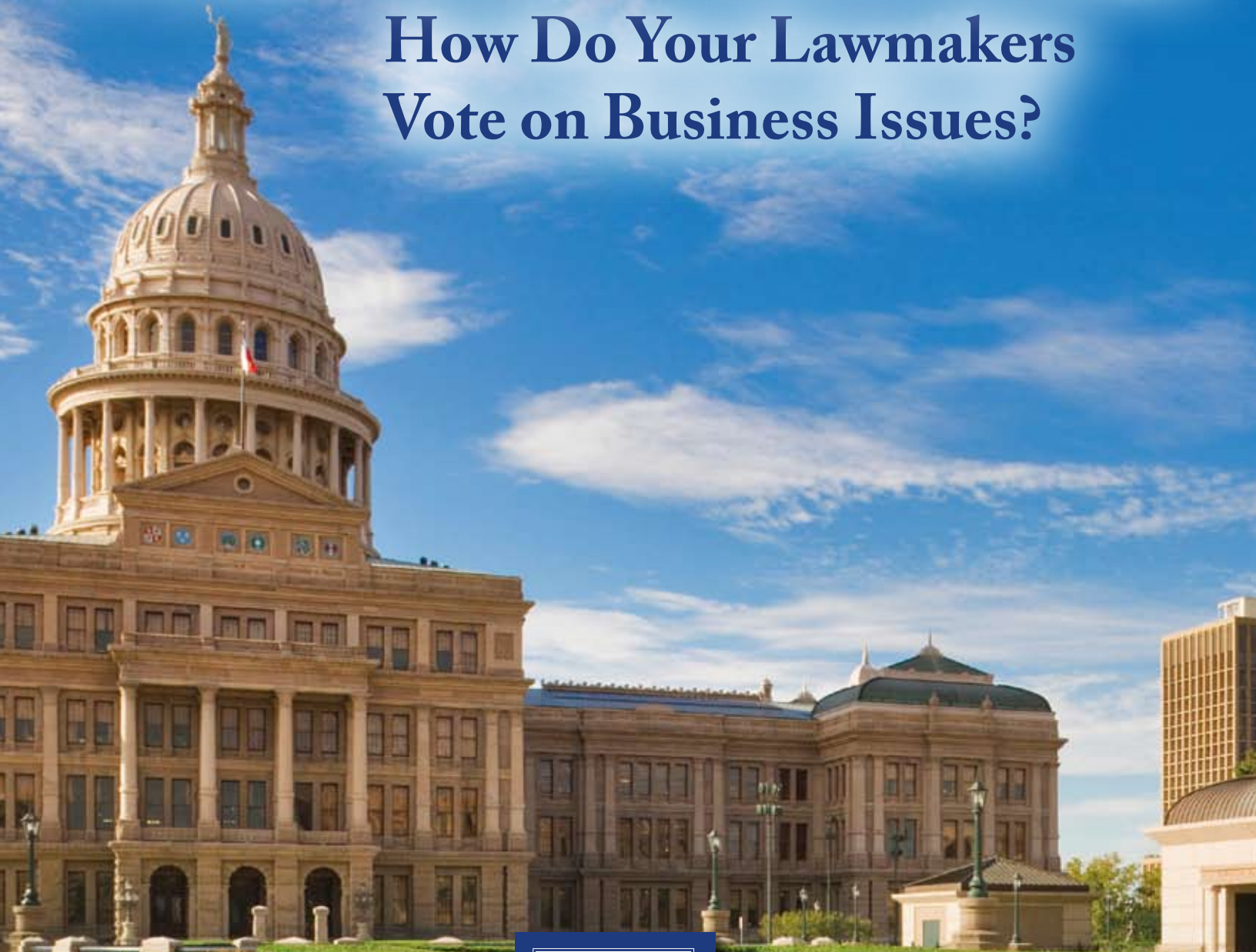


FOR THE RECORD

How Do Your Lawmakers
Vote on Business Issues?



The 2009 Report of the Texas Legislature
81st Regular Session

Did Lawmakers Make the Grade for Your Business?

FOR THE RECORD 2009

The Texas Association of Business (TAB) is proud to publish the *2009 For the Record* lawmaker scorecard for the 81st Legislative Session.

The recently-released *2009 Results* brochure chronicles the hard-fought victories TAB garnered in the Legislature and presents a broad overview of how the House and Senate Chambers represented the interests of the business community as a whole.

For the Record offers insight into how individual lawmakers voted on the issues critical to businesses, taxpayers and families. In the midst of an unprecedented global, economic turmoil, Texas businesses are now facing their greatest challenges. In 2008, just prior to the start of the 81st Legislative Session, TAB promised that the voice of Texas business would ring-out in Austin.

Each session, TAB contacts the Legislature about the bills and issues that impact small and large employers across Texas. TAB takes seriously the charge of holding lawmakers accountable for the way they vote on these issues. *For the Record* is one of the most valuable tools to hold legislators accountable and to ensure that they are addressing the needs of the business community.

Once the Legislature adjourns, 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 request and capture record votes taken on bills that provide a snapshot of how members supported business across-the-board.

The *2009 For the Record* used twelve votes to score senators and eleven votes to score state representatives. These votes accurately represent the most critical bills that TAB supported or opposed.

Legislators who score 90-100 based on our voting criteria are recognized as Champions for Free Enterprise and legislators scoring 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 2009 or the legislator's cumulative score based on their TAB-designated pro-business rating during the most recent session and sessions past.

Legislators depend on *For the Record* to reflect their actions during session. Constituents rely on it to know if their lawmakers are doing the job they were elected to do. And the business community counts on *For the Record* to assess which officeholders bring jobs to Texas, promote economic prosperity, and create a thriving workforce as part of their legislative priorities.

TAB is honored to be the voice of Texas business and will continue its long-standing mission to make 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 the Texas Association of Business “Champions for Free Enterprise”. A legislator must score a 90 or above to receive this distinction. Due to the importance of consistently voting to support businesses, this is the highest honor that a legislator can receive from TAB.

Fighter for Free Enterprise

Scores highlighted in **gold** are legislators designated as the Texas Association of Business “Fighters for Free Enterprise”. A legislator must score an 80 or above to receive this distinction.

Senate Votes 81st Regular Session

Senator	1	2	3	4	5	6	7	8	9	10	11	12	2009	Cumulative
Averitt	-	+	-	+	-	+	-	+	+	+	+	+	67%	81%
Carona	-	+	-	+	-	+	-	+	+	+	+	+	67%	82%
Davis, Wendy	-	+	-	+	-	-	-	-	+	-	-	+	33%	33%
Deuell	-	+	-	+	+	-	-	+	+	+	+	+	67%	77%
Duncan	-	+	-	+	-	+	-	+	+	+	+	+	67%	78%
Ellis	-	+	-	-	-	+	-	-	+	-	-	+	33%	39%
Eltife	-	+	-	+	-	+	A	+	+	+	+	+	67%	79%
Estes	-	+	+	+	+	+	+	+	+	+	+	+	92%	91%
Fraser	+	+	+	+	+	+	+	+	+	+	+	+	100%	93%
Gallegos	-	+	-	-	-	+	-	-	+	-	-	+	33%	35%
Harris	+	+	E	+	-	E	+	+	+	E	E	E	86%	84%
Hegar	+	+	+	+	+	+	A	+	+	+	+	+	92%	91%
Hinojosa	-	+	-	+	-	+	-	+	+	-	-	+	50%	45%
Huffman	-	+	+	+	+	-	+	+	+	+	+	+	83%	83%
Jackson, Mike	-	+	+	+	+	+	+	+	+	+	+	+	92%	88%
Lucio	-	+	-	+	-	+	-	+	+	-	-	+	50%	47%
Nelson	-	+	+	+	+	-	+	+	+	+	+	+	83%	87%
Nichols	-	+	+	+	+	+	+	+	+	+	+	+	92%	86%
Ogden	-	+	-	+	-	+	+	+	+	+	+	+	75%	77%
Patrick, Dan	+	+	+	+	+	-	+	+	+	+	+	+	92%	86%
Seliger	-	+	+	+	-	+	+	+	+	+	+	+	83%	85%
Shapiro	-	+	+	+	+	+	+	+	+	+	+	+	92%	86%
Shapleigh	-	+	-	-	-	+	-	-	+	-	-	+	33%	28%
Uresti	-	+	-	-	-	+	-	+	+	-	-	+	42%	46%
Van de Putte	-	+	-	-	-	+	-	+	+	-	-	+	42%	39%
Watson	-	+	-	+	-	+	-	-	+	-	-	+	42%	46%
Wentworth	-	+	-	+	-	-	+	+	+	+	+	+	67%	72%
West	-	+	-	-	-	+	-	+	+	-	-	+	42%	43%
Whitmire	-	+	-	-	-	+	-	+	+	-	-	+	42%	45%
Williams	+	+	+	+	+	A	+	+	+	+	+	+	92%	95%
Zaffirini	-	+	-	+	-	+	-	+	+	-	-	+	50%	39%

Senate Votes

1 Health Care Insurance Mandate – HB 1290, *Third Reading and Final Passage*

Health benefit mandates are statutory requirements that require health plans to provide coverage for specific services and conditions, or allow patients to utilize specific types of providers. Generally, health benefit mandates are passed by the Legislature in order to guarantee reimbursement to certain providers or coverage to individuals with certain conditions.

TAB opposed HB 1290, a bill which mandates cardiovascular-screening coverage for men older than 45 and younger than 76, and women older than 55 and younger than 76, who are diabetic or are at an intermediate or higher risk of having a heart attack. No scientific basis exists to firmly determine that this sort of screening will improve health outcomes; evidence does exist to show that this new mandate increases insurance premiums.

Most unfortunate is that the costs of mandates are passed down by the health insurance carriers to businesses, including small employers and individuals. Employees ultimately pay the high-price for mandated health care benefits through higher, health care premiums, co-pays, reduced wages, or benefit reductions. All too often, health insurance is dropped altogether.

The vote occurred on third reading and final passage. A vote against passage was a vote with TAB. HB 1290 passed both Chambers of the Legislature and was signed into law by the Governor.

2 E-Textbooks – HB 4294, *Third Reading and Final Passage*

HB 4294 is a landmark measure that gives Texas school districts access to a wider range of state approved materials – from traditional textbooks to innovative, up-to-date content and tools -- that best meet the needs of their students.

Electronic tools, such as e-textbooks, are increasingly critical as we educate our kids to be part of a global, interconnected and digital world and workforce. Importantly, HB 4294 leaves these choices up to local districts and does not require any additional state dollars. TAB proudly led the effort championing this innovative legislation.

The vote occurred on third reading and final passage. A vote for passage was a vote with TAB. HB 4294 passed both Chambers of the Legislature and was signed into law by the Governor.

3 \$75 Million Annual Job Tax – SB 1569, *Third Reading and Final Passage*

SB 1569 would have made radical changes to Texas' Unemployment Insurance (UI) eligibility requirements to accept a \$555 million payment offered by the federal administration as a part of the American Recovery and Reinvestment Act. Once the federal money evaporated, the taxes paid by employers would have dramatically increased to cover the extra \$75 million per year that these permanent changes would have added every single year.

The vote occurred on third reading and final passage. A vote against passage was a vote with TAB. The bill passed the Senate, but later died on the House Floor.

4 Top Ten Percent Rule – SB 175, *Third Reading and Final Passage*

During the 2008-2009 academic year, approximately 85 percent of admissions at The University of Texas at Austin were admitted under the top ten percent rule, elbowing out many young men and women who demonstrated leadership, artistic virtuosity or special aptitude in math, science or literature. SB 175 caps the number of students who can be admitted via the top ten percent rule, allowing for greater academic diversity at one of our state's flagship universities.

The vote occurred on third reading and final passage. A vote for passage was a vote with TAB. SB 175 passed both Chambers of the Legislature and was signed into law by the Governor.

Senate Votes

5 Causation Standards for Asbestos-related Lawsuits – SB 1123, *Passage to Engrossment*

Not so long ago, the corruption of the Texas court system was at the center of a 60 Minutes expose that declared that justice was for sale in Texas. Cited among the principal reasons for the corruption was our state's reputation as a haven for frivolous lawsuits.

Fortunately, Texas made the tough changes necessary to dramatically reduce lawsuit abuse. Tort reform has been responsible for the creation of 499,000 new Texas jobs, according to noted economist Ray Perryman.

SB 1123 would have been a setback to valuable tort reforms. This bill would have weakened the causation standard in asbestos-related mesothelioma lawsuits by negating the requirement that the plaintiff carry the burden of establishing that the case is scientifically supported. This bill would have flooded courts with unnecessary and costly litigation.

The vote occurred on passage to engrossment. A vote against passage was a vote with TAB. SB 1123 passed the Senate, but died in the House Committee on Judiciary & Civil Jurisprudence.

6 Overturning the Corporate Practice of Medicine Prohibition – SB 1500, *Third Reading and Final Passage*

SB 1500 would have allowed hospitals in rural Texas counties to directly employ physicians to deliver patient services after certification of their policies and procedures by the Board of Medical Examiners.

Changing conditions require that health care providers have the ability to adapt in ways that improve quality, efficiency and access. State government should not restrict the ability of health care providers to adapt to changing conditions unless there is a clear and compelling public interest in doing so.

TAB strongly supports this change in the law, and strongly supported SB 1500, because the repeal of the Corporate Practice of Medicine Prohibition will significantly benefit residents of Texas.

The vote occurred on third reading and final passage. A vote for final passage was a vote with TAB. SB 1500 passed both Chambers of the Legislature, but was vetoed by the Governor.

7 PPO Licensing Regulation and ERISA preemption – SB 714, *Motion to Suspend the Regular Order of Business*

Texas employers have a major stake in how their employee benefits are protected and in assuring that they, as the employers, retain the right to craft their health coverage without the burden of state regulation. While SB 714 would have increased the regulation of preferred provider organization (PPO) networks, the bill acted as a major attempt to jeopardize the benefits of millions of Americans who receive their existing health insurance coverage through the employment-based system, also known as the Employee Retirement Income Security Act (ERISA).

The vote was on the motion to suspend the regular order of business to take up SB 714. A vote against the motion was a vote with TAB. The motion failed, and the bill was not again placed on the Intent Calendar.

8 General Appropriations Funding – SB 1, *Third Reading and Final Passage*

SB 1, the 2009 General Appropriations Bill, set the state budget for the 2010-2011 biennium. In these tough financial times, more than anything, Texas needs sound fiscal leadership and a budget that does not significantly grow the size of government. The Texas Senate passed a budget that maintained essential services, did not tap into the Rainy Day Fund and did not significantly raise state funding – and they did it all without increasing taxes.

The vote was on third reading and final passage. A vote for passage was a vote with TAB. SB 1 passed both Chambers of the Legislature and was signed into law by the Governor.

9 Reducing unfunded mandates on schools – SB 300, *Third Reading and Final Passage*

SB 300 amends current law relating to eliminating or modifying certain mandates on school districts.

Many independent school districts across Texas are reporting severe financial difficulties due to several factors -- including the requirement to fulfill unfunded mandates. These mandates are particularly burdensome to fast-growth school districts. In a difficult economic climate, with dwindling resources, districts are forced to fulfill unnecessary mandates rather than focus on their basic mission: educating students.

Senate Votes

The vote occurred on third reading and final passage. A vote for passage was a vote with TAB. SB 300 passed both Chambers of the Legislature and was signed into law by the Governor.

10 Prior-Approval Regulatory Structure – SB 1007, Amendment #5, *Motion to Table the Amendment*

SB 1007 was the Sunset Bill relating to the continuation of the Texas Department of Insurance (TDI). TDI underwent a review by the Texas Sunset Advisory Commission during this past interim. Due to the review and its corresponding legislation, TDI was subjected to many new and potentially harmful policies and rules.

Texas implemented the file-and-use insurance regulatory system on December 1, 2004 in order to create a competitive insurance marketplace, increase the number of insurers writing in Texas, encourage price competition and provide consumers with more options in the policy coverage and provider services offered. The insurance market has improved significantly. For example, Texas has seen 29 new carriers begin writing insurance business in Texas. Rates have generally decreased, and the marketplace is significantly healthier than in the past, showing signs of growth and competition. TAB believes that the marketplace is the best mechanism for determining the right rate for insurance policies.

Amendment #5 aimed to change the Texas Insurance regulatory system in order to revert it back to a prior-approval system. Essentially, insurers would not have been allowed to use a rate for residential property insurance until the rate and all other information had been filed with the TDI and the rate had been approved by the Commissioner of Insurance. This type of prior-approval of rates structure inhibits the speedy introduction of products to the market, adds to delays associated with pre-approval rate regulation and impedes accurate pricing of policies by insurers.

The vote was on the motion to table Amendment #5. A vote to table the amendment was a vote with TAB. The amendment was tabled and the bill was passed out of the Senate. Over in the House, a point of order on SB 1007 was sustained and the bill was not again placed on the Intent Calendar.

11 Elected Insurance Commissioner – SB 1007, Amendment #15, *Motion to table the amendment*

–SB 1007 was the Sunset Bill relating to the continuation of the Texas Department of Insurance (TDI). The Texas Department of Insurance (TDI) underwent a review by the Texas Sunset Advisory Commission during this past interim. Due to the review and its corresponding legislation, TDI was subjected to many new and potentially harmful policies and rules.

Amendment #15 would have required that the Commissioner of Insurance in Texas be an elected position. Each state has an insurance commissioner who oversees the regulation of the insurance industry in that state. Most commissioners are appointed by the state governor, and only eleven insurance regulators are currently selected by the public.

Changing the decision-making approach on who becomes the chief insurance regulator in a state has little to no relevance to how much policy-holders pay for coverage. Elected Commissioners are more prone to artificially suppress rates, re-structure the department, or change certain regulations in an effort to please constituents. Further, some former elected chief insurance regulators have now been convicted of crimes while in office. Texas does not need that sort of additional headache with little to no positive outcome.

The vote was on the motion to table Amendment #15. A vote to table the amendment was a vote with TAB. The amendment was tabled and the bill was passed out of the Senate. Over in the House, a point of order on SB 1007 was sustained and the bill was not again placed on the Intent Calendar.

12 Promoting Career and Technology Education – SB 1313, *Third Reading and Final Passage*

TAB believes that students need to be prepared to meet the challenges of tomorrow in the technical fields that are critical to our economy. SB 1313 prepares students for the workplace by developing applied math and science as alternatives to traditional courses that can help guide students on a career path, while at the same time keeping in place rigorous and relevant curriculum.

The vote occurred on third reading and final passage. A vote for passage was a vote with TAB. SB 1313 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

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House Votes *81st Regular Session*

Representative	1	2	3	4	5	6	7	8	9	10	11	2009	Cumulative
Allen	-	-	+	-	-	-	+	+	-	+	-	36%	35%
Alonzo	-	-	+	-	-	-	+	+	-	A	-	27%	34%
Alvarado	-	-	+	E	-	-	+	+	-	+	-	40%	40%
Anchia	-	-	+	-	-	-	+	+	P	+	-	40%	38%
Anderson	+	+	+	-	+	+	+	+	+	+	+	91%	88%
Aycock	-	+	+	+	+	+	+	+	+	+	+	91%	95%
Berman	+	+	E	+	+	+	+	+	+	+	+	100%	96%
Bohac	-	+	+	-	+	+	+	+	+	+	-	73%	80%
Bolton	-	-	+	A	A	-	+	+	E	+	-	40%	50%
Bonnen	-	+	+	+	+	+	+	+	+	+	+	91%	86%
Branch	A	+	+	-	+	+	+	+	+	+	-	73%	87%
Brown, Betty	+	+	+	+	+	+	+	+	+	+	+	100%	93%
Brown, Fred	+	+	+	+	+	+	+	+	+	+	+	100%	82%
Burnam	-	-	+	-	-	-	+	+	-	+	-	36%	26%
Button	-	+	+	+	+	+	+	+	+	+	+	91%	91%
Callegari	-	+	+	-	+	E	+	+	A	+	+	70%	85%
Castro	-	-	+	-	-	-	+	+	+	+	-	45%	34%
Chavez	-	-	+	-	-	-	+	+	+	+	-	45%	42%
Chisum	+	+	+	+	+	+	+	+	+	+	E	100%	89%
Christian	+	+	+	+	+	+	+	+	+	+	+	100%	90%
Cohen	-	-	+	-	-	E	E	+	+	+	-	44%	52%
Coleman	-	-	+	-	-	-	+	+	-	+	E	40%	27%
Cook	-	+	+	-	+	+	+	+	+	+	+	82%	89%
Corte	+	+	+	-	+	+	+	+	+	+	+	91%	89%
Crabb	A	-	+	+	+	+	-	+	+	+	-	64%	88%
Craddick	-	+	+	+	+	+	+	+	+	+	-	82%	82%
Creighton	-	+	+	+	+	+	+	+	+	+	+	91%	92%
Crownover	+	+	+	-	+	+	A	+	+	+	-	73%	90%
Darby	-	+	+	+	+	+	+	+	+	+	+	91%	92%
Davis, John	+	+	+	+	+	+	+	+	+	+	+	100%	89%
Davis, Yvonne	-	-	+	-	-	-	+	+	-	A	-	27%	24%
Deshotel	-	-	+	-	+	-	+	+	+	+	-	55%	42%
Driver	+	+	+	-	+	+	+	+	+	+	E	90%	93%
Dukes	-	-	+	-	-	-	+	+	+	+	-	45%	37%
Dunnam	-	-	+	-	-	-	+	+	A	+	-	36%	32%

House Votes 81st Regular Session

Representative	1	2	3	4	5	6	7	8	9	10	11	2009	Cumulative
Dutton	-	-	A	-	-	-	+	+	A	+	-	27%	33%
Edwards	-	-	+	-	+	-	+	+	A	+	A	45%	36%
Eiland	-	-	+	-	-	-	+	+	+	+	-	45%	46%
Eissler	-	+	+	+	+	+	+	+	+	+	-	82%	89%
Elkins	+	+	+	+	+	+	+	+	+	A	+	91%	86%
England	-	-	+	-	E	-	A	+	+	+	-	40%	54%
Farabee	-	-	+	-	+	-	+	+	+	+	-	55%	60%
Farias	-	-	+	-	-	-	+	+	-	+	-	36%	38%
Farrar	-	-	A	A	-	-	+	+	-	+	-	27%	26%
Fletcher	+	+	+	+	+	+	-	+	+	+	+	91%	91%
Flores	-	-	+	-	-	-	A	+	-	+	-	27%	36%
Flynn	+	+	+	+	+	+	+	+	+	+	+	100%	95%
Frost	-	-	+	-	+	-	+	+	+	+	-	55%	56%
Gallego	-	-	+	-	-	-	+	+	-	+	-	36%	34%
Gattis	-	-	+	+	+	+	+	+	+	+	+	82%	87%
Geren	-	P	+	+	+	+	+	+	+	+	+	90%	81%
Giddings	-	-	E	-	-	-	+	+	-	+	-	30%	37%
Gonzales	-	-	+	-	-	-	+	+	+	+	-	45%	43%
Gonzalez Toureilles	-	-	+	-	-	-	+	+	+	+	-	45%	45%
Guillen	-	A	+	-	-	+	+	+	+	+	-	55%	42%
Gutierrez	-	-	+	-	-	-	+	+	A	+	-	36%	36%
Hamilton	-	-	+	-	+	+	+	+	+	+	+	73%	73%
Hancock	+	+	+	+	+	+	+	+	+	+	+	100%	94%
Hardcastle	-	+	+	+	+	+	+	+	+	+	+	91%	82%
Harless	-	+	+	+	+	-	+	+	+	+	-	73%	86%
Harper-Brown	+	+	+	+	+	+	-	+	+	+	-	82%	91%
Hartnett	+	+	+	-	+	+	+	+	+	+	-	82%	88%
Heflin	-	-	+	E	A	-	+	+	+	+	E	56%	54%
Hernandez	-	-	+	-	-	-	+	+	-	E	-	30%	42%
Herrero	-	-	+	-	-	-	+	+	-	+	-	36%	32%
Hilderbran	-	+	+	-	+	+	+	+	+	+	+	82%	86%
Hochberg	E	-	+	-	-	-	+	+	E	+	-	44%	34%
Hodge	-	-	+	-	-	-	A	+	-	+	-	27%	26%
Homer	-	-	+	-	+	+	+	+	+	+	-	64%	64%
Hopson	-	+	+	-	+	-	+	+	+	+	-	64%	56%
Howard, Charlie	+	+	+	+	+	+	+	+	+	+	-	91%	90%
Howard, Donna	-	-	+	-	-	-	+	+	+	+	-	45%	49%
Hughes	+	-	+	-	+	+	+	+	+	+	-	73%	73%
Hunter	-	+	+	-	+	+	+	+	+	+	-	73%	81%
Isett	+	+	+	+	+	+	-	+	+	+	+	91%	92%
Jackson, Jim	-	+	+	+	+	+	+	+	+	+	-	82%	87%
Jones	-	+	+	-	+	+	+	+	+	+	-	73%	67%

House Votes 81st Regular Session

Representative	1	2	3	4	5	6	7	8	9	10	11	2009	Cumulative
Keffer	-	+	+	-	+	+	+	+	+	+	-	73%	82%
Kent	-	-	+	-	-	-	+	+	-	+	-	36%	36%
King, Phil	+	+	+	-	+	+	+	+	P	+	-	80%	86%
King, Susan	-	+	+	+	+	+	+	+	+	+	-	82%	81%
King, Tracy	-	-	+	-	A	-	+	+	+	+	-	45%	59%
Kleinschmidt	-	+	+	+	+	+	-	+	+	+	+	82%	82%
Kolkhorst	-	+	+	-	+	+	+	+	+	+	-	73%	86%
Kuempel	Not scored due to health complications during session												
Laubenberg	+	+	+	+	+	+	-	+	+	+	+	91%	87%
Legler	+	+	+	+	+	+	+	+	+	+	+	100%	100%
Leibowitz	-	-	+	-	-	-	+	+	-	+	-	36%	32%
Lewis	+	+	+	E	+	+	+	+	A	+	+	90%	90%
Lucio III	-	+	+	-	-	-	+	+	+	+	-	55%	54%
Madden	-	+	+	+	+	+	+	+	+	+	-	82%	88%
Maldonado	-	-	+	-	-	-	+	+	-	+	-	36%	36%
Mallory Caraway	A	-	E	-	-	-	+	E	+	+	-	33%	40%
Marquez	-	+	+	-	-	-	+	+	+	+	-	55%	55%
Martinez	-	-	+	-	-	-	+	+	-	+	-	36%	39%
Martinez Fischer	-	-	+	-	-	-	+	+	+	+	-	45%	30%
McCall	-	+	+	-	A	P	+	+	+	+	-	60%	76%
McClendon	-	-	+	-	-	-	A	+	-	+	-	27%	34%
McReynolds	-	-	+	-	+	-	+	+	+	+	-	55%	52%
Menendez	-	-	+	-	-	-	+	+	+	A	-	36%	41%
Merritt	-	+	+	+	+	-	+	+	+	+	-	73%	77%
Miklos	-	-	+	-	-	-	+	+	+	+	-	45%	45%
Miller, Doug	-	+	+	+	+	+	+	+	+	+	+	91%	91%
Miller, Sid	-	+	+	-	+	+	+	+	+	+	E	80%	91%
Moody	-	-	+	-	-	-	+	+	-	+	-	36%	36%
Morrison	+	+	+	-	+	+	+	+	+	+	-	82%	87%
Naishtat	-	-	+	-	-	-	+	+	+	+	-	45%	30%
Oliveira	-	-	+	-	-	-	+	+	E	+	-	40%	41%
Olivo	-	-	+	-	-	-	+	+	-	+	-	36%	23%
Orr	-	+	+	+	+	+	+	+	+	+	+	91%	88%
Ortiz	-	-	+	-	-	-	+	+	+	+	-	45%	49%
Otto	-	+	+	+	+	+	+	E	+	+	+	90%	86%
Parker	+	+	+	+	+	+	-	+	+	+	+	91%	92%
Patrick, Diane	-	+	+	+	+	+	+	+	+	+	+	91%	95%
Paxton	+	+	+	+	+	+	-	+	+	+	+	91%	94%
Pena	-	-	+	-	+	-	+	+	+	+	-	55%	46%
Phillips	+	+	+	+	+	+	-	+	+	+	+	91%	83%
Pickett	-	-	+	-	-	-	+	+	A	+	-	36%	47%
Pierson	-	-	E	-	-	-	+	+	-	+	A	30%	34%

House Votes 81st Regular Session

Representative	1	2	3	4	5	6	7	8	9	10	11	2009	Cumulative
Pitts	Due to commitments in his role as Chairman of the Appropriations Committee, TAB did not score Rep. Pitts												
Quintanilla	-	-	+	-	-	-	+	+	+	+	-	45%	41%
Raymond	-	-	+	A	-	-	+	+	+	+	-	45%	36%
Riddle	+	+	+	+	+	E	-	+	+	+	+	90%	84%
Rios Ybarra	-	+	+	-	-	-	+	+	+	+	-	55%	55%
Ritter	-	-	+	-	+	-	+	+	+	+	-	55%	58%
Rodriguez	-	-	+	-	-	-	+	+	+	+	-	45%	28%
Rose	-	+	+	-	+	-	+	+	+	+	-	64%	61%
Sheffield	-	+	+	+	+	+	+	+	+	+	+	91%	91%
Shelton	A	+	+	+	+	+	+	+	+	+	+	91%	91%
Smith, Todd	-	-	+	+	+	+	+	+	+	+	-	73%	82%
Smith, Wayne	+	+	+	-	+	+	+	+	+	+	-	82%	86%
Smithee	+	-	+	-	+	+	+	+	+	+	+	82%	84%
Solomons	-	-	+	-	+	+	C	+	+	+	-	60%	80%
Strama	-	+	+	-	A	-	+	+	+	+	-	55%	63%
Straus	As speaker, he did not vote												
Swinford	-	+	+	-	+	+	+	+	+	+	+	82%	84%
Taylor	+	+	+	-	+	E	+	+	+	+	-	80%	90%
Thibaut	-	-	+	-	-	-	+	+	+	+	-	45%	45%
Thompson	-	-	+	-	-	-	+	+	-	+	-	36%	29%
Truitt	-	+	+	+	+	+	+	+	+	+	-	82%	81%
Turner, Chris	-	-	+	-	-	-	+	+	+	+	-	45%	45%
Turner, Sylvester	-	-	E	-	-	-	+	+	A	+	-	30%	32%
Vaught	-	-	+	-	-	-	+	+	+	+	-	45%	49%
Veasey	-	-	+	-	-	-	+	+	-	+	-	36%	39%
Villarreal	-	-	A	-	-	-	+	+	+	+	-	36%	45%
Vo	-	-	+	-	-	-	+	+	+	+	-	45%	44%
Walle	-	-	+	-	-	-	+	+	-	+	-	36%	36%
Weber	+	+	+	+	+	+	-	+	+	+	+	91%	91%
Woolley	-	+	+	+	+	+	+	+	+	+	+	91%	92%
Zerwas	A	+	+	-	+	+	+	+	E	+	-	70%	75%

House Votes

1 Pre-K Expansion – HB 130,

Passage to Third Reading

This bill aimed to create a full-day, pre-K program for economically disadvantaged children, adding over \$4,700 per child for participation in the full-day programs. This cost would have led to an unfunded mandate.

Due to this dramatic cost increase, this bill should have contained enhanced accountability. From early education to higher education, TAB has made accountability a top priority. This legislation was well-intentioned, but lacked the financial and academic accountability that is essential in measuring student performance.

The vote occurred on the passage to third reading. A vote against passage was a vote with TAB. HB 130 passed both Chambers of the Legislature, but was vetoed by the Governor.

2 Premise Owners as General Contractors – HB 1657, *Passage to Third Reading*

HB 1657 would have eliminated tort immunity for owners of a jobsite who provide workers' compensation insurance coverage and serve as their own general contractor.

Premise owners should not be excluded from the benefits of providing workers' compensation when acting as their own general contractor. Providing coverage to the worksite gives premise owners a vested interest in providing a safe workplace. Workplace injuries directly affect an employer's experience modifier, which is used in determining insurance premium rates paid.

The vote occurred on the passage to third reading. A vote against the passage to third reading was a vote with TAB. HB 1657 passed the House of Representatives, but died in the Senate.

3 Spending Limitations – HB 464,

Third Reading and Final Passage

HB 464 required the Legislative Budget Board to develop a dynamic fiscal note for all tax bills that have a static fiscal note of \$100,000,000 or more. This bill is a valuable step towards showing taxpayers the fiscal impact of tax-related legislation for the subsequent five years. This forward-thinking approach will help future Legislatures assess the viability of future tax increases or cuts.

TAB is a vocal supporter of limiting spending to help Texas families keep more money in their pockets and improve the state's business climate.

The vote occurred on third reading and final passage. A vote for passage was a vote with TAB. HB 464 passed both Chambers of the Legislature and was signed into law by the Governor.

4 Health Care Insurance Mandate –

HB 1290, *Motion to Concur with Senate Amendments*

Health benefit mandates are statutory requirements that require health plans to provide coverage for specific services and conditions, or allow patients to utilize specific types of providers. Generally, health benefit mandates are passed by the Legislature in order to guarantee reimbursement to certain providers or coverage to individuals with certain conditions.

TAB opposed HB 1290, a bill which mandates cardiovascular-screening coverage for men older than 45 and younger than 76, and women older than 55 and younger than 76, who are diabetic or are at an intermediate or higher risk of having a heart attack. No scientific basis exists to firmly determine that this sort of screening will improve health outcomes; evidence does exist that shows this new mandate increases insurance premiums.

Most unfortunate is that the costs of mandates are passed down by the health insurance carriers to businesses, including small employers and individuals. Employees ultimately pay the high-price for mandated health care benefits through higher, health care premiums, co-pays, reduced wages, or benefit reductions. All too often, health insurance is dropped altogether.

The vote occurred on a motion to concur with Senate amendments. A vote against the motion was a vote with TAB. HB 1290 passed both Chambers of the Legislature and was signed into law by the Governor.

House Votes

5 Fiscally Responsible Budget – SB 1,

Amendment #213, Motion to Adopt

SB 1, the 2009 General Appropriations Bill, sets the state budget for the 2010-2011 biennium. During the current economic turmoil, the Texas Legislature created a bold, lean budget that provides for the needs of Texans without dipping into the state's Rainy Day Fund, adding new taxes or cutting essential services.

Amendment 213 required the Legislative Budget Board to conduct a study of state spending limits based on population growth plus inflation.

The vote occurred on the motion to adopt Amendment #213 to SB 1. A vote for the motion to adopt was a vote with TAB. The amendment was adopted. SB 1 passed both Chambers of the Legislature and was signed into law by the Governor.

6 Expansion of Unemployment Insurance – SB 1569, *Motion to Adopt the Amendment to the Amendment #12*

SB 1569 would have made radical changes to Texas' Unemployment Insurance (UI) eligibility requirements to accept a \$555 million payment offered by the federal administration as a part of the American Recovery and Reinvestment Act. Once the federal money evaporated, the taxes paid by employers would have dramatically increased to cover the extra \$75 million per year that these permanent changes would have added every single year.

Amendment #12 would have required individuals filing a claim to receive UI benefits to submit and pass a drug test to be eligible to receive benefits, and subject individuals to random, unannounced tests in the future in order to continue receiving benefits. TAB believes that this is a much needed reform to the UI system because a recipient who cannot pass a drug test is, in essence, not available for work, and should not have the advantage of receiving state funds reserved for those who have lost their jobs through no fault of their own and are available for meaningful employment. The amendment to Amendment #12 would have gutted this requirement.

The vote occurred on the motion to adopt the amendment to Amendment #12. A vote against the amendment to Amendment #12 was a vote with TAB. The amendment to the amendment passed. Ultimately, the SB 1569 passed the Senate, but died on the House Floor.

7 Return-to-work Reimbursement Program – SB 1814, *Third Reading and Final Passage*

This bill expands the return-to-work pilot program for small employers, a program which allows them to be reimbursed for making workplace modifications to accommodate an injured employee's physical restrictions and return the worker back to full or modified duty.

Specifically, the bill increases the maximum reimbursement amount from \$2500 to \$5000 and removes the expiration date of the pilot program.

The vote occurred on third reading and final passage. A vote for the passage was a vote with TAB. SB 1814 passed both Chambers of the Legislature and was signed into law by the Governor.

8 Public School Accountability – HB 3, *Third Reading and Final Passage*

For over a decade, TAB has been in the fight for true academic accountability. HB 3 overhauls accountability standards from having students meet minimum requirements to a system that aims to prepare students to be career or college-ready upon graduation; allows rigorous and relevant career and technology education to expand in our schools; and maintains end-of-course exams in lieu of a single, high-stakes test. This bill is a watershed victory for the Texas business community.

The vote occurred on third reading and final passage. A vote for passage was a vote with TAB. HB 3 passed both Chambers of the Legislature and was signed into law by the Governor.

9 Economic Development of Manufacturing – HB 4525, *Amendment #4, Motion to Table*

Between 2001 and 2007, Texas lost more than 200,000 manufacturing jobs. HB 4525 aimed to address this problem by providing economic development opportunities to expand our manufacturing base, incentivize job creation, develop a qualified manufacturing workforce and increase both capital investment and local tax base.

Amendment #4, as offered to HB 4525, would have denied the state and local governments the economic benefits from energy-related investments in Texas.

A vote to table the amendment was a vote with TAB. Amendment #4 was tabled. HB 4525 passed the House, but died on the Intent Calendar.

House Votes

10 Property Tax Appraisal Reform – **HB 1038, *Third Reading and Final Passage***

One problem identified in the appraisal tax process is the exclusion by some appraisal districts of recently foreclosed properties and properties with distressed resale values due to the declining economy located in the same neighborhood when determining the fair market value of a property. Under current law, appraisals are conducted under the cost method, the income method, or the market data comparison method. Currently, no exclusion exists to prevent appraisal districts from not counting the values of foreclosed properties or properties that have dropped in value.

HB 1038 amends current law relating to the determination of the market value of a residence homestead for purposes of ad valorem taxation. The bill requires appraisal districts to count the value of foreclosed properties when determining the value of a property.

The vote occurred on third reading and final passage of the bill. A vote for passage was a vote with TAB. HB 1038 passed both Chambers of the Legislature and was signed into law by the Governor.

11 Reporting of International Waste Shipments – **HB 284,** *Third Reading and Final Passage*

HB 284 would have required Texas businesses that export electronic waste for recycling, reuse or disposal to inform the Texas Commission on Environmental Quality on all shipments made to foreign countries.

The bill attempted to affect market decisions by requiring companies to report on activities that are simply presumed to be harmful, regardless of whether any actual environmental harm results and regardless of whether the actions are regarded by another country as acceptable and/or legal.

A vote against the passage of HB 284 on third reading and final passage was a vote with TAB. The bill passed the House, but died in the Senate Natural Resources Committee.

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