

State Senator

**JEFF WENTWORTH****LEGISLATIVE REPORT & QUESTIONNAIRE****Dear Fellow Texans,**

An informed citizenry is the cornerstone of a representative democracy. Communication between elected officials and their constituents is always essential for effective representation, but communication will be especially important to me when the Texas Legislature convenes in special session in 2006 to restructure the property tax system that funds our public schools.

The Texas Supreme Court in a recent 7-1 ruling in the school finance case gave the Legislature until June 1 to find a constitutional way to fund public schools, or they will not open in the fall. A task force appointed by Governor Perry and chaired by former State Comptroller John Sharp is currently studying the state's property tax structure and will make recommendations to the Legislature.

While the task force's recommendations should be helpful, it is ultimately the responsibility of the Texas Legislature to find a way to constitutionally fund our public schools while providing Texans with the property tax relief they need. And we legislators must find a way to replace the loss in property taxes with other sources of revenue to ensure over four million Texas school children continue to receive the quality education they deserve.

To ensure that your interests and concerns are reflected in the restructuring of the property tax system and in our choices of new sources of revenue, I would be grateful if you would take a few minutes to share with me your opinion on education funding and on other state government issues.

Inside this newsletter, you will find more information about education funding and possible sources of revenue, as well as a questionnaire that provides you the opportunity to express your opinion on other state government issues, such as transportation and homeland security. You also will find an easy to clip and save list of Web sites and toll-free numbers that will help expedite your access to state agencies and state services.

I hope that the information in this newsletter will be as useful to you as I know your responses to the questionnaire will be to me.



*Debating a bill from my desk on the floor of the Texas Senate.*

Sincerely,

Jeff Wentworth

**HOW TO CONTACT SENATOR WENTWORTH****Austin Office**

State Capitol, Room 1E.9  
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Austin, Texas 78711  
(512) 463-0125  
Fax (512) 463-7794

Toll-free (888) 824-6984  
Dial 711 For Relay Calls  
Internet E-Mail Address:  
[jeff.wentworth@senate.state.tx.us](mailto:jeff.wentworth@senate.state.tx.us)

**San Antonio Office**

925 North Frost Center  
1250 N.E. Loop 410  
San Antonio, Texas 78209  
(210) 826-7800  
Fax (210) 826-0571

# LEGISLATIVE PROGRAM

*The Texas Supreme Court's ruling in the school finance case returns the task of finding another way of funding Texas public schools to the Legislature. Provisions of the court's ruling are discussed below. Please feel free to comment on this and other state government issues in spaces provided in the questionnaire.*



*Matthew, Jeff, Karla and Jason Wentworth. As a state senator, helping to ensure that Texas is a great state for families is one of my most important responsibilities.*

## **Property tax is unconstitutional**

The Texas Supreme Court ruled that the current property tax system is unconstitutional because a majority of Texas' 1,037 independent school districts set tax rates at or near the maximum of \$1.50 per \$100 valuation to fund schools. This has unintentionally created a de facto statewide property tax, which is unconstitutional.

As a result of the ruling, homeowners should receive the property tax relief they have been asking for after the Legislature devises a new school funding plan. Devising that plan will be difficult. During last year's one regular and two special sessions, the Legislature failed to agree on new sources of revenue. The Senate passed two education funding plans; however, neither was acceptable to the House of Representatives.

## **Share-the-wealth plan**

Texans who object to the current share-the-wealth education funding distribution plan are disappointed that the Texas Supreme Court did not hold that plan unconstitutional. Although the court found the property tax component of the current public school finance system to be unconstitutional, the court held that the education component of the system meets all requirements of the Texas Constitution's education provision, reversing a lower court's ruling that the current system does not satisfy the constitution's adequate, efficient and suitable provisions.

The court did caution the Legislature that it was drifting toward "constitutional inadequacy" by taking money from property-rich districts and giving it to property-poor districts to achieve equity in Texas' public education system.

## **Other revenue sources**

The state provides 40 percent and the federal government provides 9 percent of the approximately \$33 billion spent annually on Texas public schools. Local school property taxes account for 51 percent. When property taxes are lowered, the Legislature must find other revenue sources to ensure that 4.3 million Texas school children receive the quality education they deserve.

A 24-member Texas Tax Reform Committee, appointed by Governor Perry and chaired by former State Comptroller John Sharp, is studying some possible sources of revenue. The committee's task is a formidable one.

If the property tax rate per \$100 valuation is reduced by 25 cents, the annual savings for a homeowner living in a \$167,000 house would be \$418 annually. That 25 cent reduction in property tax rates would "cost" the state \$3.2 billion, which would have to be replaced by revenue from some other source.

A 50 cent or approximately 1/3 reduction in the rate would create a property tax savings of \$836 for the \$167,000 house and a \$6.4 billion loss of revenue to the state.

Replacing lost revenue will be difficult. A \$1 increase in the tax on cigarettes would net between \$750 and \$800 million annually. Video lottery at existing dog and horse race tracks would bring in \$800 million annually. Closing franchise tax loopholes would raise \$432 million annually, while expanding the franchise tax to include limited liability partnerships and companies would net up to \$500 million each year.

A sales tax increase from 6.25% to 7.25% would result in an annual \$1.74 billion revenue stream.

I believe the task force will be considering all these options as well as many others. Texans should be aware that lowering your property tax bill will require an increase in certain taxes or fees in other areas to raise the money that is needed to pay for our children's education.



*Sharing a lighter moment with Senator Jon Lindsay of Houston.*



# LEGISLATIVE PROGRAM

*Navigating the bureaucratic maze of state government offices may sometimes prove frustrating. To help you in your efforts to contact a state office to avail yourself of a state service, the list below includes often requested toll-free phone numbers and Web sites.*



*Senator Bob Deuell of Greenville and I greet Governor Rick Perry on one of his visits to the Texas Senate.*

## *Interim activities*

The Texas Legislature meets once every two years for 140 days, but vital issues that affect Texans are not limited to that short time frame.

Public education, crime prevention, highway safety, child support enforcement, economic development, health care concerns and many others continue 24 hours a day, 365 days a year.

During the time between sessions, we will continue identifying problems, monitoring recently passed legislation and holding public hearings where Texans share their concerns with the men and women who represent them in Austin.

As chairman of the Senate Committee on Jurisprudence and a member of the Administration, Intergovernmental Relations, and Transportation and Homeland Security committees, I will be addressing issues during the interim that impact Texans' lives.

In addition to my committee responsibilities, I have been appointed to the Texas Judicial Council, which continuously studies the organization and operation of the state's civil courts.

I also hope to meet with as many of you as I possibly can in the cities and towns where you live and work before the Legislature convenes in 2007.



*Conferring with my chief of staff, Joe Morris, during a committee hearing.*

## *Prescription drugs*

Although Medicare is a federal program, there is state help available to help senior Texans decipher the language of the new Medicare prescription drug program designed to provide eligible Americans with prescription drug coverage.

I urge seniors to call the Texas Department on Aging toll-free at 800-252-9240 for assistance. This number is especially important for Texans receiving Medicaid. Medicare Part D began paying for Medicaid clients' prescription drugs on January 1. Medicaid will continue to pay for all other services.

Texas recently launched a Texas chapter of the Partnership for Prescription Assistance, which matches low-income and uninsured patients with pharmaceutical companies, state agencies and foundations that offer free and low-cost medicines. Learn more by calling toll-free (888) 4PPA-NOW or log onto [www.pparxtx.org](http://www.pparxtx.org).

## TOLL-FREE NUMBERS AND WEBSITES

### Department of Aging and Disability Services

Consumer rights: 888-843-8222  
Website: <http://www.dads.state.tx.us/>

### Attorney General of Texas

Child support: 800-252-8014  
Website: <http://www.oag.state.tx.us/>

### State Comptroller of Public Accounts

Non-tax Questions: 888-334-4112  
Tax Questions: 877-662-8375  
Website: <http://www.window.state.tx.us/>

### Texas Department of Criminal Justice

Offender information: 800-535-0283  
Website: <http://www.tdcj.state.tx.us/>

### Texas Department of Family & Protective Services

Abuse & Neglect: 800-252-5400  
Runaway Hotline: 800-580-HELP (4357)  
Foster care/adoption: 800-233-3405  
Website: <http://www.dfps.state.tx.us/>

### Texas Health and Human Services Commission

Main Number: 2-1-1 (from anywhere in Texas)  
Website: <http://www.hhsc.state.tx.us/>

### Texas Online

Website: <http://www.texas.gov/>

### Texas Department of Insurance

Main Number: 800-578-4677  
Website: <http://www.tdi.state.tx.us/>

### Texas Secretary of State

Elections Division: 800-252-VOTE (8683)  
Website: <http://www.sos.state.tx.us/>

### Texas Legislature Online

Website: <http://www.capitol.state.tx.us/>

# QUESTIONNAIRE



## Budget and Taxes

Voter #1  
Yes No

Voter #2  
Yes No

- In the past three years, during two regular sessions and three special sessions, the Legislature tried to find a way to provide homeowners relief from rising school property taxes. Although no consensus was reached, many options were proposed. Which of the following options do you favor to fund public education if local school property taxes are reduced by 1/3 to 1/2?
  - a statewide property tax
  - an increase in the sales tax of one cent
  - expansion of the franchise tax to include limited liability corporations and partnerships as well as business corporations that are already covered
  - a sales tax on *services* such as advertising, accounting, architectural, engineering and legal
  - a 1% or 2% tax on business activity to replace the corporate franchise tax
  - an increased tax of \$1 per pack on cigarettes
  - allowing video lottery terminals at existing dog and horse race tracks
  - other: \_\_\_\_\_
- Cities and the state rely on sales tax revenue from items purchased at local stores and malls. Items purchased over the Internet are not subject to a sales tax if they are bought from companies with no physical presence in Texas. Should Internet sales be taxed the same way as goods are taxed in retail establishments?

Voter #1		Voter #2	
Yes	No	Yes	No
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## Government

- Do you favor a constitutional amendment requiring a record vote on every bill the Legislature considers and making that record available on the Internet?
- Do you favor removing from the Legislature the power to draw state legislative and federal congressional district boundaries and establishing an independent, bipartisan Texas Redistricting Commission comprised of citizens who are neither elected officials or officials of a political party?
- Do you favor giving voters in cities and counties the power to vote on a new form of local government that would consolidate city and county government?
- Texas primary elections where political parties select nominees are currently conducted in March, leaving eight months before the November general election. Do you favor moving the primary elections to May, or later, to lengthen the primary election season and shorten the time before the general election?
- County governments lack authority to correct the problems of sub-standard developments in the unincorporated areas of counties. Do you favor a bill that would authorize a county commissioners court, after approval by local voters, to regulate land development in the unincorporated area of the county?
- Do you favor a new law to prohibit straight-ticket voting, thereby requiring voters to vote for each candidate on the ballot for whom they wish to vote?

Voter #1		Voter #2	
Yes	No	Yes	No
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## Education

- Do you favor consolidation of the independent school district **that you live in** with a neighboring independent school district?
- Do you favor a pilot voucher system for students who are at risk of dropping out of public school, whereby the state would pay a specified amount of money per student to any accredited school selected by the parents?
- Do you favor repealing the law that grants automatic admission to the top 10 percent of Texas high school graduates to state public colleges and universities?
- Do you favor phasing in over four years a requirement that school districts must spend at least 65 percent of their budgets on direct classroom instruction?

Voter #1		Voter #2	
Yes	No	Yes	No
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# QUESTIONNAIRE



## Court system

13. Some states allow the governor to nominate judges with confirmation by the senate, then voters may vote to keep them or not keep them in office at a later election. Do you favor such gubernatorial nomination, senate confirmation, and retention elections for Texas judges?

Voter #1		Voter #2	
Yes	No	Yes	No

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14. Voters approved a constitutional amendment in 2003 that limits noneconomic damages in civil lawsuits. Do you believe that "tort reform" has had a favorable impact on insurance rates and decreased civil lawsuit filings?

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## Public safety

15. Do you favor allowing a person to use deadly force against an intruder in his or her home without first having to try to escape?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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16. Do you favor restricting the use of cell phones by drivers in moving vehicles to only those which can be operated hands-free?

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## Transportation

17. In order to reduce congestion on our public highways, do you favor an increase in gasoline taxes of up to 50 cents per gallon to fund new highway construction?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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18. In order to reduce congestion on our public highways, do you favor the construction of new highways to be paid for by tolls?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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## Constituent Satisfaction

19. Have you ever contacted me or my office for assistance?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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20. If so, were you treated courteously, and were we able to help you?

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## Comments

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Senator Jeff Wentworth  
 P.O. Box 12068  
 Austin, Texas 78711-2068

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The Senate of The State of Texas

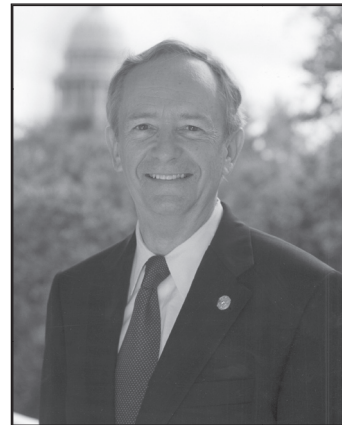
Senator Jeff Wentworth

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# Legislative Report & Questionnaire



State Senator

# JEFF WENTWORTH

THE TEXAS SENATE IS AN EQUAL OPPORTUNITY EMPLOYER AND DOES NOT DISCRIMINATE ON THE BASIS OF RACE, COLOR, NATIONAL ORIGIN, SEX, RELIGION, AGE OR DISABILITY IN EMPLOYMENT OR THE PROVISION OF SERVICES.

## Join the growing list of informed Texans

Texas state government functions best when Texans are informed.

To keep you informed about both state issues and about state services that are available to you, I write a weekly column that appears in many, but not all, of the newspapers in Senate District 25. It is also sent via e-mail to constituents who request it.

If you would like to receive my column by e-mail, please e-mail me at [jeff.wentworth@senate.state.tx.us](mailto:jeff.wentworth@senate.state.tx.us) and ask to be added to the distribution list.

My columns are designed to be informative rather than partisan in nature, and I believe you will find them to be useful.

## COUNTIES IN SENATE DISTRICT 25

Bexar (north)  
Hays

Comal  
Kendall

Guadalupe  
Travis (south)

