



From the Desk of
Representative
Dan Flynn



The Flynn Report

January 28, 2005

Greetings constituents, supporters and friends:

The 79th Legislative Session completed our 3rd week and, as always, the session begins at a very slow pace. January 11th was the first day of the session and it was mostly a ceremonial day where the members are sworn in. Only 149 members were sworn in due to one member, Elizabeth Ames Jones, House District 121, accepting the Governor's appointment to Railroad Commissioner of Texas. Jones was an outstanding member of the Legislature and will be an outstanding Commissioner. A special election in the San Antonio area will be held to fill her seat.

Monday January 17th was Martin Luther King Day and by rule the legislature did not meet. Since we did not meet many members went to Washington, D. C. for the Inauguration of President George W. Bush. It was reported that 78 members of the Texas Legislature were in attendance. Susan and I were privileged to attend this event and truly believe it to be a lifetime experience and opportunity.

The presidential inauguration is a glorious moment showing the world how freely elected governments work. This second inaugural address of George W. Bush was incredibly written and delivered with historic and memorable significance.

The President focused on liberty and the freeing of those oppressed making clear that freedom is God's gift to mankind. It cannot be given nor taken away by governments. I believe this was precisely the point made by the writers of the Declaration of Independence: "that all men are created equal, that they are endowed by their Creator with certain unalienable rights, that among these are life, liberty and the pursuit of happiness." The President correctly and eloquently said there is no justice without freedom, no human rights without liberty. As he phrased it, "Make the choice to serve in a cause larger than your wants, larger than yourself—and in your days you will add not just to the wealth of our country, but to its character."

The \$10 billion budget shortfall which faced legislators exactly two years ago, has vanished thanks to strong fiscal restraint and a growing Texas economy. The Texas Comptroller previously reported the legislature will have available \$6.4 billion more for the 2006-2007 biennium than was budgeted in the 2004-2005 budget. Even after current services are covered this will be a \$400 million budget surplus. Speaker Tom Craddick said, "Had we not held the line on spending in the face of the \$10 billion shortfall last session, we probably would not have seen the kind of economic recovery that we are now experiencing and hope to see in the future."

Governor Rick Perry gave his second State of the State speech on Wednesday, January 26th and it was met with a mixture of praise from allies and skepticism among his critics. Governor Perry told legislators, "In two years we have gone from \$10 billion in the red to \$6 billion above what we last budgeted. That didn't happen by accident. It happened because members were willing to make the hard decisions and cast the tough votes."

He is calling for caps on local tax revenues and property tax appraisals. Several of his proposals including the call for more school choice was applauded by some lawmakers and drew icy stares from others. He declared his support during the speech for a business tax that is "fairly distributed, assessed at a lower rate and reflects our modern economy." Lt. Governor David Dewhurst and Speaker Craddick have indicated support for similar revisions in the state's business tax structure as a way to reduce high local property taxes

The Governor urged passage of a Parental Consent Bill and outlined his support for promoting a "*Culture of Life*." He said it's time for Texas to have a new parental consent law. Five years ago we passed a bill requiring parental consent for a child to get her ears pierced. We must now apply that rationale and that same standard to abortions performed on minors. Abortion should be brought in line with nearly every other medical procedure performed on minors, and that includes parental consent.

Lieutenant Governor Dewhurst after attending the joint session said he'd never heard the governor give a better speech and was impressed by the "high standards" the governor laid out on issues such as school finance, protective services for children and adults and economic incentive measures. He went on to say, "In the Senate, we are ready to partner in the effort to improve public education, protect essential services for the vulnerable in our society and pursue the fundamentals necessary to bring more jobs to Texas,"

Texas Association of Business President Bill Hammond said the speech was an example of "dramatic and dynamic conservative leadership." Hammond, a former House member liked what the governor had to say about incentives for job growth and fiscal responsibility. "The best government policy is a job in the private sector," Hammond said. "This is the guiding principle of TAB. Based on his well-established record, including his great speech today, it is also a

foundation of economic policy for our Governor.” Perry not only called for property appraisal caps at three percent, but he also dared legislative critics of the proposal to vote to repeal the current 10 percent cap that's already on the books. "There is no point in being lukewarm on this issue," Perry said. "Either be hot or cold. Either provide real appraisal relief, or none. But let's stop this false pretense of taxpayer protection at ten percent."

Speaker Tom Craddick, has said that he wants a broad-based business tax to buy down school property taxes and that he wants to fashion that so it won't require a constitutional amendment. That's a practical difference of 25 supporters in the House: The legislation can be passed with 76 votes, while constitutional amendments require 100 votes in the House. Education reforms will be tied to the school finance package and will also be in a form that requires a simple majority.

Craddick is on record to eliminate the current franchise tax. He has also said he would oppose appraisal caps if business and residential property were not treated equally. A proposal made in the 78th Legislature would have put property valuation limits on residential property but not on business property.

Constitutional amendments (requiring 100 votes) would be required for three other issues being considered. A state property tax for public education, caps on the speed of increases in property valuations, and legalization of slot machines (video lottery terminals, or VLTs, in industry jargon). They will be in separate bills.

The Speaker announced committee assignments on Thursday, January 27th and we now know the Committees we will be working on. Assignments of course do not limit us from working on other issues important to our districts but they do give members ideas of the special tasks they will have.

There are 40 Committees in the House of Representatives as The Speaker eliminated two special committees he created last session and there will not be separate committees on ethics or on state health care expenditures. The General Investigating and Ethics Committee will have jurisdiction over the conduct and ethical standards of state and local government officials and employees and will now have oversight on ethical standards.

Republicans will have majorities on 30 committees, Democrats on eight. Two committees have an even number of Republicans and Democrats. Democrats chair ten committees, and 30 by Republicans, ten committees will be chaired by women, 30 chaired by men. Eight of the committees are chaired by minorities (five Hispanics, three Blacks), and 32 by Anglos. For the second time, Speaker Craddick selected Representative Sylvester Turner, D-Houston, as Speaker Pro Tempore.

The Speaker honored me with appointments to The General Investigating and Ethics Committee, Committee on Financial Institutions and The Committee for Pensions and Investments where I will serve as Vice Chairman. I look forward to continue serving on the General Investigating and Ethics Committee as well as the Financial Institutions and feel very honored to have the confidence of the Speaker to serve as the Vice Chair of the Pensions and Investment Committee.

Legislative Director Allison Billodeau will direct staff and serve as my primary contact. Administrative Assistant Debbie McLain of my Canton District office will serve in Austin during this regular Session. Karen Starks will continue to work in the district and will be a contact point locally if anyone needs local action during the session. I also have 4 outstanding college students serving as interns.

We continue to welcome your input and your questions. Contact our office located in the Capitol extension: E1.324. Mailing address: **P. O. Box 2910, Austin, TX, and 78768** phone number **512-463-0880**. Email: **dan.flynn@house.state.tx.us**.

If you know someone who is not receiving our report please forward this email to them and let them know they can sign up to receive it.

God bless you and God bless Texas,

Dan Flynn
State Representative, District - 2

[If your name is on this email list in error, please respond and say UNSUBSCRIBE](#)