



From the Desk of
Representative
Dan Flynn



The Flynn Report

June 1, 2005

Greetings constituents, supporters and friends:

The 79th Session of the Texas Legislature is now history. After a very rapid 140 days and nights I was eager to return home to be with my family, friends, and constituents. We did pass a balanced state budget without raising taxes or incurring massive tax hikes as predicted by many. The budget continues to prioritize public schools, colleges, health care and criminal justice. I along with many members of the Texas House am very proud of our many successes. We are disappointed that more work needs to be done in order to solve public school finance, high property taxes and election reform.

With the conclusion of the 79th regular legislative session Texas can now rid its reputation as the home of Frivolous Asbestos Lawsuits. Asbestos has not been used in manufacturing for nearly twenty years, yet the number of claims filed has increased five fold in that time. Texas courts have been receiving 40 percent of all asbestos lawsuits in the nation. The result is a backlog of about 35,000 asbestos lawsuits in our courts. Estimates of the total cost of asbestos claims range from \$200 billion to \$265 billion. Consequently, over 70 companies have gone bankrupt due to dubious asbestos litigation claims. Because of this new lawsuit reform only those who are truly sick from asbestos exposure will be assured their day in court while junk lawsuits will be removed from the system, which will generate tremendous savings for employers that have been unfairly targeted.

The Legislature passed Workers Compensation Reform and it provides savings for employers and medical providers and makes healthcare for injured workers more accessible. There will be improve benefits for injured workers while making sure those workers are returned to work as soon as possible. This major Workers' Comp legislation that passed this session

will create exclusive networks with less regulation over the employer and the injured employee relationship and provide greater transparency on the outcome of health care providers. It is believed that by abolishing the current Workers' Comp system in favor of the alternatives it will bring greater benefits to employers and employees, and savings to Texas taxpayers.

A major priority of this session was reforming Child and Adult Protective Services. The reforms adopted by the legislature, will provide hundreds of additional investigators in the field investigating the complaints of abuse and neglect. The bill will increase the time workers can spend with children and families by reducing paperwork and investing in technology, producing a savings for hard working taxpayers. Despite an increasing state budget fueled by health and human services spending, common sense prevailed in requiring Medicaid and CHIP recipients to show their continued eligibility for those services every six months. These important cost-saving reforms implemented last session were kept in place. The House did get criticized for adding a prohibition on giving children to gay foster parents, however; the Senate stripped this provision from the bill.

A Parental Consent measure is heading to the Governor that will require a minor seeking abortion to get the approval of a parent or guardian. We also approved a constitutional amendment for the November ballot that affirms the sacred institution of marriage is between a man and a woman.

House Bill 1006 known as "Truth in Taxation" passed in the House and required that local governing bodies have a public hearing and a public vote before raising and spending new tax dollars. If there was to be an increase in taxes by a large enough amount, their tax hike would be subject to voter approval. Since many City and county taxing authorities have grown quite a bit in recent years and in order to control spending and produce real and lasting property tax cuts many believe taxpayers should have a say. This bill would have increased accountability of elected officials to taxpayers. From 1998 to 2003, city tax levies increased by 47% and county levies increased by 46%. This allowed the entities to enjoy large appraisal increases that allow them to raise tax bills without a vote and continue to brag of no tax increase. This important legislation died in the Senate.

Apparently taking their cue from the U.S. Senate, an announcement was made by a Texas Senator that they would block HB 1706 the Election Reform Bill. Senate rules require a two-thirds vote to allow debate on a bill. Eleven of the Senate's 31 members can block further consideration of any legislation. Eleven Senators signed a petition to block this important bill. It is widely known that election fraud is not a partisan issue. National polls show that 82% of voters, including 75% of all Democrats, support using

government-issued photo identification at the polls and other controls to ensure the integrity of elections. After the House passed this important reform. Eleven Senators were allowed to dictate policy for all Texans and killed this important legislation.

As the legislature moved into the last days of the legislative session most members often arriving before dawn, and staying well past midnight feeling that the relative success or failure of this regular session in the eyes of the public hinged on the passing of the budget, fixing public school finance and implementing a revenue-neutral state tax plan that would provide for the state while protecting the rights of taxpayers. It was not to be.

House Bill 2 and House Bill 3, the education reform and finance bills, were passed by both chambers and went to conference committee. Neither chamber was willing to accept the other's version, which led, to the need to go to conference seeking a compromise. The committee, made up of five House members and five Senate members were never able to reach an agreement and the bills died as the session came to a close.

Members will continue working toward an agreement on the education reform bill that would provide incentives for classroom excellence, additional transparency and accountability in school budgeting, and ensure that chronically failing schools are shut down and reconstituted. Though this bill was not pass by the end of session. I feel the Governor will consider calling legislators back to Austin if they can reach an agreement that will yield good results for taxpayers, schoolchildren and Texas teachers.

Likewise, if an agreement can be reached on tax reform, I feel he will consider calling legislators back to Austin to provide property tax relief as well as consideration of a pay raise for District Judges that is desperately needed along with addressing Tax Revenue Bonds for our Universities.

The above comments are just a listing of a few of the important pieces of legislation that we received questions and concerns about during the session. There were of course many other issues that I have not addressed in this short news report. Bills were filed on matters concerning transportation, gun control, water rights, business regulation and licenses as well as property rights and etc. they were considered and in some cases bills passed and in many cases they did not. If you have a particular issue you are interested in please feel free to contact our office and we will be happy to assist you in researching the facts on the issue and providing you the status.

With the regular 79th Legislative session now completed I will be returning to the district offices on a more regular basis and along with my staff we

will 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 phone number 512-463-0880. Canton District office is located in The American National Bank Building in Canton on Highway 243: P. O. Box 999, Canton, TX, 75103 phone number 903-567-0921. Greenville District office is located in The Paul Mathews Exchange Building, Suite 802, 2500 Stonewall, Greenville phone number 903-455-0971. Email: dan.flynn@house.state.tx.us.

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God bless you and God bless Texas,

Dan Flynn
State Representative, District - 2

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