



Legislative Newsletter

A "capitol" idea for keeping up with the latest news from Austin.

May 15, 2009

81st Texas Legislature

Volume 20, No. 10

Mary Finch, Advocacy Vice President

Scherel Carver, Editor

The voter ID bill [SB362](#) was voted out of the Elections Committee on Monday. An [action alert](#) was sent out Tuesday. If you have not done so, please call or email your state representative, and ask him/her to vote **NO** on this bill in the House chamber.

Both [HB877](#), Capital Punishment Commission Study, **SUPPORT** and [HB3796](#), Women's Reproductive health, **OPPOSE** are stuck in the House Calendars committee. The League would like to keep [HB3796](#) in committee and would like to see [HB877](#) placed on the House calendar. Two other bills [HB3265](#) and [HB4175](#), county authority bills, **SUPPORT** are also in the Calendars Committee. The League would like these bills move out of Calendars and placed on the House calendar. See Capital Punishment input for members on the Calendars committee for you to call on all these bills.

Deadlines for bill movement are upon us. The complete calendar for this legislative session can be found at: <http://www.tlc.state.tx.us/gtli/sessions/dates.html>

Progress of Bills in the 81st Texas Legislature Deemed a Priority by LWV-Texas

Government

EDUCATION/PUBLIC SCHOOL FINANCE Nan Clayton (Austin) nanclayton@yahoo.com Anne Roussos roussos@swbell.net

Prekindergarten Bill

[HB 130](#) (Patrick) **SUPPORT** A bill to enhance prekindergarten programs in Texas passed by 109 to 32 on second reading in the House on May 7. The committee substitute of [HB 130](#) by Rep. Dianne Patrick was the subject of a state League Action Alert on May 6. The bill had the support of many groups. It must pass a third reading before it goes to the Senate, where a companion bill, [SB 221](#) by **Judith Zaffirini**, has been left pending.

[HB 130](#), as amended, would establish a grant program, allowing school districts to implement a quality, full-day prekindergarten program for students who already qualify. Classes would have an 11-to-1 student-adult ratio with a maximum of 22 students per class. Classes must have at least one certified teacher. Funds could not be used for

vouchers. Part of the grant funds would be used to collaborate with eligible community providers to provide the pre-K program. The cost of providing the additional services is being discussed. State allocations for the program will be determined by the conference committee for the biennial appropriations bill, [SB 1](#).

Accountability Bill

[HB 3](#) On May 7, the Senate Education Committee held a hearing on [HB 3](#) that had passed the House unanimously on April 29 with 66 amendments. In the committee, there were concerns that the bill had been diluted. The chair, Sen. Florence **Shapiro**, announced that she would replace [HB 3](#) with the text of her companion bill, [SB 3](#), which was unanimously approved by the Senate on April 29 with 8 amendments. After the full Senate sends the rewritten [HB](#)

3 back to the House, a House-Senate conference committee, to be named, will address the differences.

Bills Getting League Cards of Support

The League went on record in support of the following education bills that were considered in the Senate Education Committee on May 7:

HB 709 (Rose) SUPPORT As passed by the full House, this bill would permit districts to award stipends to nationally certified classroom teachers under the Educator Excellence Awards Program. It certifies at least 2,500 teachers in the U.S. each year based on satisfaction of high and rigorous standards for accomplished teaching. Voted favorably from committee and sent to the local/uncontested calendar.

HB 772 (Donna Howard) SUPPORT As passed by the House, HB 772 would require the State Board of Education to broadcast its meetings over the Internet and

ELECTION LAWS Barbara Weinstein (Dallas) gewwendt@swbell.net

SB 362 OPPOSE We are waiting for SB 362 to be voted on in the House Elections Committee. After spending a lot of time revising this bill (it never became a “good” bill) we find that the original version passed in the Senate will be the one voted on in House Elections. If it is voted out of Committee you will receive an Action Alert to contact your Representative before it goes to the floor for a House vote. **YOUR HELP IS NEEDED. This is the Voter ID Bill and it is a bad bill. We OPPOSE it.**

House Elections Committee May 12

SB 1867 (Ellis et al) SUPPORT Relating to procedures related to the placement of a voter on the suspense list.

We have prepared two testimonies for 1310, since we are not sure which will be on the Agenda.

FINANCING STATE GOVERNMENT Bonnie Leitch (New Braunsfels) bleitch@earthlink.net

HB 4765 OPPOSE Raises the revenue exemption on businesses from \$300,000 to \$1,000,000, significantly reducing state funding for public education, unfortunately won unanimous approval last week. It goes to the Senate this week, where it has strong bipartisan backing. The League continues to oppose this bill strongly.

archive video and audio from previous meetings on the Texas Education Agency Web site. Left pending in committee.

HB 1297 (Hochberg) SUPPORT As passed by the full House, the bill would permit students who lose credit for one or more classes due to attendance requirements to be eligible to attend a flexible school day program. Voted favorably from committee and sent to the local/uncontested calendar.

HB 3643 (Aycock) SUPPORT As passed by the House, this bill would amend the section of the Education Code on prekindergarten by expanding the definitions of “child” and “parent” to include stepchildren and stepparents. Voted favorably from committee and sent to the local-uncontested calendar.

SB 1310 (Duncan) OPPOSE Relating to a program allowing for countywide voting locations in certain elections. We would support this bill if it was pilot program, which it is not.

CSSB 1310 (Duncan) will “speak to.” This means we will talk to the engrossed bill with comments and our areas of concern.

UPDATE: CSSB 1310, the new version was heard on Tuesday, May 5. The League gave supporting testimony on this version of the bill.

On a brighter note, both the House and Senate are continuing to enact the changes required to extend unemployment benefits to more workers, so that Texas might be eligible for the \$555 million federal stimulus. The bill must go to the Governor by May 19 to avoid a pocket veto.

SB 217 Would tie the gasoline tax to a market rate died in committee last week.

CAMPAIGN FINANCE REFORM Maxine Barkan (Austin Area) mbarkan@austin.rr.com

New Information: HB 3216, HB 3118 and HB 4060 All campaign finance reform and Texas Ethics Commission legislation that was passed by the House and sent to the

Senate as reported in LNL #9, have since been referred to the Senate State Affairs Committee.

New Information: [HB 756](#), prohibiting contributions in state buildings and [HB 1997](#), regulating campaign contributions in special sessions of the legislature, have passed the House very comfortably and sent to the Senate State Affairs Committee.

[HB 1359](#) and [SB 1152 \(Hinojosa\)](#) are identical bills that would prohibit contributions in state buildings. SB 1152 passed the Senate and was referred to the House Elections Committee. HB 1359 remains in the Local and Consent Calendar Committee. With three bills addressing

the same issue, it is likely they will be consolidated at some point.

[HB 2511](#) Defines what constitutes administrative expenses paid for with contributions, has passed out of the Elections Committee.

[HB 105 SUPPORT](#) There has been no action since February on HB 105, the comprehensive campaign finance reform bill that the League supports. At this late date it seems unlikely it will be voted it out of the Elections committee or make it to the House floor.

REDISTRICTING Elaine Talariski (San Antonio) etalariski@earthlink.net

[SB 315 \(Wentworth\) SUPPORT](#) Placed on intent calendar again on May 7, 2009

[HB 104](#) and [HJR 90 \(Strama\) SUPPORT](#) Left pending in committee. No changes.

[HJR 90 \(Pena\) SUPPORT](#) No movement from committee.

[HJR 135 \(Ritter\) SUPPORT](#) No movement from committee.

REPRODUCTIVE CHOICE/WOMEN'S HEALTH Julie Lowenberg (Dallas) jmlowenberg@sbcglobal.net

“Bad stuff” keeps happening on the reproductive choice/women’s health front as the session enters its final weeks:

On May 1, **Sen. Florence Shapiro** was allowed to suspend the rules and introduce [SB 2571 OPPOSE](#), companion to [HB 3796 \(Morrison\) OPPOSE](#), described in [LNL #5](#). These bills, under the guise of protecting women from coerced abortions, would impose new “voluntary” (in addition to the already “informed”) consent requirement burdens on women seeking abortions and their physicians. The proposed new regulations and reporting requirements are **medically unnecessary and politically motivated**. [SB 2571](#) was heard in the Senate State Affairs Committee on May 7, with LWV-TX signing in against. Meanwhile, on May 6, [HB 3796](#) passed out of the House State Affairs Committee and is now in the Calendars Committee. **What you can do: If you live in the district of Calendars Committee Chair, Rep. Brian McCall (Plano), or of any member of that Committee, contact your representative NOW and ask that HB 3796 be kept in the Committee and not scheduled for a floor vote.**

[HB 109 \(Phillips\) OPPOSE](#), the House version of the “Choose Life” license plates bill described in [LNL #1](#), was added onto [HB 3097](#), an unrelated transportation measure that passed the House on May 6. Pro-choice representatives were unsuccessful in attempts to amend the bill to give the option of buying license plates that say “Pro Family, Pro-Choice.”

Since the Senate version, [SB 1098 \(Carona\) OPPOSE](#), has already been passed in the Senate, as reported in [LNL #9](#), and has now been sent to the House Transportation

Committee, it is almost a certainty that this measure will be enacted in some form.

As anticipated, **Budget Rider 56 (Deuell) OPPOSE** that would divert millions of federal **Family Planning Funds** away from a number of women’s health clinics in Texas (see [LNL # 6](#) for more information), has reared its ugly head in Budget Conference Committee hearings. Several members of that Committee apparently intend to try to insert some version of the Rider into the Budget, but, as of this deadline, they have not done so. Stay tuned....

What ALL who care about reproductive choice and women’s health can do NOW: Call your state senators and representatives and tell them not to waste their time enacting the measures described above and/or [SB 182 \(Patrick\)](#), THE “ultrasound” measure detailed in previous newsletters, that do nothing to help Texans. Ask them to devote their energies to solving real problems in the short time remaining in this session.

On the brighter news side: [HB 2221 \(Farrar\) SUPPORT](#), described in [LNL #5](#), re providing emergency contraception information to sexual assault survivors, had a hearing in the House Public Health Committee on May 6; LWV-TX signed in as supporting.

...And a substitute version of [HB 1978 \(Farias\) SUPPORT](#), the teen pregnancy prevention measure described in [LNL #9](#), was reported favorably from the House Human Services Committee.

No new actions have been taken on the following previously reported bills: [HB 36 \(Corte\) OPPOSE](#); [HB 44 \(Corte\) OPPOSE](#); [HB 680 \(Farrar\) SUPPORT](#); [HB 683 \(Farrar\) SUPPORT](#); [HB 741](#)

(Castro) **SUPPORT**; [HB 891](#) (Villarreal) **SUPPORT**; [HB 892](#) (Villarreal) **SUPPORT**; [HB 893](#) (Villarreal) **SUPPORT**; [HB 1371](#) (Rodriguez) **SUPPORT**; [HB 1567](#) (Villarreal) **SUPPORT**; [HB 1694](#) (Strama) **SUPPORT**; [HB 2592](#) (Thompson) **SUPPORT**; [HB 2968](#) (Coleman) **SUPPORT**; [HB](#)

[3152](#) (Christian) **OPPOSE**; [SB 515](#) (Ellis) **SUPPORT**; [SB 591](#) (Van de Putte) **SUPPORT**; [SB 592](#) (Van de Putte) **SUPPORT**; [SB 594](#) (Van de Putte) **SUPPORT**; [SB 1076](#) (Van de Putte) **SUPPORT**; [SB 1100](#) (Watson) **SUPPORT**.

TEXAS CONSTITUTIONAL REVISION Sandy Ashby (The Woodlands) marieashby7@comcast.net

No activity in this area.

STATE/LOCAL RELATIONS Karen Rankin (Austin) karenrankin@austin.rr.com

Although there has been no action in the Senate on any of Sen. Jeff Wentworth's bills pertaining to this issue, a glimmer of hope remains in the House. [HB 3265](#) (Rose,

et al) **SUPPORT** and [HB 4175](#) (Bolton, et al) **SUPPORT** are both in the Calendars Committee and could still get to the floor for a vote.

Administration of Justice

CAPITAL PUNISHMENT

[HB 877](#) (Naishtat) **SUPPORT** Creating a commission to Study Capital Punishment in Texas. This bill, sent to the Calendars Committee on April 22, is still in Calendars.

If you are interested in a commission to officially study Capital Punishment in Texas and in one of

the following representatives' district, please call or email your representative: McCall, Lucio III, Chavez, Cook, Creighton, Geren, Keffer, Kolkhorst, Kuempel, McReynolds, Ritter or Solomons. Ask that HB 877 be placed on the House calendar.

CRIMINAL JUSTICE Susan Smith (Amarillo) tornado4@suddenlink.net

[HB 788](#), [HB 498](#), or [HB3439](#). No Change,

[SB1948](#) Was scheduled for public hearing on May 14.

DRUG LAWS AND POLICIES Elaine Talarski (San Antonio) etalarski@earthlink.net

[SB 188](#) (Duell/Van de Putte) **SUPPORT** Amendments considered in committee and reported favorably as substituted on May 7.

[HB 142](#) (McClendon/Crabb/Ortiz Jr./Naishtat) **SUPPORT** Identical to SB 188 No action.

[HB 164](#) (Naishtat/Coleman) **SUPPORT** No action

JUVENILE JUSTICE Jayne Krawietz (Midland) jkrawietz@suddenlink.net

Update:

[CSHB 1351](#) Vaught **SUPPORT** / [SB 58](#) Zaffirini Passed in Senate. The purpose of the Senate legislation is to authorize funding for the Juvenile Justice Case Management System (system) which will enable state and county agencies to compile a comprehensive system of juvenile justice information and case management. The House considered SB 58 in lieu of HB 1351, and HB 1351 was laid on the table subject to call.

[CSHB 3689](#) (McLendon) Passed by House. [SB 1020](#) (Hinojosa) **SUPPORT** The House and Senate are trying to reach agreement regarding the future of the Texas

Youth Commission. According to news reports, negotiators have reached a tentative agreement to fund community-based programs, close two TYC facilities, and to reduce funding of TYC if its population drops further. The agreement also calls for a review of the TYC in two years, instead of the twelve proposed by the CSHB 3689. **This agreement, if it holds, is better than the House Bill as it stands.** The community-based programs will allow families to be more involved in the rehabilitation process, and if the state funds these programs, we should support these moves. Again, the overriding consideration in the reorganization of the TYC and the decentralization of its services is sufficient funding.

JUDICIAL SELECTION Maxine Barkan (Austin Area) mbarkan@austin.rr.com

New Information: [HB 3995 \(Hunter\)](#) The judicial nonpartisan appointment/retention bill supported by the League has been voted out of the House Civil & Judicial Jurisprudence Committee and sent to the Local and Consent Calendars Committee. I do not know if League members from Corpus Christi may have responded to my request in the last LNL to contact Rep. Hunter to get this done. If so, my thanks to all. However, as we all know, it is no guarantee the bill will get to the floor for debate.

New Information: Both [SB 2226](#), the enabling legislation, and [SJR 44](#) the constitutional amendment for Sen. Duncan's judicial selection bill that would provide for partisan elections in the primary and subsequent nonpartisan appointment/retention selections was on the Senate calendar for second reading on May 7, 2009. Although we do not support these bills because of the partisan portion, we have not actively opposed it because it contains part of our position. I will keep you posted with the results of the floor debate.

Social Policy/Human Resources

CHILD ABUSE & NEGLECT Carol Pino (Wimberley) cpino@hughes.net

There has been major progress on several bills this week.

Companion bills [SB 89 \(Van de Putte\)](#) and [HB639 \(Thompson\)](#) **SUPPORT** HB639 is out of the House Comm. on Judiciary and Civil Jurisprudence, vote 10 ayes and 1 absent. SB89 was reported favorably by the House w/o amendments. These bills relate to the prosecution, punishment and prevention of offenses involving trafficking of persons or certain forced or sex-based labor or services; law enforcement training related to the trafficking of persons, and the creation of the trafficking of persons investigation and prosecution account in general revenue fund.

[SB67 \(Nelson\)](#) **SUPPORT** is out of the Health and Human Service Committee with a vote of 9 ayes. The bill is related to the imposition of background and criminal history check requirements for operators and employees of certain facilities and agencies serving children, elderly, and the disabled providing criminal penalties.

[SB 1411 \(West\)](#) and [HB 2860 \(Dukes\)](#) **WATCHING** Companion bills relate to financial assistance programs with certain children in conservatorship of DFPS and training for caregivers. SB1411 is out of the Human Services Committee with the House reporting favorably as substituted, vote ayes 9 and HB 2860 is out of House Human Services Committee and the Committee report sent to Calendars.

[SB1064 \(Watson\)](#) **WATCHING** Was scheduled for hearing in the Human Services Committee on May 14th. The bill is related to DFPS investigating child abuse having access to any records or documents relating to the child who is the subject of the report.

[SB 1646 \(Van de Putte\)](#) and [HB 3259 \(Naishtat\)](#) **WATCHING** Companion bills. SB1646 was received by the House from the Senate and is out of the Health and Human Services Committee, and HB3259 is out of Public Health Committee and the committee report sent to Calendars.

[SB 277 \(Nelson\)](#) **SUPPORT** Was left pending in the House Human Services Committee. This bill relates to DFPS investigations of alleged abuse, neglect, or exploitation of several groups of people, including disabled children, and providing a criminal penalty.

[HB 041 \(Parker\)](#) **SUPPORT** Relates to school districts policies addressing sexual abuse of children, passed and was referred to and is in the House Education Committee.

[SB 2080 \(Uresti\)](#) **SUPPORT** Relates to the establishment of a strategy for reducing child abuse and neglect and improving child welfare. The strategy would be the creation of a Task Force and is out of the Health and Human Services Committee with the vote, 9 ayes.

CHILD HEALTH CARE Susan Majors (Richardson) majorssusan@gmail.com

It is gratifying to be able to report that there has been positive movement on three bills that would result in health care coverage for more children in Texas.

[SB 841 \(Averitt\)](#) **SUPPORT** passed the Senate in its significantly modified committee version (CSSB 841) and

moved to the House Human Services Committee. The bill would create a CHIP buy-in program for families earning between 200% and 300% of the Federal Poverty Level (FPL). There are approximately 516,000 uninsured children in Texas whose net family income is above 200% FPL for whom affordable insurance is not available. The program would target only uninsured children and discourage dropping of private coverage. The committee

version of the bill entirely eliminated a full-cost buy-in above 300% FPL featured in the filed version. Federal CHIP law requires the sum of premiums and co-payments not total over 5% of family income. Premiums at 2.5% leave room for co-payments, while staying under that cap. Matching funds from the Federal Government would cover well over half of the cost, and families would pay a significant share through their premiums and co-payments.

HB 1541 (TURNER, SYLVESTER) SUPPORT Was modified in committee. It passed in the House Human Services Committee and went forward to Calendars. The bill would implement 12-month coverage for Children's Medicaid. The current 6-month requirement for re-

enrollment is a limiting factor that keeps eligible children from attaining and keeping needed coverage.

HB 2962 (COLEMAN) SUPPORT Also was modified in the House Human Services Committee, passed, and sent forward to Calendars. It calls for increased funding for outreach by community based organizations for CHIP and Children's Medicaid.

Having language in the Budget that supports funding for CHIP and Children's Medicaid is essential to all three bills and to **SB 187 (Deuell) SUPPORT**, which passed in April. SB 187 provides Medicaid buy-in for certain children with disabilities.

EARLY CHILDHOOD Marlene Lobberecht (Houston Area) marlene@lobberecht.com

SB 56 (Zaffirini) SUPPORT Left pending in Senate Human Service Committee regarding preparation of child impact statements.

SB 59 (Zaffirini) SUPPORT Referred to the House Human Service Committee relating to the training provider qualifications for child-care employees/operators facilities;

SB 68 (Nelson) (Position change due to House amendment May 7) SUPPORT Referred to House Calendars. House Committee Amendment No. 2. S.B. 68 requires the Department of Family and Protective Services (DFPS), before adopting minimum standards for a school-age program, to convene a temporary work group to advise DFPS regarding the proposed standards, composed of at least six members who represent the diverse geographic regions of Texas, including a DFPS official to facilitate the work group's activities; a person with demonstrated expertise or knowledge regarding the different types and classifications of child-care facilities, homes, agencies, or programs that will be covered by the proposed standards; a parent with experience related to one of the different types or classifications of child-care facilities, homes, agencies, or programs that will be covered by the proposed standards; and a representative of a licensed nonprofit entity. The bill removes the requirement that DFPS present proposed standards to the State Advisory Committee on child-care facilities for review and comment before adopting the standards.

SB 81 (Nelson) SUPPORT Testimony taken and reported favorably as substituted. It would require that the Texas Workforce Commission (TWC) ensure that payments made to a provider of unregulated self-arranged child care be made only to a provider on whom a background and criminal history check has been conducted. Fiscally, Department of Public Safety (DPS) and DFPS fees would result in a total increase in revenue of \$144,525 in fiscal year 2010 and \$126,900 per year in fiscal years 2011 through 2014 for fingerprint checks. However, a portion of the DPS fee revenue (\$70,725 in

fiscal year 2010 and \$62,100 per year in fiscal years 2011 through 2014) would be returned to the FBI for professional services as required by federal statute.

SB 90 (Van de Putte et al.) Signed by the Governor and effective immediately, relating to adoption of the Interstate Compact on Educational Opportunity for Military Children..

SB 95 (Van de Putte et al.) SUPPORT Passed in the House and sent to the governor relating to prohibiting the sale or use of unsafe children's products; providing a civil penalty.

SB 282 (Nelson) SUPPORT Reported favorably from committee as substituted May 8 that this Act takes effect only if a specific appropriation for the implementation of the Act is provided to fund grant programs to provide nutrition education to children. It is anticipated the nutrition education grant programs would cost \$2,500,000 in grants and administrative expenses in fiscal year 2010 and \$2,421,207 in subsequent fiscal years.

HB 130 (Patrick) SUPPORT Passed by a wide margin in the Texas House May 8 on the third reading. The bill, backed by a wide coalition of child advocates, would give grants to school districts that commit to provide full-day, enhanced-quality pre-k programs for eligible students. The programs would have to meet curriculum requirements, satisfy a 22-to-1 pupil-teacher ratio (and an 11-to-1 pupil-to-adult ratio) in each preschool classroom, teachers would have to be appropriately certified and a partnership between school districts and community providers created with at least 20 percent of the grant funds. A teacher-certification standard loophole had been added in committee for the benefit of private preschools lacking qualified teachers providing extra time to qualify. But a floor amendment offered by Rep. Olivo and accepted by Rep. Patrick closed that loophole. Currently, Texas is only one of 38 states offering pre-k programs that has no maximum class size or teacher-student ratio, both of which are **important quality measures to ensure school readiness**.

The companion **SB 21 (Zaffirini et al) SUPPORT** Pending in committee.

HB 136 (Villarreal) SUPPORT Referred to Senate Education Committee 5/8/09. The House amended bill differs from the original by referring to prekindergarten programs rather than prekindergarten classes, added a program definition, and authorizes a district to combine reports submitted to the Texas Education Agency (TEA). It also adds a provision requiring TEA to post a report regarding the notification strategies implemented by a school district on TEA's Internet website. Companion **SB 1032 (Van de Putte) SUPPORT** in the Senate Education Committee.

HB 1240 (Villarreal) SUPPORT Reported favorably and recommended to Senate Calendar Committee relating to information required to be provided to parents of an infant.

EQUAL OPPORTUNITY/INCOME ASSISTANCE Mildred Derrough Pope mderrpope@yahoo.com

HB 492 (Zerwas et al.) SUPPORT Relating to the expansion of faith- and community-based health and human services and social services initiatives. Health & Human Services Committee report printed and distributed on May 8.

HB 950 (Dutton) SUPPORT Relating to the modification or enforcement of a child support order during the obligor's confinement in jail or prison. House Committee report sent to Calendars on May 6.

HB 1637 (Turner, Chris et al.) Sponsor: Ellis Relating to normal weekly hours of work under the shared work unemployment compensation program. Sent to the Governor on May 8.

No action taken since last report on the following bills:

HB 32 (Leibowitz) SUPPORT Relating to employee discrimination.

Active, but no bill movement on the following:

SB 67 (Nelson) SUPPORT Referred to House Human Service Committee, relating to the imposition of operator/employee criminal history check requirements of certain facilities and agencies serving children, the elderly, or persons who are disabled..

SB 1613 (Lucio) WATCHING Pending in Health & Human Service Committee relating to establishing an Early Childhood Behavioral Consultation Grant Program.

SB 1730 (West) SUPPORT Relating to an increase in minimum training hours for employees of certain child-care facilities; bill is in the Senate Calendar Committee.

HB 161 (Deshotel) SUPPORT Referred to Senate Economic Development Committee, relating to block grant funding for certain Texas Workforce Commission training and employment.

HB 33 (Leibowitz) SUPPORT Relating to employers not covered by workers' compensation insurance.

HB 34 (Leibowitz) SUPPORT Relating to workers' compensation coverage.

HB 248 (Alonzo) SUPPORT Relating to the rights of Texas voters.

HB 522 (Giddings) SUPPORT Relating to preparation academies in certain school districts.

HB 612 (Naishtat et al.) SUPPORT Relating to food stamp program.

HB 697 (Zerwas) SUPPORT Relating to a job training program for Texas National Guard veterans.

HB 785 (Rodriguez et al.) SUPPORT Relating to employment services for persons with disabilities.

HB 1627 (Naishtat et al.) SUPPORT Relating to Low-Income Home Energy Assistance Program payments.

HEALTH CARE SYSTEM FOR OLDER TEXANS Maria Johnson (Austin Area) mmjohnson6@hotmail.com

The following bills were scheduled for public hearing on May 12 in the Health and Human Services Committee:

HB 497 (Zerwas) SUPPORT Creates a State study on Medicaid.

HB 2191 (Veasey) SUPPORT Employee criminal history verification required.

HB 802 (Davis) SUPPORT Creates a lifespan respite services program.

Progress has been made on the following bills:

SB 1230 (Van de Putte) SUPPORT Reported favorably out of the House Committee. Creates a Legislative Commission on Aging to study elderly issues and report to the legislation.

HB 1081 (Herrero) SUPPORT Placed on local and uncontested calendar. Requires-posting info on DADS website.

HB 2248 (Turner, Sylvester) SUPPORT The House rules were suspended on May 6. Creates an emergency management plan for certain health care facilities.

IMMIGRATION Millie Whittington (Houston Area) milliekbw@aol.com

SB 358 (Patrick) OPPOSE Relating to the enforcement of state and federal laws governing immigration by certain government entities. Was placed on the intent calendar, withdrawn from the same calendar, and once more returned to the intent calendar by a five to four vote in the Senate Transportation and Homeland Security Committee. **HB 404** was its companion bill.

SB 1212 (West) OPPOSE (formerly NEUTRAL) Relating to granting limited state law enforcement authority to special agents of the Office of Inspector General of the United States Department of Veterans Affairs.

No action has been taken on the following bills referred to the House State Affairs Committee:

HB 244 (Alonzo) SUPPORT Relating to regulation of residential tenancies by local governments.

HB 254 (Berman) OPPOSE Relating to restricting illegal immigrants to certain geographic regions.

HB 256 (Berman, Bonnen, Riddle, Fletcher) OPPOSE Relating to birth records of children born in this state.

HB 260 Berman, Bonnen) SUPPORT Relating to the eligibility of certain persons to receive a sentence of community supervision, including deferred adjudication community supervision.

HB 261 (Berman, Bonnen, Riddle) OPPOSE Relating to the enforcement of state and federal laws of certain government entities.

MEDICAID Lynda Ender (Dallas) LEnder@theseniorsource.org

Time is running out! The House does not work as quickly as the Senate, and they are working into the wee hours. I left a hearing at 1:30 am last Friday morning!! Bills are more apt to make it if they are out of the House and in the Senate than the reverse scenario.

SB 78 (Nelson) SUPPORT This bill has passed the Senate and is in the House Calendars Committee. It has had a public hearing and was reported favorably without any amendments. If it passes, it would provide education on the importance of insurance to the general public, including high school students and provide materials about the various insurance products and have a hot line to answer questions.

HB 1081 (Herrero) SUPPORT The bill would require the posting of certain information regarding nursing homes and related institutions on the Department of Aging and Disability Services website. It has passed out of the House and the Senate Health & Human Services Committee. It may make it because it is in the Senate Local & Consent Calendar.

HB 1487 (Pitts) SUPPORT This bill is relating to the alignment of certain Medicaid procedures regarding written orders for diabetic equipment and supplies with comparable Medicare written order procedures. This bill has passed the House, passed out of the Senate Health & Human Services Committee and is recommended for the Senate Local & Consent Calendar.

SB 37 (Zaffirini) SUPPORT This bill passed out of the Senate, but has not been assigned to a House committee. It is relating to providing home- and community-based support services under the Medicaid program to persons who are deaf-blind with multiple disabilities.

HB 852 (Todd Smith) SUPPORT You have probably read a news story about this bill relating to nonpayment of hospitals under the state Medicaid program for certain preventable adverse conditions. It is in the Calendars Committee and has a Senate companion that is not moving. It is a substituted bill.

SB 287 (Nelson) This bill encourages the use of the internet to streamline the Medicaid processes and to save money. It has a goal of achieving by September 1, 2014, a specified percentage increase in the use of electronic prescribing by Medicaid providers. It has passed the Senate, and was scheduled for a public hearing in the House Public Health Committee on May 13.

SB 288 (Nelson) SUPPORT This bill mandates that physicians or other health care providers, before providing an acute care service or procedure to a Medicaid recipient, shall review the recipient's prescription and nonprescription medication history and spells out where the history should be. This bill has passed the Senate and was scheduled for a public hearing on May 13 in the House Public Health Committee. **If you support this bill, contact your State Representative.**

SERVICES FOR THE SERIOUSLY MENTALLY ILL Molly Van Ort (Dallas) mvo@sbcglobal.net

No report.

Natural Resources

AIR QUALITY Laura Blackburn (Seabrook, LWV-Houston Area) laura2blackburn@yahoo.com

There has been no movement in the House on environmental bills this past week. They continue to be less environmentally friendly than the Senate.

SB 16 (Averitt) SUPPORT There was a House Environmental Regulation hearing on May 4 on SB 16, the second hearing since April 29, when we submitted supporting remarks. There have been a number of amendments introduced, some for clarifying purposes and some weakening the bill. It is still pending in committee.

Three bills by Senator Gallegos have been scheduled for May 12. We are supporting all of them:

SB 456 (Gallegos) SUPPORT This bill has to do with regulation of toxic "hot spots."

SB 457 (Gallegos) SUPPORT Penalty assessment for violations by major pollution sources is the topic of this bill.

SB 458 (Gallegos) SUPPORT This bill allows the TCEQ to impose more stringent conditions for existing air quality permits to avoid a condition of air pollution.

Additionally, one bill by Senator Gallegos was heard on May 6:

SB 1472 (Gallegos) SUPPORT This is Senator Gallegos' bill that requires that the applicant for a permit or the designee of the applicant attend the TCEQ hearing on the permit. We have supported this bill, and it remains in the House Environmental Regulation committee.

ENERGY Penny Miller pmiller737@aol.com

No report.

HAZARDOUS WASTE

SB 338 (Van de Putte) SUPPORT No action

HB 1867 (Anchia) SUPPORT Identical to SB 338 No action.

LAND USE Karen Haschke (Austin Area) karenhaschke@sbcglobal.net

I am pretty sure that most of these bills will go nowhere in the next three weeks:

HB 1195 (Dukes) Relating to the issuance of a permit for a municipal solid waste landfill located near certain municipalities. Referred to Environmental Regulation Committee and Pending.

Three bills referred to Land & Resource Management Committee and remaining there:

HB 1119 (Bolton) Relating to authorizing certain populous counties to adopt county planning regulations; providing criminal and civil penalties.

HB 4 (Orr) Relating to eminent domain, including certain limitations, procedures, and standards relating to the use of eminent domain.

HB 1536 (Burnam) Bill relates to the elimination of the power of eminent domain for certain gas corporations when constructing a pipeline for the gathering or transmission of natural gas.

Sent to Local & Consent: HB 722 (Howard, Donna) Relating to an independent review of a proposed

facility to supply drinking water requested by certain municipalities and other local governments. Out of Local Affairs Comm. and sent to Local & Consent May 8.

Two bills referred to Business and Commerce and have probably died:

SB 1226 (Fraser) Relating to the authority of certain counties to regulate the location of wind energy electric generating facilities.

SB 1227 (Fraser) Relating to the location of wind energy electric generating facilities.

HB 4248 (Keffer) SB 1226 (Fraser) Companion bills that relate to the location of wind energy electric generating facilities. HB4248 referred to States Affairs. SB 1226 referred to Business & Commerce

SB 728 (Carona) Relating to the exercise of eminent domain authority by private entities. Referred to States Affairs and in committee.

TRANSPORTATION Edie Jones (Tarrant County) edithsjones@hotmail.com

HB 9 SUPPORT Texas Local Option

Transportation Chairman Pickett is working on a compromise that would eliminate all but one of the six funding options now in the bill. It would leave only the gasoline tax. It also broadens the bill's reach to ALL 25 of the state's metropolitan planning regions (19 counties). This covers about 85% of the population of Texas.

Chairman Pickett is proposing that the initiative be presented to Texas voters in November as a constitutional amendment. The gasoline tax would be indexed to change with inflation (not increased since 1991). Voters would also decide whether to stop the use of gasoline taxes for purposes other than transportation funding.

If the bill is voted up out of the House, it will then go to a joint conference committee.

While we have not taken a position on the bill, the **Transportation Sunset Bill** has had over 162 amendments. The latest from the House includes the statewide election of the Commissioner and the 5 appointed members would be replaced by 14 elected regional members. The 2008-2009 biennial budget for TxDOT was \$17.5 billion. Currently there are 25 district offices in addition to the headquarters in Austin with over 14,500 employees. I haven't kept up with all 164 amendments--but hopefully they will be winnowed down by next report.

WATER QUALITY Mary Vogelsson (Dallas) mmev@swbell.net

No report.