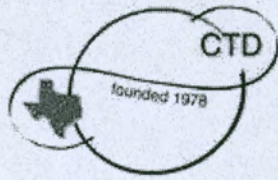


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Messenger

The Coalition of Texans with Disabilities

CTD Messenger June 2009

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- [2009 Legislature Report – Part 1: Budget Issues and State Schools](#)
- [Budget and State Schools](#)

Correction: In the last newsletter, we inadvertently left Lift Aids (www.lift-aids.com) off the list of CTD convention advertisers. CTD apologizes to Connie and our supporters at Lift Aids for this omission.

Stick a Fork in It – It's Done!

2009 Legislature Report – Part 1: Budget Issues and State Schools

All bets were off. Nobody could predict what would happen in the 2009 Texas legislative session. The economy tanked and supposedly took the state budget with it, then federal stimulus money revived it. The Senate changed its rules to pave the way for Voter ID changes, but didn't figure the House would kill it. At the last possible moment, little known Rep. Joe Straus was elected the new Speaker of the House, igniting a chain reaction that changed almost all the committee chairmen. The State Schools were hit with federal Dept of Justice charges for abuse, the notorious Fight Club scandal at the Corpus Christi State School hit national media and the Denton State School was blasted for its failure to properly report the sudden violent death of a resident.

CTD was there for you **before** the session, working with legislators to draft bills. CTD then worked tirelessly through the days and nights, including an **allnighter until 6 a.m.**, of the 140 days of the 81st session to make sure that Texans with disabilities had a seat at the political poker table. With the help of individuals calling and writing their Senators and Representatives, along with the help of our partner advocacy groups, some very significant outcomes were achieved.

CTD efforts included:

- **Testimony** at public hearings; including specially invited testimony
- Direct contacts to **legislative offices**
- Supplying and reviewing **language for legislation**
- Written **position papers** distributed to the Legislature
- Operating **Raise Your Voice!** (click the link on www.cotwd.org), a web-based tool to communicate to legislators. CTD members sent legislators over 2,500 emails.
- Organization of and/or participation in several **legislative rallies** at the Capitol
- **Press conferences** and media interviews
- We held our annual **convention** just blocks from the Capitol in April, bringing in folks from around the state



CTD's Dennis Borel at press conference. In back: Senators Van De Putte, Ellis, Shapleigh, West, Davis and Whitmire

Budget and State Schools

With all the publicity on State Schools, the pressure was on the Legislature. There was a lot advocates wanted about State Schools that did not get done like consolidation of facilities, development of a real long term plan and waiver reform. But there was a commitment to reduce the State School population, relocate hundreds to the community and substantially reduce the community services wait lists. Yes, the legislators threw more money at the institutions but they also appropriated the largest funding ever to reduce the community wait lists. They also funded an increase in the wages paid to community direct care workers. Again, not the \$10 per hour we wanted, but the average should

now be \$8, an improvement. We were successful in advocating for three new centers for independent living and the elimination of the wait list for Comprehensive Rehab Services for traumatic brain and spinal cord injuries during the critical first year after injury.

Click [here](#) to view the complete 2009 CTD Legislative Report and **check back for Part 2 in the next newsletter.**

Thanks to all the CTD members, volunteers, friends, legislators and Capitol staffers who helped us in our mission.

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June 18, 2009

Listening to Our Members!

2009 Legislature Report – Part 2: Diverse Disability Legislation

In our last *CTD Messenger*, we reported our work on behalf of Texans with disabilities in the high profile state budget and State Schools issues and the outcomes. There were many other topics that CTD members had asked us to initiate, support or oppose.



Rep. Abel Herrero speaking at a CTD rally on the capitol steps

Voter ID legislation (SB362) received a lot of media coverage and CTD had the visible disability lead in the Senate. CTD opposed the bill for two reasons. First, there is virtually no record of voter impersonation in Texas, the only type of voter fraud that would have been addressed by additional ID requirements. Second, of the 17 potential types of voter IDs allowed by this bill, at least 16 would've have been less likely held or more difficult to obtain for a voter with a disability. Once in the House, colleagues at AARP, Advocacy Inc, LULAC, NAACP and ACLU took the forefront. After a long partisan battle, **voter ID died**. We also **strongly opposed and killed**

numerous bills that would have allowed exemptions to polling place accessibility and accessible voting technology. The voting rights of people with disabilities were protected.

Passed- Filed at CTD request, HB1805 legalized the use of laser sighting devices for **hunters with disabilities**. A reasonable accommodation bill, HB1805 was of high interest to the Texas Chapter of the Paralyzed Veterans of America. .

CTD was honored to strongly support the successful passage of SB187, very important legislation to working families with kids with disabilities. The bill allows these families with an income above eligibility to **"buy in" to Medicaid for their children**. This tough fight was led by the UT Center for Disability Studies.

Passed- Based on complaints from members who've purchased modified vehicles, CTD strongly backed HB236 to ensure the **proper motor vehicle sales tax exemption** for buyers.

Passed- We were among the many who supported HCR22 which permits the **Chishty family to sue the State** for the beating of Haseeb Chishty at the Denton State School.

Make no mistake, we also took our lumps in this tricky, difficult, exhausting session. Two important bills filed at CTD request were HB849, to **waive the state's sovereign immunity to its ADA violations**, and HB970, to **include business owners with disabilities as historically underutilized business (HUBs)** for purposes of contracting for state work. Though neither bill passed, we did get both out of committee and raised awareness of these issues. CTD continued its involvement in the highly controversial HB3325 bill to change advanced directives practices and who can make end of life decisions. We call

this the "Don't Pull the Plug Bill" and it stalled out.

These and other diverse bills took CTD to many different legislative committees. During the 81st session, we found ourselves directly working with more committees than ever. Here's our list:

Senate Committees:

- Administration,
- Business & Commerce,
- Criminal Justice,
- Finance,
- Health & Human Services,
- Nominations,
- State Affairs,
- Transportation & Homeland Security,
- Natural Resources

House Committees:

- Appropriations,
- Business & Industry,
- Calendars,
- Culture, Recreation & Tourism,
- Elections,
- Human Services,
- Judiciary & Civil Jurisprudence,
- Local & Consent Calendars,
- State Affairs,
- Transportation,
- Federal Stabilization Funds

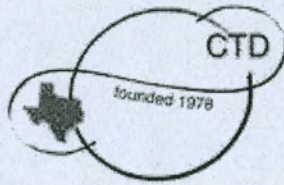
Click [here](#) to view the complete 2009 CTD Legislative Report and **check back in the next newsletter for Part 3: The End Game or How CTD Played a Critical Role in Passing Six Disability Bills on the Last Day.**

Thanks to all the CTD members, volunteers, friends, legislators and Capitol staffers who helped us in our mission.

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Messenger

The Coalition of Texans with Disabilities

2009 Legislature Report – Part 3: The End Game

CTD's Critical Role in Passing Six Disability Bills on the Last Day

The last two editions of CTD Messenger covered our advocacy work on the budget and diverse disability legislation. Those reports focused on issues on which we were continuously engaged, often beginning our advocacy well before the January start of the legislative session. Some of our most effective work came in the final weeks of the session when we were notified of seven good disability bills that were stuck in the process. These bills were at high risk with only a short time left. Meanwhile, logjams of bills were clogging the House and Senate. CTD worked directly and sometimes furiously in each case and six of the bills became law.



Back: Dennis Borel & Ty Wilson of Freedom P&O
Front: Sarah Mills of A.I. and Chase Bearden

Passed

HB978, known as the **ADA Amendments bill**, would update Texas Labor Code to the new federal ADA standards. Blocked in the House Calendars Committee, we got to the right people, corrected misconceptions and got the bill to the House floor. In the Senate, we pushed for a hearing, coordinated the testimony and got the bill out of committee only to have HB978 pulled from the Senate calendar. 10 pm strategy calls led to 7 am meetings the next morning to get it back on the calendar.

Passed

At CTD, we called HB1343 the miracle bill. HB1343 strengthened the deterrent to drivers who fail to yield the **right of way to a pedestrian with blindness or a mobility impairment** by increasing the penalties. A similar bill caused massive confusion. We pushed to get a House committee hearing and it was the latest possible date for the bill to continue moving. We got it to the House floor on the last possible date for it to pass. The Senate committee then did not schedule HB1343 for its final hearing. Only by trapping the chairman in his office at 7 am was CTD able to convince him to add HB1343 to the agenda. The bill passed in a photo finish the final night.

Passed

SB1612 was initiated by VCFS Texas, a new parents group. The bill proposed to provide information on **Velo Cardiofacial Syndrome**, a genetic disorder, to medical professionals and parents when a child exhibits two indicators of VCFS. Early in the session, CTD provided advice and assistance to VCFS Texas and the bill moved through the Senate. When SB1612 slowed in the House, we used contacts with the Human Services Committee to get a hearing. When a contact in the Calendars Committee informed us SB1612 was in danger of being bypassed, CTD hit committee members and notified VCFS Texas to act as well. SB1612 moved to the House floor and passed in a close call.

Passed

SB1804 was controversial legislation about to be left for dead. Initiated by the Greater Texas Rehab Providers Council, SB1804 would require **expertise in fitting prescribed wheelchairs** for Medicaid recipients including kids with disabilities. Opposed by an occupational therapist group, the Human Services Committee Chair granted CTD and the Rehab Providers time to negotiate a compromise bill. Again we passed a bill at the last minute.

Passed

HB400 and HB3095 **improved Texas' handicapped parking laws**, allowing a grace period for an expired legitimate placard, simplifying enforcement and increasing fines for violations. Noncontroversial and perceived as "small", less important bills, HB400 and HB3095 would easily have died in the last weeks. Both needed an advocacy group to get them moving through the final committees and Senate floor. CTD filled that role and both passed on the final day of the Senate.

NOT

~~Passed~~ CTD did not bat 1.000 on the end game. HB155 would allow a person with a disability to operate a motor vehicle to approach and **access a river**. Conservation laws protect rivers from motor vehicles but do allow several exemptions. CTD worked hard on this **reasonable accommodation bill**, only to have it die on the Senate's final day.

There were folks who told us these bills were minor, just not that important compared to major bills fighting to get through in the end game. For workers with disabilities, blind pedestrians, VCFS parents, wheelchair users and consumers of accessible parking spaces, each of these bills is meaningful.

Click [here](#) to view the complete 2009 CTD Legislative Report.

Thanks to all the CTD members, volunteers, friends, legislators and Capitol staffers who helped us in our mission. Special appreciations to the cross-disability partners at the Capitol every day: ADAPT, UT Center for Disability Studies and Advocacy Inc. Thanks to all the disability and senior advocacy groups who collaborated on the budget issues.