



The Flynn Report

May 31, 2007

Greetings Friends, Constituents and Supporters:

The 80th Texas Legislative Session came to a close with conservative leaders keeping their promise to provide tax relief, improve Texas schools and maintain fiscal accountability in state government. This legislature began with a projected large surplus and saw responsible and conservative legislators resist the attempts by liberals to spend, choosing to secure the 2006 tax cuts and put money away for future state needs.

As the session began, conservative legislators fought hard to pass important reforms, yet wanted to keep our Texas economy strong through low taxes. Our commitment was to toughen the laws on child sex predators, strengthening marriages, restoring our Texas parks, security for our Texas borders and to move forward the common sense, conservative agenda the people of Texas have demanded.

In the last special session, we required the state to take a greater role in funding education. We did this by establishing an \$8 billion fund to buy down local property taxes, and allocating an additional \$6 billion from surplus general revenue. This session, the legislature transferred an additional \$14 billion to local school districts. Furthermore, legislators expanded property tax cuts to seniors, righting an oversight that had left people over 65 out of many of the property tax cut benefits.

The budget totaled \$152.4 billion for the 2008-09 biennium and represents weeks of negotiations. The budget remained fiscally conservative and its growth remains within the growth of inflation. In the last three legislative sessions government expenditures have grown only three percent on average. This budget, passed in a time of record surpluses, maintained the fiscal discipline desired by the taxpayers.

The budget includes pay raises for teachers and state employees and \$100 million in funding for teacher excellence in higher education. It fully funds Medicaid and CHIP caseload growth, provides a huge boost for Texas' struggling trauma care hospitals, and includes significant new funding for homeland security efforts on the border and elsewhere and allocates a record amount to fund education, increasing the percentage of state funding in that area dramatically.

Recent news stories reported complaints that the state set money aside for future tax cuts rather than meeting current needs. As for the state's "needs", it should be remembered that this biennium's budget is an increase over the previous one. "Needs," as some would describe it, is just a euphemism for big government. If we are to be charged of fighting too hard for taxpayers, I will plead guilty.

In a session in which a record number of bills were filed, efforts to minimize government spending were very successful. Conservatives were able to defeat many of the traditional liberal tax increases, as well as many of the social engineering bills. We were able to fight such government intrusion into people's lives because of the fundamental philosophy that the people of Texas know best how to spend their money, how to run their businesses and how to raise their children

A very disappointing trend took place through this session to stall and play parliamentary tricks, namely points of order, designed to kill meaningful legislation. . A point of order is any flaw in a bill, a bill analysis, the bill's fiscal note or a simple typo in an ancillary document related to the bill. Sadly, bills were defeated that otherwise would have passed, knowing that a point of order – even if overruled by the speaker – would delay and weaken a bill's chance of success.

The Voter ID bill – a bill to require proof of citizenship to vote – passed the House. After passage, opposition to its authors continued to work to kill unrelated bills by the authors of the voter integrity bills, and legislation of members who supported them. One member, after killing an electricity regulation bill, acknowledged from the podium that he was killing it because of the voter ID bills. After repeated calls of points of order came to naught, the bill's momentum slowed as it headed to the senate. In that chamber, sadly, a parliamentary procedure prevented the bill from being heard on the floor – even though 20 of the Senate's 31 members supported the legislation.

HB 13 – the Omnibus Homeland/Border Security Bill was killed on a point of order. This bill included crucial measures to fight organized crime and human trafficking on our border. We were able to get parts of this bill as an amendment to SB 11 on the final day.

Abortion bills fell victim to tricks, as they forced continual postponement of two key bills until the legislative clock ran out through another procedure, known as “chubbing” – or talking a bill to death.

In spite of the efforts to hamper the people’s business and the much reported procedures to unseat the elected Speaker of the House many key accomplishments of the session were made and are listed as follows:

Public Education

Ending the TAKS Test Legislators voted to replace the TAKS test for graduation purposes with end-of-course exams, a better measure of progress that more closely matches up with classroom learning.

Improving Graduation Rates Texas will take a big step to improve graduation rates and student retention, with a pilot grant program for schools with a high percentage of students who are at-risk for dropping out, and a program to bridge the gap for high school freshmen.

Promoting Innovation House Bill 2237 creates the High School Completion and Success Initiative Board to develop a strategic plan that coordinates public and private high school improvement initiatives.

Helping Retired Teachers Legislators made a lasting commitment to our teachers by reforming the Teachers’ Retirement System, making it fiscally sound for years to come. The reform package includes a provision for a “13th Check” for the retired teachers to whom Texas owes so much.

Colleges and Universities

Pre-Paid Tuition The legislature re-established the Texas Tomorrow Fund – a pre-paid tuition program for Texas families to save for college education. Under this plan, families will be able to lock in today's rates for tuition and required fees for their children's future higher education needs, giving them more certainty about the cost of a college education.

Border and Homeland Security

Restructuring to Meet New Challenges Legislators passed SB 11 – the biggest commitment Texas has ever made on border and homeland security. The bill includes structural changes to the state’s homeland security office and includes new resources to help fight crime, human trafficking and lawlessness on the Texas/Mexico border. \$65 million was set aside to aid the state’s hard-pressed border sheriffs and other law enforcement groups, and four new advanced helicopters will give law enforcement a stronger presence. Working closely with their federal

counterparts, Texas lawmen will be better able to secure our border, a priority that polls show is among the biggest concerns that Texans have.

SB 11 goes far beyond border security, however, and includes new funding for first responders, and gives greater tools to law enforcement to detect and deter crime. The reforms make Texas among the most-prepared of states for terrorism, natural disasters or other homeland security threats.

Criminal Justice

Texas Youth Commission Working in a bipartisan spirit, the legislature sought to reform the Texas Youth Commission, by establishing an Office of Independent Ombudsman to act as an intermediary between parents, the public, youth, and TYC, speeding up the investigation of complaints, improving training and requiring background checks of all TYC employees. Legislators also required regular reports of progress towards improving standards.

Jessica's Law the legislature passed Jessica's Law, which takes a tough stand against child predators. The bill imposes a minimum sentence of 25 years for sexually violent offenses against a child younger than 14 and eliminates the eligibility for parole for certain offenders. It also makes a second conviction for a sexually violent offense against a child younger than 14 a death penalty offense.

Tough on Organized Crime Legislators increased the punishments for organized crime related to illegal immigration, such as the running of illegal document mills which provide fraudulent identification papers.

Health and Human Services

Medicaid Funding and Reform Legislators passed a measure to improve Texas' Medicaid program by increasing consumer choice, offering health incentive programs, and improving fraud deterrence measures. Additionally, legislation was passed making it illegal for doctors to get kickbacks for referrals to specialty clinics.

State Parks

Restoring Our Parks State Parks have been suffering from poor funding for years, putting some of Texas' most cherished assets – historical as well as recreational – in danger. The legislature responded by restoring the sporting goods tax to its original purpose – to fund state parks – and ended the fiscally-irresponsible practice of siphoning off of parks funding for other purposes. The new funding is expected to dramatically improve the parks' long-term viability and fund much-needed maintenance at many facilities.

Freedom, Families and Lower Taxes

Castle Doctrine the Texas Legislature took a strong stand to re-affirm the rights of citizens to defend themselves when their homes were invaded by passing SB 378, the Castle Doctrine bill. The legislation allows Texans to defend themselves with deadly force without requiring them to retreat, and reduces the probability that law-abiding citizens could be charged with a crime for acting in self-defense.

Protecting the 2nd Amendment Legislators also took action to protect the rights of law-abiding Texans in the event of natural disasters, banning government officials from permanently confiscating firearms in a disaster area without evidence of criminal activity. Another bill passed this session will protect the privacy of concealed handgun records.

Abolishing Outdated Taxes Government always seems to be adding new taxes, but this year, the legislature abolished an old one entirely, with the passage of legislation abolishing the Telecommunications Infrastructure Fund, which had completed its purpose of funding infrastructure upgrades.

Promoting Healthy Marriages Legislators passed two bills aimed at strengthening marriage by establishing incentives for couples to take premarital education courses, which have been shown to dramatically decrease the rate of divorce.

Eminent Domain Legislators also passed legislation to protect the rights of landowners whose property is subject to seizure through eminent domain. The legislation increases compensation and greatly reduces the scope of eminent domain authority.

Bible Education Public schools will be allowed to offer elective courses on the historic and cultural contributions of the Bible for shaping American history and values.

I am very pleased to not only share the vital accomplishments of the session but very pleased to have also authored bills that I believe will benefit all Texans. Those include as follows: Pretexting Bill - Identity Theft Bill; Mandatory, random steroid testing of high school athletes; Protecting propane companies from frivolous lawsuits; Allowing lawful gun owners to serve as foster families to children in need; Creating a second Hunt County Court at Law; Creating a County Court at Law in Van Zandt County. I also carried the Sunset bills for the Veterans Land Board, Veterans Commission, Historical Commission, Arts Commission. Additional information concerning these and other important bills carried by my office can be found on my House Web site.

It remains my pleasure and honor to represent all the people of House District 2. My staff and I continue to welcome your input and your questions. Contact our office located in the Capitol extension: E1.302. Mailing address: P. O. Box 2910, Austin, TX 78768. Email District2.Flynn@house.state.tx.us. Toll free number 1-800-734-9515.

May God bless you and our great state of Texas,

Dan Flynn
State Representative, District 2

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