



See how **pro-taxpayer** and **pro-property rights** your Texas state legislators were on transportation and property rights legislation in the 83rd Session of the Texas State Legislature in 2013

REPORT CARD: Anti-taxpayer leadership from the big three

<p>Governor Rick Perry Pushed 100 yr bond debt, sale of TX roads to foreign corporations, more toll roads, and using tax money to build toll roads.</p>		<p>F</p>
<p>Both pushed bad bills, didn't support our good bills. Both favor tax hikes to raise the revenue needed for roads rather than allocate existing road taxes to roads (that they're currently spending elsewhere). Their committee chairs for transportation (Nichols & Phillips) were two of the worst ever on record for the taxpayer and freedom of mobility.</p>	<p>Lt. Governor David Dewhurst</p>	<p>F</p>
	<p>Speaker Joe Straus</p>	<p>F</p>

** All three promised at the beginning of the session to end gas tax diversions and they did not. **

Other Anti-taxpayer Notables:

Sen. Robert Nichols

Chair, Senate Transportation Committee

He authored nearly every anti-taxpayer, pro-toll bill of the session, including the sale of Texas roads to private, foreign toll operators. He gutted our good bills to ensure free roads could be converted to toll roads and that freeway lanes could be tolled leaving frontage roads as the only non-toll option (and removed the public vote), and authored the bill to use both property tax and sales tax to build/subsidize toll roads, transit and rail projects without a public vote.

Sen. Tommy Williams

Chair, Senate Finance Committee

Single-handedly refused to end diversions of road taxes for non-road purposes. Thwarted EVERY effort to dedicate vehicle sales tax that we already pay to roads. Held existing road tax money (that they're spending on general government) hostage to fee hikes. He wants Texans to pay more in taxes rather than use the road taxes we ALREADY PAY for roads. He also pushed diverting more of our road money to fund ports.

Rep. Larry Phillips

Chair, House Transportation Committee

Bottled up our good bills, fast tracked the bad ones. Carried the bill to sell-off Texas roads to private, foreign toll operators. Patently lied to House members about the bill to convert freeways to toll roads telling them Sen. Donna

Campbell's bill SB 1029 removed ALL exceptions to converting free roads to toll roads when the bill, in fact, keeps 5 key loopholes in statute that allows virtually ANY freeway in Texas to be converted into a toll road.

Rep. Drew Darby

House Appropriations Committee

Held road money hostage to fee/tax hikes. Hijacked the effort to dedicate vehicle sales tax that we already pay to roads, instead holding existing road tax money (that they're spending on general government) hostage to fee hikes. He wants Texans to pay more in taxes rather than use the road taxes we ALREADY PAY for roads.

Rep. Linda Harper-Brown

House Transportation Committee

Authored some of the worst transportation bills of the session. One would have used taxpayer money to guarantee the profit of privately-operated roads, another would have given private freight rail companies eminent domain authority, another would have given sweeping new powers to the North Texas Tollway Authority (including using tax money to subsidize loser toll projects - a DOUBLE TAX, and access money from NEW taxing districts as well as use property taxes to build toll roads), and lastly, one to enact an Agenda 21 complete streets policy that would divert road money to hike & bike trails and promote anti-car policies in our cities.

Taxpayer Hero

Rep. Lois Kolkhorst championed our cause and worked on behalf of taxpayers specifically on transportation more than any other House member, not just this session, but EVERY session.

She carried the bill to make tolls come off a road when it is paid for, which would have protected taxpayers from tolls in perpetuity. She also authored one of the strongest property rights bills of the session. Both were thwarted by the Straus-appointed committee chairs.

In the special sessions, she single-handedly ensured taxpayers were protected from having the new road funding go to support private toll roads.

Honorable Mention

Rep. Yvonne Davis helped us stop a disastrous anti-taxpayer bill that would have given sweeping new powers to the North Texas Tollway Authority (including using tax money to subsidize loser toll projects — a DOUBLE TAX, and access money from NEW taxing districts as well as use property taxes to build toll roads).



The House



REPORT CARD

House District 131	Alma Allen	F
House District 104	Roberto Alonzo	F
House District 145	Carol Alvarado	F
House District 103	Rafael Anchia	F
House District 56	Charles Anderson	C
House District 57	Trent Ashby	D
House District 54	Jimmie Don Aycock	F
House District 3	Cecil Bell	F
House District 138	Dwayne Bohac	F
House District 25	Dennis Bonnen	D
House District 24	Greg Bonnen	F
House District 108	Dan Branch	C
House District 101	Cindy Burkett	F
House District 90	Lon Burnam	F

* Authored bad bills or amendments ** Authored one or more good bills advocated by TURF

REPORT CARD

House District 112	Angie Chen Button	B
House District 132	William Callegari	F
House District 40	Terry Canales	F
House District 98	Giovanni Caprigilone **	A
House District 102	Stefani Carter	B
House District 11	Travis Clardy	F
House District 147	Garnet Coleman	F
House District 95	Nicole Collier	F
House District 8	Byron Cook	F
House District 117	Phillip Cortez	F
House District 82	Tom Craddick	F
House District 16	Brandon Creighton	B
House District 64	Myra Crownover	F
House District 136	Tony Dale	F
House District 72	Drew Darby *	F
House District 129	John Davis	F
House District 134	Sarah Davis	F
House District 111	Yvonne Davis	F
House District 22	Joe Deshotel	F
House District 46	Dawanna Dukes	F
House District 142	Harold Dutton	F
House District 23	Craig Eiland *	F
House District 135	Gary Elkins	D

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REPORT CARD

House District 106	Pat Fallon	B
House District 118	Joe Farias	F
House District 20	Marsha Farney	F
House District 148	Jessica Farrar	F
House District 130	Allen Fletcher	F
House District 2	Dan Flynn	D
House District 69	James Frank **	D
House District 84	John Frullo	F
House District 99	Charlie Geren	F
House District 109	Helen Giddings	F
House District 97	Craig Goldman	D
House District 52	Larry Gonzales	F
House District 75	Mary Gonzalez	F
House District 76	Naomi Gonzalez	F
House District 4	Lance Gooden	F
House District 41	Bobby Guerra	F
House District 31	Ryan Guillen	F
House District 119	Roland Gutierrez	F
House District 126	Patricia Harless	D
House District 105	Linda Harper-Brown * **	F
House District 143	Ana Hernandez Luna	F
House District 34	Abel Herrero	F
House District 53	Harvey Hilderbran	D

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REPORT CARD

House District 48	Donna Howard	F
House District 127	Dan Huberty	C
House District 5	Bryan Hughes	B
House District 32	Todd Hunter	F
House District 45	Jason Isaac	D
House District 100	Eric Johnson	F
House District 12	Kyle Kacal	F
House District 60	Jim Keffer	F
House District 88	Ken King	F
House District 61	Phil King	C
House District 71	Susan King	F
House District 80	Tracy King	F
House District 17	Tim Kleinschmidt	F
House District 91	Stephanie Klick	B
House District 13	Lois Kolkhorst **	A
House District 93	Matt Krause	B
House District 44	John Kuempel	F
House District 122	Lyle Larson **	D
House District 89	Jodie Laubenberg	B
House District 1	George Lavender **	C
House District 67	Jeff Leach	D
House District 81	Tryon Lewis	F
House District 35	Oscar Longoria	F

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REPORT CARD

House District 43	Jose Manuel Lozano	F
House District 38	Eddie Lucio	F
House District 77	Marisa Marquez	F
House District 116	Trey Martinez Fischer	F
House District 39	Armondo Martinez	F
House District 120	Ruth McClendon *	F
House District 124	Jose Menendez	F
House District 146	Borris L Miles	F
House District 73	Doug Miller	F
House District 26	Rick Miller	D
House District 78	Joe Moody	F
House District 30	Geanie Morrison	F
House District 36	Sergio Munoz	F
House District 133	Jim Murphy	F
House District 49	Elliott Naishtat	F
House District 74	Poncho Nevarez	F
House District 37	Rene Oliveira **	F
House District 58	Rob Orr	F
House District 18	John Otto	F
House District 9	Chris Paddie	D
House District 63	Tan Parker	D
House District 94	Diane Patrick	F
House District 144	Mary Perez	F

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REPORT CARD

House District 83	Charles Perry	B
House District 62	Larry Phillips *	F
House District 79	Joe Pickett *	F
House District 10	Jim Pitts	F
House District 87	Walter (Four) Price	D
House District 14	John Raney	F
House District 115	Bennett Ratliff	D
House District 42	Richard Raymond	F
House District 27	Ron Reynolds	F
House District 150	Debbie Riddle	F
House District 21	Allan Ritter	F
House District 51	Eddie Rodriguez	F
House District 125	Justin Rodriguez	F
House District 110	Toni Rose	F
House District 70	Scott Sanford	B
House District 6	Matt Schaefer	B
House District 107	Kenneth Sheets	F
House District 59	J.D. Sheffield	F
House District 55	Ralph Sheffield	D
House District 65	Ron Simmons	B
House District 7	David Simpson **	A
House District 128	Wayne Smith	F
House District 86	John Smithee	D

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REPORT CARD

House District 68	Drew Springer	D
House District 85	Phil Stephenson	F
House District 92	Jonathan Stickland	A+
House District 50	Mark Strama	F
House District 121	Joe Straus	F
House District 66	Van Taylor	B
House District 29	Ed Thompson	D
House District 141	Senfronia Thompson	F
House District 15	Steve Toth	B
House District 101	Chris Turner	F
House District 33	Scott Turner	B
House District 139	Sylvester Turner	F
House District 114	Jason Villalba	C
House District 123	Mike Villarreal	F
House District 149	Hubert Vo	F
House District 140	Armando Walle	F
House District 12	James White	B
House District 47	Paul Workman	F
House District 137	Gene Wu	F
House District 96	William Zedler	B
House District 28	John Zerwas	F

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The Senate



REPORT CARD

Senate District 22	Brian Birdwell	F
Senate District 25	Donna Campbell * **	D
Senate District 16	John Carona *	F
Senate District 10	Wendy Davis	F
Senate District 2	Bob Deuell	F
Senate District 28	Robert Duncan	F
Senate District 13	Rodney Ellis	F
Senate District 1	Kevin Eltife **	D
Senate District 30	Craig Estes	F
Senate District 24	Troy Fraser	F
Senate District 6	Sylvia Garcia	F
Senate District 9	Kelly Hancock	F
Senate District 18	Glenn Hegar	F
Senate District 20	Juan "Chuy" Hinojosa	F
Senate District 17	Joan Huffman	F
Senate District 27	Eddie Lucio Jr. *	F
Senate District 12	Jane Nelson	F
Senate District 3	Robert Nichols *	F
Senate District 7	Dan Patrick	F
Senate District 8	Ken Paxton **	D
Senate District 29	Jose Rodriquez	F
Senate District 5	Charles Schwertner	F
Senate District 31	Kel Seliger	F

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REPORT CARD

Senate District 11	Larry Taylor	F
Senate District 19	Carlos Uresti	F
Senate District 26	Leticia Van de Putte	F
Senate District 14	Kirk Watson * **	F
Senate District 23	Royce West	F
Senate District 15	John Whitmire	F
Senate District 4	Tommy Williams *	F
Senate District 21	Judith Zaffirini * **	F

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The Methodology

We chose to look at various record votes on bills representative of both property rights and transportation policy. All but one of the bills used in this Report Card became law. This was one of the **WORST** sessions on record for taxpayers relating to transportation policy since 2003 when Governor Rick Perry's policy shift to toll roads, quick take eminent domain, and the Trans Texas Corridor became law.

** **These lawmakers'** grades factor in both their voting record and advocacy on behalf of taxpayers with regards to transportation, whether it was carrying our good bills, getting pro-taxpayer legislative intent on the record, or otherwise defending transparency and good road policy.

Transportation/tolls:

SB 1730 - (authored by **Sen. Robert Nichols**) Authorizes 23 Comprehensive Development Agreements (Public Private Partnerships) that hand control of our PUBLIC highways or bridges to PRIVATE, even foreign, toll operators that erode our state sovereignty over infrastructure, limit expansion of free routes, guarantee profits, use massive taxpayer subsidies, and charge Texans a premium to drive (75 cents a mile or more!).

SB 1029 - (authored by **Sen. Donna Campbell**) Gives TxDOT a blank check to convert free lanes already built and paid for into toll lanes -- a DOUBLE tax. The original filed bill would have removed all the loopholes in statute, but it was gutted in committee and replaced with the final loophole-laden bill that keeps five loopholes -- the first one giving TxDOT virtual unlimited authority to convert free lanes to toll lanes if it simply designates the project as 'toll' prior to going to contract. One of the loopholes taken out removes the accountability to the public by nixing the public hearing, public vote, and approval by the county commissioners. So the bill actually makes the current statute worse, not better.

SB 1110 - (authored by **Sen. Robert Nichols**), a bill that heists property tax appraisal increases for transportation projects expands the use of Transportation Reinvestment Zones (TRZ) from strictly freeways to toll roads, rail, transit and hike and bike trails, passed easily early in the session indicating that a tax grab at the local level was likely going to be the preferred method of funding roads. The bill also lifts the ban on using sales tax in the zone for road/toll projects.

Local option vehicle registration fee hikes:

HB 1573 - (authored by **Rep. Ruth McClendon**) This is a \$10 vehicle registration fee hike for Bexar County, the only one of the three bills that does not require voter approval. Donna Campbell brokered a deal on the final bill that gives the money specifically to the toll authority, who plans to bond up to \$100 million against the new tax revenue to subsidize both toll projects and pay down the agency's debt.

HB 3126 - (authored by **Rep. Eddie Lucio, III**) Cameron County \$20 fee hike, if voters approve.

HB 1198 - (authored by **Rep. Richard Raymond**) A \$10 fee hike for counties in the Rio Grande Valley as well as El Paso if voters approve.

Property rights:

HB 3459 - (authored by **Rep. Craig Eiland** on behalf of Land Commissioner **Jerry Patterson** who condemned the property involved in the case that prompted the bill) - The legislation guts the Texas Supreme Court decision in favor of property owners along public beaches known as the Severance v. Patterson case. This bill would force the condemnation of private homes (WITHOUT COMPENSATION) along public beaches if the government determines that storms or other 'evulsive' events move the public beach line onto private property. It violates the Texas Constitution and invites more expensive court battles at landowners' expense.

SB 655 - (authored by **Sen. Brian Birdwell**) was about the only good property rights bill that passed, tightening up remaining statutes in the special districts local laws code and the water code to repeal eminent domain for the more general 'public purpose' to the stricter 'public use.'

SPECIAL VOTE FOR SENATE ONLY:

SB 1018 - (authored by **Sen. John Carona**) - Given the reality that the North Texas Tollway Authority lacks toll viable projects and carries a massive debt burden, it sought sweeping new powers to dump its successful 'user fee' model of toll roads financed strictly with revenue bonds (and no taxpayer money), pursuing heaps of taxpayer money to subsidize its loser projects from property taxes to new taxing districts.

More Information

For more info on transportation legislation from the regular session:

<http://www.texasurf.org/2012-06-01-03-09-30/latest-news/336-texas-legislature-fails-to-fund-roads-despite-surplus-and-26-spending-increase>

For info on the transportation bill that passed in the final special session:

<http://www.examiner.com/article/third-time-s-a-charm-texas-lawmakers-finally-pass-transportation-funding-bill>



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