

Smoke In the Mirror

**How Texas House Members
Voted On Tobacco-Control
Legislation**

**A Vote Analysis By
Texans For Public Justice
609 W. 18th Street, Suite E
Austin, Texas 78701
(512) 472-9770**

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How Texas House Members Voted On Tobacco-Control Legislation

At the end of the 75th Legislative session, a majority of the members of the Texas House of Representatives fended off the powerful tobacco lobby to approve two major pieces of legislation. These are the:

- Cigarette Ingredients Disclosure Bill (HB 119) sponsored by Rep. John Hirschi (D-Wichita Falls); and
- Childrens' Access to Tobacco Bill (SB 55) sponsored Hugo Berlanga (D-Corpus).

Texas' leading health and consumer organizations vigorously supported both bills. SB 55, the nation's toughest restrictions on childrens' access to tobacco, even won the support of the Texas Retailers Association, whose tobacco-vending members will have to comply with new rules that shield kids from tobacco marketing come-ons.

The tobacco industry and its lobbyists were desperate to sabotage or kill both of these tobacco-control bills. Having already killed a bill that would have stripped the tobacco titans of a special state exemption from product liability lawsuits, the industry rolled out 24 lobbyists who were paid up to \$935,000 to combat the two new tobacco-control bills.

Rep. Warren Chisum (R-Pampa) was the tobacco industry's legislative point man. Chisum offered four separate amendments designed to sabotage the tobacco-control bills. A majority of House members roundly defeated three amendments that Chisum proposed to undermine the childrens' access bill. A fourth Chisum amendment, which prevents the tobacco industry from having to disclose toxic and other ingredients that it rolls into its products, passed the House.

The Chisum amendments gave each of the 149 House members four opportunities to either go to bat for the tobacco lobby or protect the health of constituents and their children. An analysis of this voting record identifies 38 House members who hit the ball out of the park every time for consumers, while 17 members voted a straight tobacco-industry ticket in all four votes. A surprising finding of the analysis is the degree to which the best and worst members on these tobacco votes rise and fall along partisan lines:

- Of the 38 legislators who backed the pro-health position on all four amendments, only one is a Republican: **Ron Clark of Sherman;**
- Of the 17 legislators who supported all four sabotage amendments, only one is a Democrat: **Tom Uher of Bay City.**

38 Legislators Voted For Health All 4 Times

Clyde Alexander	Jim Dunnam	Dan Kubiak	Richard Raymond
Leo Alvarado	Al Edwards	Glenn Lewis	Arthur Reyna
Kevin Bailey	Harryette Ehrhardt	Glen Maxey	Alec Rhodes
Hugo Berlanga	Domingo Garcia	Jim McReynolds	Gerald Torres
Fred Bosse	Bob Glaze	Paul Moreno	L. Van de Putte
Lon Burnam	Patrcia Gray	Elliott Naishtat	Miguel Wise
Ron Clark	Sherri Greenberg	Dora Olivo	Steven Wolens
Debra Danburg	John Hirschi	Joe Pickett	Zeb Zbranek
Diana Davila	Terri Hodge	Albert Price	
Yvonne Davis	Jesse Jones	Irma Rangel	

17 Voted A Straight Tobacco-Industry Ticket

Warren Chisum	Suzanna Hupp	John Shields	Gary Walker
Frank Corte	Mike Jackson	Bill Siebert	Beverly Wooley
Mary Denny	Edmund Kuempel	David Swinford	
Steve Holzheuser	Anna Mowery	Robert Talton	
Jim Horn	Elvira Reyna	Tom Uher	

Based on complete House tobacco amendment voting records (see appendix)¹, a “health rating” was calculated for each member by dividing the number of pro-health votes a member cast by four—the total number of tobacco-related votes analyzed.

Key Tobacco-Control Votes

Vote ①: HB 119, Cigarette Ingredients Disclosure Bill

Amendment by Rep. Warren Chisum (R-Pampa) to exempt from the public’s right to know any tobacco ingredients that cigarette companies claim as “trade secrets.” House votes 65-63 to adopt the anti-health amendment. Pro-health vote: “Nay.”

Vote ②: SB 55, Childrens’ Access to Tobacco Bill

Amendment by Chisum to allow retailers to place cigarettes within the reach of customers—including children. House votes 93-46 to table (kill) the anti-health amendment. Pro-health vote: “Aye.”

Vote ③: SB 55, Childrens’ Access to Tobacco Bill

Amendment by Chisum to strip the bill of its enforcement budget by deleting a 10% levy on cigarette billboard ads. House votes 84-59 to table the anti-health amendment. Pro-health vote: “Aye.”

Vote ④: SB 55, Childrens’ Access to Tobacco Bill

Amendment by Chisum and Rep. John Shields (R-San Antonio) to resurrect the earlier amendment that would strip out SB 55's enforcement budget. House votes 87-43 to table the anti-health amendment. Pro-health vote: “Aye.”

¹ Record Vote 402, May 13, 1997; Record Vote 473, May 21, 1997; Record Vote 474, May 21, 1997; and Record Vote 536, May 24, 1997.

House Votes on Key Tobacco Amendments

"+" = Pro-Health Vote

"E" = Excused Absence

"-" = Pro-Tobacco Vote

"A" = Unexcused Absense

"P" = Present/Not Voting

Dist.	First	Last Name	Party	Vote 1	Vote 2	Vote 3	Vote 4	Rating
1	Barry	Telford	D	-	E	A	+	50%
2	Tom	Ramsay	D	-	-	-	+	25%
3	Pete	Patterson	D	-	-	-	A	0%
4	Keith	Oakley	D	A	+	+	-	50%
5	Bob	Glaze	D	+	+	+	+	100%
6	Ted	Kamel	R	-	+	+	+	75%
7	Tommy	Merritt	R	-	+	-	-	25%
8	Paul	Sadler	D	E	+	+	+	100%
9	Wayne	Christian	R	-	+	+	E	66%
10	Jim	Pitts	R	A	-	+	-	33%
11	Todd	Staples	R	-	+	+	+	75%
12	Clyde	Alexander	D	+	+	+	+	100%
13	Dan	Kubiak	D	+	+	+	+	100%
14	Bill	Roman	R	-	+	+	+	75%
15	Thomas	Williams	R	-	-	+	A	25%
16	Bob	Rabuck	R	-	+	-	A	25%
17	Jim	McReynolds	D	+	+	+	+	100%
18	Allen	Hightower	D	-	-	-	+	25%
19	Ron	Lewis	D	+	+	+	A	75%
20	Zeb	Zbranek	D	+	+	+	+	100%
21	Mark	Stiles	D	E	A	A	A	0%
22	Albert	Price	D	+	+	+	+	100%
23	Patricia	Gray	D	+	+	+	+	100%
24	Craig	Eiland	D	-	-	+	+	50%
25	Dennis	Bonnen	R	-	+	+	+	75%
26	Charlie	Howard	R	-	+	+	+	75%
27	Dora	Olivo	D	+	+	+	+	100%
28	Robert	Cook	D	-	+	+	+	75%
29	Tom	Uher	D	-	-	-	-	0%
30	Steve	Holzheuser	R	-	-	-	-	0%
31	Judy	Hawley	D	-	+	+	+	75%
32	Gene	Seaman	R	-	+	+	+	75%
33	Vilma	Luna	D	+	+	-	-	50%
34	Hugo	Berlanga	D	+	+	+	+	100%
35	Irma	Rangel	D	+	+	+	+	100%
36	Kino	Flores	D	+	+	-	+	75%
37	Rene	Oliveira	D	E	+	+	+	100%
38	Jim	Solis	D	+	+	-	+	75%
39	Miguel	Wise	D	+	+	+	+	100%
40	Juan	Hinojosa	D	+	E	A	+	100%
41	Roberto	Gutierrez	D	+	+	+	E	100%
42	Henry	Cuellar	D	-	+	+	+	75%

Dist.	First	Last Name	Party	Vote 1	Vote 2	Vote 3	Vote 4	Rating
43	Tracy	King	D	-	+	+	+	75%
44	Richard	Raymond	D	+	+	+	+	100%
45	Edmund	Kuempel	R	-	-	-	-	0%
46	Alec	Rhodes	D	+	+	+	+	100%
47	Terry	Keel	R	-	-	-	+	25%
48	Sherri	Greenberg	D	+	+	+	+	100%
49	Elliott	Naishtat	D	+	+	+	+	100%
50	Dawanna	Dukes	D	+	+	-	+	75%
51	Glen	Maxey	D	+	+	+	+	100%
52	Mike	Krusee	R	-	+	-	-	25%
53	Harvey	Hilderbran	R	-	+	+	-	50%
54	Suzanna	Hupp	R	-	-	-	-	0%
55	Dianne	Delisi	R	-	+	+	+	75%
56	Kip	Averitt	R	+	+	+	-	75%
57	Jim	Dunnam	D	+	+	+	+	100%
58	Arlene	Wohlegemuth	R	-	-	+	+	75%
59	Allen	Place	D	+	-	+	+	75%
60	Jim	Keffer	R	-	-	+	+	50%
61	Ric	Williamson	R	A	+	+	A	50%
62	Ron	Clark	R	+	+	+	+	100%
63	Mary	Denny	R	-	-	-	-	0%
64	Jim	Horn	R	-	-	-	-	0%
65	Burt	Solomons	R	-	E	A	A	0%
66	Brian	McCall	R	A	+	+	+	75%
67	Jerry	Madden	R	-	+	-	-	25%
68	Charles	Finnell	D	+	+	-	+	75%
69	John	Hirschi	D	+	+	+	+	100%
70	David	Counts	D	+	-	-	+	50%
71	Bob	Hunter	R	-	+	-	-	25%
72	Robert	Junell	D	E	-	+	+	66%
73	Bob	Turner	D	-	-	-	+	25%
74	Pete	Gallego	D	E	+	+	+	100%
75	Gilbert	Serna	D	E	-	+	+	66%
76	Norma	Chavez	D	+	+	-	+	75%
77	Paul	Moreno	D	+	+	+	+	100%
78	Pat	Haggerty	R	-	-	-	P	0%
79	Joe	Pickett	D	+	+	+	+	100%
80	Gary	Walker	R	-	-	-	-	0%
81	G.E.	West	R	-	+	-	-	25%
82	Tom	Craddick	R	E	+	-	-	33%
83	Delwin	Jones	R	A	A	-	-	50%
84	Carl	Isett	R	-	+	+	+	75%
85	Pete	Laney	D	P	P	P	P	-
86	John	Smithee	R	A	+	+	+	75%
87	David	Swinford	R	-	-	-	-	0%
88	Warren	Chisum	R	-	-	-	-	0%

Dist.	First	Last Name	Party	Vote 1	Vote 2	Vote 3	Vote 4	Rating
89	Sue	Palmer	R	-	-	+	+	50%
90	Lon	Burnam	D	+	+	+	+	100%
91	Bill	Carter	R	-	+	+	+	75%
92	Todd	Smith	R	-	+	+	+	75%
93	Toby	Goodman	R	-	+	+	+	75%
94	Kent	Grusendorf	R	A	-	-	-	0%
95	Glenn	Lewis	D	+	+	+	+	100%
96	Kim	Brimer	R	E	-	-	A	0%
97	Anna	Mowery	R	-	-	-	-	0%
98	Nancy	Moffat	R	-	-	+	+	50%
99	Kenny	Marchant	R	-	A	-	-	0%
100	Terri	Hodge	D	+	+	+	+	100%
101	Elvira	Reyna	R	-	-	-	-	0%
102	Tony	Goolsby	R	+	-	-	-	25%
103	Steven	Wolens	D	+	+	+	+	100%
104	Domingo	Garcia	D	+	+	+	+	100%
105	Dale	Tillery	D	+	-	+	+	75%
106	Ray	Allen	R	+	-	-	-	75%
107	Harryette	Ehrhardt	D	+	+	+	+	100%
108	Carolyn	Galloway	R	-	-	-	A	0%
109	Helen	Giddings	D	+	+	+	E	100%
110	Jesse	Jones	D	+	+	+	+	100%
111	Yvonne	Davis	D	+	+	+	+	100%
112	Fred	Hill	R	+	-	-	-	25%
113	Joe	Driver	R	-	+	-	E	33%
114	Will	Hartnett	R	+	+	-	-	50%
115	Leticia	Van de Putte	D	+	+	+	+	100%
116	Leo	Alvarado	D	+	+	+	+	100%
117	John	Longoria	D	A	+	+	+	75%
119	Robert	Puente	D	+	+	-	-	50%
120	Ruth	McClendon	D	+	+	+	-	75%
121	Bill	Siebert	R	-	-	-	-	0%
122	John	Shields	R	-	-	-	-	0%
123	Frank J.	Corte	R	-	-	-	-	0%
124	Christine	Hernandez	D	+	+	-	-	50%
125	Arthur	Reyna	D	+	+	+	+	100%
126	Peggy	Hamric	R	-	+	-	-	25%
127	Joe	Crabb	R	-	E	A	+	50%
128	Fred	Bosse	D	+	+	+	+	100%
129	Mike	Jackson	R	-	-	-	-	0%
130	John	Culberson	R	-	+	-	+	50%
131	Ron	Wilson	D	A	+	+	+	75%
132	Scott	Hochberg	D	E	+	+	+	100%
133	Joe	Nixon	R	-	-	-	E	0%
134	Kyle	Janek	R	-	-	+	-	25%
135	Gary	Elkins	R	-	-	-	A	0%

Dist.	First	Last Name	Party	Vote 1	Vote 2	Vote 3	Vote 4	Rating
136	Beverly	Woolley	R	-	-	-	-	0%
137	Debra	Danburg	D	+	+	+	+	100%
138	Ken	Yarbrough	D	-	-	-	+	25%
139	Sylvester	Turner	D	+	A	+	E	66%
140	Kevin	Bailey	D	+	+	+	+	100%
141	Senfronia	Thompson	D	+	+	-	+	75%
142	Harold Jr.	Dutton	D	+	+	-	-	50%
143	Gerard	Torres	D	+	+	+	+	100%
144	Robert	Talton	R	-	-	-	-	0%
145	Diana	Davila	D	+	+	+	+	100%
146	Al	Edwards	D	+	+	+	+	100%
147	Garnet	Coleman	D	E	+	+	A	66%
148	Jessica	Farrar	D	+	+	-	-	50%
149	Talmadge	Heflin	R	E	-	-	-	0%
150	Paul J.	Hilbert	R	-	+	-	+	50%