



In Session - The 79th Texas Legislature Texas House of Representatives State Representative Helen Giddings District 109 • Dallas County

Dear Neighbor:

Thank you for allowing me to serve as your Representative in the Texas House of Representatives.

I very much appreciate your letters, e-mails, faxes, telephone calls and personal visits to discuss issues of importance to you. This exchange is healthy and provides me with the kind of information needed to make decisions that are beneficial to our community.

The reform and financing of public schools was a real priority for me. There was a diversity of opinion among lawmakers as to how best to fund public education. Parents, teachers, administrators and other taxpayers want to see real investment in public schools.

Texans were fortunate during the 79th Legislature to benefit from a stronger economic climate statewide than was the case when lawmakers convened in 2003.

For the second session in a row, I had the honor to serve as Chair of the House's Committee on Business and Industry. Our nine-member Committee was tasked with reviewing 145 measures, the most significant of which was the complete overhaul of Texas' system of workers' compensation.

We have some tough challenges ahead. Working together, I believe we can create a better place for all Texans to live and work.

Sincerely, Helen Giddings State Representative

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State Representative HELEN GIDDINGS P.O. Box 2910 Austin, Texas 78768-2910

PUBLIC SCHOOL FINANCE QUESTIONNAIRE

The Legislature is faced with the need to offer property tax relief, eliminate "Robin Hood" and provide funding that is both equitable and adequate. It is a difficult task, but one that must be accomplished.

Please share your views with Representative Giddings regarding school finance and school reforms.

- 1. Do you believe that our public schools are currently under-funded?
2. Do you believe that the state should increase its share of the cost of Kindergarten-12th grade education?
3. Do you favor returning to the traditional early September date for the Fall start of the school year?
4. Should state law mandate that school board elections be conducted in November?

Do you favor any of the following:

- 5. Replacing the High School "exit" test with end-of-course exams for core subjects?
6. An across-the-board pay raise for all public school teachers?
7. Offering incentives to the highest-performing teachers?
8. Offering additional pay to a teacher who agrees to remain in a low-performing school for 3 years?
9. Maintaining the 22-pupil per classroom enrollment cap?
10. Increasing the state sales tax rate from the current 6.25%?
11. Raising the state cigarette tax from 41¢ per pack to \$1.14 per pack?
12. Taxing items such as food for home consumption, water, and residential gas and electricity?

Many companies today do not pay any kind of state franchise tax, business activity tax, or payroll tax. Which of the following do you favor? (Using "1," "2," or "3," rank in order of preference).

- Requiring companies not incorporated in Texas to pay the franchise tax and closing the so-called "Delaware loophole"?
Establishing a 2.5% business activity tax for all businesses?
Establishing a payroll tax? (Many observers say that the payroll tax would have a disproportionately negative impact upon service-oriented businesses and businesses which typically pay low salaries)

Additional comments or suggestions from you:

Please fax or mail your valued in-put regarding school finance or any other matter.



Austin, Texas 78768-2910 P.O. Box 2910 Helen Giddings State Representative

Name, Address, State, Zip

Place Stamp Here



Please fold, stamp and mail.



From the front microphone, Rep. Giddings addresses her colleagues on the need for accessible and affordable higher education opportunities.

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"The Intermodal is going to have a great economic impact on the City of Hutchins. I feel that the businesses that are going to want to locate near the facility will also have a great impact on the City."—Mayor Artis Johnson of Hutchins.

"Because of the Intermodal, we are already starting to experience a tremendous industrial growth. We are currently negotiating with developers for the construction of three additional industrial parks. Also, Target is looking at this area for a large storage facility to house its merchandise coming into the United States from overseas."—Mayor Don Hudson of Wilmer.

"Lancaster is highly confident that the Wilmer-Hutchins Intermodal facility will be extremely beneficial to our City because of the industrial and commercial development that will move westerly and southwesterly into our extraterritorial jurisdiction and our City limits. In fact, the facility will benefit the entire southwestern area of Dallas County."—Mayor Joe Tillotson of Lancaster.

HIGHER EDUCATION DREAM FINALLY BECOMES REALITY IN DISTRICT 109

A ground-breaking was held October 13, 2005, for the University of North Texas at Dallas campus in District 109 on Houston School Road. This facility will offer access to state-supported higher education in our region which has long been under-served in terms of educational facilities above the high school level.

LOW-INCOME VEHICLE REPAIR AND ACCELERATED RETIREMENT PROGRAM

With the backing of Giddings, the 78th Legislature in 2003 created the Low-Income Vehicle Repair Assistance program to provide financial assistance for low-income owners of motor vehicles that fail emissions tests. This year, the 79th Legislature sought to improve the program with House Bill 1611 which would not only expand the number of low-income vehicle owners served, but it would also direct excess funds to other programs and strategies effective in reducing automobile emissions.

Giddings was named a "Public Interest Champion" for 2005 by the Texas Public Interest Research Group, Texas Impact, and Campaigns for People, for her "valiant efforts on behalf of the people of Texas in the 79th Regular Session of the Texas Legislature."

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REPRESENTATIVE GIDDINGS' 2005 LEGISLATIVE HIGHLIGHTS

PUBLIC EDUCATION

Representative Helen Giddings continues to seek avenues to a school funding plan that conforms to the Texas Constitution's mandate of "...an efficient system of public free schools" providing educational opportunities for all children. Giddings has faith that an equitable course of action will be agreed upon and carefully pursued. Giddings has long believed that "Every child has the right to a good education so that every child has the skills he or she needs to be successful."



Rep. Giddings pauses to meet with visiting students from the Lancaster Independent School District, along with Lancaster ISD Superintendent Larry Lewis.

Meanwhile, **House Bill 492** mandates that high school students be taught **personal financial skills** as a requirement for graduation. Giddings is hopeful that this type of instruction will ensure that young people are ready to handle their finances in their next step in life—whether that step be college or a career.

HIGHER EDUCATION—"TOP 10%" ADMISSIONS RULE

There were strong efforts to completely abolish, or at least "water-down," the "Top 10% Rule" which provides for automatic admission into the state's system of higher education for a student who graduates in the top 10% of his or her high school's graduating class. When the "Top 10% Rule" was established in 1997, Giddings was a joint author of that legislation. Eight years later, legislators had a heated debate over the "Top 10% Rule." Some said that we were losing bright students to other states. The record reflects just the opposite. Giddings believes that the Rule is doing exactly what it was intended to do—increase diversity of the student population at our state universities. Giddings points out that "Today, we see the results of the 8-year-old legislation. In the Fall of 2003, UT-Austin had the most diverse class in its 120 year history. A study by UT-Austin indicates that the top 10% students have higher GPA's than students enrolled in the traditional manner. Top 10% students graduate in a shorter time period than others and have a higher graduation rate. And

the courses taken by top 10% students are just as rigorous according to UT-Austin President Dr. Larry Faulkner. The fact is that high school class rank seems to be the best predictor of how students will perform in college. Students from all backgrounds—rural and urban—and from every region of the state, have the opportunity to work hard and go to a flagship school under the 'Top 10% Rule.' I am proud of the fact that for the Summer/Fall of 2004, we had freshman students at UT-Austin from 815 high school campuses from across the state. For the Summer/Fall of 1996, prior to the 'Top 10% Rule,' there were only 616 high school campuses represented in UT-Austin's freshman class." Attempts to change the "Top 10% Rule" failed.

IDENTITY THEFT—NOBODY IS IMMUNE

Giddings—herself a victim of this serious and complex crime—entered the 79th legislative session with a firm resolve to do whatever she possibly could to address identity theft. Giddings said, "No other Texan should have to experience the nightmare that I have gone through." For most identity theft victims, it takes years before everything is fully straightened out. The individuals who committed identity theft against Giddings were later arrested. In fact, this operation was so sophisticated that, when the individuals were apprehended in central Dallas, law enforcement confiscated high-quality check-printing equipment that was being used to print up even more blank checks using Giddings' name.

As a result of this experience, Giddings responded by passing into law **House Bill 607** which requires that when blank checks are delivered to the account-holder, the courier delivering must obtain the signature of someone at that address and **not simply leave the blank checks unattended**—if the account-holder has made such a request.

Having seen first-hand the misery that victims of identity theft are subjected to, Giddings passed into law **House Bill 628** which prohibits a debt-collector from using unfair or unconscionable means in debt-collection efforts—including collecting or attempting to collect an obligation under a check, draft, debit payment, or credit card payment, **if the expenses were incurred by someone other than the person in whose name they were accumulated.**

Many identity theft victims are unable to get checks cashed **because the electronic databases are not being updated with corrected information showing validated reports of identity theft.** To prevent this from happening, **House Bill 1855** was passed into law which requires a business that accepts checks from customers to delete, within 30 days, any electronic record indicating that a customer has previously issued a dishonored check if both the customer and the business agree that the information in the electronic record is incorrect, or if the customer presents a



Rep. Giddings extends a gracious welcome to the Texas House of Representatives to the Honorable Alphonso Jackson, Secretary of the U.S. Department of Housing and Urban Development.

police report stating that the previous check was unauthorized.

Furthermore, Giddings' **House Bill 2223** passed into law requiring that a financial institution stamp the word "**FORGERY**" (or a variant of that word) on certain returned checks, as it is necessary that such a notation physically appear on the check in order that all financial institutions handling that check—as well as the check's payee—be **alerted that the check was signed by someone other than the person whose name is on the account.**

To prevent an innocent identity theft victim from being arrested by law enforcement, Giddings likewise passed into law **House Bill 2885** which—as a "pilot program" in Dallas County—provides that a justice-of-the-peace may not issue a warrant for a bad check until the district attorney has reviewed the records to see if the party whose name appears on the check is a victim of identity theft. This procedure is possible because Giddings has worked to help establish the North Texas Identity Theft Unit in Dallas.

Giddings secured House passage of **Senate Bill 99** which prohibits a business entity that has been notified that an individual is a victim of identity theft from **denying an extension of credit, including a loan, or limiting credit based solely on the fact that this individual has been a victim of identity theft.** The bill also authorizes an insurer to write property or casualty policies to cover losses suffered by victims of identity theft.

Also gained by Giddings was House approval of **Senate Bill 122** which requires that a peace officer, to whom an alleged incident of identity theft is reported, **make a written report** which includes the name of the victim and of the suspect (if known), the type of identifying information obtained, possessed, transferred, or used, and the results of the investigation. The bill **authorizes a victim to obtain a copy of the report.** The bill also **requires a business to provide notification for an**

unauthorized breach of security of, or acquisition of, computerized data that compromises the security, confidentiality, or integrity of sensitive personal information maintained by that business.

WINNER OF THE 2005 HELEN GIDDINGS SCHOLARSHIP

Ms. **Kracynthia Flowers**, a 2005 graduate of DeSoto High School, received the Helen Giddings Concerned Citizens of DeSoto Scholarship on July 8, 2005, at the DeSoto Town Center banquet. Ms. Flowers maintained a grade point average of 4.0037 and plans to attend the University of North Texas. Giddings recognized this **outstanding student** with the adoption of **House Resolution 232.**



Rep. Giddings proudly presents the 2005 "Helen Giddings Concerned Citizens of DeSoto Scholarship" to Ms. Kracynthia Flowers.

PARTIAL RESTORATION OF FUNDING FOR HUMAN SERVICES PROGRAMS

In 2003, the 78th Legislature cut various human services programs. Fortunately, this year in the 79th, Giddings and her colleagues were able to **restore some of the funding to those services** such as the Children's Health Insurance Program (CHIP) which is tailored to families that earn too much to qualify for Medicaid, yet cannot afford to secure private insurance coverage. Additionally, **child and adult protective services** was a priority during the 79th session and the hiring of 2,500 new investigators and caseworkers was authorized to protect these vulnerable populations.

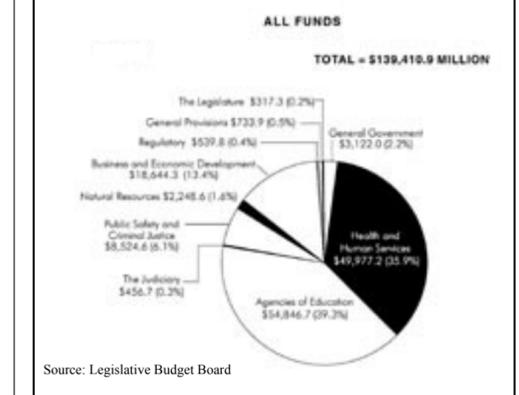
OVER-ALL STATE BUDGET FOR THE 2005-2007 FISCAL BIENNIUM

In reference to Giddings' successful efforts to ensure proper funding in **Senate Bill 1** for Parkland Hospital's **integrated care management system**—saving the hospital from a \$50 million loss of federal dollars—Dr. Jennifer Cutrer, Executive Director of Governmental Affairs for the hospital, said: "**Representative**

Giddings throughout her seven sessions has been a **staunch advocate and extremely effective legislator on behalf of Parkland Health & Hospital System. Her tireless commitment to the underserved and to the frail and elderly has been unwavering.**"

Passage of the General Appropriations Act (**Senate Bill 1**) establishes the state budget from September 1, 2005, to August 31, 2007—totaling \$139.4 billion. Below, is a "pie chart" which illustrates how the budget is divided between the various functions of state government.

2005-2007 Biennial Recommendations



REFORM OF THE WORKERS' COMPENSATION SYSTEM IN TEXAS

The 79th Legislature recognized the many flaws and shortcomings of the Texas workers' compensation system and enacted **House Bill 7** (of which Giddings was a joint author) into law to address the problems. This bill—among other things—streamlines the dispute resolution process by limiting repetitive hearings; it applies prompt-pay laws to worker's compensation and requires electronic billing to reduce the potential for billing errors. Workers' compensation benefits are increased 12% by this legislation. Additionally, it creates a **consumer advocacy agency to assist injured workers, to represent injured workers** and to add attorneys to enhance the existing Ombudsman Program. The Committee on Business and Industry in the House, of which Giddings is Chair, will be monitoring the implementation of **House Bill 7** and will note any need for future modification of that law. **Speaker of the House Tom Craddick** had this to say: "**I applaud Chairwoman Helen Giddings' leadership on many important pieces of legislation. Most notably, the reformation of Texas' Workers' Compensation System could not have been accomplished without her dedication and hard work this session. Helen is not only an excellent representative for the people of her district, she is also a strong advocate for all Texans.**"



House Speaker Tom Craddick again appointed Rep. Giddings to serve as Chair of the House's Committee on Business & Industry and presented her with the Committee gavel.

And Mr. Emmett Sheppard, President of the Texas AFL-CIO, noted: "**Chairman Giddings played a pivotal role this past session in the fight over workers' compensation reform. She used her considerable influence in the process to ensure fairness and a seat at the table for working families in Texas. Her voice is one we always knew we could count on, and for that we are truly grateful.**"

INTERMODAL SYSTEM—A "WIN-WIN" FOR THE SOUTHERN SECTOR

On September 19, 2005, Union Pacific's Intermodal rail facility was officially opened. This facility will be transporting consumer goods that are shipped from outside the United States to the Dallas area. Giddings is hopeful that District 109 constituents will reap a **significant windfall** from the Intermodal. These communities have long been in need of an **economic boost** that a facility of this kind will bring about. Giddings was **delighted to have been an ardent supporter of this project from its very inception.**

(Continued on page 6 . . .)



On February 16, 2005, the members of Leadership Southwest Class of 2005 visited the State Capitol. Shown left to right are: Kathy Maples (City of DeSoto), Rep. Giddings, Sonya Pleasant-Spencer (Cedar Valley College), Bonnie Romero Espree (immediate past Chair of Leadership Southwest) and House Speaker Tom Craddick. The group was honored with the adoption of House Resolution 101.