

Independent Texans Endorsement Survey – Texas House District 17

Note: Please keep your answers, if possible, to no more than approximately 300 words.

Feel free to link to documents for background.

Independent Texans is a general purpose political action committee formed in 2001 to represent the interests of non-aligned voters in Texas. We believe the open-primary system in Texas lends itself to contested primaries – when candidates decide to reach out to self-identified independent voters, of which there are millions in Texas. We have a long history of working to protect water and land resources, and efforts to open up and clean up the electoral process in Texas. You can find out more about us at *IndyTexans.org*.

1. Please tell us your key reasons for running for this office.

I have a desire to serve the members of our district and state. I have been blessed with a skill set which would allow me to achieve this end. I am frustrated with the current leadership in our state and country whereby the financial influence of a few often influences policies which are not in the best interest of local citizen's. I have dedicated myself to a campaign which entails putting the people and their concern's first by knocking on the doors of over 11,000 voters. For the past six months, I have listened as people share their frustrations and I ask them for their vote. I am humbled by their trust and know I have the fortitude to make a difference for our district and the integrity to withstand the Austin political machine..

2. Please tell us what you believe qualifies you to run for this position.

As a small business owner, I share the struggles many Texans face in creating business opportunities due to an over reaching state/federal government. Having a law degree, I understand the nuances of many of the laws which are written and how a subtle word like "shall" can drastically change policy. As the co-founder, President and principle architect of the nation's first legislative tracking service, I know the players, process and issues having followed them for 14 years (seven Sessions). Finally, as a father of four I have a vested interest in their future.

Growth and the Texas economy:

3. [We hope that HB 3425](#), introduced by Rep. Tan Parker in the 2015 legislative session, will be reintroduced and passed in the 2017 session. The legislation would create an intrastate investment market for purposes of trading securities issued under the intrastate crowd-funding exemption from federal securities laws. Essentially, this will give Texas investors more opportunities to move their investment dollars from Wall Street to Main Street, Texas. Would you support such legislation?

I am not opposed to the concept of crowd funding and certainly don't buy into those who seek to prevent it because of targeting "unsophisticated investors" as this is the standard argument banks use to thwart small business financing initiatives.

4. We are concerned that the common practice of offloading the costs of in-migration growth in Texas is leading to increased unaffordability, stress on tax and ratepayer dollars, and tremendous stress on our natural resources, especially water resources. Do you support adding categories eligible for impact fees (from roads, water, sewer, storm water, to police, fire, libraries, solid waste and schools) on new developments in Texas to make growth come closer to paying for itself? (Note: [This chart](#) shows how Texas compares with other states on impact fees.)

I support the current impact fees already in law. Expansion of these fees would need to be tied directly to the development project and I am not sure how you tie government services like education to development? I am for fair and equitable tax treatment under the law and I am not in favor of placing a tax burden on one industry over another. I recognize the state currently does this but that does not make it good tax policy.

5. We hope you share our concern about the abuse of local and state taxpayer dollars in corporate subsidies. Would you support a requirement of “total accounting” for public subsidies, that is that the granting authority must compare the benefit of the proposed subsidy with the actual total costs of both annual expenses and cost of new infrastructure?

I was opposed to the Texas Enterprise fund. I am opposed to many of the current corporate welfare programs and would be open to any accountability for government expenditure of taxpayer dollars on corporate subsidies. Government should not be venture capitalists.

Water, our most precious resource:

6. Will you support the development – through a vigorous stakeholder process and public hearings in each State Senate District – of a water conservation plan for Texas that would prioritize efficient use of water and recommend ways to reduce excessive demands for surface and ground water?

I would support such a plan.

7. Do you support giving groundwater conservation districts the right to prioritize local and historic water needs first over those outside their basin coming in for large export permits?

I support giving local groundwater districts this authority. My opponent passed this bill out of the House at the end of the Session I believe for political purposes. I base this opinion on the fact the bill never had a Senate sponsor or Senate companion (thereby was never going to pass the Senate). Also, it was passed on the last day a bill could pass out of the house to die in the Senate. Furthermore, there were three opportunities to amend this legislation on bills which passed through the House floor and he never once tried to amend it to any of those bills (all of which are currently law).

8. Do you support or oppose a “water grid” for mass movement of groundwater to areas of the state lacking in groundwater? If so, why and if not, why not?

I would not support a water grid model as it places the control of water resource at a state level and not at the local level. The moment this becomes a state regulated resource the urban areas (which are steadily gaining control the Texas Legislature and will have control after the next redistricting) will control the mass movement of water from rural areas.

9. Will you fight to defend the rights of communities to have local control over groundwater resources through regulation by local groundwater conservation districts?

I would not only fight to defend local control I would actively work to expand the reach of the local control.

10. Do you believe that the oil and gas industry should be required to protect our groundwater from excessive use in fracking practices and pollution and be required to report how much water they are using to groundwater conservation districts? Will you work with us to call the problem of the RRCs’ enforcement response into question at the next Sunset Advisory Commission hearing on the agency scheduled for 2017? (Please use [this peer-reviewed study](#) released in June 2015, [this WFAA investigative news article](#), this report printed by the [Courthouse News Service](#), and [this report](#) of hearings held at the legislature in May 2014 -- which we attended -- as background.)

I believe the oil and gas industry should be required to mitigate against excessive adverse environmental impact. I would support beneficial reporting requirements for groundwater usage. I have reviewed the data provided with respect to RRC’s enforcement response and would certainly work with any organization to insure a regulatory body is timely addressing issues which create adverse environmental impact. While Sunset is one method to get an agency’s attention you can also make headway via legislative open record requests.

11. What have you done since the special election to protect the water resources of Bastrop and Lee counties?

During the Session, I assisted Indy Texan staff where I could with strategy on passing legislation. My involvement was behind the scenes because I did not want to inhibit any efforts Indy Texas might make given my opponent’s concerns for challenging him during this election cycle. I have knocked on over 6,000 doors of voters and have brought the water issue to the attention of many voters in five counties. I have made a point of not taking campaign contributions from organizations which I know do not desire to protect rural water rights. I have attended water district meetings in Bastrop and Gonzales counties.

Eminent Domain Reform:

12. [Over 9,000 entities in Texas](#) have the power of eminent domain to condemn private property, including certain non-profit entities formed and/or controlled by for-profit businesses for projects that primarily and directly benefit the for-profit business. Would you agree to work to develop legislation to address such projects as abuses of eminent domain?

I would agree to work with any organization which is looking to protect private property rights against government takings which are outside the public need and certainly takings which are for not for public gain.

13. Would you co-sponsor legislation, similar to legislation in 25 other states, to award attorney's and expert's fees and expenses to landowners who go out-of-pocket and make their case for fair compensation, by appealing offers by either governmental or private entities in eminent domain proceedings? (Note: [SB 474](#), introduced by Sen. Lois Kolkhorst and nearly passed in the last session, is one form of such legislation that would begin to level the playing field by reducing industry's incentive to make low-ball offers in eminent domain proceedings.)

I would support legislation like Senator Kolkhorst's bill.

14. Other entities with the power of eminent domain take advantage of loopholes that allow abuses of common carrier status in condemnation proceedings. Would you work to develop legislation to address the Railroad Commission's failure to close these loopholes by giving the power to grant or deny common carrier status to a randomly selected review panel comprised of Texas landowners from each Senate District?

I would agree to work with any group to insure entities seeking common carrier status pass constitutional requirements as has been upheld by the Texas Supreme Court in cases like Texas Rice Land Partners Ltd. v. Denbury Green Pipeline-Texas LLC. We need to limit common carrier status to unequivocal public needs and not simply private party interests.

15. Do you share our concern for the lack of local control by County Commissioners Courts to protect land and water resources? If so, what would you propose to do about it? If not, why not?

I believe county commissioners would need a constitutional expansion of power to be able to protect land and water resources. I would support giving commissioner's greater authority in the area of local eminent domain issues.

The rights of citizens to petition in home rule cities:

16. Will you promise to support the rights of citizens in home rule cities to petition for a public vote on initiatives, referendums and recalls, and will you agree to oppose any and all attempts to change this 103-year old law guaranteeing Texans the fundamental right to petition?

I support home rule cities and will support their rights to choose their own form of governance. If it is their desire to put public initiatives up for a vote then I would support the management of their charters. Also, I support the current constitutional guarantees of a citizen's right to petition.

17. Will you work to develop a petitioner's bill of rights to send a message to municipal governments that they should not abuse taxpayer dollars by unduly interfering with the exercise of the right to petition in Texas? (Example: This reform would address actions recently conducted by the City of San Marcos, which included suing petitioners in an apparent attempt to keep an anti-flouride petition off the ballot. The court ruled in favor of petitioners. [Details here.](#))

I am willing to look into a petitioner's bill of rights but would want to make sure a document does not detract from the current constitutionally granted rights to petition. I would need to do more research into where the Texas courts are not upholding the current constitutionally protected rights.

Political reform to open up and clean up Texas politics:

18. Would you vote for legislation for an independent citizens non-partisan redistricting commission to draw legislative district lines, ending the practice of politicians (and the party in power) drawing their own district lines? (Note: We suggest a model for the commission be the first independent citizens redistricting commission in Texas established by the passage of a charter amendment in the city of Austin, placed on the 2012 ballot via a citizens petition. [More here.](#))

Do away with gerrymandering? Take away the ultimate political tool? I would be in favor... but then again I am not looking to make this a stepping stone to some higher political office.

19. Rep. Ron Simmons introduced [HB 1288](#) in the last session to eliminate straight ticket voting. Would you have voted for the bill had it reached the House floor?

I have never been in favor of straight ticket voting as it does not encourage voters to understand the candidates and the issues they support. I don't believe requiring a voter to check the box of every name on the ballot as a denial of any right.

Open, ethical and non-partisan government: (Note: much of this section was informed by [this recent Texas Tribune article.](#))

20. Do you support the Texas Ethics Commission having the power and funding to conduct random independent audits of lobby reports and financial disclosures filed by executive agency heads and candidates running for public office?

The key word here is "random". I have a built in distrust of government entities which purportedly perform random audits. I would want to see the language of such a bill as well as the defense to prosecution measures before I could sign off on granting such

authority.

21. Do you support full campaign finance disclosure of political donors to entities, including 501c4 and other non-profits that are making political expenditures for ballot measures and candidates to the Texas Ethics Commission?

I support the disclosure of donors when the vast majority of an organization's money is used to directly lobby the Texas Legislature. I am not interested in auditing churches or local civic groups who raise funds to fight an issue.

22. Do you support the Texas Ethics Commission having the power and budget to effectively enforce our campaign finance and ethics laws?

I have little faith in the TEC as they seem to do very little to currently enforce the laws and when they do take action it does not appear to be even handed and is often politically motivated. I would be hesitant to expand the authority and budget of any agency unless the law could be crafted to insure non-partisan administration .

23. Do you support the public's right to access contractor information related to government contracts or public service delivery and a defined mechanism for citizens to access it with reasonable, limited exceptions for security, trade secrets, or individual privacy?

Yes with the aforementioned exceptions in place.

24. Do you intend to represent all registered voters in HD 17, regardless of party or lack thereof and regardless of their ideological leanings?

I am knocking on the doors of 7,000 constituents and attending as many community events as possible in an attempt to display my dedication to learning the issues of all voters. I enjoy meeting voters and discussing areas where we agree and even those where we disagree. I have not and will never stifle debate which means I will show up at any forum, discuss any topic, will not block anyone from my social media sites and I know that I am in the only candidate in my race who can make this statement.