

# Austin's Oldest Profession:

Texas' Top Lobby Clients & Those Who Service Them (Analyzing 2013 Lobby Contracts)

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**Source:** Data analyzed in this report come from lobby reports filed with the Texas Ethics Commission by the end of 2013. Texas lobbyists report their income in ranges (such as "\$50,000 to \$99,999"). For brevity's sake, this study sometimes reports the maximum amount, labeling it "maximum" or "up to."

Texans for Public Justice is a non-profit, non-partisan research and advocacy organization that monitors money in Texas politics and promotes campaign finance and judicial-selection reforms.

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# I. Lobby Facts

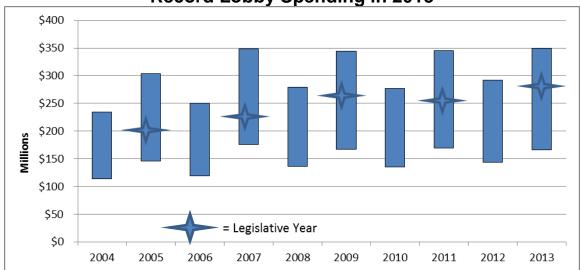
- Special interests spent up to \$3 billion over the past decade on more than 72,000 Texas lobby contracts.
- During 2013, 2,932 clients paid 1,704 Texas lobbyists up to \$349 million. This spending finally nosed out expenditures from the pre-recession year of 2007.
- Spending maximum amounts exceeding \$1.5 million apiece, 21 top clients accounted for 11 percent all Texas lobby spending. AT&T again was Texas' biggest special interest, spending up to \$8.2 million on 109 contracts.
- The Energy & Natural Resources sector was the top industry. It spent up to \$67 million (19 percent of all lobby spending). Energy Future Holdings Corp. and its subsidiaries led this industry, spending up to \$6.7 million. Balanced Energy for Texas, which promotes burning oil, gas and coal, paid Jackson Walker's Mike Nasi the state's fattest single contract of up to \$500,000. Burn, baby, burn.
- The No. 2-ranked Health industry spent up to \$49 million (14 percent of the total). The Texas Medical Association led this industry, spending up to \$1.5 million on 25 lobbyists. They failed to get lawmakers to tackle Texas' No. 1 health problem by using Obamacare to expand Medicaid for the state's record-setting uninsured.
- Ranking No. 3, "Ideological & Single-Interest" clients spent up to \$49 million. Texans for Education Reform topped this list, paying 17 lobbyists up to \$1.2 million to push charter schools and online education. Texans for Education Reform was the biggest new lobby client in Texas.
- The No. 4-ranked Miscellaneous Business sector spent up to \$41 million. The Theatrical Exhibitors Coalition led this industry, paying four lobbyists up to \$1 million to fight franchise taxes.
- Thirty-three lobbyists each reported maximum incomes of at least \$1.5 million. This elite group collectively collected 20 cents of every Texas lobby dollar. Lobby queen Andrea McWilliams reported grossing \$4.5 million in 2013. Her lobbyist spouse, Dean McWilliams, ranked No. 5 after grossing up to \$3 million. The dynamic duo underreported what they spent wining and dining Texas officials in California's wine country in 2012.

# **II. Lobby Clients**

#### A. Record Lobby Spending

This report reveals the clients and industries that spent the most to influence state officials in 2013, as well as Texas' top hired guns (exact contract values are unknown because Texas lobbyists typically report them in ranges such as "\$50,000 to \$99,999"). Special interests have spent up to \$3 billion on more than 72,000 Texas lobby contracts over the past 10 years. Texas lobby spending peaks in odd-numbered years during regular sessions of the biennial legislature. Comparing odd-numbered legislative years or even-numbered years, lobby spending generally increased over time, though the recession took a toll. Special interests spent up to \$349 million on the Texas lobby in 2013, nosing out the pre-recession year of 2007.





Year	Min. Value of Contracts	Max. Value of Contracts	No. of Contracts	No. of Lobbyists	No. of Clients
2004	\$113,960,043	\$234,210,077	5,321	1,371	1,896
2005	\$145,735,247	\$304,122,043	7,455	1,525	2,471
2006	\$119,315,500	\$250,400,439	6,120	1,315	2,125
2007	\$175,823,000	\$348,263,054	8,166	1,629	2,706
2008	\$135,775,000	\$278,674,935	6,545	1,463	2,295
2009	\$167,459,570	\$343,639,570	8,125	1,690	2,866
2010	\$134,964,000	\$276,579,000	6,826	1,577	2,357
2011	\$169,170,000	\$345,430,005	8,716	1,836	2,908
2012	\$143,990,000	\$291,754,934	6,627	1,426	2,603
2013	\$166,215,000	\$349,390,000	8,487	1,704	2,932
TOTAL	\$1,472,407,360	\$3,022,464,057	72,388	*	*

<sup>\*</sup>These totals would mislead since many lobbyists and clients reappear each year.

Note: Data cover *paid* contracts and reflect year-end numbers (when lobby data tend to peak).

#### **B. Million-Dollar Clients**

By the end of 2013, 21 clients spent more than \$1 million apiece on a total of 505 lobby contracts. Collectively these mega-clients paid lobbyists up to \$38 million, accounting for 11 percent of all the money spent on Texas lobbyists. As usual, AT&T flexed Texas' largest lobby muscle, spending up to \$8.2 million on 109 contracts.

#### Million-Dollar Clients

	Max. Value	No. of	
Client	of Contracts	Contracts	Interest Group
AT&T Corp.	\$8,225,000	109	Communications
Energy Future Holdings Corp.	\$3,305,000	54	Energy/Nat'l Resources
American Electric Power	\$2,400,000	16	Energy/Nat'l Resources
Oncor Electric Delivery Co., LLC	\$2,000,000	31	Energy/Nat'l Resources
CenterPoint Energy	\$1,885,000	26	Energy/Nat'l Resources
Texas Medical Assn.	\$1,470,000	25	Health
Linebarger Heard Goggan Blair Pena	\$1,430,000	19	Lawyers & Lobbyists
Texas Trial Lawyers Assn.	\$1,400,000	16	Lawyers & Lobbyists
Texas Oil & Gas Assn.	\$1,395,000	18	Energy/Nat'l Resources
Centene Corp. (Superior Healthplan)	\$1,260,000	9	Health
Ryan & Co.	\$1,260,000	24	Finance
Baker Botts, LLP	\$1,250,000	5	Lawyers & Lobbyists
Blue Cross & Blue Shield, Inc.	\$1,210,000	20	Health
Waste Control Specialists, LLC	\$1,205,000	19	Energy/Nat'l Resources
Texas Assn. of Realtors	\$1,190,000	13	Real Estate
Texans for Education Reform	\$1,185,000	17	Ideological/Single Issue
City of Austin	\$1,170,000	23	Ideological/Single Issue
Time Warner Cable	\$1,115,000	16	Communications
Altria-Philip Morris & USTobacco	\$1,095,000	20	Agriculture
Assn. of Electric Co's of TX	\$1,055,000	21	Energy/Nat'l Resources
Theatrical Exhibitors Coalition of TX	\$1,000,000	4	Miscellaneous Business

#### C. Biggest "New" Clients

Seven "new" clients that did not register any Texas lobbyists during the preceding legislative session in 2011 each spent maximum amounts of \$400,000 or more in 2013. The largest new kid paid 17 lobbyists up to \$1.2 million. Veterans of Texans for Lawsuit Reform, Texas' largest PAC, helped found Texans for Education Reform, which promotes online, virtual education and charter schools. Texas lawmakers boosted a state cap on privately operated public <u>charter</u> schools in 2013 from 215 to 305.

**Biggest "New" Clients** 

2013		Max. Value	No. of	
Rank	Client	of Contract	Contracts	Interest Group
16	Texans for Education Reform	\$1,185,000	17	Ideo./Single Interest
21	Theatrical Exhibitors Coal. of TX	\$1,000,000	4	Misc. Business
23	Let Texans Decide (PM Texas, LLC)	\$940,000	16	Misc. Business
35	McGuireWoods Consulting, LLC	\$760,000	6	Lawyers/Lobbyists
129	American Legal Finance Assn.	\$420,000	6	Finance
129	Xerox	\$420,000	5	Computers
136	Healthcare Cost Containment Coal.	\$400,000	4	Health

The Theatrical Exhibitors Coalition of Texas is a movie theater trade group. A coalition lobbyist testified in a 2013 Senate hearing that theaters must transfer most of the cost of a movie ticket to the corresponding movie studio. Yet the state franchise tax, the lobbyist complained, did not allow theater owners to deduct this pass through. Four tax lobbyists at Ryan, LLC each reported that this theatre coalition paid them up to \$250,000 apiece.

The same Ryan tax lobbyists represented the shadowy Healthcare Cost Containment Coalition. Big tobacco previously organized a coalition of the <u>same name</u> to kill proposed tobacco tax increases. The address of the latest Healthcare Cost Containment Coalition corresponds to Nashville-based Hospital Corp. of America (HCA). Meanwhile, HCA paid lobbyist Mignon McGarry a fat contract worth up to \$250,000 (see "Fattest Lobby Contracts").

Let Texans Decide promotes the perennial push to legalize casinos and slot machines (like precursor "Let the Voters Decide"). Proponents led by former Senator John Montford hyped 2013 as a breakthrough year. It wasn't. Senator John Carona proposed casino constitutional amendment SJR 64, which he failed to steer out of his own committee.<sup>3</sup>

Washington lobby firm McGuireWoods Consulting opened its Austin office in 2012. Governor Rick Perry's former aides Luis Saenz and Mark Miner work at the firm with Jennifer Shelley Rodriguez, daughter of ex- Perry Legislative Director Dan Shelley.

The American Legal Finance Association represents lenders that finance plaintiff lawsuits for a share of any payouts. The industry fended off bills to subject it to rules governing other lenders in 2005 and 2013. The industry claims it is unlike other lenders because it lacks collateral and collects nothing on losing lawsuits. Former Perry aide Luis Saenz (above) opposed the 2013 bill on behalf of the Alliance for Responsible Legal Funding.

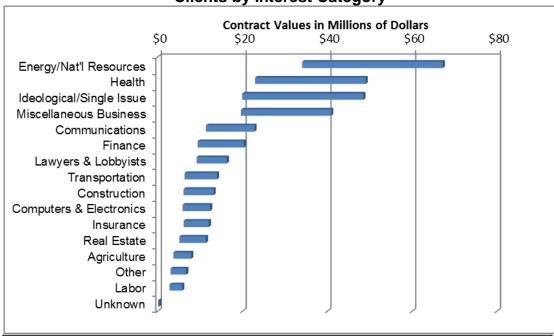
Xerox acquired government contractor Affiliated Computer Services (ACS) in 2010. ACS had <u>escalated its lobby expenditures</u> around 2004, when it landed a Texas Health and Human Services contract to vet Medicaid dental payments. ACS then rubber stamped Texas Medicaid dental

payments, which soon quadrupled. Texas spent more on Medicaid braces in 2010 than all other states combined. Texas belatedly fired Xerox in 2014 and sued the company to try to recover some of the hundreds of millions in allegedly negligently approved dental costs. Exerox blames dentists for the fraud that it was hired to prevent. Some dentists blame the problems on corporate "dental service organizations." A bill to rein in those companies failed in 2013, even as the Texas Department of Transportation awarded Xerox a \$100 million toll-road contract.

# **D. Top Clients by Interest Category**

This section categorizes Texas' 2013 lobby contracts by their underlying interests. Energy & Natural Resources clients led. They spent up to \$67 million, accounting for 19 percent of all lobby dollars. Health clients consumed 14 percent of the lobby pie, spending up to \$49 million. The Ideological/Single-Interest and Miscellaneous Business sectors were the next-biggest sectors.





Interest Group	Max. Value of Contracts	Min. Value of Contracts	No. of Contracts	Share of Max. Value
Energy/Natural Resources	\$67,270,000	\$34,090,000	1,364	19%
Health	\$49,075,000	\$23,000,000	1,211	14%
Ideological/Single Issue	\$48,525,000	\$19,930,000	1,599	14%
Miscellaneous Business	\$40,945,000	\$19,680,000	962	12%
Communications	\$22,870,000	\$11,410,000	430	7%
Finance	\$20,370,000	\$9,455,000	493	6%
Lawyers & Lobbyists	\$16,320,000	\$9,205,000	334	5%
Transportation	\$14,015,000	\$6,355,000	363	4%
Construction	\$13,210,000	\$6,140,000	337	4%
Computers & Electronics	\$12,400,000	\$5,910,000	284	4%
Insurance	\$12,090,000	\$6,155,000	243	3%
Real Estate	\$11,405,000	\$5,150,000	342	3%
Agriculture	\$7,940,000	\$3,710,000	191	2%
Other	\$6,750,000	\$3,080,000	191	2%
Labor	\$5,805,000	\$2,810,000	124	2%
Unknown	\$400,000	\$135,000	19	<1%
TOTALS:	\$349,390,000	\$166,215,000	8,487	100%

#### 1. Energy & Natural Resources: Up to \$67 Million

Energy & Natural Resources clients took out 1,364 lobby contracts worth up to \$67 million, or 19 percent of all lobby spending. Energy Future Holdings Corp. (EFH) led this industry. Along with its Oncor, Luminant and TXU subsidiaries, EFH spent \$6.7 million on Texas lobbyists—a lobby splurge surpassed only by behemoth AT&T.

EFH's \$43 billion acquisition of TXU Corp. in 2007 was the biggest leveraged buyout in history. Due to the way Texas structured electricity deregulation, that buyout amounted to a bet on continually bullish natural gas prices. Yet fracking by the likes of Exxon and Texas Oil and Gas Association members cratered those prices, pushing EFH into bankruptcy in 2014.<sup>8</sup>

The power companies dominating the Energy & Natural Resources lobby want to goose revenues. They persuaded the Public Utility Commission to jack up <u>peak electric rates</u>. Then they pushed it to abandon the free market for so-called "capacity payments," which force ratepayers to pay for speculative new power plants. The industry argues that this is the only way to stop Texas' electric grid from blacking out. Lawmakers and state consultants say the industry exaggerates the risk. Boosting the hyperbole, Calpine, Exelon, NRG and NextEra ran 2014 ads that featured a nighttime satellite view of the United States all lit up—except for Texas. Apparently, Texas' nightlife will soon be akin to that of North Korea unless regulators cave to every power company demand. Balanced Energy for Texas, an industry group promoting oil, gas and coal combustion, also publicizes Texas' allegedly imperiled electric grid.

**Top Energy & Natural Resources Clients** 

Client	Max. Value of Contracts	Min. Value of Contracts	No. of Contracts
*Energy Future Holdings Corp.	\$3,305,000	\$1,705,000	54
American Electric Power	\$2,400,000	\$1,600,000	16
*Oncor Electric Delivery Co.	\$2,000,000	\$995,000	31
CenterPoint Energy	\$1,885,000	\$910,000	26
Texas Oil & Gas Assn.	\$1,395,000	\$780,000	18
Waste Control Specialists, LLC	\$1,205,000	\$675,000	19
Assn. of Electric Co's of Texas	\$1,055,000	\$550,000	21
Reliant (an NRG company)	\$905,000	\$535,000	12
Southwestern Electric Power Co.	\$900,000	\$600,000	6
Entergy Corp	\$890,000	\$420,000	20
NRG Energy, Inc.	\$890,000	\$575,000	10
Atmos Energy Corp.	\$760,000	\$415,000	13
Exelon Corp.	\$710,000	\$345,000	11
Texas Electric Cooperatives	\$710,000	\$375,000	10
*Luminant Holding Co., LLC	\$700,000	\$170,000	42
*TXU Energy Retail Co., LLC	\$700,000	\$170,000	40
Green Group Holdings, LLC	\$650,000	\$325,000	7
Balanced Energy for Texas	\$645,000	\$505,000	7
Texas Rural Water Assn.	\$610,000	\$400,000	5
Texas Chemical Council, Inc.	\$595,000	\$310,000	9
ExxonMobil Corp.	\$585,000	\$360,000	6
Kinder Morgan	\$575,000	\$260,000	11
Waste Management of TX, Inc.	\$550,000	\$325,000	5

<sup>\*</sup>Unit of Energy Future Holdings Corp.



**Dark Knights**: If regulators don't meet *every* power company demand, Texas' electric grid may go the way of North Korea's. From afar, Supreme Leader Kim Jung Un and Chicago Bull-for-Life Dennis Rodman urge Texas to adopt the so-called "Pyongyang power system."

Houston Rep. Sarah Davis wrote a sweetheart bill on behalf of CenterPoint Energy in 2013. <u>HB</u> 404, which died in committee, would have further shielded a public utility in or adjacent to a county with at least 4 million people from being sued by guests on its property—even in cases involving gross negligence. Without mentioning it by name, the bill appeared to be written exclusively for "the Pond," the Trinity Bay fishing site where CenterPoint entertains politicians.<sup>12</sup>

Waste Control Specialists' owner Harold Simmons gave more than \$1 million to Rick Perry's gubernatorial campaigns before he died in late 2013. Perry's environmental appointees awarded Waste Control a low-level nuclear waste dump monopoly in 2009. The original license just covered waste from Texas and Vermont. Regulators opened the dump to 36 other states in 2011, siving Waste Control the nation's default low-level nuclear waste dump. Perry appointees tripled the volume covered by Waste Control's radioactive waste license in 2014, while slashing the money that it must post for nuclear cleanups from \$136 million to \$86 million. That same year Perry and Speaker Joe Straus called for the state to study authorizing a dump for *high-level* radioactive waste such as spent fuel rods.

Georgia-based Green Group Holdings announced plans in 2011 to build a dump and industrial park near Hempstead outside Houston. The town's mayor and many residents opposed the dump. <sup>18</sup> Green Group's application for a landfill permit is pending before the Texas Commission on Environmental Quality and the subject of litigation. The company paid seven lobbyists up to \$650,000. They include ex-environmental commissioner Ralph Marquez, ex-environmental director Jeff Saitas and ex-lawmaker Ron Lewis. The opposing Citizens Against the Landfill paid four lobbyists led by ex-environmental director Glenn Shankle up to \$45,000.

#### 2. Health: Up to \$49 Million

Health industry clients took out 1,211 contracts worth up to \$49 million, or 14 percent of all lobby spending. The Texas Medical Association (TMA) spent up to \$1.5 million. That doctor trade group's <u>summary of the 2013 session</u> buried Texas' failure to tackle its No. 1 health problem: the nation's worst health insurance rate. <sup>19</sup> "Obamacare" addressed the problem by offering \$100 billion in Medicaid funds to cover up to 1.5 million more Texans. Physician and Rep. John Zerwas crafted a TMA-backed "Texas solution" to let lawmakers take the federal money without appearing to endorse Obamacare. <sup>20</sup> The anti-Obama legislature, however, rejected all Medicaid expansion schemes.

**Top Health Clients** 

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	Max. Value	Min. Value	No. of
Client	of Contracts	of Contracts	Contracts
Texas Medical Assn.	\$1,470,000	\$710,000	25
Centene Corp. (Superior Healthplan)	\$1,260,000	\$850,000	9
Blue Cross & Blue Shield, Inc.	\$1,210,000	\$710,000	20
UnitedHealth Group	\$695,000	\$360,000	15
Baylor College of Medicine	\$620,000	\$475,000	5
Pfizer, Inc.	\$605,000	\$360,000	9
Children's Medical Center	\$555,000	\$275,000	12
HCA-Hospital Corporation of America	\$545,000	\$360,000	7
Harden Healthcare	\$520,000	\$245,000	9
CHRISTUS Health	\$510,000	\$225,000	11
Managed Care (MCNA Dental Plans)	\$510,000	\$325,000	5
Texas Hospital Assn.	\$510,000	\$250,000	10
Scott & White	\$505,000	\$310,000	7
Doctors Hospital at Renaissance	\$495,000	\$235,000	8
Texas Health Care Assn.	\$490,000	\$195,000	16
Teaching Hospitals of Texas	\$485,000	\$260,000	10
Texas Chiropractic Assn.	\$485,000	\$310,000	5
Genentech, Inc.	\$470,000	\$200,000	13
AMERIGROUP Corp.	\$465,000	\$235,000	9
Memorial Hermann Health System	\$450,000	\$350,000	2
E. TX Medical Ctr. Regional Healthcare	\$430,000	\$200,000	7
Healthcare Cost Containment Coalition	\$400,000	\$200,000	4
Texas Assn. of Health Plans	\$370,000	\$175,000	6
Eli Lilly & Co.	\$360,000	\$250,000	3
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TMA celebrated lesser victories. One <u>prevents</u> insurers that negotiate discount doctor rates from independently selling or leasing those rates to others. Others <u>rein in</u> Medicaid-fraud probes and ensure that other health professions <u>practice</u> under a physician's thumb. The TMA similarly has waged turf wars with the Texas Chiropractic Association. <sup>21</sup> TMA celebrated a law mandating <u>prompt payments</u> to providers by <u>Medicaid managed-care contractors</u> such as Centene's Superior Healthplan, Blue Cross, United Health, CHRISTUS Health, Scott & White and AMERIGROUP. Nobody testified against that bill.

Texas switched Medicaid dental patients to a managed-care system in 2012, directing them to choose from three providers: Delta Dental, DentaQuest and MCNA Dental. Dentists <u>criticized</u> the swift rollout of the program for overwhelming Medicaid patients.<sup>22</sup>

Several drug companies ranked among the top health clients. Pfizer paid \$18.1 million in 2013 to settle Medicaid-fraud charges brought by the Texas Attorney General, who accused the drug giant of inflating generic drug charges to the state.<sup>23</sup> Genentech <u>supported</u> a failed 2013 <u>bill</u> to restrict "biosimilar" substitutes for brand-name biological drugs (those manufactured in living cells).<sup>24</sup>

The Texas Health Care Association, which represents nursing home companies such as Harden Healthcare, perennially fights for higher Medicaid reimbursements.<sup>25</sup> In 2013 the industry celebrated passage of a state budget that increased payouts six percent.

Trade associations for nursing homes, hospitals and doctors all backed a failed 2013 euthanasia bill opposed by Texas Right to Life. Texas doctors have been able to stop medically futile treatment unless it violates the wishes of patients or their families (objecting families have 10 days to find a new provider). The 2013 bill would have helped euthanasia opponents with their appeals and given them four more days to find a new provider. Opponents seek a euthanasia death penalty.

#### 3. Ideological & Single-Issue: Up to \$49 Million

Ideological & Single-Issue clients took out 1,599 contracts worth up to \$49 million, or 14 percent of all lobby spending. Newly formed Texans for Education Reform led the Ideological lobby, spending up to \$1.2 million to push online virtual education and more charter schools. In 2013 lawmakers increased Texas' charter cap from a maximum of 215 privately operated public charters to 305. This was a setback for the Texas Association of School Boards and a victory for the Texas Charter School Association and such charter chains as Texans Can Academies.

**Top Ideological & Single-Issue Clients** 

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	Max. Value	Min. Value	No. of
Client	of Contracts	of Contracts	Contracts
Texans for Education Reform	\$1,185,000	\$635,000	17
City of Austin	\$1,170,000	\$550,000	23
City of Houston	\$985,000	\$485,000	19
Raise Your Hand for Public Schools	\$880,000	\$445,000	21
Texas Municipal League	\$785,000	\$440,000	15
Texans for Lawsuit Reform	\$780,000	\$355,000	17
Environmental Defense Fund	\$775,000	\$410,000	8
Tarrant Regional Water District	\$655,000	\$300,000	14
Port of Houston Authority	\$600,000	\$275,000	11
Lower Colorado River Authority	\$550,000	\$245,000	14
Harris County	\$535,000	\$335,000	6
American Cancer Society	\$505,000	\$255,000	10
Metro. Transit Auth. of Harris County	\$485,000	\$220,000	13
Chickasaw Nation	\$475,000	\$335,000	4
Texas Charter Schools Assn.	\$470,000	\$220,000	9
City of Fort Worth	\$465,000	\$200,000	13
Texas Conference of Urban Counties	\$435,000	\$210,000	6
Texas Assn. of School Boards	\$425,000	\$235,000	6
Port of Corpus Christi	\$415,000	\$185,000	10
American Heart Assn.	\$380,000	\$195,000	8
Harris County Commissioners Court	\$370,000	\$170,000	8
City of Irving	\$350,000	\$125,000	14
Texas Civil Justice League	\$350,000	\$195,000	5
City of San Antonio	\$345,000	\$130,000	13
Kickapoo Traditional Tribe of Texas	\$330,000	\$200,000	5
Hays Caldwell Public Utility Agency	\$325,000	\$160,000	4
Texans Can Academies	\$325,000	\$160,000	5
Houston Independent School District	\$305,000	\$110,000	11

Raise Your Hands for Public Schools opposed vouchers while promoting less student testing and more school funding. Lawmakers held the line against vouchers and passed four bills to roll back Texas' 30-year obsession with expanding standardized tests (Governor Perry vetoed two of them).<sup>27</sup> Testing companies Pearson Education and College Board spent up to \$910,000 on 10 lobby contracts (see the Miscellaneous Business section). A state judge ruled in 2014 that Texas flunked its constitutional duty to adequately fund public education after lawmakers cut \$5.4 billion in school funding in 2011 and restored just \$3.4 billion in 2013.<sup>28</sup>

Led by Austin, Houston and the Texas Municipal League, local governments dominated the Single-Issue lobby. The Texas Municipal League mainly play defense, fighting bills that erode local government authority and revenue or that impose unfunded mandates on local governments.

Drought-scorched Texas lawmakers and voters approved \$2 billion in 2013 for water projects. The Tarrant Regional Water District is building a 150-mile pipeline to increase supplies, while the Lower Colorado River Authority wants to build a reservoir near the gulf. <sup>29</sup> The Hays Caldwell Public Utility Agency slakes some of Austin's fast-growth southern suburbs; that region hired the private Forestar Group to supply future water needs. Forestar sued the Smithville-based Lost Pines Ground Water Conservation District in 2014 after it granted the company about one-quarter of the 45,000 acre feet of aquifer water that it seeks to extract each year. <sup>30</sup>

Texas' anti-lawsuit push has moved to such an extreme over the past 20 years that one tort-reform attorney recently said, "The major tort reform stuff is probably done." No wonder that some founders of Texans for Lawsuit Reform have sought a new cause and formed Texans for Education Reform. <sup>32</sup>

Eight Environmental Defense Fund lobbyists promoted renewable energy, energy efficiency and ways to reduce peak-hour electrical demand. The group <u>said</u> policies that encourage consumers to dial back power usage during crises helped prevent rolling blackouts during a hard freeze in early 2014.

The American Cancer Society pushed a 2013 bill that raised the tanning-bed age from 16 to 18 (it become law without the tan governor's signature). Tanning lights increase the risk of melanoma, the No. 1 cause of cancer deaths in young women. The Cancer Society also applauded lawmakers for reviving \$594 million in biennial funding to the Cancer Prevention and Research Institute of Texas. CPRIT funding was suspended after a scandal erupted when CPRIT improperly awarded major state grants to companies tied to big political contributors.<sup>33</sup>

The gambling interests of the Chickasaw and Kickapoo tribes are discussed in the next section.

#### 4. Miscellaneous Business: Up to \$41 Million

The diverse clients falling into the Miscellaneous Business sector took out 962 lobby contracts worth up to \$41 million, or 12 percent of all lobby spending. The Theatrical Exhibitors Coalition, which led this sector, is discussed above in the "Biggest 'New' Client" section. Many other Miscellaneous Business lobbyists collect "wages of sin" from gambling and alcohol clients—two industries that Senate Business Committee Chair John Carona tried to pamper in 2013.

#### **Miscellaneous Business**

WildCellalleO	Max. Value	Min. Value	No. of
Client	of Contracts	of Contracts	Contracts
			-
Theatrical Exhibitors Coalition of TX	\$1,000,000	\$800,000	4
Let Texans Decide	\$940,000	\$520,000	14
Wholesale Beer Distributors of TX	\$650,000	\$315,000	14
H.E. Butt Grocery Co.	\$625,000	\$260,000	17
GTECH Corp.	\$600,000	\$400,000	4
TX Assn. of Manufacturers	\$595,000	\$330,000	11
Anheuser-Busch InBev	\$560,000	\$250,000	11
Landry's, Inc.	\$560,000	\$295,000	9
Pearson Education	\$560,000	\$320,000	7
TX Package Stores Assn.	\$495,000	\$230,000	10
Keefe Group, Inc.	\$480,000	\$225,000	8
Global Gaming LSP, LLC (Chickasaw)	\$475,000	\$335,000	4
DeVry, Inc.	\$440,000	\$220,000	9
McLane Co, Inc. (Wal-Mart subsidiary)	\$400,000	\$170,000	10
TX Retailers Assn.	\$400,000	\$250,000	3
Vigilant Solutions, Inc. (security software)	\$400,000	\$200,000	4
Baptist Gen'l Conv. of TX Christian Life Com.	\$360,000	\$200,000	6
Licensed Beverage Distributors	\$355,000	\$160,000	9
College Board	\$350,000	\$225,000	3
Gulf Greyhound Partners, Ltd.	\$350,000	\$300,000	1
Pitsco, Inc.(school curricula)	\$350,000	\$175,000	4
Silver Eagle Distributors	\$335,000	\$185,000	6
Circuit of the Americas, LLC	\$300,000	\$145,000	6
Integrated Gaming Concepts	\$300,000	\$200,000	2

Let Texans Decide pushed a failed proposition (Carona's <u>SJR 64</u>) to ask Texas voters to legalize casinos (beyond the lone casino run by the federally recognized Kickapoo tribe in Eagle Pass). Competition between racetracks (including Gulf Greyhound) and casino interests (including Landry's) has doomed the expansion of Texas gambling (opposed by the Baptist General Convention).<sup>34</sup> Racetracks persuaded the Texas Racing Commission to authorize "historical racing" terminals in 2014. Gamblers use the slot-like devices to bet on videos of past race that have been stripped of identifying details. Some lawmakers argue that this Commission ruling did an illegal end-run around the legislature.<sup>35</sup>

The Chickasaw straddle the racetrack-casino divide. The tribe's Oklahoma casinos thrive off Texas' casino prohibition, while the Chickasaw's Global Gaming LSP owns Grand Prairie's Lone Star Park horse track. Global Gaming and the Chickasaw each paid up to \$475,000 to the same four Capital Consultants lobbyists. GTECH Corp. is the Texas Lottery's contractor for life.

Texas' archaic, three-tier alcohol-regulatory system has required middlemen wholesalers to buy alcohol from producers such as Anheuser-Busch and sell it to retailers, including members of the Texas Package Stores Association and HEB Grocery. In 2013 craft breweries and beer pubs finally overcame the Wholesale Beer Distributors to pass <u>four reform bills</u>. Giant Budweiser distributor Silver Eagle Distributors backed a rival wholesaler group, the Beer Alliance of Texas, which agreed to some microbrew reforms. Meanwhile, the initial wholesaler <u>bill</u> that Carona introduced said that if a court overturned part of Texas' Alcoholic Beverage Code the state must salvage as much "as is constitutionally permissible."

Keefe Group supplies snacks and personal items to prison commissaries. Vigilant Solutions sells controversial license-plate scanning technology to Big Brother and others.

DeVry, Inc. runs for-profit universities that boast notorious default rates on their federal student loans. Federal taxpayers even back loans to U.S. students at DeVry's Caribbean medical schools, which lack U.S. accreditation. Texas passed a 2013 <u>prohibition</u> on students from foreign medical schools receiving their clinical training in Texas.<sup>36</sup>

School-testing companies Pearson and College Board are discussed in the preceding section. Pitsco, Inc. sells educational materials.

# III. Lobbyists

# A. Texas' Top Lobbyists

Thirty-three lobbyists reported maximum lobby incomes exceeding \$1.5 million in 2013. These top lobbyists received up to \$69 million for 1,010 contracts, accounting for 20 percent of all Texas lobby dollars. Texas' top lobbyists are overwhelmingly revolving-door retreads who previously served as either public officials or as their aides.

Texas' \$1.5 Million Lobbyists

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	Max. Value	Min. Value	Contract	Lobbyist
Lobbyist	of Contracts	of Contracts	Count	Description
Andrea McWilliams	\$4,545,000	\$2,310,000	53	Ex-legislative aide
Carol McGarah	\$3,290,000	\$1,620,000	53	Ex-Senate aide; Blackridge, Inc.
Russell 'Rusty' Kelley	\$3,275,000	\$1,760,000	52	Ex-Speaker aide; Blackridge, Inc.
Stan Schlueter	\$3,075,000	\$2,035,000	23	Ex-legislator
Dean R. McWilliams	\$3,045,000	\$1,560,000	34	Ex-Senate aide
Randall H. Erben	\$2,675,000	\$1,435,000	27	Ex-Ast. Secretary of State
Michael Toomey	\$2,400,000	\$1,325,000	26	Ex-legislator; Ex-governor's aide
Mignon McGarry	\$2,320,000	\$1,325,000	24	Ex-Senate aide
Ron E. Lewis	\$2,260,000	\$1,175,000	28	Ex-legislator
Robert D. Miller	\$2,125,000	\$1,115,000	31	Ex-legislative aide
Christopher Shields	\$1,985,000	\$975,000	31	Ex-governor's aide
Robert Johnson, Jr.	\$1,970,000	\$1,300,000	15	Son of ex-lawmaker
Walter Fisher	\$1,950,000	\$1,050,000	22	Ex-Senate parliamentarian
Royce Pabst Poinsett	\$1,920,000	\$1,075,000	21	Ex-governor's aide
Jack Roberts	\$1,855,000	\$1,035,000	21	Ex-Comptroller's aide
John R. Pitts	\$1,855,000	\$880,000	42	Ex-Lt. governor's aide
Frank R. Santos	\$1,850,000	\$975,000	21	Ex-legislative aide
Scott E. Gilmore	\$1,820,000	\$1,000,000	19	Ex-legislative aide
Luis J. Saenz	\$1,815,000	\$830,000	38	Ex-governor's aide
Jeffrey E. Heckler	\$1,800,000	\$1,025,000	19	Ex-legislative aide
Jim M. Grace, Jr.	\$1,785,000	\$1,135,000	15	Ex-CenterPoint lobbyist at Baker Botts
Raymond C. Sullivan	\$1,735,000	\$930,000	21	Ex-governor's aide
Bill Messer	\$1,700,000	\$835,000	26	Ex-legislator
Demetrius McDaniel	\$1,685,000	\$860,000	19	Ex-Agriculture Com.'s aide
Kerry N. Cammack	\$1,625,000	\$960,000	14	Wed Justice Harriett O'Neill in 2003.
Neal 'Buddy' Jones Jr.	\$1,625,000	\$450,000	87	Ex-legislator; Ex-Speaker's aide
John C. Johnson, Jr.	\$1,605,000	\$825,000	23	Ex-governor's aide
Camm 'Trey' Lary III	\$1,570,000	\$675,000	47	Allen Boone Humphries MUD lobbyist
Mark Vane	\$1,555,000	\$730,000	34	Ex-legislative aide
Sabrina T. Brown	\$1,550,000	\$840,000	19	Ex-legislative aide
John 'Jack' Erskine Jr.	\$1,505,000	\$720,000	29	Ex-Amoco lobbyist at K&L Gates
Tristan Castaneda, Jr.	\$1,505,000	\$680,000	44	Ex-Henry Cisneros aide
Yuniedth M. Steen	\$1,500,000	\$730,000	32	Ex-legislative aide at Locke Lord
		•		-

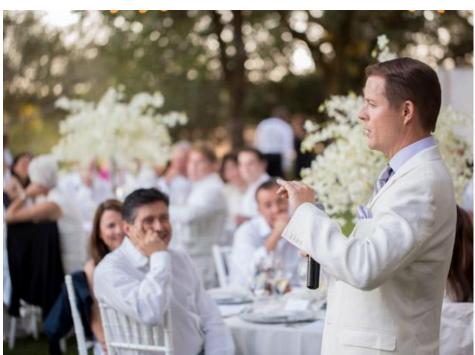
The state's top-grossing lobbyist, Andrea McWilliams, is an ex-aide to Rep. Richard Raymond. She and her lobbyist spouse, Dean McWilliams, reported a combined 2013 lobby income of up to \$7.6 million—two cents of every Texas lobby dollar. In 2012 Andrea McWilliams threw herself a lavish birthday party at the McWilliams family's <u>Arista Vineyard</u> in Sonoma California. White-tux attendees included some of the couple's clients and at least seven Texas lawmakers.

The couple oddly reported spending less than \$400 wining and dining public officials that month. This suggested that they served their political VIPs two-buck Chuck instead of their own Arista wine (which retails in the range of \$27-\$53 a bottle). After *KVUE News* questioned this accounting, the couple amended their lobby-spending reports "to reflect some expenditures that were overlooked." The overlooked costs quintupled the tally to \$2,092.<sup>37</sup>



Andrea McWilliams and Anita Perry: First Ladies of the lobby and the Governor's Manse.





Dean McWilliams at the posh birthday bash. Were Texas officials told to consume brown-bag lunches and two-buck Chuck—so Texans don't get the wrong impression?



# **B. Fattest Lobby Contracts**

A 2007 reform increased the maximum value of reported lobby contracts from "\$200,000 or more" to "\$500,000 or more." In 2013 lobbyists reported 44 contracts worth more than \$200,000. Lobbyists self-referentially reported their own firms as the client in 13 of those cases.<sup>39</sup>

**Fattest Lobby Contracts** 

Client         Lobbyist         Max. Value of Contracts         Min. Value of Contracts           *Baker Botts, LLP         Jim M. Grace, Jr.         \$500,000         \$450,000           Balanced Energy for TX         Michael J. Nasi         \$500,000         \$450,000           *TX Assn. of Realtors         TX Assn. of Realtors         \$450,000         \$400,000           Goodman Networks         James Frinzi         \$350,000         \$300,000           Gulf Greyhound Partners, Ltd.         Robert E. Johnson, Jr.         \$350,000         \$300,000           *McGinnis Lochridge & Kilgore LLP         William H. Bingham         \$350,000         \$300,000           *McGinnis Lochridge & Kilgore LLP         William H. Bingham         \$350,000         \$300,000           Associated General Contractors TX         Corbin Van Arsdale         \$300,000         \$250,000           *Baker Botts, LLP         Royce Pabst Poinsett         \$300,000         \$250,000           Baylor College of Medicine         Thomas W. Kleinworth         \$300,000         \$250,000           Baylor Colleges & Universities of TX         Carol L. McDonald         \$300,000         \$250,000           Memorial Hermann Health System         'Freddy' Warner, Jr.         \$300,000         \$250,000           Shell Oil Co.         Jayme Cox	
*Baker Botts, LLP         Jim M. Grace, Jr.         \$500,000         \$450,000           Balanced Energy for TX         Michael J. Nasi         \$500,000         \$450,000           *TX Assn. of Realtors         TX Assn. of Realtors         \$450,000         \$400,000           Goodman Networks         James Frinzi         \$350,000         \$300,000           Gulf Greyhound Partners, Ltd.         Robert E. Johnson, Jr.         \$350,000         \$300,000           *McGinnis Lochridge & Kilgore LLP         William H. Bingham         \$350,000         \$300,000           Occidental Chemical Corp.         Julie W. Moore         \$350,000         \$300,000           Associated General Contractors TX         Corbin Van Arsdale         \$300,000         \$250,000           *Baker Botts, LLP         Royce Pabst Poinsett         \$300,000         \$250,000           Baylor College of Medicine         Thomas W. Kleinworth         \$300,000         \$250,000           Indep't Colleges & Universities of TX         Carol L. McDonald         \$300,000         \$250,000           Memorial Hermann Health System         'Freddy' Warner, Jr.         \$300,000         \$250,000           Shell Oil Co.         Jayme Cox         \$300,000         \$250,000           TX Industry Project         Pamela M. Giblin         \$300,000	
Balanced Energy for TX         Michael J. Nasi         \$500,000         \$450,000           *TX Assn. of Realtors         TX Assn. of Realtors         \$450,000         \$400,000           Goodman Networks         James Frinzi         \$350,000         \$300,000           Gulf Greyhound Partners, Ltd.         Robert E. Johnson, Jr.         \$350,000         \$300,000           *McGinnis Lochridge & Kilgore LLP         William H. Bingham         \$350,000         \$300,000           *McGinnis Lochridge & Kilgore LLP         William H. Bingham         \$350,000         \$300,000           Occidental Chemical Corp.         Julie W. Moore         \$350,000         \$300,000           Associated General Contractors TX         Corbin Van Arsdale         \$300,000         \$250,000           *Baker Botts, LLP         Royce Pabst Poinsett         \$300,000         \$250,000           *Baylor College of Medicine         Thomas W. Kleinworth         \$300,000         \$250,000           Indep't Colleges & Universities of TX         Carol L. McDonald         \$300,000         \$250,000           Memorial Hermann Health System         'Freddy' Warner, Jr.         \$300,000         \$250,000           Shell Oil Co.         Jayme Cox         \$300,000         \$250,000           TX Industry Project         Pamela M. Giblin         \$3	CIS
*TX Assn. of Realtors         TX Assn. of Realtors         \$450,000         \$400,000           Goodman Networks         James Frinzi         \$350,000         \$300,000           Gulf Greyhound Partners, Ltd.         Robert E. Johnson, Jr.         \$350,000         \$300,000           *McGinnis Lochridge & Kilgore LLP         William H. Bingham         \$350,000         \$300,000           Occidental Chemical Corp.         Julie W. Moore         \$350,000         \$300,000           Associated General Contractors TX         Corbin Van Arsdale         \$300,000         \$250,000           *Baker Botts, LLP         Royce Pabst Poinsett         \$300,000         \$250,000           Baylor College of Medicine         Thomas W. Kleinworth         \$300,000         \$250,000           Indep't Colleges & Universities of TX         Carol L. McDonald         \$300,000         \$250,000           Memorial Hermann Health System         'Freddy' Warner, Jr.         \$300,000         \$250,000           Shell Oil Co.         Jayme Cox         \$300,000         \$250,000           TX Industry Project         Pamela M. Giblin         \$300,000         \$250,000           ASs. of Electric Companies of TX         John W. Fainter, Jr.         \$250,000         \$200,000           Asylor College of Medicine         Herbert L. Butrum	
Goodman Networks         James Frinzi         \$350,000         \$300,000           Gulf Greyhound Partners, Ltd.         Robert E. Johnson, Jr.         \$350,000         \$300,000           *McGinnis Lochridge & Kilgore LLP         William H. Bingham         \$350,000         \$300,000           Occidental Chemical Corp.         Julie W. Moore         \$350,000         \$300,000           Associated General Contractors TX         Corbin Van Arsdale         \$300,000         \$250,000           *Baker Botts, LLP         Royce Pabst Poinsett         \$300,000         \$250,000           Baylor College of Medicine         Thomas W. Kleinworth         \$300,000         \$250,000           Indep't Colleges & Universities of TX         Carol L. McDonald         \$300,000         \$250,000           Memorial Hermann Health System         'Freddy' Warner, Jr.         \$300,000         \$250,000           Shell Oil Co.         Jayme Cox         \$300,000         \$250,000           TX Industry Project         Pamela M. Giblin         \$300,000         \$250,000           Assn. of Electric Companies of TX         John W. Fainter, Jr.         \$250,000         \$200,000           AT&T Corp.         Russell 'Rusty' Kelley         \$250,000         \$200,000           *Bicameral Consultants, Inc.         Johnnie B. Rogers, Jr.         <	
Gulf Greyhound Partners, Ltd.         Robert E. Johnson, Jr.         \$350,000         \$300,000           *McGinnis Lochridge & Kilgore LLP         William H. Bingham         \$350,000         \$300,000           Occidental Chemical Corp.         Julie W. Moore         \$350,000         \$300,000           Associated General Contractors TX         Corbin Van Arsdale         \$300,000         \$250,000           *Baker Botts, LLP         Royce Pabst Poinsett         \$300,000         \$250,000           Baylor College of Medicine         Thomas W. Kleinworth         \$300,000         \$250,000           Indep't Colleges & Universities of TX         Carol L. McDonald         \$300,000         \$250,000           Memorial Hermann Health System         'Freddy' Warner, Jr.         \$300,000         \$250,000           Shell Oil Co.         Jayme Cox         \$300,000         \$250,000           TX Industry Project         Pamela M. Giblin         \$300,000         \$250,000           Assn. of Electric Companies of TX         John W. Fainter, Jr.         \$250,000         \$200,000           AT&T Corp.         Russell 'Rusty' Kelley         \$250,000         \$200,000           *Bicameral Consultants, Inc.         Johnnie B. Rogers, Jr.         \$250,000         \$200,000           *Capital Consultants Group         James F. Shearer<	
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Memorial Hermann Health System         'Freddy' Warner, Jr.         \$300,000         \$250,000           Shell Oil Co.         Jayme Cox         \$300,000         \$250,000           TX Industry Project         Pamela M. Giblin         \$300,000         \$250,000           Assn. of Electric Companies of TX         John W. Fainter, Jr.         \$250,000         \$200,000           AT&T Corp.         Russell 'Rusty' Kelley         \$250,000         \$200,000           Baylor College of Medicine         Herbert L. Butrum         \$250,000         \$200,000           *Bicameral Consultants, Inc.         Johnnie B. Rogers, Jr.         \$250,000         \$200,000           *Capital Consultants Group         James F. Shearer         \$250,000         \$200,000           *Centene Corp. (Superior Health)         Stan Schlueter         \$250,000         \$200,000           Chickasaw Nation         James F. Shearer         \$250,000         \$200,000           Fidelity Investments         Michael A. Kopp         \$250,000         \$200,000           Fidelity Investments         James Joseph Scalisi         \$250,000         \$200,000           Global Gaming LSP, LLC         James F. Shearer         \$250,000         \$200,000	
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Baylor College of Medicine         Herbert L. Butrum         \$250,000         \$200,000           *Bicameral Consultants, Inc.         Johnnie B. Rogers, Jr.         \$250,000         \$200,000           *Capital Consultants Group         James F. Shearer         \$250,000         \$200,000           Centene Corp. (Superior Health)         Stan Schlueter         \$250,000         \$200,000           Chickasaw Nation         James F. Shearer         \$250,000         \$200,000           Fidelity Investments         Michael A. Kopp         \$250,000         \$200,000           Fidelity Investments         James Joseph Scalisi         \$250,000         \$200,000           Global Gaming LSP, LLC         James F. Shearer         \$250,000         \$200,000	
*Bicameral Consultants, Inc.         Johnnie B. Rogers, Jr.         \$250,000         \$200,000           *Capital Consultants Group         James F. Shearer         \$250,000         \$200,000           Centene Corp. (Superior Health)         Stan Schlueter         \$250,000         \$200,000           Chickasaw Nation         James F. Shearer         \$250,000         \$200,000           Fidelity Investments         Michael A. Kopp         \$250,000         \$200,000           Fidelity Investments         James Joseph Scalisi         \$250,000         \$200,000           Global Gaming LSP, LLC         James F. Shearer         \$250,000         \$200,000	
*Capital Consultants Group         James F. Shearer         \$250,000         \$200,000           Centene Corp. (Superior Health)         Stan Schlueter         \$250,000         \$200,000           Chickasaw Nation         James F. Shearer         \$250,000         \$200,000           Fidelity Investments         Michael A. Kopp         \$250,000         \$200,000           Fidelity Investments         James Joseph Scalisi         \$250,000         \$200,000           Global Gaming LSP, LLC         James F. Shearer         \$250,000         \$200,000	
Centene Corp. (Superior Health)         Stan Schlueter         \$250,000         \$200,000           Chickasaw Nation         James F. Shearer         \$250,000         \$200,000           Fidelity Investments         Michael A. Kopp         \$250,000         \$200,000           Fidelity Investments         James Joseph Scalisi         \$250,000         \$200,000           Global Gaming LSP, LLC         James F. Shearer         \$250,000         \$200,000	
Chickasaw Nation         James F. Shearer         \$250,000         \$200,000           Fidelity Investments         Michael A. Kopp         \$250,000         \$200,000           Fidelity Investments         James Joseph Scalisi         \$250,000         \$200,000           Global Gaming LSP, LLC         James F. Shearer         \$250,000         \$200,000	
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Global Gaming LSP, LLC James F. Shearer \$250,000 \$200,000	
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Harris County Robert M. Collie, Jr. \$250,000 \$200,000	
HCA -Hospital Corp. of America Mignon McGarry \$250,000 \$200,000	
*HRWK, Inc. John Kroll \$250,000 \$200,000	
*HRWK, Inc. Seth R. Winick \$250,000 \$200,000	
*Impact TX Communications, LLP Todd M. Smith \$250,000 \$200,000	
*Impact U.S. Todd M. Smith \$250,000 \$200,000	
*Longbow Partners, LLC Tristan Castaneda, Jr. \$250,000 \$200,000	
Macquarie Energy, LLC Vanus J. Priestley \$250,000 \$200,000	
Managed Care (MCNA Dental Plans) Stan Schlueter \$250,000 \$200,000	
Rackspace Hosting, Inc. John T. Montford \$250,000 \$200,000	
Signal Equities, LLC Robert E. Johnson, Jr. \$250,000 \$200,000	
TX Industrial Energy Consumers Phillip G. Oldham \$250,000 \$200,000	
TX Trial Lawyers Assn. Nicholas K. Kralj \$250,000 \$200,000	
Theatrical Exhibitors Coalition of TX Adina Christian \$250,000 \$200,000	
Theatrical Exhibitors Coalition of TX Gwendolyn S. Evans \$250,000 \$200,000	
Theatrical Exhibitors Coalition of TX Matthew Grabner \$250,000 \$200,000	
Theatrical Exhibitors Coalition of TX Susan Traylor Bittick \$250,000 \$200,000	
*Vinson & Elkins, LLP Glen A. Rosenbaum \$250,000 \$200,000	
Waste Control Specialists, LLC Pamela M. Giblin \$250,000 \$200,000	
*Winstead, PC Janis L. Carter \$250,000 \$200,000	

<sup>\*</sup>Self-referential contract, where lobbyists list their firm as the client, etc.

Jackson Walker lobbyist Mike Nasi represents a coal-heavy list of clients led by Balanced Energy for Texas. It promotes burning oil, gas and coal, widespread practices that employ numerous lobbyists. These include John Fainter, CEO of the Association of Electric Companies of Texas. Its power-generating members lead demands for "capacity payments," which would force ratepayers to pay for speculative new power plants.

Many oil refiners (such as Shell) and chemical companies (such as Occidental) are huge electrical consumers that either generate their own power or oppose capacity payments. Andrews Kurth lobbyist Phillip Oldham represents the latter interests through the Texas Industrial Energy Consumers group. Pam Giblin helped design Texas' lax environmental laws before joining Baker Botts and convening the Texas Industry Project on behalf of big energy and chemical polluters.<sup>40</sup>

The nuclear power industry generated two mega-contracts. Ex-lawmaker's son Robert Johnson, Jr. lobbies for uranium miner Signal Equities, LLC. Toxic-lobby queen Pam Giblin represents Waste Control Specialists. Already operating the nation's default low-level nuclear waste dump, Waste Control now is angling for the really hot stuff.<sup>41</sup>

Ex-lawmaker Stan Schlueter boasted fat health contracts with two Texas Medicaid contractors: Centene Superior HealthPlan and MCNA Dental Plans.

James Frinzi heads the lobby office of Plano-based Goodman Networks. It builds communications networks for customers such as lobby giant AT&T. Ex-AT&T president and former state senator John Montford landed a mega-contract with San Antonio-based Rackspace, which hosts web and cloud computing services. Montford also had six-figure contracts with AT&T, General Motors and with pro-casino group Let Texans Decide (see Miscellaneous Business).

Lobbyist James Shearer had fat contracts with both the Chickasaw Nation and the tribe's Global Gaming, which owns Grand Prairie's Lone Star horse track. The Gulf Greyhound track awarded a fat contract to Robert Johnson, Jr., a longtime investor in that track.

Nicholas Kralj, a former Speaker's aide, had a Texas Trial Lawyers Association mega-contract. Over the past 20 years this once powerful trade group steadily lost influence to its nemesis: Texans for Lawsuit Reform.

Texas taxpayers have subsidized a number of fat-contract clients. Governor Rick Perry's <u>Texas Enterprise Fund</u> has awarded \$22 million to Rackspace, \$8.5 million to Fidelity, and \$2 million apiece to the Motiva refinery (jointly owned by Shell and Saudi Aramco) and the Baylor College of Medicine. Baylor College of Medicine also is a major recipient of state grants from the Cancer Prevention and Research Institute of Texas.

# IV. Top 100 Lobby Clients in Texas

		IV. TOP TUU LODD	y Chema m	I Exas	
2013	2011		Max. Value	No. of	
Rank	Rank	Client	of Contract (	Contracts	Interest Group
1	1	AT&T Corp.	\$8,225,000	109	Communications
2	2	Energy Future Holdings Corp.	\$3,305,000	54	Energy/Nat'l Resources
3	3	American Electric Power	\$2,400,000	16	Energy/Nat'l Resources
4	8	Oncor Electric Delivery Co. LLC	\$2,000,000	31	Energy/Nat'l Resources
5	4	CenterPoint Energy	\$1,885,000	26	Energy/Nat'l Resources
6	9	TX Medical Assn.	\$1,470,000	25	Health
7	13	Linebarger Heard Goggan Blair	\$1,430,000	19	Lawyers & Lobbyists
8	16	TX Trial Lawyers Assn.	\$1,400,000	16	Lawyers & Lobbyists
9	42	TX Oil & Gas Assn.	\$1,395,000	18	Energy/Nat'l Resources
10	73	Centene Corp. (Superior Healthplan)	\$1,260,000	9	Health
10	25	Ryan & Co.	\$1,260,000	24	Finance
12	22	Baker Botts, LLP	\$1,250,000	5	Lawyers & Lobbyists
13	29	Blue Cross & Blue Shield, Inc.	\$1,210,000	20	Health
14	17	Waste Control Specialists, LLC	\$1,205,000	19	Energy/Nat'l Resources
15	10	TX Assn. of Realtors	\$1,190,000	13	Real Estate
16	*	Texans for Education Reform	\$1,185,000	17	Ideological/Single Issue
17	23	City of Austin	\$1,170,000	23	Ideological/Single Issue
18	32	Time Warner Cable	\$1,175,000	16	Communications
19	26	Altria-Philip Morris & US Tobacco	\$1,095,000	20	Agriculture
20	11	Assn. of Electric Companies of TX	\$1,055,000	21	Energy/Nat'l Resources
21		Theatrical Exhibitors Coalition of TX	\$1,000,000	4	Miscellaneous Business
22	21	City of Houston	\$985,000	19	Ideological/Single Issue
23		Let Texans Decide	\$940,000	14	Miscellaneous Business
24	28	Reliant (an NRG Co.)	\$905,000	12	Energy/Nat'l Resources
25	31	Southwestern Electric Power Co.	\$900,000	6	Energy/Nat'l Resources
26	19	Entergy Corp	\$890,000	20	Energy/Nat'l Resources
26	20	NRG Energy, Inc.	\$890,000	10	Energy/Nat'l Resources
26	18	Verizon	\$890,000	30	Communications
29	75	Raise Your Hand for Public Schools	\$880,000	21	Ideological/Single Issue
30	67	Burlington Northern-Santa Fe Railway	\$790,000	14	Transportation
31	44	TX Municipal League	\$785,000	15	Ideological/Single Issue
32	30	Texans for Lawsuit Reform	\$780,000	17	Ideological/Single Issue
33	289	Environmental Defense Fund	\$775,000	8	Ideological/Single Issue
34	140	CenturyLink	\$770,000	13	Communications
35	24	Atmos Energy Corp.	\$760,000	13	Energy/Nat'l Resources
35	*	McGuireWooods Consulting, LLC	\$760,000	6	Lawyers & Lobbyists
37	47	Capital Consultants Group	\$735,000	12	Lawyers & Lobbyists
38	90	Exelon Corp.	\$710,000	11	Energy/Nat'l Resources
38	51	TX Electric Cooperatives	\$710,000	10	Energy/Nat'l Resources
40	238	HRWK, Inc.	\$700,000	3	Lawyers & Lobbyists
40	15	Luminant Holding Co.	\$700,000	42	Energy/Nat'l Resources
40	123	Reynolds American, Inc.	\$700,000	7	Agriculture
40	12	TXU Energy Retail Co.	\$700,000	40	Energy/Nat'l Resources
44	14	TX Cable Assn.	\$695,000	8	Communications
44	60	UnitedHealth Group	\$695,000	15	Health
46	472	Windstream Communications	\$660,000	7	Communications
47	127	Tarrant Regional Water District	\$655,000	14	Ideological/Single Issue
48	96	Green Group Holdings, LLC	\$650,000	7	Energy/Nat'l Resources
48	39	Wholesale Beer Distributors of TX	\$650,000	14	Miscellaneous Business
50	76	Balanced Energy for TX	\$645,000	7	Energy/Nat'l Resources
51	132	TX Mutual Insurance Co.	\$640,000	10	Insurance
52	68	TX Society of CPAs	\$635,000	11	Finance
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53	84	HE Butt Grocery Co.	\$625,000	17	Miscellaneous Business
54	159	Baylor College of Medicine	\$620,000	5	Health
55	78	TX Rural Water Assn.	\$610,000	5	Energy/Nat'l Resources
56	125	Pfizer, Inc.	\$605,000	9	Health
57	117	Boeing Co.	\$600,000	4	Transportation
57	49	GTECH Corp	\$600,000	4	Miscellaneous Business
57	78	Indep't Colleges & Universities of TX	\$600,000	3	Other
57	46	Port of Houston Authority	\$600,000	11	Ideological/Single Issue
61	55	TX Assn. of Manufacturers	\$595,000	11	Miscellaneous Business
61	131	TX Chemical Council, Inc.	\$595,000	9	Energy/Nat'l Resources
63	505	DISH Network	\$585,000	15	Communications
63	33	ExxonMobil Corp	\$585,000	6	Energy/Nat'l Resources
65	81	Independent Bankers Assn. of TX	\$575,000	8	Finance
65	306	Kinder Morgan	\$575,000	11	Energy/Nat'l Resources
65	65	TX Assn. of Builders	\$575,000	9	Construction
68	130	Anheuser-Busch InBev	\$560,000	11	Miscellaneous Business
68	40	General Motors	\$560,000	11	Transportation
68	85	Landry's, Inc.	\$560,000	9	Miscellaneous Business
68	362	Pearson Education	\$560,000	7	Miscellaneous Business
72	1330	Children's Medical Center	\$555,000	12	Health
73	176	Comcast	\$550,000	4	Communications
73	99	Lower Colorado River Authority	\$550,000	14	Ideological/Single Issue
73	189	Waste Management of TX, Inc.	\$550,000	5	Energy/Nat'l Resources
76	114	HCA-Hospital Corp. of America	\$545,000	7	Health
77	139	Calpine Corp.	\$540,000	10	Energy/Nat'l Resources
77	116	Shell Oil Co.	\$540,000	7	Energy/Nat'l Resources
77	37	TX Farm Bureau Mutual Insurance Co.	\$540,000	9	Insurance
80	45	Harris Co.	\$535,000	6	Ideological/Single Issue
81	177	Dow Chemical Co.	\$520,000	7	Energy/Nat'l Resources
81	134	Harden Healthcare	\$520,000	9	Health
83	54	CHRISTUS Health	\$510,000	11	Health
83	208	Managed Care (MCNA Dental Plans)	\$510,000	5	Health
83	14	TX Cable & Telecom. Assn.	\$510,000	13	Communications
83	72	TX Hospital Assn.	\$510,000	10	Health
87	86	American Cancer Society	\$505,000	10	Ideological/Single Issue
87	205	Scott & White	\$505,000	7	Health
89	175	City Public Service of San Antonio	\$500,000	9	Energy/Nat'l Resources
89	568	Fidelity Investments	\$500,000	2	Finance
89	181	Independent Insurance Agents of TX	\$500,000	4	Insurance
89	56	TX Coalition for Affordable Power	\$500,000	8	Energy/Nat'l Resources
93	809	Doctors Hospital at Renaissance	\$495,000	8	Health
93	124	TX Instruments	\$495,000	10	Computers & Electronics
93	57	TX Package Stores Assn.	\$495,000	10	Miscellaneous Business
93	226	Zachry Holdings, Inc.	\$495,000	8	Construction
93		CGI Technologies & Solutions, Inc.	\$490,000		Computers & Electronics
97	387	TX Health Care Assn.	·	10	
	135		\$490,000	16	Health Ideological/Single Issue
99	183	Metro. Transit Auth. of Harris Co.	\$485,000	13	
99	77 105	Select Management Resources, LLC	\$485,000	10	Finance
99	185	Teaching Hospitals of TX	\$485,000	10	Health
99	63	TX Chiropractic Assn.	\$485,000	5	Health

\* Client not registered in 2011.

Note: Clients spending the same maximum and minimum amounts share same ranking number.

#### V. Notes

- <sup>1</sup> "Veterans of Lawsuit Reform Turn to Education," Austin American-Statesman, February 18, 2013. "Education Reform Group Mobilizes for 2014 Elections," *Texas Tribune*, January 8, 2014.

  <sup>2</sup> See the Senate Finance Subcommittee on Fiscal Matters testimony of Ryan, LLC lobbyist Susan Traylor Bittick
- on, May 16, 2013.
- "Senator Boosts Gambling Hopes With Late Bill." Austin American-Statesman, March 21, 2013.
- <sup>4</sup> "Lawsuit Investors Gain in U.S.," Wall Street Journal, January 13, 2014.
- <sup>5</sup> <u>HB 2987</u> in 2005 and <u>HB 1595</u> in 2013.
- <sup>6</sup> "Texas Cancels Medicaid Contract, Sues Xerox Over Allegedly Misspent Money," Texas Tribune, May 9, 2014.
- "State Files Suit Against Xerox," Austin American-Statesman, May 10, 2014.
- <sup>7</sup> "URS: 79 Likely to Lose Jobs in Austin," *Austin American-Statesman*, March 14, 2014. <sup>8</sup> "Biggest Leveraged Buyout Goes Bust," *Wall Street Journal*, April 30, 2014.
- <sup>9</sup> "PUC Sets Price for Power Reserves," Austin American-Statesman, October 28, 2011.
- <sup>10</sup> "Lights Dimmed On Plan," Dallas Morning News, February 27, 2014. "Study: Power Reserves on Target," Austin American-Statesman, March 1, 2014. "Utility Board's Actions Draw Heat from Senators," Austin American-Statesman, November 26, 2013. "PUC Rejects Power Outage Prediction," Dallas Morning News, December 9, 2013.

  11 "Rolling Blackouts Are Texas' Future Without Reform, Generators Say," *Reuters*, January 19, 2014.

  12 "Rolling Blackouts Are Texas' Future Without Reform, Generators Say," *Reuters*, January 19, 2014.
- 12 "How Much Protection Do Texas Utilities Need From Law Suits?" NPR's StateImpact, February 4, 2013.
- <sup>13</sup> "Nuclear Compact with the Devil," TPJ's Lobby Watch, April 29, 2010.
- 14 "Commission Approves Rules for Low-Level Radioactive Waste Importation to West Texas," Midland Reporter-Telegram, January 4, 2011. "Importing Low-Level Radioactive Waste OK'd," Austin American-Statesman, January 5, 2011.

  15 "Texas Company, Alone in U.S., Cashes In on Nuclear Waste," New York Times, January 21, 2014.
- 16 "Texas Nuclear Waste Dump Gets Wiggle Room," Texas Tribune, August 20, 2014.
- 17 "Input Sought on Proposed Nuclear Waste Site," Big Spring Herald, February 4, 2014. "Texas May Add Nuclear Waste," Austin American Statesman, February 4, 2014. "Perry: Bring Us Nuclear Waste," Austin American-Statesman, April 1, 2014.

  18 "Opposition to Landfill Grows in Waller County," Houston Chronicle, July 11, 2011.
- <sup>19</sup> "Texas Leads Nation in Uninsured," *Austin American-Statesman*, August 30, 2013.
- <sup>20</sup> "Q&A With Rep. John Zerwas," *Texas Observer*, August 2, 2013. <sup>21</sup> "Chiropractic Board to Review Nutrition, Neurology Proposals," *Austin American-Statesman*, August 20, 2012.
- <sup>22</sup> "Big Changes in Medicaid Dental Coverage Could Mean Increased Wait Time," CBS 7 KOSA News, March 1, 2012 23 "Pfizer, Endo settle with Texas for \$36M," *Austin Business Journal*, January 4, 2013.
- <sup>24</sup> "Battle in States on Generic Copies of Biotech Drugs," New York Times, January 29, 2013. "Biotech Drugs Still Won't Copy," Wall Street Journal, February 27, 2013. "Gov. Brown of California Vetoes Biotech Drug Bill," New York Times, October 14, 2013.
- The Texas Health Care Association made this plea in a full-page ad in the Austin American-Statesman on April 16, 2013.
- <sup>26</sup> "A Texas Senate Bill Would Revise State's End-of-Life Procedure," New York Times/Texas Tribune, March 30, 2013.
- "Testing System Shaken to Its Core," Dallas Morning News, April 1, 2014.
- <sup>28</sup> "Judge: Texas Schoo<u>l Finance System Unconstitutional</u>," Texas Tribune, August 28, 2014.
- <sup>29</sup> "LCRA Moves Forward With Reservoir," Austin American-Statesman, March 21, 2014. "Legislator Fights new LCRA Reservoir," Austin American-Statesman, April 18, 2014.
- 30 "Lawsuit May Test Water Policies," Austin American-Statesman, March 29, 2014.
- <sup>31</sup> The quote came from an attorney with the Texas Civil Justice League. See "Common Ground: Détente for Plaintiffs, Defense Lawyers at Lege," *Texas Lawyer*, June 3, 2013. <sup>32</sup> "Veterans of Lawsuit Reform Turn to Education," *Austin American-Statesman*, February 18, 2013.
- 33 "CPRIT, Plan's Flaws Similar," Dallas Morning News, February 3, 2013. "CPRIT Chief: Grant Misspent," Austin American-Statesman, February 7, 2013.

  34 "Texas Gambling Forces Rein in Spending, Wait for a Better Hand," Dallas Morning News, January 21, 2013.
- <sup>35</sup> "Historical Racing OD'd; Fight Continues," Austin American-Statesman, August 30, 2014. "Lawmaker Attempts to Block Vote on Betting," Austin American-Statesman, August 29, 2014.
- <sup>36</sup> "DeVry Lures Medical School Rejects as Taxpayers Fund Debt," Bloomberg, September 10, 2013. "Bill Targets Caribbean Medical School with Eye on Texas," Texas Tribune, February 7, 2013.

  <sup>37</sup> Lobbyist's Lavish Party," KVUE News, February 21, 2013.
- <sup>38</sup> The 2007 reform also requires lobbyists to report the exact value of contracts exceeding \$500,000.
- <sup>39</sup> In the most bizarre of these filings, the Texas Association of Realtors reported itself as its own lobbyist.
- <sup>40</sup> "Lawyer for Industry Played Key Role Establishing Texas Environmental Laws," Austin American-Statesman,
- November 7, 2010.

  41 "Los Alamos Lab Races to Remove Nuke Waste," *Dallas Morning News*, April 3, 2014. "Perry: Bring Us Nuclear Waste," Austin American-Statesman, April 1, 2014.