. HB 3485 passed both chambers of the Legislature and was signed by the governor.

### 6 Ultraclean Energy – HB 3732

#### *Motion to Adopt Conference Committee Report*

HB 3732 creates the Advanced Clean Energy Project Grant and Loan Program to encourage the development of advanced clean energy projects that produce reliable and affordable electric power in an environmentally protective manner.

Texas has one of the largest state economies in the nation, with much of its income coming from energy-intensive activities and industries. Our industries have substantial power needs now and will continue to use significant power in the future. HB 3732 provides incentives to ensure that we have a diverse, clean, and reliable source for electricity in the future for Texas residents, businesses and communities.

The vote occurred on the motion to adopt the conference committee report, an important procedural step in passing the bill. A vote for the motion was a vote with TAB. HB 3732 passed both chambers of the Legislature and was signed by the governor.

### 7 Unemployment Insurance (UI) Benefits – SB 194, *Motion to Adopt Amendment #1*

SB 194 would have extended unemployment benefits to an employee for a terminally ill spouse.

Unemployment benefits are traditionally available to claimants who are available for work, but through no fault of their own are unemployed. If an employee has to care for a spouse and has to leave their job to do so, he or she would be unavailable for work. Although the bill addressed a worthy cause, it goes against the intent of the UI fund which is to aid employees who are available for work, but have lost their jobs and in the process of finding new employment.

Amendment #1 would have expanded the bill to include terminally ill parents.

The vote occurred on the motion to adopt Amendment #1. A vote against the motion to adopt Amendment #1 was a vote with TAB. SB 194 passed the senate, but died in the House Calendars Committee.

### 8 Provider-Owned Diagnostic Imaging Services – SB 1101, *Motion to Suspend the Regular Order of Business*

SB 1101 would have required a health care provider who refers patients for diagnostic imaging services to disclose any ownership in the facility. The bill also required a diagnostic imaging provider that performs services for a referring health care provider to report certain information to the Center for Health Statistics of the Department of State Health Services.

Numerous studies show that physician self-referrals result in over-utilization of medical imaging and related procedures and substantially higher health care costs. Twenty-plus states have already adopted similar statutes prohibiting or restricting physician “self-referral.” At a time when employers are facing continued premium increases, it is critical that cost drivers such as over utilization are addressed.

The vote occurred on the motion to suspend the regular order of business, an important procedural step in bringing the bill up for floor debate. A vote for the motion to suspend the regular order of business was a vote with TAB. The motion failed, and SB 1101 died in the senate.

## Senate Votes

### 9 Texas Court Modernization – SB 1204

#### *Motion to Suspend the Regular Order of Business*

SB 1204 would have re-organized Texas courts, modernizing our antiquated civil justice system and increasing its efficiency. Texas courts were last aligned in 1891, but our state and its judicial needs have long since grown beyond the system's original capacity.

Employers and all other parties forced into court under the proposed revamp would have benefited from a streamlined judicial process.

The vote occurred on the motion to suspend the regular order of business, an important procedural step in bringing the bill up for floor debate. A vote for the motion to suspend the regular order of business was a vote with TAB. SB 1204 passed the senate, but died in the House Committee on Judiciary.

### 10 Municipal Authority in Extra Territorial Jurisdictions – SB 1317, *Motion to Suspend the Regular Order of Business*

SB 1317 would have prohibited a municipality from enforcing air regulations outside its corporate limits that are inconsistent with air permits issued by the Texas Commission on Environmental Quality (TCEQ).

To avoid conflicting environmental requirements on business and industry, Texas law prohibits local governments, like cities, from regulating air emissions in a manner that is inconsistent with the Texas Clean Air Act or TCEQ regulations.

The vote occurred on the motion to suspend the regular order of business, an important procedural step in bringing the bill up for floor debate. A vote for the motion was a vote with TAB. SB 1317 passed the senate, but died in the House Calendars Committee.

## How did your Representative **VOTE** on Business Issues?

### Champion for Free Enterprise

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### Fighter for Free Enterprise

Scores highlighted in **gold** are legislators designated as TAB Fighters for Free Enterprise. A legislator must score an 80 or above to receive this distinction.

### House Votes 80th Regular Session

Representative	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	2007	Cumulative
Allen	-	-	-	+	+	+	+	+	E	E	-	-	-	+	+	54%	35%
Alonzo	-	-	-	+	+	+	+	+	-	-	-	-	-	+	+	47%	37%
Anchia	+	-	-	+	+	A	+	+	-	-	-	-	-	+	+	47%	37%
Anderson	+	+	-	+	+	+	+	+	+	+	A	+	+	+	+	87%	87%
Aycock	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	100%	100%
Bailey	+	-	+	+	E	E	E	+	-	-	E	-	-	E	+	50%	30%
Berman	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	100%	95%
Bohac	+	-	+	+	+	+	+	+	-	+	+	-	+	+	+	80%	83%
Bolton	-	-	-	+	+	+	+	+	-	+	-	-	+	+	+	60%	60%
Bonnen	+	C	+	+	+	+	+	+	-	+	+	+	+	+	+	93%	85%
Branch	+	-	+	+	+	+	+	+	-	+	+	+	+	+	+	87%	91%
Brown, B	+	-	+	+	+	+	+	+	+	+	+	+	+	+	+	93%	91%
Brown, F	+	-	+	+	+	+	+	+	-	+	+	+	+	+	+	87%	77%
Burnam	-	-	-	+	+	+	+	A	-	-	-	-	-	+	+	40%	23%

# House Votes 80th Regular Session

Representative	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	2007	Cumulative
Callegari	+	+	-	+	+	+	+	+	-	+	+	+	+	+	+	87%	89%
Castro	-	-	A	+	+	+	+	+	-	+	-	-	E	+	+	57%	30%
Chavez	+	-	E	+	+	+	+	+	E	E	-	-	-	+	+	67%	41%
Chisum	+	-	+	+	+	+	+	+	-	+	+	+	+	+	+	87%	86%
Christian	+	-	+	+	+	+	+	+	-	+	+	A	+	+	+	80%	90%
Cohen	-	-	+	+	+	+	+	+	-	+	-	-	+	A	+	60%	60%
Coleman	-	-	-	+	+	+	+	+	-	-	-	-	-	A	+	40%	24%
Cook, B	+	-	+	+	+	+	+	+	-	+	+	+	-	+	+	80%	91%
Cook, R	+	-	-	+	+	+	+	+	-	+	+	+	-	+	+	73%	69%
Corte	+	-	+	+	+	+	+	+	-	+	+	+	+	+	+	87%	89%
Crabb	+	+	-	+	+	+	+	+	+	+	+	+	+	+	+	93%	94%
Craddick	As speaker, he did not vote.																
Creighton	+	+	+	+	+	+	+	+	-	+	+	+	+	+	+	93%	93%
Crownover	+	-	+	+	+	+	+	+	+	+	+	+	+	+	+	93%	94%
Darby	+	+	+	+	+	+	+	+	-	+	+	+	+	+	+	93%	93%
Davis, J	+	-	+	+	+	+	+	+	-	+	+	-	+	+	+	80%	86%
Davis, Y	-	-	-	+	+	+	+	+	-	-	-	-	-	+	+	47%	24%
Delisi	+	-	+	+	+	+	+	+	-	+	+	+	+	+	+	87%	94%
Deshotel	+	-	-	+	+	+	+	+	-	+	+	-	-	+	+	67%	39%
Driver	+	-	A	+	+	+	+	+	+	+	+	+	+	+	+	87%	93%
Dukes	+	-	+	+	+	+	+	+	-	-	-	-	+	+	+	67%	35%
Dunnam	-	-	-	+	+	+	+	+	-	-	-	-	+	+	+	53%	31%
Dutton	-	-	-	+	+	+	+	+	-	+	-	-	-	+	+	53%	34%
Eiland	-	-	-	+	+	+	+	+	-	+	+	A	+	+	+	67%	46%
Eissler	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	100%	91%
Elkins	+	-	-	+	+	+	+	+	+	+	+	+	+	+	+	87%	85%
England	+	-	+	+	+	+	+	+	-	-	-	+	-	+	+	67%	67%
Escobar	-	-	-	+	A	+	+	+	-	-	+	-	-	A	+	40%	40%
Farabee	+	-	-	+	+	+	+	+	A	+	+	+	+	+	+	80%	62%
Farias	-	-	-	+	+	+	+	+	-	-	-	-	-	+	A	40%	40%
Farrar	-	-	-	+	+	+	+	+	-	+	-	-	-	+	+	53%	26%
Flores	+	-	-	+	+	+	+	+	A	-	-	A	-	E	+	50%	38%
Flynn	+	+	+	+	+	+	+	+	+	+	E	+	+	+	+	100%	94%
Frost	-	-	-	+	+	+	+	+	-	+	+	A	-	+	+	60%	57%
Gallego	-	-	-	+	+	+	+	+	-	-	-	-	-	A	+	40%	34%
Garcia	+	-	-	+	+	+	+	+	-	+	-	+	+	+	+	73%	73%

**House Votes 80th Regular Session**

Representative	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	2007	Cumulative
Gattis	+	E	+	+	+	+	+	E	C	C	E	+	+	+	+	100%	89%
Geren	E	-	+	E	+	+	+	+	+	+	+	+	+	+	+	92%	79%
Giddings	+	-	+	+	+	+	+	+	-	A	-	-	-	+	+	60%	39%
Gonzales	-	-	-	+	+	+	+	+	-	-	-	E	-	+	+	50%	42%
Gonzalez-Tourelles	-	-	-	+	+	+	+	+	-	+	-	-	-	+	+	53%	46%
Goolsby	+	-	+	+	+	+	+	+	-	+	+	+	+	+	+	87%	89%
Guillen	+	-	-	+	+	+	+	+	-	+	+	-	-	+	+	67%	38%
Haggerty	-	-	-	+	+	+	+	+	-	+	+	+	-	+	+	67%	68%
Hamilton	+	-	+	+	+	+	+	+	-	+	+	+	-	+	+	80%	73%
Hancock	+	+	+	+	+	+	+	+	-	+	A	+	+	+	+	87%	87%
Hardcastle	+	-	+	+	+	+	+	+	-	+	+	+	+	+	+	87%	80%
Harless	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	100%	100%
Harper-Brown	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	100%	94%
Hartnett	+	-	+	+	+	+	+	+	-	+	+	+	+	+	+	87%	89%
Heflin	-	-	-	+	+	+	+	+	-	+	-	-	-	+	+	53%	53%
Hernandez	-	-	-	+	+	+	+	+	-	+	-	-	-	+	+	53%	53%
Herrero	-	-	-	+	+	+	+	+	-	-	-	-	-	+	+	47%	30%
Hilderbran	+	-	+	+	+	E	E	+	-	+	+	+	+	+	+	85%	88%
Hill	+	-	+	+	+	+	+	+	-	+	+	A	+	+	+	80%	89%
Hochberg	-	-	-	+	+	+	+	+	-	-	-	-	-	+	+	47%	32%
Hodge	-	-	-	+	+	+	+	+	-	-	-	-	-	+	+	47%	26%
Homer	E	-	-	E	+	+	+	+	A	+	+	-	-	+	+	62%	64%
Hopson	+	-	-	+	+	+	+	+	-	+	+	+	-	+	+	73%	54%
Howard, C	+	-	-	+	+	+	+	+	+	+	A	+	+	+	+	80%	90%
Howard, D	-	-	-	+	+	+	+	+	-	-	-	-	+	+	+	53%	53%
Hughes	+	-	A	+	+	+	+	+	-	A	+	+	-	+	+	67%	74%
Isett	+	-	+	+	+	+	+	+	+	+	+	-	+	+	+	87%	92%
Jackson	+	+	-	+	+	+	+	+	+	+	+	+	+	+	+	93%	93%
Jones	-	E	-	+	+	+	+	+	-	+	A	-	-	+	+	57%	66%
Keffer	+	-	+	+	+	+	+	+	-	+	+	+	-	+	+	80%	84%
King, P	+	-	+	+	+	+	+	+	A	+	E	+	+	+	+	86%	87%
King, S	+	-	+	+	+	+	+	+	-	+	+	A	+	+	+	80%	80%
King, T	-	-	-	+	+	+	+	+	-	+	A	-	-	+	+	53%	63%
Kolkhorst	+	-	+	+	+	+	+	E	+	+	+	+	+	+	+	93%	89%
Krusee	+	-	+	+	+	+	+	+	-	+	+	+	+	+	+	87%	88%
Kuempel	+	-	-	+	+	+	+	+	-	+	+	+	+	+	+	80%	78%



## House Votes 80th Regular Session

Representative	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	2007	Cumulative
Latham	+	-	+	+	+	+	+	+	A	+	+	+	+	+	+	87%	87%
Laubenberg	+	+	+	+	+	A	A	+	-	+	+	A	+	+	+	73%	86%
Leibowitz	-	-	-	+	+	+	+	+	-	-	-	-	-	+	+	47%	30%
Lucio	-	-	-	+	+	+	+	+	-	+	-	-	-	+	+	53%	53%
Macias	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	100%	100%
Madden	+	-	+	+	+	+	+	+	A	+	+	+	+	+	+	87%	90%
Mallory-Caraway	-	-	-	+	+	+	+	+	-	-	-	-	-	+	+	47%	47%
Martinez	+	-	-	+	+	+	+	+	-	-	A	-	-	+	+	53%	40%
Martinez-Fischer	-	-	-	+	+	+	+	+	-	+	-	-	-	+	+	53%	27%
McCall	+	-	-	+	+	+	+	+	-	+	+	-	+	+	+	73%	80%
McClendon	+	-	+	+	+	+	+	+	-	-	-	A	-	+	+	60%	35%
McReynolds	+	-	+	+	+	+	+	+	-	+	-	-	-	+	+	67%	51%
Menendez	+	-	-	+	+	+	+	+	-	+	+	-	-	+	+	67%	43%
Merritt	-	-	-	+	+	+	+	+	+	+	+	+	-	+	+	73%	78%
Miles	-	-	-	+	+	+	+	+	-	-	-	A	-	+	+	47%	47%
Miller	+	+	-	+	+	+	+	+	+	+	+	+	-	+	+	87%	89%
Moreno	Not scored due to health complications during session.																
Morrison	+	-	+	+	+	+	+	+	-	+	+	+	+	+	+	87%	88%
Mowery	+	-	+	+	+	+	+	E	-	+	+	-	A	+	+	71%	87%
Murphy	+	-	+	+	+	+	+	+	-	+	+	A	+	+	+	80%	80%
Naishtat	-	-	-	+	+	+	+	+	-	-	-	-	+	+	+	53%	27%
Noriega	-	-	-	+	+	+	+	+	-	+	-	A	-	+	+	53%	32%
O'Day	+	-	+	+	+	+	+	+	-	+	+	+	+	+	+	87%	87%
Oliveira	-	-	-	A	+	+	+	+	-	-	-	-	-	+	+	40%	42%
Olivo	-	-	-	+	+	+	+	+	-	-	-	-	-	+	+	47%	22%
Orr	+	-	+	+	+	+	+	+	-	+	+	+	-	+	+	80%	87%
Ortiz	+	-	-	+	+	+	+	+	-	-	-	-	-	+	+	53%	53%
Otto	+	-	+	+	+	+	+	+	-	+	+	+	-	+	+	80%	84%
Parker	+	-	+	+	+	+	+	+	+	+	+	+	+	+	+	93%	93%
Patrick	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	100%	100%
Paxton	+	+	-	+	+	+	+	+	+	+	+	+	+	+	+	93%	95%
Pena	+	-	-	+	E	+	+	+	-	+	+	A	-	E	+	62%	43%
Phillips	+	-	-	+	+	+	+	+	-	+	+	A	+	+	+	73%	80%
Pickett	+	-	-	+	+	+	+	+	-	+	+	-	-	+	+	67%	50%
Pierson	-	-	-	+	E	A	+	+	-	+	A	-	A	+	P	38%	38%
Pitts	+	-	+	+	E	+	+	+	-	+	+	+	-	+	+	79%	89%

**House Votes** *80th Regular Session*

Representative	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	2007	Cumulative
Puente	+	-	+	+	+	+	+	+	-	-	-	E	-	+	+	64%	37%
Quintanilla	+	-	-	+	+	+	+	+	-	+	-	A	-	+	+	60%	40%
Raymond	-	-	-	+	+	+	+	+	-	+	-	-	-	+	+	53%	33%
Riddle	+	+	-	+	+	+	+	+	+	+	+	+	+	+	+	93%	82%
Ritter	+	-	-	+	+	E	E	+	-	A	+	+	+	+	+	69%	59%
Rodriguez	-	-	-	+	+	+	+	+	-	-	-	-	-	+	+	47%	23%
Rose	+	-	+	+	+	+	+	+	-	+	-	+	+	+	+	80%	60%
Smith, T	+	-	+	+	+	+	+	+	-	+	+	+	+	+	+	87%	84%
Smith, W	+	-	+	+	+	+	+	+	A	+	+	+	+	+	+	87%	87%
Smithee	+	+	+	+	+	+	+	+	-	+	+	+	-	+	A	80%	85%
Solomons	+	-	-	+	+	+	+	+	-	+	+	+	+	+	C	79%	85%
Strama	+	-	+	+	+	+	+	+	-	+	-	-	+	+	+	73%	67%
Straus	+	-	+	+	+	+	+	+	-	+	+	+	+	+	+	87%	94%
Swinford	+	-	+	+	+	+	+	+	-	+	+	+	+	+	+	87%	85%
Talton	-	-	-	+	+	+	+	+	+	+	+	+	+	+	+	80%	87%
Taylor	+	-	+	+	+	+	+	+	+	+	+	+	+	+	+	93%	93%
Thompson	-	-	-	+	+	+	+	+	-	-	-	-	-	+	+	47%	28%
Truitt	+	-	-	+	+	+	+	+	-	+	+	+	+	+	+	80%	81%
Turner	+	-	+	+	+	+	+	+	-	+	-	-	-	+	+	67%	32%
Van Arsdale	+	A	+	+	+	+	+	+	-	+	A	+	+	+	+	80%	85%
Vaught	-	-	-	+	+	+	+	+	-	-	-	-	+	+	+	53%	53%
Veasey	-	-	-	+	+	+	+	+	-	+	-	-	-	+	+	53%	40%
Villarreal	+	-	-	+	+	+	+	+	-	+	E	-	-	+	+	64%	47%
Vo	-	-	-	+	+	+	+	+	-	-	-	-	-	+	+	47%	44%
West	+	-	+	+	+	+	+	+	-	+	+	-	+	+	+	80%	85%
Woolley	+	-	+	+	+	+	+	+	-	+	+	+	+	+	+	87%	92%
Zedler	+	-	+	+	+	+	+	+	+	+	+	+	+	+	+	93%	82%
Zerwas	+	-	+	+	+	+	+	+	-	+	+	A	+	+	+	80%	80%

# House Votes

## 1 General Appropriations – HB 1

### *Motion to Adopt the Calendars*

#### *Committee Rules for House Floor Debate*

HB 1, the 2007 General Appropriations Bill, sets the state budget for the following biennium. The process that ultimately results in the state budget is a difficult and time-sensitive procedure, often requiring additional rules to guide productive debate.

Businesses can breathe a sigh of relief with this bold yet cautious budget. In the end, HB 1 provided a good balance between taxpayers and government. The Appropriations Bill for the 2008-2009 Biennium meets the needs of Texas in a manner that respects taxpayers by setting aside \$3 billion that will maintain property tax reductions. It also places \$7 billion into reserves for the state to have available for appropriations next session, which will benefit government in the event of an unexpected economic downturn. HB 1 could not have been crafted so successfully without rules.

The vote occurred on the motion to adopt the rules for debate of the General Appropriations Bill, as established by the calendars committee. A vote for the motion was a vote with TAB. HB 1 passed both chambers of the Legislature and was signed by the governor.

## 2 Unemployment Insurance Benefits – HB 550, *Third Reading and Final Passage*

HB 550 reduces the requirements that victims of family violence or stalking must show to be eligible for unemployment benefits. Prior to HB 550, the law required three forms of evidence of domestic violence to demonstrate eligibility for unemployment benefits: an active or recently issued protective order documenting that the employee is a victim of family violence or stalking, a police record documenting that the employee is a victim of family violence or stalking, and a physician's statement or other medical documentation of family violence against the employee. This bill reduces the requirement to one document and does not require an individual to engage law enforcement authorities to address the situation. Because doctors or other medical professionals are not in a position to require action by the individual, the claimant should be required to show other actions being taken with law enforcement authorities.

In addition, an amendment was added to HB 550 that extends unemployment benefits to an employee for a terminally ill spouse. Unemployment benefits are traditionally available to claimants who are available for work, but through no fault of their own are unemployed. If an employee has to care for a spouse and has to leave their job to do so, he or she would be unavailable for work.

The vote occurred on third reading and final passage. A vote against passage was vote with TAB. HB 550 passed both chambers of the Legislature and was signed by the governor.

## 3 Telecom Infrastructure Fund – HB 735

### *Motion to Table Amendment #3*

HB 735 repeals the Telecom Infrastructure Fund (TIF). The TIF was designed to provide telecommunications services to remote parts of our state. Where years ago, these areas were isolated from the rest of Texas, today, they are well-connected via standard and high-technology.

The financing for TIF came from a 1.25% tax placed on the bill of every telephone line – residential, business, and mobile phone – assigned in Texas, often double-taxing telephone consumers. In recent years, however, TIF revenue has been redirected for uses that have nothing to do with telecommunications or technology. As a result, by repealing the TIF, HB 735 ensures that Texans do not continue paying the tax.

House Amendment #3 would have required the comptroller to reimburse telephone service providers, which in turn would be required to reimburse customers individually for the TIF taxes they had paid since January 2007. Such a program would have required unanticipated man-hours on both the comptroller's office and telephone service providers, turning an otherwise simple tax repeal into an unmanageable process.

The vote occurred on the motion to table Amendment #3. A vote for the motion to table was a vote with TAB. The motion to table prevailed. HB 735 passed both chambers of the Legislature and was signed by the governor.

## 4 Return-to-Work Pilot Program for Small Employers – HB 886, *Third Reading and Final Passage*

HB 886 ensures that an employer is reimbursed for modifying a workplace for an injured worker by establishing a pre-approval process in which there is a guaranteed reimbursement of expenses to the employer. Prior to the passage of HB 886, an employer could be reimbursed up to \$1,500 for such modifications, but there was no guarantee that the modification would be approved by the Division of Workers' Compensation. Small employers sometimes cannot afford to make modifications and/or risk the modifications being disapproved.

The pre-approval process will encourage more employers to participate in this program, which will greatly aid the

# House Votes

employee, while giving the employer the ability to make changes with little or no out-of-pocket expenses. TAB believes that this legislation will have a positive impact on an injured worker's return-to-work transition.

The vote occurred on third reading and final passage. A vote for passage was a vote with TAB. HB 886 passed both chambers of the Legislature and was signed by the governor.

## 5 Intensive Reading Program in Public Schools – HB 1270, *Third Reading and Final Passage*

Texas students, from primary through high school, consistently show low results when tested on reading and language skills. HB 1270 creates a pilot program for intensive reading and language intervention, for the purpose of increasing skills of reading comprehension and language proficiency. The pilot program as established is accessible to school districts with students who have failed the reading portion of the former TAKS test.

Fewer and fewer employees enter the Texas workforce with more than the basic reading skills. The pilot program established by HB 1270 will help working Texans of tomorrow improve their critical reading and comprehension skills, which will improve their abilities and increase their opportunities to be successful members of the workforce.

The vote occurred on third reading and final passage. A vote for passage was a vote with TAB. HB 1270 passed both chambers of the Legislature and was signed by the governor.

## 6 State Wellness Program – HB 1297 *Third Reading and Final Passage*

HB 1297 creates a state wellness program to improve the health of state employees and reduce expenditures on health care costs, particularly those caused by preventable illnesses. The establishment of a model program also will improve the efficiency of government by helping decrease sick time and leave taken by employees.

Wellness programs have shown to be effective ways for employers to reduce health care costs. By some estimates, every dollar invested in wellness programs can yield returns ranging from \$3 to \$6 on that investment.

The vote occurred on third reading and final passage. A vote for passage was a vote with TAB. HB 1297 passed both chambers of the Legislature and was signed by the governor.

## 7 Closing the Jones Act Loophole – HB 1602, *Third Reading and Final Passage*

HB 1602 addresses rampant lawsuit abuse against Texas dredging companies in four South Texas counties. Due to the nature of Texas ports, dredging is a vital industry in our state. Without it, our ports quickly become impassable to ships carrying cargo.

The passage of this bill gives seamen the same options as most Texans who are allowed to sue a corporate defendant in the Texas county where their principal place of business is located or in the county where the alleged injury occurred. In addition, the impact of this legislation will be positive for continued economic growth in Texas.

The vote occurred on third reading and final passage. A vote for passage was a vote with TAB. HB 1602 passed both chambers of the Legislature and was signed by the governor.

## 8 Use of Technology by Public Schools – HB 1632, *Third Reading and Final Passage*

HB 1632 would have continued the success of the technology immersion pilot project, which was passed by the Legislature in 2003. HB 1632 would have expanded the pilot project to include new types of learning technologies that would engage students in education. HB 1632 also would have allowed the project to follow students as they move to new campuses, bringing learning technologies to high school campuses in participating school districts.

Technological advancements do not just make personal life more efficient; they improve the way countless businesses perform day-to-day operations. When students become more proficient with a wide variety of technologies, they will have an easier transition into jobs that depend on technology. As a result, extending the pilot project could have helped businesses reduce the need for technology training.

The vote occurred on third reading and final passage. A vote for passage was a vote with TAB. HB 1632 passed the house, but died in the Senate Committee on Education.

## House Votes

### 9 Autism Coverage Mandate – HB 1919

#### *Motion to Reconsider*

HB 1919 expands a mandate for certain treatments of brain injuries and a new mandate for the treatment of autism.

Employers in Texas are free to offer coverage for as many treatments and ailments as they can afford. Every mandate raises the cost of insurance, forcing many employers to drop coverage altogether. The goal of the Legislature should be to make health care coverage more – not less – affordable. HB 1919 will cost small and medium-sized businesses that provide health insurance approximately \$150 million in increased premiums over the next five years, forcing some to quit offering any employee health care benefits at all.

The vote occurred on the motion to reconsider the vote by which the motion to suspend all necessary rules to consider the conference committee report passed. A vote against the motion was a vote with TAB. The motion prevailed. HB 1919 passed both chambers of the Legislature and was signed by the governor.

### 10 Ultraclean Energy – HB 3732

#### *Motion to Adopt Conference Committee Report*

HB 3732 creates the Advanced Clean Energy Project Grant and Loan Program to encourage the development of advanced clean energy projects that produce reliable and affordable electric power in an environmentally protective manner.

Texas has one of the largest state economies in the nation, with much of its income coming from energy-intensive activities and industries. Our industries have substantial power needs now and will continue to use significant power in the future. HB 3732 provides incentives to ensure that we have a diverse, clean, and reliable source for electricity in the future for Texas residents, businesses and communities.

The vote occurred on the motion to adopt the conference committee report, an important procedural step in passing the bill. A vote for the motion was a vote with TAB. HB 3732 passed both chambers of the Legislature and was signed by the governor.

### 11 Environmental Compliance History – HB 3960, *Motion to Table Amendment #3*

HB 3960 would have repealed the current law on the state's current environmental compliance history process. The current compliance history program at the Texas Commission on Environmental Quality (TCEQ) uses an arbitrary process which is inflexible, resource-intensive, and generally meaningless.

Amendment #3 would have required TCEQ to consider notices of violation – basically incidences of alleged, not proven, violations – before issuing an environmental permit, amendment or renewal. Environmental compliance history and issuance of permits, amendments and renewals, should be based on real infractions, not incidents that are still under investigation.

The vote occurred on the motion to table Amendment #3. A vote for the motion to table was a vote with TAB. HB 3960 passed the house, but died on the Senate Intent Calendar.

### 12 Texas Emission Reduction Program – SB 12, *Motion to Instruct the Conference Committee*

SB 12 expands technologies and uses for two programs critical for the state in its efforts to achieve compliance with the federal Clean Air Act, particularly in the Dallas/Ft. Worth and Houston/Galveston/Brazoria areas. SB 12 also increases funding for the Texas Emissions Reduction Program (TERP) for issuing grants for the reduction of diesel emissions and extends the program until 2013.

The vote occurred on the motion to instruct the conference committee, a procedural vote which would have prevented the bill sponsor from stripping out harmful amendments in the committee. A vote against the motion to instruct was a vote with TAB. SB 12 passed both chambers of the Legislature and was signed by the governor.



## House Votes

### **13 Ten-Percent Cap on College Admissions – SB 101, *Third Reading and Final Passage***

SB 101 would have leveled the playing field for in-state college admissions by placing a cap on the number of automatic admissions for public colleges and universities in Texas.

Current state law requires that students who graduated in the top-ten percent of their high school class be automatically accepted by the college of their choice with no exceptions. These students often seize their opportunity to attend a flagship institution, which is causing enrollment at the state's major universities to swell beyond capacity. As a result, flagships are often not accepting applications beyond those from students who are automatically accepted under the top-ten rule.

The top-ten rule, while well meaning, is holding back students who attend the most competitive high schools in Texas, who may have excellent grades, but who fall a fraction short of the top-ten percent of their class. This prevents many of our brightest minds from getting the education they desire. As a result, many students must relocate their talents to locations outside of Texas for education and career opportunities. This deprives Texas business of some of their best potential employees.

The vote occurred on third reading and final passage. A vote for passage was a vote with TAB. SB 101 passed both chambers of the Legislature, but no agreement on the final version could be reached in the conference committee, where the bill died.

### **14 Surplus Revenue in the Unemployment Compensation Fund – SB 679 *Third Reading and Final Passage***

SB 679 addresses the problem of surplus revenue held in the Unemployment Compensation Fund, which pays for unemployment insurance benefits in Texas.

Due to the insolvency of the fund earlier this decade, the state financed its debt through an unemployment obligation tax paid by employers. In 2007, the amount available in the Unemployment Compensation Fund exceeded the amount needed to pay off the debt each year. Therefore, SB 679 proposed that the surplus revenue each year be used for paying off the future debt and it further authorized the Texas Workforce Commission to credit employers based on a formula calculating their contributions toward the employer-paid funds. This allows money to be returned to the employers who contributed it in the first place.

The vote occurred on third reading and final passage. A vote for the bill was a vote with TAB. SB 679 passed both chambers of the Legislature and was signed by the governor.

### **15 Health Care Information Transparency – SB 1731, *Third Reading and Final Passage***

SB 1731 is a major step in expanding consumer access to health care information. The legislation requires a Consumer Guide to Health Care website to be administered at the Department of State Health Services and the Board of Medical Examiners. In addition, it requires additional disclosures to help protect consumers against the practice of balance billing.

Transparency in the costs of health care services is critical in helping make appropriate and cost-effective health care choices. With employers being a major payer of health care in this state, it is critical that the state continue to legislate policies that will reduce the cost of health insurance.

The vote occurred on third reading and final passage. A vote for passage was a vote with TAB. SB 1731 passed both chambers of the Legislature and was signed by the governor.

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