

From the office of  
Texas State Representative - Dan Flynn

**THE FLYNN REPORT**  
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After spending nearly 80 hours on the House floor this week it was disappointing to watch a select group of members continue to use 'points of order' and cubbing as their weapons of mass obstruction to stop or delay important legislations that could move our Education and Government Reform programs that will better serve all Texans.

House Bill 2 was presented to the House to begin debate on the mammoth government reorganization bill that is designed to cut waste and shut down unneeded governmental agencies. Two points of order were raised with one being overruled and the other sustained. This bill would provide much needed revenues to accomplish the education and health care needs for the balanced budget previously approved by the House. After using valuable time debating the bill it must now head back to committee to clear the technical challenges and will again be brought before the full House to began debate at a later date.

Education continues to be the focus of the legislature as The Senate voted out the School Tax Swap Bill this week by attaching their own rewrite of initiative to HB 5 (the House Education Bill). This was a very unusual move since the state constitution requires all tax bills to begin in the House of Representatives – NOT the Senate.

The Senate plan was introduced, debated and passed in the matter of less than a week; not much time for thoughts, comments, or analysis. Many believe that if this Senate bill is passed it could cost Texans over 270,000 jobs before 2008. It is believed by many that the measure faces strong opposition in the House and it is expected that the House will not agree to the Senate's plan for a major tax trade-off. It's has two strikes against it before it starts. There are many House members that are not going to vote on a bill that basically is a tax bill and was started in the Senate.

The Senate plan appears to have a good starting point on the debate about funding mechanisms, however the House has provided a clear blueprint for addressing the system as a whole. Voters have made it clear to the legislature they want school finance to be fixed, but not at the cost of good education. In the House, legislators have passed a bill that would repeal the Robin Hood system in 2004 and give schools an additional \$1.2 billion while lawmakers draft a new financing system.

The Senate bill includes raising the state sales tax rate from 6.25 cents to 7.85 cents per dollar, raising motor vehicle sales tax to 9.85 cents, and expanding sales tax to all services except medical. The Senate plan mainly addresses shifting the tax load from property taxes to sales taxes and doesn't deal with other education issues. Their plan presents a bottomless well that could dig deeper into our pockets without investigating the consequences to the recipients of the tax swap.

Gov. Rick Perry sided with Texas House leaders in the showdown between the Senate and the House over how and when to change the state's share-the-wealth public school finance system.

HB 859 will most likely be debated this week. This bill has support from multiple educational groups. These groups came together to advocate for the Texas school children and promote innovation and improvement in the Texas school systems. They have been working to counter education union lobbyists who want to defeat flexibility and options for local schools. This bill appears to be good for students, parents and educators. Over 25 diverse groups have called to support Chairman Grusendorf and other state representatives to **do what's right for the kids; empower parents & local school boards** by representing the parents and schoolchildren of Texas.

Only two of the education unions are actively working to defeat efforts to provide more flexibility and local control to school districts. These two also opposed addressing the teacher shortage with an alternative certification plan for skilled, degreed applicants which was passed in the House.

HB 829 will allow **voter approval** before a home rule charter or charter amendment can be adopted. It will allow **local control** and voter participation. It will also allow school administrators to adopt, implement and maintain student discipline and school safety requirements, parental notification of student performance and parental rights and responsibilities and allow common sense in education. **Academic performance** will have rewards. Any school district that is rated academically acceptable may opt to seek voter approval for home rule status. **Accountability** is provided in the bill as a home rule school district that becomes rated academically unacceptable is subject to mandatory revocation of its charter. Similarly, if a home rule school district receives a lower accountability rating than when its voters approved home rule status, then the district will be put on probation for a year. If the rating does not improve, then their home rule charter may be revoked. During this process Texas Education Code Chapter 39, which details the school accountability system, must be followed to the letter. Under HB 859 academic results remain the sole measuring rod for compliance and success.

A major issue during the campaign season was to be sure that Texas law defines marriage as being between one man and one woman. The passage of the Defense of Marriage legislation this week ensures that Texas is not forced to recognize alternate civil unions from other states. Texas joins thirty-six other states and the U. S. Congress in passing the DOMA. I was pleased to be a co-author of this legislation.

The House has begun taking up the divisive and potentially time-consuming issue of congressional redistricting. This issue was to have been considered during the 77<sup>th</sup> legislative session but time ran out and the courts decided the districts.

My staff and I welcome your input and your questions. You can reach us in our office located in the Capitol extension: **E1.324**. Mailing address: **P. O. Box 2910, Austin, TX, 78768** and our phone number is **512/463-0880**. Email **dan.flynn@house.state.tx.us**.

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