Young Conservatives of Texas



Rates the 69th Texas Legislature

Texas Conservative Victory Fund

Young Conservatives of Texas has prepared this rating of the 69th Texas Legislature as a public service to the citizens of Texas so that they may be better informed as to the activities of the Legislature and the voting record of individual lawmakers. These ratings serve to show to the public the nature of their legislator's basic philosophy.

The votes used on this rating are from the regular and first called sessions of the 69th Texas Legislature. The ratings are not for the endorsement of any party, but are intended solely for the public information they contain.

Young Conservatives of Texas · P.O. Box 13343, Capitol Station · Austin, Texas 78711

Young Conservatives of Texas Rates the 69th Texas Legislature

Young Conservatives of Texas has selected the following bills which it believes accurately serve to gauge a legislator's philosophy in light of YCT's statement of principles. These bills form the basis of these

ratings.

In the ratings, a "+" indicates the legislator voted FOR the conservative position as determined by YCT; a "-" indicates the legislator voted AGAINST the conservative position. A "P" indicates the legislator was present but did not vote; "E" indicates an excused absence; and "C" indicates the member was in the Speaker's Chair and did not vote, no penalty will be incurred for these actions. Non-excused absences are represented by an "A", and are counted as half a negative vote.

There are two numerical scores shown on the ratings. The first score represents votes cast during the regular and first called sessions of the 69th Texas Legislature. The second score is a composite score that indicates votes cast in previous sessions, back to the 64th Legislature. The higher the score, the better the

legislator promotes the conservative position of limited government and individual liberties.

YOUNG CONSERVATIVES OF TEXAS Senate Votes — Bill Descriptions

The votes used for the Texas Senate ratings are to suspend the regular order of business to consider a particular bill, unless otherwise noted.

- 1. C.S.S.B. 305 (Jones) Would have created a new state board to license and regulate opticians. YCT No. Government should only regulate those professions which have the potential to endanger the health or safety of consumers. Opticians only dispense visual aids prescribed by a diagnosing O.D. or ophthalmologist, and do not pose a health and safety threat.
- H.B. 8 (Harris) Will make the crime of mass murder a capital offense. punishable by the death penalty. YCT - Yes. Violent crimes of this magnitude can only be deterred by severe penalties.
- 3. C.S.S.B. 37 (Brown) Allows jurors of criminal cases to be informed of the effects of parole and good conduct time credit on the length of sentences imposed upon convicted criminals. YCT Yes. In order for jurors to select the proper duration of sentences for convicted criminals, they must be aware of all the facts.
- 4. C.S.H.B. 632 (Brown) Would have defined which evidence could be subject to exclusion from jury consideration in criminal cases. YCT Yes. The courts need clear guidelines by which to determine which evidence should be excluded from consideration. The broad range of interpretation by the courts in this issue underscores this need.
- C.S.H.B. 1147 (Jones) Increases tuition for state funded colleges and universities by approximately three-fold for the upcoming school year. YCT Yes. Students

- should be paying a greater part of their own tuition, rather than having the general taxpayers of Texas subsidize their education. Even after this bill goes into effect, students will pay less than 10 percent of the total cost of education.
- 6. C.S.S.B. 1095 (Edwards) Would have re-created the Texas Health Facilities Commission which regulates the new construction of hospitals, nursing homes and other health-care facilities. If the commission determines that the new facility is "needed" then it may be built. YCT No. The private sector is best equipped to determine if new facilities are needed. History has shown that barriers to entry in any market stifle competition and cause poor service to exist at higher prices.
- C.S.S.B. 296 (Farabee) Would have partially deregulated the sale and issuance of securities in Texas. YCT - Yes. Unnecessary governmental regulation hinders the allocation of resources.
- 8. S.B. 1187 (Brown) Motion to table the Glasgow amendment which would have substantially hindered the effect of this measure to prohibit the imposition of controls on handguns or other personal firearms. YCT Yes. This amendment would have gutted this important measure. The right to bear arms by citizens should be protected. 9. H.B. 10 (Howard) Extends the Texas wiretapping law passed in 1981 as part of the War on Drugs campaign to halt drug
- wiretapping law passed in 1981 as part of the War on Drugs campaign to halt drug trafficking. YCT - Yes. This measure is a key component for law enforcement officials to use in order to enforce the existing drug laws.
- C.S.S.B. 665 (Truan) Would have substantially changed the existing law relating

to school board elections to disallow flexibility for some districts to have mixed (i.e. single member and at large seats) school board seats and would have allowed school districts with less than 3,500 people to break up into single member districts. YCT - No. Local school boards should retain the flexibility to have mixed school board seats, and those district with less than 3,500 people should not be required to be single member districts as they are already small enough to be certain that the board members are representative of their constituency. 11. C.S.H.B. 1280 (Farabee) Effectively repeals Texas' Saturday - Sunday Closing Law (Blue Law) which dictated that retail stores not be open on consecutive Saturdays or Sundays. YCT - Yes. The hours and days of operation of a retail establishment should be left up to the owner of the business. Government should not intrude into the private sector in this manner.

12. H.B. 403 (Farabee) This measure allows doctors and other medical personnel to withhold life-sustaining measures from persons judged to be terminally ill. YCT - No. Procedures already exist for persons who have, prior to the time they may become unable to make such decisions for themselves, made provisions to have life-sustaining measures withheld from them. This new law would allow third parties other than the patient to make that decision for them. Only the individual should make that decision.

13. S.B. 38 (Sarpalius) Motion to place on third reading. This bill would not allow a prosecuting attorney to challenge a juror who has been convicted of a misdemeanor theft charge. YCT - No. Only individuals who have the utmost integrity should serve as jurors. If the prosecutor believes that the past conviction on a theft charge could affect the judgement of a juror, the prosecutor should be given the benefit of the doubt.

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14. S.B. 526 (Parmer) Creates a new \$20 million state welfare program to provide for the distribution of food. YCT - No. Federal programs already exist, such as food stamps, to prevent hunger from affecting those who are truly needy. This is a duplicitous, unnecessary program especially in light of the other burdens upon the state budget.

15. S.B. 112 (Mauzy) Sets up a stringent method of questioning officers by local law enforcement agencies in connection with investigations or disciplinary actions against law officers. YCT - No. Adequate safeguards for the constitution rights of peace officers currently exist in state law, and this process would have added unnecessary constrictions upon local governments.

16. H.B. 61 (Brown) Allows vehicles used by the offices of the district attorney and constable for undercover investigator purposes to be exempt from current laws requiring public-entity owned vehicles to be clearly marked. YCT - Yes. These law enforcement agencies need to have the capability for anonymity for such purposes.

17. H.B. 1592 (Lyon) Motion to table Parker amendment. This amendment would have required cities and counties to follow a code of conduct for peace officers which would have effectively set up a state wide licensure of local peace officers. YCT - No. Local political subdivisions are best able to determine the standards for their own peace officers, and should not be subject to following the standards set by a new bureaucracy.

18. C.S.H.B. 2091 (Brooks) Adoption of the Lyon amendment to the Washington amendment. Provides for the regulation and licensure of abortion clinics and the collection of data from those clinics. YCT - Yes. The inalienable right of life to all citizens must be protected. This amendment will also allow for the collection of data which has not been available before.

19. C.S.H.B. 2091 (Brooks) Adoption of Parker amendment to the Washington amendment. This amendment would have clearly specified the conditions by which an employee of a nursing home could have sued an employer for retaliation against a complaint made to the state. Basically, the employee could not have been a subject of any report or complaint of alleged abuse or neglect, and the employer who allegedly retaliated must have known of the complaint. YCT - Yes. Such safeguards are necessary to prevent unnecessary complaints which could tie up the legal system.

20. C.S.H.B. 32 (Criss) 2nd Reading: Would extend unemployment-compensation benefits to workers. YCT - No. Agricultural employers should not be required to pay unemployment-compensation taxes for employees who are seasonal or part-time. Also, the Texas Employment Commission estimates that this bill will cost \$17 million in benefits paid for 1985, but would only generate \$10 million in taxes for that same period. The entire unemployment-compensation fund is expected to have just \$4 million in it by November of 1985, meaning that the program would go broke trying to handle the added costs that this bill would entail.

21. S.B. 1 (Traeger) (First Called Special Session) Motion to place on third reading. Creates a new system of funding for indigent health care. Total cost of \$70 million to be paid by the state, and counties must pay for the additional funding, if necessary. YCT - No. This program as passed could place immense burdens on some counties in this state to fund indigents from nearby counties. Additionally, it is unknown how much money this program could eventually cost, public and private hospitals already provide \$12 billion in charity care, which could now be charged to the counties and if they are not paid, they can sue for reimbursement.

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YOUNG CONSERVATIVES OF TEXAS House Votes — Bill Descriptions

 H.B. 316 (Messer) 2nd Reading. Will end a current practice that mandates an award of triple damages to a plaintiff who successfully sues an insurance agency or company for deceptive or unfair practices, even if the defendant made an error in good faith. YCT - Yes. This will permit the award of actual damages incurred by the plaintiff and will discourage frivolous law suits designed to take advantage of good faith mistakes.

H.B. 10 (T. Smith) 2nd Reading. Extends the use of electronic surveillance, under court order, to gather evidence for criminal prosecution. YCT - Yes. Wiretapping under the direction of the courts has proven to be an effective means of fighting crime, especially drug trafficking.

3. H.B. 330 (Polumbo) 3rd Reading. Provides for the continuation and administration of the Temporary Relief Program designed to provide financial aid to people not eligible to receive aid during the economic slow down of 1982. YCT - No. This is another example of a "temporary" government program becoming permanent despite the fact that it is no longer needed. The conditions that justified the program no longer exist. The Texas economy is healthy

again and unemployment is down.

4. Motion to table the amendment by Richardson to C.S.H.B. 460 (C. Evans). Would require private funding for the Commission on Efficiency in Government YCT -Yes. This would mirror the successful approach taken by the Grace Commission on the federal level. The private sector would provide an unbiased analysis of governmental efficiency that the bureaucrats in state government could not provide.

5. Amendment by Dutton to H.B. 76 (Keller). Would require that 10 percent of all contracts awarded for correctional facilities construction be awarded to minority contractors. YCT - No. Race should not be the determining factor in the awarding of contracts for the construction of prisons where the the safety and security of the people of Texas is at stake. The best and most qualified contractor, regardless of race, should be used.

6. H.B. 469 (Kuempel) 2nd Reading. Will exempt public school districts from having to pay "prevailing" local wages on construction projects. YCT - Yes. Will allow the free-market in each locality determine what wage should be paid to workers and will allow local tax money to be spent on education rather than propping up local wage

House **Votes 33333333333333333333** SPEAKER LEWIS PCCCCCCCPPPCECPPCC+C+PPP-C ADKISSON |+---+++|---+++-|+E+E++---|44|| AGNICH |++--+++-+|-+++--++-|-+-++A--| 62 || ARMBRISTER ARNOLD BARTON |+ A - - A C A - C C |- - C - + - + E E - |- E - E C + C - -BERLANGA BLACKWOOD BLANTON BUCHANAN

rates.

7. H.J.R. 7 (T. Smith, e al.) 2nd Reading. Proposing a constitutional amendment that would allow the Legislature to provide by law for practices and procedures concerning the use of indictments. YCT - Yes. This constitutional amendment would eliminate the concept of "fundamental defect" in indictments that has resulted in the reversal of convictions based on minor technical errors.

8. H.B. 724 (Rudd) 2nd Reading. Would raise the worker's compensation insurance maintenance tax and allow the Industrial Accident Board to collect that tax. YCT -No. The tax increase is not needed to fund the worker's compensation program for next biennium. The excess taxes generated would go to fund other unrelated programs.

9. Motion to table C.S.H.B. 296 (Wolens). The motion to table would kill the bill that would ease regulations in the securities industry by replacing "merit review" with "full disclosure". YCT - No. This bill eliminates barriers to entry into the securities industry in Texas created by the expensive and somewhat arbitrary standards set by the State Securities Board.

Motion to table H.B. 246 (A. Hill). The motion to table would kill a bill that would allow the holder of a bounced check to collect damages from the person who wrote the check. YCT - Yes. Would require the signer of the bad check to reimburse the holder for the full amount of the bad check within 30 days, plus any bad-check processing fee up to \$15. This should reduce the number of bad checks written that force honest, paying consumers to absorb the cost of bad checks.

11. C.S.H.B. 32 (Criss) 2nd Reading. Would extend unemployment-compensation benefits to farm workers. YCT - No. Agricultural employers should not be required to pay unemployment-compensation taxes for employees who are seasonal or part-time. Also, the Texas Employment Commission estimates that this bill will cost \$17 million in benefits paid for 1985, but would only generate \$10 million in taxes for that same period. The entire unemployment-compensation fund is expected to have just \$4 million in it by November of 1985, meaning that the program would go broke trying to handle the added costs that this bill would entail.

12. C.S.H.B. 301 (Toomey) 2nd Reading. Would require an examining trial for a child certified as an adult only if it were requested by the child. An examining trial would have to be conducted prior to any indictment. YCT - Yes. The examining trial is often a duplication of the more extensive certification trial the child must be put through. This bill would allow the defendant to determine whether or not to hold the examining trial.

13. Amendment by Smithee to H.B. 317 (C. Smith). Would protect parents who are educating their children in a course of instruction in the child's home that includes a course in good citizenship from prosecution under this bill. YCT - Yes. The Smithee Amendment would give parents greater freedom in educating their children as best they see fit in the child's own home.

14. C.S.H.J.R. 33 (Haley) 2nd Reading. Proposing a constitutional amendment that would prohibit the consolidation of school districts without the approval of each school district affected. YCT - Yes. School districts should not be forced to consolidate by the State if the local, elected school board officials object to such a consolidation.

15. H.B. 400 (Messer) 3rd Reading. Provides for a means of decreasing the number of state employees by attrition. YCT - Yes. The spiraling growth in the state's population has been exceeded only by the spiraling growth of State government. Over 10 percent of the state population works for state government. This bill would more directly tie the size of state government to the population of the state.

16. Amendment by Waldrop to C.S.H.B. 20 (Rudd). Would cut the entire Appropriations Bill by 2 percent across the board. YCT - Yes. This budget was not as lean as it could have been as was evidenced by the miraculous appearance of \$30 million in the final two hours of the regular session to bail out a floundering piece of legislation. This 2 percent cut would have produced a much leaner and more effective state budget. 17. C.S.H.B. 1280 (Cain/Berlanga) 2nd Reading. Effectively repeals the state's Saturday-Sunday closing law (Blue Law) which dictated that retail stores not be open on consecutive Saturdays or Sundays. YCT -Yes. The hours and days of operation of a retail establishment should be left up to the owner of a business. Government should not intrude into the private sector in this manner.

18. H.B. 1055 (Wolens) 2nd Reading. Creates an offense for escape from custody by a person who is detained under court order. YCT - Yes. This will close a loophole in the law that allows a person held in custody for contempt of court to walk away without fear of any criminal punishment for (continued on next page)

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HOLLOWELL	+++++++++ ++-+E+++ -++PP+-++	81	81
HORN	[++++++++++++++++++++++++++++++++++++++	97 11	
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JOHNSON, C.		84	85
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UEMPEL	++++++++++++++++++++++++++++++++++++++	100	96
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BOWARD	++++++++-+	79	81
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escape. (continued from previous page 19. H.B. 2129 (Morales) 2nd Reading Would tighten the parole process for eligibil ity for inmates with stacked sentences. YCI - Yes. Will require a person serving multiple sentences to be reviewed and found eligible for parole for each individual sentence, instead

of once for the aggregate sentence.

20. H.B. 2341 (Hackney) 3rd Reading Would indicate the incumbent on judicial ballots in certain judicial races. YCT - No This bill would favor incumbent judges and would create additional barriers of entry for challengers in certain judicial races.

21. H.B. 403 (Bush) 3rd Reading. Would amend the Natural Death Act pertaining to doctors and other medical personnel with holding life-sustaining measures from persons judged to be terminally ill. YCT - No Procedures already exist for persons who have, prior to the time they become unable to make such decisions for themselves, made provisions to have life-sustaining measures withheld from them. This bill would allow for the possibility of a disinterested, thirdparty such as an insurance company or hospital to remove life-sustaining measures from a patient without the patient's permission. Only the individual should make that type of decision.

22. Motion to table the Amendment by McKinney to the Amendment by McKenna to H.B. 1023 (Madla, et). The McKinney Amendment would lessen the impact of the McKenna Amendment which would prohibit the Department of Health from providing abortion services, referral services related to abortion, or counseling that advocates abortion under this health care proposal for indigent women and children. YCT -Yes. The McKinney Amendment would not provide the needed protection for pregnant indigent women and the children they would be carrying. The ultimate inalienable right of life for all citizens must be protected to assure a truly free society.

23. C.S.H.B. 523 (Jackson) 2nd Reading. Would rescind full-day funding for kindergarten by the state that resulted through an oversight by the Legislature last session. YCT - Yes. This would rectify an expensive error made during the Perot education reforms by restoring the state spending to only half-day public kindergarten.

24. Motion to table C.S.H.B. 1095 (C. Evans). This bill would have re-created the Texas Health Facilities Commission which regulates the new construction of hospitals, nursing homes and other health-care facilities. YCT - Yes. The private sector is best equipped to determine if new facilities are needed.

History has shown that barriers to entry in any market stifle competition and cause poor service to exist at higher prices.

25. H.J.R. 37 (Haley) Adoption. Proposing a constitutional amendment to prohibit an income tax on individuals or corporations. YCT - Yes. The fact that Texas has no personal or corporate income tax has been a cornerstone in the excellent performance of the Texas economy. Increasing the tax burden would only serve to destroy the economic advantages all Texans enjoy. 26. S.B. 1187 (Brown) 2nd Reading. Would prohibit the imposition of ordinances to regulate the availability of firearms, ammunition, and firearm supplies. YCT -Yes. The right to bear arms was so important to the founding fathers of our country that it was put in the Constitution. This bill would only reinforce the right of all citizens to bear arms.

27. S.B. 1007 (McDonald) 2nd Reading. Creates regulation and certification for respiratory care practitioners and a board for regulatory control. YCT - No. Creates another layer of bureaucracy for certification and regulation of a profession which will end up costing consumers more while providing an inferior service.

28. Motion to table amendment by Schookraft to S.B. 1 (Oliver) (First Called Special Session). The amendment would have delayed the state's fiscal responsibility for two years, except for the perinatal program, by removing the burden on counties by not requiring the dedication of tax revenue for indigent health care, and would have implemented a state employee efficiency program similar to H.B. 400. YCT -No. This amendment would have saved the state and counties millions of dollars by delaying part of the indigent health care program until further study could prove its necessity. Additionally, funds saved by the State efficiency program could have funded the necessary aspects of this amendment. 29. S.B. 1 (Oliver) (First Called Special Session), 2nd Reading. Creates a new system for funding indigent health care. Total cost of \$70 million to be paid by the state, and counties must pay for the additional funding, if necessary. YCT - No. This program, as passed, could place an immense burden on some counties by forcing them to fund indigents from nearby counties. Additionally, it is unknown how much money this program will eventually cost. Public and private hospitals already provide \$12 billion in charity care, which could now be charged to the counties - and if they are not reimbursed, they can sue for payment.

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RANGEL	E	19	14
RICHARDSON	+-+++++-	76	76
RILEY	++++++++++++++++++++++++++++++++++++++	97	97
ROBERTS	+++++++++	100	100
ROBINSON		69	68
ROBNETT	+++ \ ++ + \ + + ++++++++++++++++++++	83	81
RUDD	+-++-++++++++++++++++++++++++++++++++	67	54
RUSSELL	E A - + A - A A + - + - + + E - E - E E A E E E	36	37
SAUNDERS	+ + A A + + + - + + + + + + + + + + + A + + + + +	74 11	80
SCHLUETER	1+++ \(\lambda + + + + + + + + + + + + + + + + + + +	81	74
SCHOOLCRAFT	!+ + + + + + + + + + - + + + + + + + + +	91	89
SHAW WAHS	+	33	36
SHEA	1++++++++++	100	100
SHORT			60
		60	
SMITH, A.		100	97
SMITH, C.	+ + A A + P + + - + + + A + + + + - E E A + - + + -	65	76
SMITH, R.	[++++++++++	97	97
SMITE, T.	+ + A - + + + - + E - + + + + - + + A + + A + A + + + + -	71	64
SMITHEE	E + + + + + E + + - + + + + + + - E E + + + + + + + + -	88	88
STANISWALIS	+++++++++ ++++++++ +++++++++-	88	88
STILES	++-+ \lambda -+-++ -++++++ ++++++++++	74	67
SUTTON	+	10	18
PALLAS	+++++++++	100	100
TAYLOR	++++++++++++	90	90
rejeda	+-+	38	27
THOMPSON, G.E.	++++++-+ -++-+++++ -+++	72	65
HOMPSON, G.W.	+ + + + - + - +	17	17
HOMPSON, S.	+ E - A - + + +	16	15
OOMEY	+ + - \(\lambda + + + + + \(\lambda \right) + + + + + + + + + + + + + + + + + +	93	96
HER	+-+-+++++ ++++++ -+++++++++++	71	67
ALIGURA	+ + + + + + + + + + + + + + + + + + +	97	97
OWELL	++-+E++++- -+++-+-+ -+++		62
ALDROP	+ + + + + + + + + + + E E + + + + + +	100	88
	+ - A + - + + + - + - + - A - + - + +	38	36
		21	22
HALEY	+ + + + + + + + + - + - + + + - + + + +	83	71
ILLIAMSON	+ + + + + + + + + + + - + + + + + + + -		
ILLIS	+ + \lambda - + - + + + + + - + \lambda		
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Young Conservatives of Texas is an independent, non-partisan youth organization dedicated to the preservation of individual liberties and freedoms through limited government.

YCT is an organization for young men and women to participate in the political process. YCT believes that there is no better way to educate and train young citizens as to the workings of our government than to have them directly participate in the process.

Some of the ways that YCT is active in the political process includes:

Elections: YCT leaders are constantly involved in the electoral process at every level. YCT members not only provide the manpower necessary in running a campaign, but many also serve as hired staff and some as candidates themselves.

YCT has established itself as the largest active, conservative youth group in the state, and is already organizing and preparing for its role in the 1986 elections.

Lobbying: YCT is the only statewide conservative group which has consistently coordinated statewide lobbying campaigns on behalf of conservative legislation. YCT organizes letter writing campaigns, lobbies legislators personally, testifies before legislative committees, holds press conferences, conducts massive direct mail campaigns, and coordinates many other projects on behalf of Texans to promote conservative legislation at the state and federal levels.

Conventions/Conferences: YCT annually hosts a State Convention featuring state and national speakers. The 1986 YCT State Convention is scheduled for late February in Austin. YCT is expecting several prominent speakers as well as informative and educational panels and discussions, followed by several straw polls on important races and issues.

YCT also holds special seminars and lectures on campuses across Texas on topics ranging from "economics" to "politics". In addition to these and other projects, individual school and community YCT chapters hold regular meetings featuring guest speakers, films debates and other activities.

Young Conservatives of Texas





Join Young Conservatives of Texas Call or write for information: 512/478-5650

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