



LEAGUE OF WOMEN VOTERS®  
OF TEXAS

## Legislative Newsletter

Volume 20, No.1 – January 23, 2009

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### 81<sup>st</sup> Texas Legislature Now in Session

With a new Speaker of the House in place and membership in both bodies relatively balanced between the Republican and Democratic parties, League members look forward to a more productive session than they have seen in years. But Texas lawmakers will not dodge the gloom of a downturn economy, and no one can project what effect that will have on legislation that the League advocates or opposes.

This 2009 *Legislative Newsletter* will include information on bills that LWV-TX is tracking, supporting, and opposing. It will provide *League Advocacy Papers*, names of senate and house committee chairs, and committee membership, along with dates and information on our March 9 Lobby Day and activities. Look for informative articles and resources that examine the issues on which League activists are working.

#### LWV-Texas Legislative Priorities

**What will the League lobby for this legislative session?** We have a long list of critical topics that need action by the Legislature. Listed here are adopted priorities for the 2009 session of the Texas Legislature and Program Chairs who are following each issue for the League of Women Voters of Texas.

**Air Quality** - *Laura Blackburn, Houston*  
Support air quality and climate change legislation.

**Campaign Finance**-*Maxine Barkan, Austin*  
Support fair campaign finance laws to reduce the perceived influence of large contributions to candidates and office holders.

**Capital Punishment** - *Marjorie Loehlin, Austin*  
Promote a moratorium on the death penalty. Support the option of life sentence without parole in capital cases.

**Child Abuse and Neglect** - *Carol Pino, Wimberley*  
Support the development and implementation of adequate legislation, policies, services, and programs to protect children from abuse and neglect.

**Early Childhood** - *Marlene Lobberecht, Houston*  
Support early childhood education professional development. Expand access to high quality pre-kindergarten. Improve safe care for infants and toddlers.

**Child Health** - *Susan Majors, Richardson*  
Decrease the number of uninsured children with more efficient enrollment for CHIP and Children's Medicaid. Support 12 months continuous eligibility for Children's Medicaid. Expand CHIP to families with greater assets.

**Constitutional Revision** - *Sandy Ashby, The Woodlands*  
Support the revision of the State Constitution to make it a framework of basic law. The present Constitution, now 133 years old and with over 450 amendments, no longer serves the needs of good government.

**Criminal Justice** - *Susan Smith, Amarillo*  
Support a professional parole and probation staff and work to decrease their caseload. Provide a secure prison environment with maximum education opportunities.

**Drug Laws** - *Elaine Talarski, San Antonio*  
Support treatment programs for drug abuse and addiction as alternative to incarceration.

**Education** - *Nan Clayton, Austin*  
Promote adequate state funding for public schools, and changes in the state's accountability rating system to make it more fair and less punitive.

**Election Laws** - *Barbara Weinstein, Dallas*  
Support election laws that facilitate citizen participation and voter convenience as well as monitor all legislation relating to HAVA.

**Energy** - *Penny Miller, Wichita Falls*  
Promote incentives for renewable and clean energy sources and energy conservation. Monitor the building of coal-fired plants and nuclear power plants. Promote energy policy to reduce global warming.

**Equal Opportunity/Income Assistance** - *Mildred Derrough Pope, Dallas*  
Support policies that improve well-being for families in poverty, programs that provide job training for living wage jobs and equal educational opportunities from preschool to higher education.

**Financing State Government**-*Bonnie Leitch, New Braunfels*  
Promote adequate, fair funding for major state responsibilities like public education and transportation.

**Hazardous Waste** - *Melanie Barnes, Lubbock*  
Support safe transportation, handling, and disposal of radioactive materials. Support legislation promoting recycling efforts, in particular for electronic waste.

**Health Care System for Older Texans** - *Maria Johnson, Austin*  
Support increased funding to provide adequate programs to serve the elderly.

**Immigration**-*Millie Whittington, Houston*  
Support state services for undocumented immigrants, especially in the areas of education and healthcare. Monitor any attempt to curb civil rights of immigrants.

**Judicial Selection**-*Maxine Barkan, Austin*  
Support the appointment/retention method and/or nonpartisan election of the judiciary.

**Juvenile Justice**-*Jayne Krawietz, Midland*  
Support and fund substance abuse treatment, mental health needs, and education for youth at risk and for those incarcerated.

**Land Use** - *Karen Haschke, Austin* Increase county authority to regulate land development. Support full funding for Texas Parks and Wildlife Department.

**Redistricting** - *Elaine Talarski, San Antonio*  
Support an independent redistricting commission.

**Reproductive Choice/Women's Health** *Julie Lowenberg, Dallas* Promote and protect women's access to health care, including all aspects of reproductive health.

**Services, Seriously Mentally Ill** - *Molly Van Ort, Dallas* Maintain and increase funding for services to persons with serious mental illness, and include post-crisis and crisis prevention community care.

**State and Local Relations**-*Karen Rankin, Austin* Support increased county authority in order to better manage growth in urbanizing areas.

**Transportation** - *Edie Jones, Fort Worth*  
Increase funding for public roads, mass transit, and light rail.

**Water** - *Mary Vogelson, Dallas* Support funding for safe and adequate water supplies, using sound ecological/economic strategies that emphasize conservation. Support enhanced protection for environmental flows; Texas rivers, bays, and estuaries.

## Bills Pre-Filed in the Texas House & Senate

**AIR QUALITY** Laura Blackburn  
(LWV-Houston Area)  
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Ten bills relating to air quality have been pre-filed in the 81<sup>st</sup> Legislative Session. Thus far, none have companion bills. All of these bills are deserving of our support.

### **HB 290 (Dutton) SUPPORT Cumulative Effect of Air Contaminants**

This bill requires that the TCEQ should consider the *cumulative effects* on the public's health and physical property of expected air contaminant emissions of any facility or proposed facility. It requires that all of the emissions within three miles be considered. This is a goal many environmentalists and others have long desired. Good for Representative Dutton!

### **HB 557 (Hernandez) SUPPORT Air Pollutant Watch List**

Representative Hernandez continues her interest in air quality. She introduced HB 557 during the 80<sup>th</sup> Legislative Session, which we supported. According to HB 557, the watch list must identify each air contaminant that the TCEQ determines ("on the basis of federal or state ambient air quality standards or effects screening levels for the contaminant") should be included. Hearings will then be held to either add to or remove contaminants from the list.

The following bills have been introduced by **Senator Ellis** as he, too, continues his interest in air quality:

### **SB 119 (Ellis) SUPPORT Low Emission Vehicle Program**

Similar to the bill that Senator Ellis introduced in the 80<sup>th</sup> Session requiring Texas to adopt the California Low Emission Vehicle Program, the program would apply to motor vehicles with a model year of 2012 or later. Significantly, SB 119 adds that if California adopts different standards or the federal government adopts federal standards, the Commission "may adopt the changed standards if the Commission determines that the new standards provide a more *cost-effective method* of achieving any reductions in emissions of air contaminants required by federal or state law." Senator Ellis has tried for years to get this type of

legislation passed—let's hope he is successful this time!

**SB 132 (Ellis) SUPPORT Vehicle Emissions Labels** This bill requires the manufacturer of a passenger car or light-duty truck to "conspicuously affix" a label to the vehicle that discloses the emission standards for the vehicle, a smog index, and a global warming index that compares the emissions of global warming gases from the vehicle with the average projected emissions of gases from all vehicles of the same model year. It then identifies emissions of global warming gases from the vehicle model of that same year that has the lowest emissions of such gases. Global warming gases are defined to include carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride. The bill also directs the Commission to include information about the label into existing educational programs. California labeling requirements are suggested for the Commission's consideration.

**SB 171 (Gallegos) SUPPORT Effects Screening Levels** Senator Gallegos introduced SB 93 during the 80<sup>th</sup> legislature requiring TCEQ to establish "effects screening levels" relating to levels that result in cancer at greater than one chance in 100,000. SB 171 is similar, also requiring a risk of cancer at greater than one chance in 100,000. Representative Rick Noriega introduced a house bill in 2007 where the risk was one chance in 1,000,000, considered the best measure (so far) for protecting health. Neither bill passed in the last legislature.

**SB 173 (Gallegos) SUPPORT Monitoring for Major Sources** This bill requires fence-line monitoring for major sources of air contaminants. These are defined as hazardous air pollutants, or "any other air contaminant the emission of which the executive director or a local municipal or county air pollution control agency requests that the owner or operator monitor." It requires at least two monitors—one on each side of the source. The owner or operator must also make and maintain records on the measurement and monitoring of the emissions.

**SB 456 (Gallegos) SUPPORT Regulation of Toxic Hot Spots** This bill is similar to SB 1855 introduced by Senator Gallegos in the 80<sup>th</sup> Legislative Session. "Hot spots" are identified as geographic

areas in which modeled or monitored ambient air concentrations of one or more priority toxic air contaminants exceed ambient air toxic standards. Senator Ellis introduced a similar bill in 2007. Let's hope this bill gets passed this session.

**SB 457 (Gallegos) SUPPORT Penalties for Major Sources of Air Pollution** In current law penalties are limited to \$10,000 per day for each violation. This "little bill" adds some additional considerations for penalties, specifically, an amount equal to or more than the total of:

- 1) The economic benefit gained through the violation, including any costs avoided due to the violation; and
- 2) The amount necessary to deter future violations.

This is a concept that has been promoted by environmental groups for some time.

### **SB 458 (Gallegos) Authority for More Stringent Permits by TCEQ**

Another "little bill" by Senator Gallegos which allows the TCEQ to make more stringent permits "at any time" if the commission determines that the more stringent conditions are necessary to avoid a condition of air pollution.

### **Kudos to Senator Gallegos!**

**SB 459 (Gallegos) Disclosure by TCEQ of Information on Emission Events** This bill requires TCEQ to provide notice of an "emissions event" to officials who represent the area in which the event occurred, including

- Each state senator
- Each state representative
- The county commissioners court
- The mayor or other presiding officer of any affected municipality.

In addition the commission shall maintain a list of emissions events on the TCEQ's internet web site to be accessible to the public, including information on emissions events that have occurred in the preceding 12 weeks. The information must include:

- The name of the regulated entity
- Each air contaminant emitted
- The location of the emissions event, and
- The date and duration of the event.

### **Another of those "little bills!"**

## **CAMPAIGN FINANCE**

**REFORM** -Maxine Barkan (Austin Area) [mbarkan@austin.rr.com](mailto:mbarkan@austin.rr.com)

Four bills have been pre-filed relating to limits on campaign contributions and expenditures.

**HB 105 (Strama) SUPPORT** Titled "The Texas Fairness Campaign Act," it essentially is the same bill that was filed last session but left pending in the Elections Committee. The current bill would provide for individual contribution limits in an election cycle in the aggregate for state offices at \$2,000, state senator at \$1,000, state representative at \$500, and the State Board of Education at \$1,500. Expenditure limits in an election cycle range from \$500,000 to \$1 million. There is a provision for a non-complying candidate, one who filed a declaration of intent to exceed the limits on expenditures or to use personal funds. These candidates cannot repay the personal funds from political contributions. Those who accept contributions in the form of loans, extension of credit, or the guarantee of a loan, cannot use political contributions to repay the loans.

**HB 391 (Villarreal) & SB 246 (Shapleigh) SUPPORT** Titled "The Clean Elections Act," the provisions go beyond **HB 105**. It places limits on contributions and direct campaign expenditures by individuals and includes partnerships, partners, and limited liability companies. The elected offices also include the Justice or Chief Justice of the Court of Appeals and the office of district judge. The contribution limits in an election cycle cannot be more than \$100,000 in the aggregate for any of the offices listed. Those younger than 18 may not make or authorize political contributions that exceed \$5,000.

**SB 143 (Ellis) SUPPORT** Also similar to Rep. Villarreal and Sen. Shapleigh's bill except that it does not include partnerships, partners, and limited liability companies.

**HB 251 (Berman) SUPPORT** Would amend Election Code Sec. 255.003, which restricts the use of public funds by an officer or employee of a political subdivision to

spend or authorize the spending of public funds for political advertising. Briefly, this bill would amplify the definition of public funds and add employees of state agencies to the mix. It also would restrict the use of internal mail or electronic mail systems to distribute political advertising that supports or opposes candidates to any state agency. The indiscriminant use of political advertising has come under fire in recent times. The League's position addresses the accountability for candidates' advertising decisions.

All these bills would provide civil and criminal penalties. LWV-TX has been advocating for sensible campaign reforms for over 15 years. The time has come. The excesses of this past election should encourage the legislature to pass at least one of these much-needed reforms.

## **CHILD ABUSE & NEGLECT**

Carol Pino (Wimberley)  
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Texas ranks 45th out of 50 in child deaths from abuse and neglect. Strain on the state's welfare system means that case workers in Texas handle up to three times the recommended load of abuse and neglect cases, leaving children more vulnerable to harm. We need to call upon our leaders to put kids first this legislative session. (See **HB 188** below.) At this time no bills specific to child abuse and neglect have been filed.

**EARLY CHILDHOOD** Marlene Lobberecht (Houston Area)  
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Main Street unemployment and family economic conditions are increasing the legislative focus on the impact of child care and children on family resources, academic success, and future workforce development. Presently child care consumes 31.5% of the median single parent Texas income, with 2,336,220 Texas children ages 0-6 years affected. (52% or 1,214,835 are classified low-income 200% below the federal poverty level, and 24.7% or 577,047 are classified below federal poverty level as reported in the 2008 U.S. Current Population Survey.)

The 2009 LWV Early Childhood Priorities align with those of the Texas Early Childhood Education Coalition (TECEC):

- Support Early Childhood education professional development.
- Expand access to voluntary high quality pre-kindergarten.
- Improve safety and quality of care for infants/toddlers through Workforce Development provider reimbursements.

**SB 21 (Zaffirini et al.) HB 130 (Patrick) SUPPORT** Relating to an enhanced quality full-day prekindergarten program provided by public school districts in conjunction with community providers. A school district would reimburse the community provider in an amount not less than the amount of the district's adjusted basic allotment multiplied by 1.0.

**SB 49 (Zaffirini) SUPPORT** Relating to specific requirements applicable to the State Center for Early Childhood Development.

**SB 56 (Zaffirini) SUPPORT** Relating to the preparation of a child impact statement for any bill or joint resolution considered by the legislature.

**SB 59 (Zaffirini) SUPPORT** Relating to training for employees and operators of certain child care facilities by a training provider registered with the Texas Early Care and Education Career Development System's Texas Trainer Registry (maintained by the Texas Head Start State Collaboration Office).

**SB 67 (Nelson) SUPPORT** Relating to the imposition of background and criminal history check requirements for operators and employees of certain facilities and agencies serving children, the elderly, or persons who are disabled.

**SB 68 (Nelson) SUPPORT** Relating to licensing and inspection requirements of the Department of Family and Protective Services for certain facilities or a family home. Facilities must cooperate and allow the department access to premises and records. Inspectors may interview any child, employee, or other

person who is present at the facility or family home who may have information relevant to the investigation or inspection. Bill provides penalties.

**SB 81 (Nelson) SUPPORT** Relating to certain providers of subsidized child care, to determine that a provider or prospective provider of unregulated self-arranged child care is precluded from providing that care because of the individual's background.

**SB 95 (Van de Putte et al.) HB 217 (Menendez) SUPPORT** Relating to prohibiting the sale, accessibility, or use of unsafe children's products by any child in a child care facility. Provides for a civil penalty.

**SB 122 (Ellis ) SUPPORT** relating to the availability of free pre-kindergarten programs in public schools if the district identifies 15 or more eligible children at least four years of age and 15 or more eligible children at least three years. Child eligibility would be determined if the child is:

1. unable to speak and comprehend English,
2. educationally disadvantaged,
3. homeless,
4. child of an active duty armed forces member,
5. child of an injured or killed active duty armed forces member while serving on active duty,
6. child is or ever has been in the conservatorship of the Department of Family and Protective Services.

A child remains eligible for enrollment if the child's parent leaves the armed forces or is no longer on active duty after the child begins a pre-kindergarten class.

**SB 156 (Ellis) & HB 326 (Raymond) SUPPORT** Relating to limits on the size of prekindergarten classes in public schools. May not enroll more than 18 students in a prekindergarten class or 22 students in a kindergarten, first, second, third, or fourth grade class.

**SB 282 (Nelson) SUPPORT** Relating to the Department of Agriculture developing grant award programs to public school campuses,

recognizing best practices in nutrition education to children.

**SB 382 (Van de Putte et al.) & HB 429 (King, Susan) SUPPORT** Relating to a competitive grant program to fund promotion of early literacy programs in certain Texas communities.

**HB 136 (Villarreal) SUPPORT** To develop joint strategies with other state agencies regarding methods to increase community awareness of the availability of pre-kindergarten classes to parents of eligible children.

**HB 161 (Deshotel) SUPPORT** Relates to block grant funding for certain workforce training and employment programs and functions by the Texas Workforce Commission. They may not be funded unless the block grant funding is specifically authorized for the program or function under other state law.

**HB 188 (Alonzo) SUPPORT** Relates to the rights of children and the education of parents regarding their duties as parents after birth certificate registration.

**HB 275 (Rodriguez) SUPPORT** Relating to methods to increase the number of students who qualify and participate in school breakfast programs.

**HB 316 (Raymond) SUPPORT** Relating to mandatory kindergarten attendance in public schools for children 5 years of age or older as of September 1 of the school year.

**CHILD HEALTH** Susan Majors (Richardson) [tornado4@suddenlink.net](mailto:tornado4@suddenlink.net)

With widening recognition of the failures in the healthcare system and with increasing impact of the economic downturn, action related to child health will be critical during the 81<sup>st</sup> Session of the Texas Legislature. Texas ranks last among the fifty states in both total number and percentage of children having health insurance. The League will watch legislative developments in areas that could decrease the number of children without healthcare coverage. Specifically, we want to see more efficient en-

rollment for CHIP and Children's Medicaid; 12-months continuous eligibility for Children's Medicaid; and expansion of CHIP to permit buy-ins to the program for families that have incomes greater than Texas' current inclusion rate.

Legislators have pre-filed several bills that could have an impact on child health.

**SB23 (Zaffirini) SUPPORT** Calls for 12-month continuous coverage for children's Medicaid.

**SB 187 (Deuell) and HB 67 (Lucio III) SUPPORT** direct the Texas Health and Human Services Commission to establish a Medicaid program that would allow children with disabilities in families up to 300% of the Federal Poverty Level to buy in to Medicaid. Come under "Family Opportunity Act" of Medicaid.

Senator Zaffirini also plans to file a bill with measures to reach the 700-800,000 uninsured Texas children eligible for Medicaid or CHIP. The bill would improve the performance of the eligibility systems, along with increased community-based outreach and application assistance.

It should be noted that Governor Perry is on record as having told the incoming President that Texas did not need fiscal relief through an increased Medicaid match and a possible increased CHIP match, which were part of the new administration's proposed financial stimulus plan.

**CRIMINAL JUSTICE** Susan Smith (Amarillo) [tornado4@suddenlink.net](mailto:tornado4@suddenlink.net)

**HB 498 (McClendon) SUPPORT** The most notable bill filed pertains to the creation of a **Texas Innocence Commission** via the Code of Criminal Procedure, which would be responsible for investigating and preventing wrongful convictions. The Commission would be composed of nine members who, after detailed examinations, would produce reports concerning both their findings and their recommendations regarding individual cases. All reports would be made available to the public.

## DRUG LAWS AND POLICIES

Elaine Talarski (San Antonio)  
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Two bills related to the League position on drug laws and policies have been pre-filed. More information on these bills will follow when they proceed to committee. They are as follows:

### **SB 188 (Duell/Van de Putte)**

**SUPPORT** Clean needle and syringe exchange program aimed at preventing the transmission of communicable diseases from use of contaminated needles and syringes by individuals.

### **HB 164 (Naishat) SUPPORT**

Medical use of marijuana. The bill recommends a change in the Health and Safety Code stating that any agency, including law enforcement, or political subdivision of this state may not initiate an administrative, civil, or criminal investigation when marijuana is prescribed by a licensed physician to ameliorate symptoms of a bona fide medical condition.

## EQUAL OPPORTUNITY/INCOME ASSISTANCE

Mildred Derrough Pope  
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### **HB 32 (Leibowitz) SUPPORT**

Prohibits discrimination against certain employees who sustain injury in course and scope of employment.

### **HB 33 (Leibowitz) SUPPORT**

Relates to certain requirements for employers not covered by workers' compensation insurance.

### **HB 34 (Leibowitz) SUPPORT**

Relates to enforceability of certain contracts between an employer who does not have workers' compensation coverage and an employee of that employer.

## ELECTION LAWS

Barbara Weinstein (Dallas)  
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The Election Laws issue hit the front pages of most Texas papers right after the Legislature convened, when the Senate said that the two-thirds rule would not apply to the very controversial proposal that would require voters to produce certain forms

of identification before they cast a ballot. The last time this two-thirds rule was ignored by the Senate Majority was in 2003. That forced through the redistricting plan engineered by Tom DeLay.

This issue is commonly referred to as the Voter ID bill and the League of Women Voters is firmly against requiring Voter ID. The current proposals create roadblocks to voting. There are currently three bills that have been introduced for Voter ID, requiring a voter to present proof of identification, and all are opposed by LWV-Texas:

### **HB 125 OPPOSE (Brown, Betty)**

### **SB 362 OPPOSE (Fraser, Estes)**

### **HB 373 OPPOSE (Anderson)**

There are three Electronic Voting Machine bills (DRE's) that we will watch, and already there are seven bills concerning Election Day Registration, an issue that seems to be gaining in popularity. Bill numbers will appear in the next issue as we look at these more carefully.

**HJR 23 (Naishtat) SUPPORT** Requires that there be a Recorded Vote on the 2<sup>nd</sup> reading of a bill instead of the final reading as was adopted in the Constitutional Amendment that we worked on at the last session. We would welcome this bill with enthusiasm.

## FINANCING STATE

**GOVERNMENT** Bonnie Leitch  
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With a \$9.1 billion projected shortfall for the 2010-11 budget, the use of the projected \$9.1 billion in the Rainy Day Fund is critically important. Once again, the Texas Legislature looks primed to skate around the edges of needed finance reform. For instance, revenue from the business margins tax earmarked to replace mandated property tax relief has fallen short of expectations. Major finance bills to watch include the following:

### **HB 133 (Villareal) SUPPORT**

Requires public disclosure of sales prices on property.

**SB 402 (Eltife) SUPPORT** Allows cities and counties to raise local sales taxes to provide property tax relief.

## HEALTH CARE SYSTEM FOR OLDER TEXANS

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Funding for services for the elderly will be monitored to make sure that services are maintained at the current levels or increased. Budget issues become important later in the session. There are no major bills to report at this time, but things can change during a legislative session.

**MEDICAID** Reed Bilz (Tarrant County)  
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Several bills have been pre-filed that affect Medicaid. Though not directly naming children, the bills will affect children who are eligible for Medicaid. There are too many to discuss at length, but the title and number are included below.

**SB 30 (Zaffirini) SUPPORT:** Relating to the restoration to 2003 levels of the medically needy program under the state Medicaid program. The restored program must serve recipients in the same manner and at the same level that services were provided to recipients under the program during the state fiscal biennium ending August 31, 2003.

**SB 37 (Zaffirini) HB 166 (Naishtat) SUPPORT** Relating to providing home- and community-based support services under the Medicaid program to persons who are deaf-blind with multiple disabilities. Subject to funding, the HHS department shall provide home- and community-based services under the "deaf-blind with multiple disabilities waiver program" without regard to a person's age if the person applies for and is otherwise eligible to receive services under the waiver program.

**SB 286 (Nelson) OPPOSE** Relating to a health passport for Medicaid recipients. The commission, with the assistance of health care providers

experienced with the use of electronic health records, shall develop and provide a health passport for each person who:

- (1) is receiving medical assistance under the state Medicaid program through a managed care plan, and
- (2) is not provided a health passport under another law of this state.

Oppose because it will impede access to health care for the indigent.

### **SB 302 (Shapleigh) SUPPORT**

Relating to the implementation of an in-home caregiver demonstration project under the Medicaid program. The HHS department would develop and implement a medical assistance in-home caregiver demonstration project authorized under the federal Social Security Act. The project must be designed to allow a medical assistance recipient who would otherwise receive medical assistance through a nursing facility to receive homemaker services and assistance with activities of daily living that:

- (1) are provided by an in-home caregiver who is selected by the recipient and paid an hourly wage through the medical assistance program; and
- (2) enable the recipient to live in the recipient's home in the community instead of living in the nursing facility.

A medical assistance recipient participating in the in-home caregiver demonstration project may select any person, including a family or household member or a neighbor, as the recipient's in-home caregiver.

**REDISTRICTING** Elaine Talariski (San Antonio) [etalariski@earthlink.net](mailto:etalariski@earthlink.net)

A bipartisan commission for redistricting is a priority of the League of Women Voters of Texas for the 81<sup>st</sup> Texas Legislature. The state legislature is required to realign districts of the U. S. House of Representatives and the Texas Senate and House at the beginning of the 2011 Legislative session, based on the 2010 census. Needed changes in the redistricting process call for legislation to create a bipartisan commission of non-elected individuals during the 2009 Legislative

session. In the past, redistricting has been fraught with partisanship, a divided legislature, and court rulings on the fairness of the process. The climate is now more promising for a bipartisan redistricting commission.

### **SB 315 Wentworth SUPPORT**

Under this bill, a nine-member bipartisan commission of non-elected individuals will be created to redraw the boundaries to better ensure there is fairness in representing the voting population. Details on the progress of this bill are forthcoming.

### **REPRODUCTIVE CHOICE/WOMEN'S HEALTH**

Julie Lowenberg (Dallas)  
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As the session begins, several bills have been filed that can be categorized as "usual suspects" in the long-continuing efforts (since the 1973 Roe v. Wade decision) of anti-choice activists to impose restrictions on the right to choose, with the ultimate goal of rendering that right meaningless. Similar bills to those described below were filed but fortunately died in 2007. LWV-TX will once again monitor and vigorously oppose these measures:

### **HB 36 (Corte)/SB 182 (Patrick)**

**OPPOSE** These companion bills would add to the statute on informed consent to abortion the requirement that, before an abortion is performed, the physician

- perform an ultrasound and provide a verbal explanation of the results to the woman seeking the abortion and
- make audible the fetus' heartbeat (if present) for the woman to hear.

Although the pregnant woman could decline to view the image of the "unborn child" [sic], she would be required to sign a statement saying that she was given the opportunity to do so.

**HB 44 (Corte) OPPOSE** Would require pharmacies to provide misleading information about emergency contraception and also require women to sign a record of purchase and pharmacists to keep this private information on file for two years.

### **HB 109 (Phillips) OPPOSE**

Would provide for the issuance and purchase of "Choose Life" license plates. Proceeds from the purchases would go to "eligible organizations" that give assistance to pregnant women who are considering placing their children for adoption. **However**, organizations that provide abortions or abortion-related services or make referrals to abortion providers or are affiliated with such referrers or providers would not be "eligible" to receive these funds.

### **STATE/LOCAL RELATIONS**

Karen Rankin  
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This session we will advocate for additional county authority to grant a few counties the tools to manage the rapid growth they are experiencing. Long-range, comprehensive planning would include macro-zoning (designating industrial, commercial and residential areas) with buffer zones, density limits, and assessing impact fees on developers to offset the cost of providing roads and other infrastructure improvements. The lack of this authority has resulted in endangered water availability and quality, congested roads that contribute to poor air quality, and schools, police and fire departments that struggle to provide necessary services to new residents.

No legislation has been submitted yet, but any bills would target only those counties that are experiencing the stress of booming growth: many Hill Country counties in central Texas, as well as those counties ringing our larger urban areas. Those likely to author legislation are Senators Jeff Wentworth and Kirk Watson and Representatives Valinda Bolton and Patrick Rose.

**TRANSPORTATION** Edie Jones (Tarrant County)  
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Listed are several major areas expected to be deliberated and some bills that have been filed to address these subjects:

**SB 384 (Carona) SUPPORT** Toll Road Projects and Restrictions

**[SB 293](#) (Carona) SUPPORT**

Revenue of Regional Transportation  
Authorities to pay for bonds

**[HB 568](#) (McClendon) SUPPORT**

Abolition of the Texas Transporta-  
tion Commission and creation of the  
post of Commissioner of Transporta-  
tion.

**[HB 11](#) (Leibowitz) SUPPORT**

Repeal authority for establishment of  
TransTexas Corridor

**[HB 220](#) (Menendez) [SB 51](#) (Zaf-**

**firini) SUPPORT** Use of Cell  
phones in motor vehicles prohibited.