

Highlights from the Texas Legislature

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AUSTIN, Texas — Some Texas lawmakers are trying again to establish Las Vegas-style casinos in Texas, and they say now is the time to do it because the state needs the money.

Sens. Rodney Ellis, a Houston Democrat, and John Carona, a Dallas Republican, unveiled their casino legislation Tuesday and said that Texans are gambling, but they're going out of state to casinos. They said the state of Texas should get a take of that action through casino tax revenue and jobs.

"Texans are already gaming. They're going to continue to do so. I say let's regulate it and let's tax it and let's use the money to pay for public schools and highways and other needy programs in the great state of Texas," Ellis said. He noted that the state has a lottery and pari-mutuel wagering at horse and dog tracks. He said Texans secretly gamble via the Internet and on eight-liner machines.

The proposal calls for up to 12 "destination resort" casinos, meaning they would be major real estate developments that would include retail and other entertainment, Carona said. The measure also would allow slot machines at existing horse and dog race tracks and casino gambling on Texas Indian reservations.

The two senators pushed a similar bill last time, but it failed. Baptists and social conservatives who oppose gambling are vowing to fight the proposal again. And some out-of-state casino interests aren't excited about seeing competing gambling operations getting going in Texas, especially with the slumping economy. There's also a rift developing between casino and race track interests.

Though House Speaker Joe Straus, whose family has interests in horse racing, has said he'll stay out of gambling legislation, two of his close allies — House Appropriations Chairman Jim Pitts, a Waxahachie Republican, and Rep. Jose Menendez, a San Antonio Democrat — are backing the casino bill.

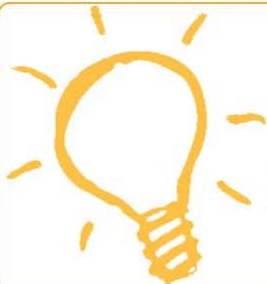
ULTRASOUND BILL

State lawmakers and anti-abortion groups touted new legislation Tuesday with a live ultrasound on a 10-week-old fetus to illustrate what pregnant mothers seeking an abortion would be shown if the so-called ultrasound bill passes.

Republican Lt. Gov. David Dewhurst, speaking at the press conference, said he supports the bill because it may lower the number of abortions seen in Texas.

"It gives an opportunity to a woman — it's not required, it's an opportunity to a woman — to listen to the sonogram, hear the heart beat, and perhaps change her mind," he said.

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The bills introduced in the state House and Senate would require all doctors performing abortions to perform an ultrasound, describe the fetus and its development, make the heartbeat audible to the pregnant woman and provide her with the ultrasound images. The pregnant woman may choose not to view the materials or "avert her eyes," according to the language of the bill.

Republican Sen. Dan Patrick of Houston, the author of the bill in the Senate, said testimony shows that in most cases ultrasounds are given, but he is concerned about cases where ultrasounds are not given.

"I think that this bill will protect women from being at the hands of a doctor who is not performing best practices, and secondly, it may change the thinking of that woman if she decides to look at that ultrasound, to hear that heart beat," Patrick said.

Republican Rep. Frank Corte, Jr. of San Antonio, the author of the bill in the House, said the bill has support across the aisle.

Shortly after the press conference, anti-abortion groups and their supporters gathered on the south steps of the Capitol for an anti-abortion rally at which Gov. Rick Perry spoke.

TEENAGE VOTING

Rep. Hubert Vo, D-Houston, filed legislation Tuesday that would let 17-year-olds vote in

primary elections if they will turn 18 by the following general election in November.

Vo said it makes sense for young people to have the right in the spring primary to select party nominees they will be voting on in the fall. The measure would require voter approval in a statewide constitutional amendment election.

STATE SCHOOLS

State homes for the mentally disabled would get more oversight and rigorous investigations of claims of abuse under a bill approved Tuesday by the Senate Health and Human Services Committee.

The bill was in response to a federal report that documents hundreds of cases of abuse and neglect and blamed 53 deaths on preventable causes.

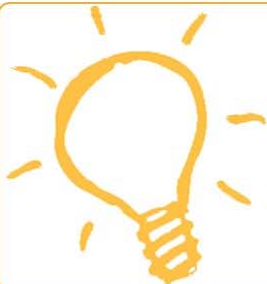
Texas has 13 large institutions for the mentally disabled — known as state schools — housing nearly 5,000 residents.

The bill now goes to the full Senate for consideration.

DEATH PENALTY

State Rep. Harold Dutton, D-Houston, is calling on the Texas Legislature to abolish the so-called "law of parties," which allows prosecutors to

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seek the death penalty against defendants who play sometimes minor roles in capital murder cases.

The unique statute holds that each participant of a capital crime can be held equally responsible. In any other state, the person who actually killed another person might be eligible for execution, but the driver or other participants might not be.

Dutton's House Bill 304 would prohibit the application of the death penalty unless the defendant had direct involvement in the killing. Dutton said at least 12 people have been executed in Texas under the "law of parties."

Gov. Rick Perry in August 2007 spared death row inmate Kenneth Foster just hours before he was to have been executed for being a killer's getaway driver. Perry didn't object to Foster's execution on those grounds. Instead, he said he opposed trying capital murder defendants together, as Foster and a co-defendant were.

STIMULUS MONEY

Under pressure from lawmakers, the Texas Transportation Commission is delaying the selection of projects that will receive federal rescue money.

Just a week after President Barack Obama signed the stimulus package into law, the commission had planned to vote Thursday on which state transportation projects would get part of \$2.3 billion in stimulus funding for transportation. But

officials said Tuesday the vote on the bulk of the spending would be postponed until next week.

The law stipulates Texas has at least 120 days to spend the money and up to a year for a portion of it.

Rep. Jim Dunnam, chairman of the House Committee on Federal Economic Stabilization Funding, has been critical of the commission's apparent rush to approve projects and has argued that lawmakers have not been consulted in the selection process.

The commission instead will consider using \$500 million of the federal rescue package for highway improvement projects at this week's meeting, which starts Wednesday, spokesman Chris Lippincott said.

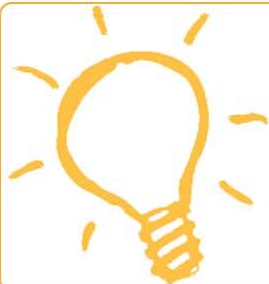
Projects to receive stimulus money are being selected based on factors such as safety, congestion relief and economic development, Lippincott said.

SEX ED

A new study of sex education in Texas claims the state's heavy reliance on abstinence-only programs are littered with errors, mistruths, distortions and other problems.

The report was commissioned by a watchdog group that monitors religious influence in public schools.

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"Texas is failing families when it comes to sexuality education," said David Wiley, a health education professor at Texas State University-San Marcos and one of the co-authors of the report from the Texas Freedom Network Education Fund. "Our classrooms are perpetuating a conspiracy of silence that robs young people of the reliable information they need to make responsible life decisions."

Texas gets more federal abstinence funding than any other state and has one of the highest teen birth rates in the nation, TFN Education Fund President Kathy Miller said.

The study, which analyzed thousands of pages of curriculum materials, district policies and other documents, says 96 percent of Texas school districts teach students nothing about responsible pregnancy and disease prevention except abstinence.

LIGHTER BAN

A bill that would ban novelty lighters from being sold across Texas went before the state affairs committee in the state House of Representatives Tuesday.

Lighters that can be mistaken for toys — shaped like race cars and animals — are targeted by House Bill 90, which is part of a nationwide trend of state legislation efforts. On Monday a novelty lighter ban passed the Oregon Senate to head to the governor's desk. Nine other states are considering bans and Maine and Tennessee

already have such bans.

Democratic state Rep. Armando Martinez, a professional firefighter from Weslaco, said the issue was brought to his attention at an arson awareness week and he hopes the legislation will prevent deaths caused by children playing with the lighters.

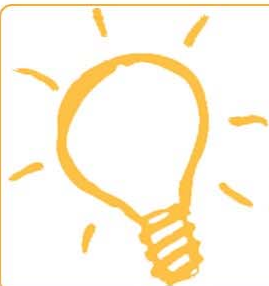
"Of course when you show up to a residence and you're putting out a fire and you find a body, that's tough, but when it's a child's body, that's even worse," he said. "We don't mind that you sell a lighter, just sell it as a lighter, not as a duck, or a motorcycle, or as a bat, or as a ball."

The state fire marshal and firefighter groups testified in favor of the bill at the hearing. There was no testimony against, but committee members raised questions about how the ban would be implemented and whether keeping toy-like lighters out of children's hands was a parent's responsibility.

QUOTE OF THE DAY

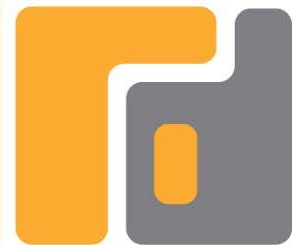
"You're treating them like dirt." — Karen Yeaman in Senate testimony on a bill to prevent abuse and neglect of the mentally disabled in state care. Her son lived for six months at the Austin State School.

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