

October 2008

# *Texas* **MERIT** **SHOP** **Journal**

*Defending the Rights of Merit Shop Contractors*

## **Decision '08: What's at stake for the Texas Legislature**

### **Also In This Issue:**

One on One with  
Lt. Governor David Dewhurst

Free Enterprise Alliance

2008 Race Summary

ABC of Texas Legislative Priorities



# Nothing “Free” about the Employee Free Choice Act

Organized labor, along with the vast majority of Democrats in Congress, have made the so-called Employee Free Choice Act (EFCA), or “card check” bill, a top priority and are persuading candidates to pledge their support. EFCA would give organized labor an unfair advantage in union organizing at the expense of both employees and employers.

**The so-called Employee Free Choice Act, or “card check,” would strip away the right of 140 million U.S. workers** to a federally supervised private-ballot election when deciding whether or not to unionize.

**Under the “card check” system, union organizers would only have to gather signed authorization cards from a majority of the workers to claim union representation.** Without the private ballot, workers who were intimidated or coerced into signing authorization cards would not have the ability to change their vote in private. The workers’ votes are made public to the employer, union organizers and coworkers. There is no private-ballot election. There is no free choice.

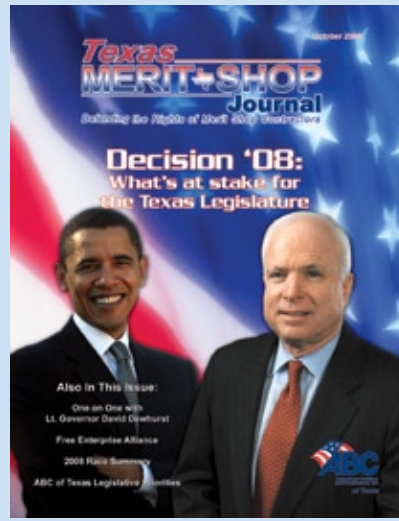
**All workers, in every industry, deserve the fundamental American right to a federally supervised private-ballot election.** This right is guaranteed when they vote in political elections; there is no reason why they should surrender this right in the workplace.

**We need YOUR HELP to defeat the so-called Employee Free Choice Act.**  
For more information, go to [www.abc.org/cardcheck](http://www.abc.org/cardcheck)



# Texas MERIT+SHOP Journal

Defending the Rights of Merit Shop Contractors



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BERRY

## **Dear Reader,**

I hope you enjoyed our first edition of the ABC Texas Merit Shop Journal and the great articles from many contributors throughout our grand state. Our intent and objective with the magazine is to reach out and share our beliefs and legislative issues which affect Merit Shop contractors. Our Board of Directors who represent ABC of Texas members are working vigilantly to protect the rights and freedoms of contractors and their employees at the local, state and national levels.

In this issue, we feature an article about our new ABC of Texas President, Jon Fisher. Jon has numerous years of experience in the political process and is eager to lead and carry out the Association's mission. We welcome Jon to his new position and encourage you to contact him with any questions or comments you may have about the State organization.

So stay in tune with our objectives, this latest issue comments on the upcoming state elections and promotes positions related to legislative issues affecting the construction industry. I highly encourage you to vote for the state and national issues discussed in this publication. In this crucial election it is important to provide your employees, family and friends with the information they need to make informed decisions at the poll. ABC of Texas appreciates you support and looks forward to serving you in the future.

Roger Berry  
SpawGlass Construction Corp.  
2008/2009 ABC of Texas Chairman

For information about ABC of Texas go  
to [www.abctexas.org](http://www.abctexas.org)





FISHER

## *Jon Fisher Takes the Reigns as ABC of Texas President*

*by Meghan Stephens, Assistant Editor*

Jon Fisher, the new ABC of Texas President, is an experienced government relations professional with a strong background in communications and over 25 years of experience managing high profile challenges in public, regulatory and legislative venues. He brings both experience and enthusiasm to the position. In the short time that Jon has served ABC as President of Texas, he has visited each chapter statewide and attended five chapter board meetings. He believes that getting to know the people involved with ABC on a personal level is necessary in order to be effective in this position, and continues to increase his presence in the daily operations of the association.

Jon's expectation is to become the face of ABC in the state legislature, asserting that "when people see me, they'll know—ABC is here." He also plans to improve ABC communications, relying on chapter Presidents to establish grassroots communication methods and open up lines of contact between ABC Chapters across the state. An additional goal outlines plans to improve communication from the membership all the way to the State regulatory arenas, aggressively encouraging Members to communicate with elected officials and regulators to advance ABC perspectives. Jon's aims is to add value to the overall performance of ABC advocacy, vowing to make ABC's efforts in passing legislation more productive by identifying and focusing on the issues that affect the rights and freedoms of ABC Member businesses. He insists that Chapter Presidents are critical elements for success in the state office, stating that "local chapters determine policy". Despite Jon's aforementioned endeavors, he continues to express excitement for accepting other responsibilities as his tenure with ABC progresses. He is urging ABC to view the strategic communications draft not as something set in stone, but as a living document that will serve to keep the organization focused on what it can and should be doing to prepare for the upcoming Legislative session.

Jon sees his position at ABC as an opportunity to bring more cohesion and focus to the Texas network of chapters by demonstrating leadership and introducing alternative ideas. "The

reality is that there are eight chapters across the State with varying membership among commercial and industrial contractors. We need to make sure that all of the chapters contribute in order to ensure that we are representing the wide variety of member interests", he says.

***"Jon sees his position at ABC as an opportunity to bring more cohesion and focus to the Texas network of chapters by demonstrating leadership and introducing alternative ideas."***

Once the Legislative session comes to a close, Jon plans to propose the development of a long-term vision for ABC through a process that will include input from members. He stresses that members should get involved in local politics not just through the PAC, but by volunteering for campaigns and forming meaningful relationships with local decision-makers before the Legislature meets. On the State level, Jon encourages enhanced relationships and sharing of perspectives between chapters in order to arrive at better founded positions. "Participation is necessary in order to minimize potentially negative effects of legislation", Jon says. "Our members are encouraged to share more concerning specific pieces of legislation besides just support or opposition. We need to have more information concerning the parts of legislation that we want to preserve or change in order to eliminate our opposition. This is especially critical for bills that have a high chance of passage."

Jon Fisher's number one priority is to be the most effective State President of ABC that he can be, through identifying the concerns of the membership and creating a strong presence in the State Legislature on behalf of all ABC Chapters in Texas. To contact Jon Fisher, please email him at [jon@abctexas.org](mailto:jon@abctexas.org) or call (512) 470-5756. - **MS**

# ABC of Texas: Priority Legislative Issues

by Jon Fisher, ABC Texas President



## ABC of Texas Priority Legislative Issues

### **Immigration—North Texas Lead**

Illegal immigration is a federal issue. The United States government is charged with protecting our borders and preventing illegal immigration, including requiring employers to document legal status of employees. A recent study by the Texas Comptroller's office showed

that impacts to the state from illegal immigrants are generally positive. However, that same study showed negative impacts to local governments. Any legislation dealing with this issue on the state level should be focused solely on mitigating negative impacts to local governments and should avoid placing new burdens on employers who do not knowingly hire illegal aliens.

### **Contractor Licensing or "Registration"—Texas Gulf Coast Lead**

Programs designed solely to limit access to an activity are not in the public interest. The level of burden to the regulated community in an initial proposal is not an indicator of the final burden of a mature program. Thus, any proposal to regulate contractors should be tested against the need to protect the public, not the perceived desire to limit entry into the activity. Programs designed to protect an activity from competition are contrary to the public interest and inconsistent with free enterprise. Government does not need to get bigger, it needs to get smarter.

### **Alternate Delivery Systems—South Texas Lead**

Many of the state's political subdivisions prefer to qualify bids through a ranking process instead of simply taking the lowest bid. This practice can protect the subdivision from awarding contracts to firms that may not be able to complete the job on time, if at all, and ensure the quality of the completed job. However, the current laws offer differing procedures based on the type of subdivision. It is good public policy to provide uniformity in the way political subdivisions advertise and award contracts using alternatives to lowest bid. A level playing field for all those submitting bids will result in the best possible outcomes for all involved and protects our free enterprise system.

### **Contingent Pay—Central Texas Lead**

Legislation enacted recently dealing with contingent pay requires a contractor, when dealing with a private entity, to

The Board of Directors of ABC of Texas has ranked 8 priority issues. The information below contains these issues in the order in which they were ranked. It is noteworthy that the number one and number two issues are issues where we seek to avoid unfavorable legislation—Immigration and Contractor Licensing. These were overwhelmingly chosen as the highest priorities.

Next is a clear distinction in ranking for three ABC initiatives and one issue where we primarily wish to maintain the status quo. Alternate Delivery System legislation has been vetoed the last 2 sessions. We are working with other groups to remove the Governor's objections. Contingent Pay legislation sought by ABC is meant to deal with some perceived oversights in the bill agreed to last session by multiple construction interests. We have had some favorable court decisions in the area of Indemnification/Workers' Compensation, and we wish to retain the law as the court saw it from likely challenges by the plaintiff bar. The Trust Fund issue deals with bankruptcy proceedings and the rights of subcontractors.

The last category of priorities, which were ranked lower than the group above, concern making progress or repealing the Texas prevailing wage law and preventing additional legislation seeking to restrict access to trades or activities.

This is an aggressive set of priorities, and ABC's success will be determined in large part by the activities of its members in trying to affect the legislative process. Of course, there will be other issues affecting the construction industry. ABC of Texas will remain vigilant in order to protect its members' interests.

secure information about any financing on the project in order to demonstrate due diligence. Since some jobs (i.e., remodeling) may not be subject to the overall financing of a project and some private entities may not wish to disclose such information, it should be appropriate for the contractor to demonstrate that he tried to secure the information. When dealing with public projects, since public entities cannot sign contracts without the funding in place, a copy of the signed contract should suffice for demonstration of due diligence. Delays result under the current scheme while the contractor requests and waits to receive a statement that funding is in place. Further, it would also be appropriate to give a subcontractor the choice to assume the same risk as a contractor should a private entity not provide the information requested.

#### **Indemnification/Workers' Compensation/Third Party—Greater Houston Lead**

Recent Texas court decisions have upheld the bar to further action for employees covered by Workers' Compensation where there is a statutory employer (one policy covering all workers on the site). This is good public policy and should not be eroded by legislation—a goal of the plaintiff's bar. Allowing indemnification agreements in contracts is not good public policy because these agreements, by eliminating exposure to the premises owner for negligent acts, could result in unsafe working conditions. Comparative negligence should determine liability as that provides the greatest incentive for all parties to protect workers. Where workers are covered by Workers' Compensation, Workers' Compensation should be the sole remedy.

#### **Trust Fund—Greater Houston Lead**

Currently when a contractor goes bankrupt, payments made within the last 90 days may be recalled. Unfortunately, when the payment was made, most contractors require that the payee relinquish any potential liens against the property owner. Thus, the subcontractor is left with no recourse and no payment. Legislation should provide for resolving this problem so subcontractors who received payment and relinquished a lien in good faith are not left absorbing the impacts of the bankruptcy of someone for whom they worked, and give the subcontractors the right to either keep the payment or revive their lien rights.

#### **Prevailing Wage—North Texas and Greater Houston Lead**

Businesses dealing with the state and its political subdivisions must be prepared to demonstrate that workers are paid at least the "prevailing wage," as defined in statute. Currently, construction pay at public projects generally exceeds the defined prevailing wage. However, since labor unions provide most of the data used in determining the prevailing wage, the prevailing wage rates can be higher than the true average rate (union wages tend to be higher than non-union wages) since non-union employers don't respond to wage surveys because they don't want their

competitors to see what they pay. The major issue for business is not the wage itself, but the burden incurred in demonstrating that the prevailing wages were equaled or exceeded. Additional costs are incurred by the contractors in creating the records and by the public entities in monitoring the wage rates. Construction costs can be reduced by eliminating this unnecessary burden on contractors and public entities. Overwhelmingly, savings would be passed on to taxpayers with no significant impact on actual wages since those are driven currently by the demand for a skilled labor force.

#### **Trade Legislation (licensing of crafts, trades or uses of specific equipment)—South Texas Lead**

There is no current shortage of programs regulating professions or activities. Some, however, (including most new proposals) appear to focus on meeting licensing or paperwork requirements and deal very little with requiring a level of proficiency or performance. Legislation that does not respond primarily to a public interest issue is an unnecessary barrier to free enterprise and contrary to the public interest. - JF



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## *One on One With...*

### **LT. GOVERNOR DAVID DEWHURST**

Lieutenant Governor David Dewhurst is a native Texan, proud veteran, successful businessman, and rancher. He serves as President of the Texas Senate and is proud of the broad support he has earned during his tenure.

Through three Regular Sessions and seven Special Sessions of the Legislature, Lt. Governor Dewhurst has worked to bring together Republicans and Democrats to pass legislation to create new jobs and economic opportunity, improve schools, and protect public safety.

A fiscal conservative, Dewhurst has worked to balance three budgets without increasing the tax burden on Texans. In 2006, as Dewhurst led the Senate to approve \$14 billion in local school property tax cuts, he fought successfully to raise teacher salaries and educational standards, increase accountability, and reduce drop-out rates. In the aftermath of the September 11th terrorist attacks, Dewhurst was appointed by Governor Rick Perry as Chairman of the Governor's Task Force on Homeland Security.

Dewhurst has been a long time community and civic leader in his hometown of Houston, where he has served on civic and charitable boards.

#### ***Please describe your business background.***

I began my business career in the mid-1970s after serving as an officer in the U.S. Air Force, the Central Intelligence Agency, and the U.S. State Department. I founded Falcon Seaboard, a Houston, Texas-based diversified energy and investments company and an early developer in the mid-1980 electric cogeneration business. I also raise pure-bred cattle and compete nationally with cutting horses.

#### ***What is your view of the free enterprise system?***

As one of only two traditional business people elected statewide, I am a strong supporter and advocate of the free enterprise system. The very best way to foster economic growth is by removing barriers to success for business and industry. Businesses thrive and create jobs when they are allowed to work without interference from government or burdensome regulation.

#### ***Do you view government as a friend or foe?***

Limited government is the best government. Our society works best when government gets out of the way and allows citizens to reach their full potential through hard work and innovation. State government's role should be to protect our citizens, care for the people who truly cannot help themselves, build new highways, develop new potable water resources, keep the air we breathe as clean as reasonably possible and build a strong future for generations to come by continuing to improve public education and higher education.

#### ***Is the tax burden on businesses too high, too low or just right?***

One of my top priorities as Lt. Governor is keeping the tax burden on Texas businesses and citizens as low as possible. That's why I helped lead the effort to reduce local school property taxes by one-third, totaling more than \$14 billion. When the Legislature passed the new business tax last session, I insisted it be broad-based, low-rate and fair. As this new tax is implemented we will no doubt see ways it can be improved to ensure no business pays a penny more than it should.

#### ***The national economy appears to be faltering, what is your view of our state's economy?***

While approximately 29 states are running deficits, our Texas economy remains strong and continues to outperform the national economy as a result of the conservative fiscal decisions we've made over the past five years. We've turned a \$10 billion shortfall into a multi-billion dollar surplus while delivering the largest tax cut in state history. Our state's low tax burden and landmark tort reform has made Texas the number one state to do business and has helped us create more than one million jobs since 2003, that's almost one-third of all jobs created in the United States during that period. During 2007, Texas created more than 25-percent of all new jobs created in America. To ensure our state's economy continues to thrive, we must not waiver from our core fiscal principles of low taxes and limited state spending.

#### ***What are your priorities this session as Lt. Governor?***

It's an honor to serve as Lt. Governor and I will do everything in my power to build on all of the success the Senate and the Legislature has enjoyed over the past five years, but many challenges lay ahead. Texas must remain business-friendly to maintain our strong economic growth and job-creation. I am working with our Senators on legislation to improve public and higher education, secure our borders, improve healthcare, build more highways and protect our citizens. Texans deserve an efficient and effective government.



# Eye on the Race:

## Races You Need to Know About and Support with Your Vote

by Jon Fisher, ABC Texas President

While the political action committees for ABC of Texas and the local chapters remain nonpartisan, it is sometimes challenging to find Democrats that support our issues. ABC continues to support Democrats that support our principles, but often target races that feature Republicans-especially races to retain Republican seats.

It is critical that ABC not only commit its political action committee funds, but also its volunteer efforts to the following races. These are by no means the exclusive list of candidates that enjoy support from ABC local chapters and the state Political Action Committees (PACs), but represent those races where ABC support could be critical.

### TEXAS SENATE:

ABC has targeted two races for both local chapter and state political action committee participation.

- It is most critical to the construction industry that ABC return one of our own to the Texas Senate in District 11 which includes portions of Harris, Galveston and Brazoria Counties. State Senator Mike Jackson comes from a rich ABC heritage. His father was a chairman of ABC of Texas. He continues to run an industrial general contracting firm in Harris County. It is rare to find someone from our industry with the dedication and drive to serve in public office. Mike served 10 years in the Texas House and has served 10 years in the Texas Senate. He enjoys the support of 2 different local ABC chapters and the state PAC.
- State Senator Kim Brimer in District 10 in Tarrant County (Fort Worth) is supported by both the local chapter PAC and the ABC of Texas PAC. He has a demonstrated record of support for free enterprise and the merit shop philosophy.

### TEXAS HOUSE:

There are 3 races in the Houston area and 2 races in the Corpus Christi area where ABC sees a critical need. All of these races are supported by local chapter PACs.



- Representative John Davis, an ABC member, is running for re-election in District 129 in Harris County. His race is targeted by the Democratic Party.
- Representative Jim Murphy is running for re-election in District 133 in Harris County. His race is targeted by the Democratic Party.
- Ken Legler is running for an open seat formerly held by Republican Robert Talton in District 144 in Harris County. His race is targeted by the Democratic Party.
- Former State Representative Todd Hunter is trying to regain a seat that contains Aransas, Calhoun, San Patricio and parts of Nueces County. This seat was formerly held by a Republican and should be a Republican seat.
- Connie Scott is trying to unseat a Democratic incumbent in District 34 in Nueces County. Her husband is a longtime ABC member. - JF



# What's at Stake for the Texas Legislature in the November Elections?

*Or, to say it another way, how to keep 10 tons of rebar from falling on your head.....*

---

Texas House for the first time with 88 seats to the Democrats 62. After the 2006 elections, the Republican majority was 79 to the Democrats 71. So, as we sit now, a defeat of 4 Republicans puts the House in Democratic control.

The Republican response is that the Democrat's reasoning is flawed. Republicans feel Obama has written off Texas and will spend no money here as he has no chance of winning the state. Also, the Republican majority has an outstanding record. Over the last 6 years, some key points their conservative governing has provided are:

- Texas has created 6 times as many jobs as any other state in the last year.
- Texas is ranked the Top State for business.
- Texans are enjoying the good life, with the 3rd lowest cost of living in the US.
- In the last year, more jobs were created in Texas (248,700) than the remaining US as a whole (193,700).
- Texas has the #1 economy in the US.
- Texas' unemployment rate is lower than any other large state.

If the House goes to Democratic control, the Speaker will change. As you saw from the "Question and Answer with Speaker Tom Craddick" in the last issue, Speaker Craddick is strongly pro-enterprise and pro-business. No one knows who the Democratic speaker will be. He (or she) could be a conservative or a liberal. Regardless, it's clear: anti-free enterprise efforts would have a much stronger foothold if a Democratic Speaker emerges.

The Speaker is a powerful position with great influence on public policy. He or she picks committee chairs, which have the power to kill any bill. The Speaker, through his appointments to the calendars committee, determines which bills will reach the house floor for debate. On major pieces of legislation, where the composition of a conference committee is critical, the Speaker determines who sits on the conference committee. The business and free enterprise philosophies of the Speaker are critical if ABC is to continue to accomplish its mission.

Where can you make a difference? We are less than a month away from early voting for the November 4th Elections. Early voting begins on

The Texas House is widely viewed as conservative and business-friendly. Right now there exists a Republican majority. However, that majority has shrunk in every election over the past 6 years. Right now the Democrats are 4 victories away from having the majority. The Democrats believe they are likely to win control of the Texas House because the Obama Presidential campaign has targeted Harris County for voter turnout which they are hoping could flip some seats. They also feel history is on their side.

After the 2002 elections, Democrats nationwide had total control of 16 state legislatures. After the 2006 elections, spurred by resentment and discontent toward President Bush and the war, Democrats gained total control of 23 state legislatures. In 2006, Democrats gained a total of 330 legislative seats in elections held across the United States. Democrats now have control of a majority of state house chambers.

In 4 years, Texas Republicans have seen a 26 seat lead in the State House whittled down to a mere 8 seat lead. After the 2002 elections, the Republicans gained control of the

October 20, 2008 and there is much you can do before then. In all of the chapter's areas, there are contested house seats and pro-business candidates who desperately need your help. Please volunteer. Your chapter President knows who your critical races are. Please call your candidate and volunteer to help today.

When bad things happen, I ask myself: could my efforts have made a difference? Did I have an obligation to work to avoid the bad outcome? Can you make a difference? In the last 6 years, there have been many races that have been decided by less than 200 votes. In the Houston area, Rep. Talmadge Heflin lost to Hubert Vo by 33 votes. In the central Texas area, Rep. Todd Baxter beat challenger Kelly White by 147 votes. In the Dallas area, Rep. Elvira Reyna lost to Thomas Latham by 65 votes. The bottom line is - you can make a difference. You must try to make a difference.

Thank you for your support and efforts on behalf of ABC.

**ABOUT THE AUTHOR**

Mike Toomey is the longtime ABC of Texas lobbyist and has the distinction of being the only individual in Texas history to have served as chief of Staff for two Texas Governors. He is a former State Representative from Houston and was voted in Texas Monthly magazines "Top Ten Legislators". Mr. Toomey is a strong supporter of Tort Reform in Texas and is widely acknowledged as one of the most respected and effective lobbyists in the State of Texas.



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## Free Enterprise Alliance

The Free Enterprise Alliance (FEA) is the issue-advocacy arm of Associated Builders and Contractors (ABC), whose objective is to educate ABC members, their employees, elected officials and the general public about the issues important to merit shop construction and free enterprise.

FEA is an investment in YOUR future. Your support – corporate as well as individual contributions -- allows FEA to continue responding quickly and effectively to issues critical to your business. Whether it is a large-scale voter education campaign or more specific issue-advocacy initiative, your support of FEA will help protect the way we will all work tomorrow.

FEA communicates with ABC members, their employees and the public through the news media, i.e. television and radio, as well as through posters, mailings, the Internet and email. In addition, FEA educates the public on candidates' positions on issues important to our members, their employees and our businesses. While FEA does not endorse or support a particular candidate with these materials, it does inform us as to how a candidate's position or vote will positively or negatively affect our business.

FEA played a major role in medical tort reform in Texas in 2003 and 2005 -- both financially and from a public relations standpoint. Support of these reform measures resulted in lower healthcare costs and stopped the mass exodus of doctors relocating to other states to avoid the runaway medical malpractice premiums and large settlements that resulted from frivolous lawsuits across the Lone Star State.

Additionally, there are three vacancies on the National Labor Relations Board that Senate Democrats refuse to fill this year. The Senate majority is bowing to pressure from organized labor which spent more than \$40 million in 2006 to elect those who would block the consideration and confirmation of pro-free-enterprise candidates to fill these vacancies. Organized labor is hoping that the outcome in November will allow them to fill these vacancies with their allies.

All that you and your employees value in free enterprise and merit shop construction is now at stake. Organized labor sees this election year as

its best shot in nearly 50 years by spending almost \$1 billion in an attempt to secure the White House, the House of Representatives and a veto-proof Senate. Should this happen, you will see the largest rewrite of national labor laws and regulations this country has seen in the last half century.

We cannot sit on the sidelines while special interest groups attempt to put us out of business. FEA is working hard to prevent passage of the crippling card check legislation, tax increases, expansion of union-only project labor agreements and other legislation that results in increased costs across the board -- from the cost of doing business and higher taxes on our employees to higher costs of construction for the consumer -- the list goes on.

We CAN meet these challenges, but we need your financial support to educate, motivate and activate our members, employees and the general public about the strong traditional values of hard work, free enterprise and open competition that are presently under attack.

FEA is able to accept both corporate and individual contributions (not deductible from your income tax). In fact, the majority of contributions to FEA are corporate contributions.

Look at the facts. Look at the issues. It has never been more critical for you to take action to preserve the way you do business. Rather than complain about the potential effect of an anti-business philosophy in Washington, D.C., it is time to put our money where our mouth is.

To fully implement its plan to educate the public about the far-reaching, long-term impact November could have on our country and the merit shop construction industry in particular, FEA needs the financial support of both you and your company, as well as the grassroots support of you and your employees to make sure that our voice is heard across this great nation.

Now, write that corporate or personal check made payable to Free Enterprise Alliance and mail it to the Free Enterprise Alliance, 4250 North Fairfax Drive, 9th Floor, Arlington, VA 22203. Make a difference by becoming part of the solution and "Get into Politics or Get out of Business!"



#### ABOUT THE AUTHOR:

Dallas A. Cloud is the Executive Vice President of Moore Erection, L.P. in San Antonio, TX. and serves on ABC's national executive committee as Vice Chairman of Region 3 representing chapters in Texas, Oklahoma, Arkansas and Louisiana. You can reach Dallas Cloud at [dallas@melpsteel.com](mailto:dallas@melpsteel.com).

# John McCain Barack Obama

<p>Phoenix, AZ</p> <p>BS – U.S. Naval Academy</p> <p>January 7, 1987 to Present</p>	<p>Home</p> <p>Education</p> <p>U.S. Senate</p>	<p>Chicago, IL</p> <p>BA – Columbia University</p> <p>JD – Harvard University</p> <p>January 4, 2005 to Present</p>
<p><b>OPPOSES</b></p>	<p><b>EMPLOYEE FREE CHOICE ACT</b> (Card Check) The act would remove a worker's right to a private ballot election when deciding whether or not to unionize and replace it with a card check system.</p>	<p><b>SUPPORTS</b></p>
<p><b>SUPPORTS</b></p>	<p><b>OPEN COMPETITION</b> Executive Order 13202 prohibits the federal government from requiring union-only project labor agreements on federally funded construction projects.</p>	<p><b>OPPOSES</b></p>
<p><b>SUPPORTS</b></p>	<p><b>ENERGY</b> A comprehensive plan that includes expansion of offshore oil and gas exploration.</p>	<p><b>OPPOSES</b></p>
<p><b>OPPOSES</b></p>	<p><b>HEALTH CARE</b> Government-run universal healthcare system.</p>	<p><b>SUPPORTS</b></p>
<p><b>SUPPORTS</b></p>	<p><b>TAXES</b> The extension of the Economic Growth and Tax Relief Reconciliation Act of 2001 "Bush Tax Cuts" beyond 2010.</p>	<p><b>OPPOSES</b></p>
<p><b>OPPOSES</b></p>	<p><b>GUN RIGHTS</b> More restrictions on gun rights in America.</p>	<p><b>SUPPORTS</b></p>

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# CHAPTER INITIATIVES AROUND THE STATE



*Members from the ABC South Texas Chapter visit legislative representatives in Washington, D.C.*

## ABC SOUTH TEXAS

The South Texas Chapter is working to help “Get Out The Vote” for this November’s general election. There are a number of local and state races, as well as the national presidential elections, that will impact the commercial construction industry. In Bexar County, the chapter’s PAC is supporting former San Antonio city Councilman Kevin Wolff in his race for Precinct 3 County Commissioner. Lyle Larson, who held this seat, is being supported in his race for U.S. Representative District 23. The current occupant of the congressional seat is no friend of ABC. The chapter PAC is also supporting the re-election of State Representative Frank Corte Dist. 122, and the election of Doug Miller for State Representative District 73. On the judicial front, the chapter PAC is supporting Supreme Court Chief Justice Wallace B. Jefferson and Supreme Court Justices Dale Wainwright and Phil Johnson. In addition to the Supreme Court races, the chapter PAC is supporting Justice Catherine Stone on the Fourth Court of Appeals, Judge David Berchemann, Jr. for the 37th District Court and Judge Joe Frazier Brown on the 57th District Court.

In addition to action on the government affairs front, the South Texas Chapter is in the process of developing a construction career education ladder. The first rung would be a “New Hire Orientation”, followed by the second rung – “Construction 101”. These two new programs are designed to provide detailed information on the construction industry, safety practices/awareness, construction terminology, construction delivery systems and effective work habits. The current print reading program is being expanded and will now include two classes, instead of one – Basic Print Reading and Advanced Print Reading/Estimating. In addition to these new and expanded programs, the South Texas Chapter will continue to offer apprenticeship education classes, Superintendent training and Project Management training. Other task specific classes are organized and conducted based on demand from the membership.

As with all associations, the South Texas Chapter continues to offer a wide variety of fun-filled networking events each month. The 2008 Sporting Clays Tournament and Barbeque cook-off set

new records for participation and attendance. Over 500 members and guests attended the August event where 331 shooters participated and 26 cooking teams competed. This was the largest corporate event in the history of the historic San Antonio Gun Club. Upcoming events include the Fall Golf Tournament, Fall Membership Mixer, annual Excellence In Construction awards banquet and the “Construct A Kid’s Christmas” gala and toy drive.



*ABC North Texas staff visit with Congressman Johnson.*

## ABC NORTH TEXAS

It has already been a very busy year for government affairs in North Texas, and it will only get busier as the election approaches. The North Texas Chapter is very fortunate to have an informed, engaged, and extremely active Government Affairs Committee chaired this year by Tony Rader of AUI Contractors. This year got off to a great start with a successful fundraiser at Texas Indoor Golf. Several elected officials from the state and federal congressional delegation stopped by to thank the North Texas members for their commitment to political activism. To date, the members of North Texas have contributed almost \$50,000 and are on track to surpass that goal by the end of September.

Our members take to heart the old saying that has been around ABC for many years, “Get into politics or get out of business.” This is proven by the number of races in which our Government Affairs Committee has taken an active role in monitoring and donating money and support. In the 2007-2008 election cycle the North Texas Chapter has contributed \$25,000 to State Representatives, Senators, and candidates for those offices. Our Federal Delegation is second to none. Our Congressmen have stood firm on lower taxes and less regulation and opposed the “card check” bill and many other attempts by big labor to force their agenda on the merit shop community.

The North Texas Chapter goes further than merely writing checks. Last month K Post Roofing hosted a town hall meeting for ABC members and employees to meet U.S. Congressman Pete Sessions and Bill Keffer, a former State Representative running to regain his seat in the State Legislature lost in the 2006 election. Additionally, the Government Affairs Committee has organized quarterly events with guest speakers from different levels of government in

## CHAPTER INITIATIVES AROUND THE STATE

order to give our members a chance to discuss important issues with their elected representatives. ABC's voice has been heard loud and clear on issues such as immigration, taxes, licensing, tort reform, workers compensation and other factors that impact our industry. It is an exciting time of year in the world of politics and members of ABC North Texas refuse to sit on the sideline and hope the right team wins. Our members are in the game and are committed to making the difference in the final score.



*Members from the ABC Greater Houston Chapter visit with Congressman Ron Paul*

### ABC GREATER HOUSTON

The Political Action Committee of the Greater Houston Chapter is focused on endorsing and contributing to those elected officials promoting ABC principles. On the federal level, Houston is actively supporting Pete Olson in TX Congressional District 22. He is campaigning against incumbent Nick Lampson, who is a proponent of Davis Bacon and prevailing wage. Greater Houston also contributed to the campaigns of Congressman Ted Poe, John Culberson, Kevin Brady and Michael McCaul; all of whom have a voting record of over 90% on ABC issues. Congressman Ted Poe and Congressman Kevin Brady also stopped by the Houston office for a Meet & Greet with the membership. On the state level, the Houston membership was invited to attend a reception hosted by Speaker Tom Craddick with special guest Karl Rove. In this event, the Political Action Committee voted to contribute to the campaigns of State Representatives Jim Murphy, Gary Elkins, John Davis and newcomer Ken Legler, who is campaigning in an open seat in District 144. Keeping with the premise of nonpartisanship, the PAC contributed to State Representative Senfronia Thompson's campaign and David Minberg, running for Harris County Judge.

In the upcoming months till the election, the Greater Houston Chapter will continue to be active in all races that impact the Houston membership. We are currently in the process of getting the vote out by voter registration at work sites. With the upcoming TWIC card deadline of April 15, Houston is also attempting to organize mobile centers at the CMEF office and member companies to help with the enrollment process.

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