



Legislative Newsletter

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

March 6, 2009

81st Texas Legislature

Volume 20, No. 4

Mary Finch, Advocacy Vice President

Scherel Carver, Editor

Bills in Legislative Newsletter No. 4 are arranged differently from previous editions: they are grouped under the four League Program divisions: **Government, Administration of Justice, Social Policy/Human Resources, and Natural Resources.** Issues are then alphabetical by LWV Program topic.

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

Public School Finance

SB 982 (Van de Putte) HB 1555 (Patrick) A major bill to overhaul the ailing school-finance system has now been filed. It is **SB 982** by Senator Leticia Van de Putte of San Antonio. An identical bill **HB 1555** was filed in the House by Diane Patrick of Arlington. Other key legislators reportedly are expected to weigh in on ways to initiate reform of the school finance system this session.

Education - Testing

Changes in the state's test-driven accountability system soon will be proposed in a reportedly lengthy bill from Representative Rob Eissler of The Woodlands, who chairs the House Public Education Committee. Eissler co-chaired the Joint Select Committee on Public School Accountability that was appointed in 2007 to study possible changes for consideration this session. The LWV-TX testified at one of the hearings that were held throughout the state,

based on our recent state education study.

In addition to announcing his plans to file a bill on the state's accountability system, Eissler has said it was time to do away with the rule that directs school districts to spend at least 65 percent of their funds on instruction. It was put into place after an executive order. Deciding which activities fall within the definition of "instruction" has presented challenges for districts struggling with severe budget constraints.

Tracking Previous Bills

Previously listed bills that still are being tracked include: **HB 41, HB 131, HB 134, HB 154 (Olivo), HB 262, HB 420, HB 522, HB 541, HB 642, HB 674, HB 710, HB 716, HB 772, HB 828, HB 915, HB 1025, HB 1051, HB 1085, HB 1102 (Vo), House Joint Resolution 11, House Joint Resolution 18, House Joint Resolution 41, House Joint Resolution 45, and House Joint Resolution 50.**

Also being tracked are: **SB 1/HB 1 HB 1, SB 21/HB 130, SB 38, SB 100, SB 122, SB 183/HB 716, SB 440, SB 444, and SB 451.**

HB 1153 (Solomons) WATCHING Expands the public

high school curriculum to promote personal financial literacy.

HB 1154 (McReynolds) SUPPORT Allows certain students with disabilities to participate in public high school graduation ceremonies. A school district must issue a certificate of coursework completion to a student who has successfully completed the required curriculum but not the Texas Assessment of Knowledge and Skills.

HB 1192 (Hancock) OPPOSE Establishes a deregulation pilot project in six school districts (two with small student enrollments, two mid-size, and two large), exempting those districts from state requirements, restrictions, and prohibitions.

HB 1216 (Brown) WATCHING Relates to curriculum requirements for the Recommended and Advanced public high school programs. Requires that students complete a science and mathematics curriculum, a career and technology curriculum, or a humanities curriculum.

HB 1235 (Menendez) OPPOSED Establishes the Legislative Education Board and transfers to it the statutorily assigned functions and activities of the State Board of Education and certain functions of the Legislative Budget Board. The 12-member Legislative Education Board would include

the Lieutenant Governor, the Speaker of the House of Representatives, five members of the Senate appointed by the Lieutenant Governor, and five members of the House appointed by the Speaker.

HB 1273 (Kolkhorst)

WATCHING Provides for an adjustment under the school finance system for benefits received by school districts or associated foundations or other entities in connection with agreements under the Texas Economic Development Act, along with reports on such adjustments.

HB 1274 (Kolkhorst) **WATCHING** Relates to the availability and reporting of certain information regarding applications under the Texas Economic Development Act to the public and the state. Applications must be approved by the Comptroller, and information must be posted on both the school district's and the Comptroller's Web sites.

HB 1281 (McClendon)

WATCHING Includes instruction designed to prepare students for adult responsibility in the foundation curriculum for public schools. An advisory panel would develop the curriculum for grades K-12.

HB 1302 (Frost) **WATCHING** Authorizes certain school districts to enter into property tax abatement agreements in connection with realigned or closed military facilities.

HB 1307 (Creighton) **WATCHING** Relates to the availability of certain school district financial information on certain districts' Internet Web sites. Examples include credit card transactions with personal information removed and total amounts budgeted for employees' compensation by groups.

HB 1423 (Guillen) **OPPOSE** Allows public junior colleges to established open-enrollment charter schools.

HB 1503 (Veasey) **WATCHING** Allows for at least three options in the Recommended and Advanced curriculum plans, including science and math, career and technology, and a humanities option.

HB 1563 (Patrick) **WATCHING** Relates to the number of charters the State Board of Education may grant for open-enrollment charter

schools. Allows the SBOE to grant no more than 10 new open-enrollment charters each state fiscal year.

HB 1735 (Burnam) **WATCHING**

Establishes an income tax on income that exceeds \$100,000 to provide property tax relief and fund public education. The rates and tax amounts increase as incomes increase. At the lowest level, individuals making more than \$100,000 but not more than \$150,000 would pay 2% of their income. Those filing joint returns cannot combine incomes to determine the amount owed.

HB 1754 (Leibowitz) **OPPOSE** Relates to the Texas Education Agency's online clearinghouse of information concerning best practices for public schools. Includes open-enrollment charter schools in the program and creates incentive awards.

SB 33 (Zaffirini) **SUPPORT** Relates to school district requirements concerning parental notification and documentation in connection with disciplinary alternative education programs.

SB 270 (Harris) **SUPPORT** Requires school districts to publish reports on any income-producing contracts above a minimum of \$5,000.

SB 300 (Patrick) **OPPOSE** Eliminates the school mandate that establishes the 22-to-1 pupil-teacher limit for each class in grades K-4. Left pending in Education Committee on 2/24/09.

SB 308 (Patrick) **OPPOSE** Removes the limit on the total number of open-enrollment charter schools the State Board of Education may grant, which is currently set at 215.

SB 398 (Seliger) **OPPOSE** Relates to professional staff salaries paid by certain school districts. Encourages school districts to replace their salary-step schedules with state pay raises to replace rather than supplement local salary increases. Left pending in Education Committee on 2/24/09.

SB 513 (Ellis) **SUPPORT** Places the State Board of Education under periodic review by the Sunset Advisory Commission. (I CAN'T TELL IF THIS PARTNERS WITH THE BILL FROM ROSE.)

SB 545 (Zaffirini) **SUPPORT** Relates to public school accountability for bilingual education and English as a second language and other special language programs. Requires the Texas Education Agency to evaluate collect disaggregated data by campus and school district or open-enrollment charter school.

SB 644 (Shapiro) **SUPPORT** Relates to modifications, adjustments, and reimbursements under the public school finance system for a school district located in a disaster area.

SB 674 (Shapleigh) **WATCHING** Relates to the student academic performance information provided through the Public Education Information Management System (PEIMS). Requires data on numerical grades earned in a class or course.

SB 756 (Eitife) **WATCHING** Relates to the authority of certain school districts to enter into property tax abatement agreements in connection with realigned or closed military facilities.

SB 939 (Watson) **WATCHING** Relates to the capability of the Public Education Information Management System (PEIMS) to provide information regarding public school students placed in foster care.

SB 982 (Van de Putte), HB 1555 (Patrick), **WATCHING** Relates to public school finance. Pumps more than \$2 billion dollars into the ailing public school finance system, which has left school districts at 2006 per-pupil funding levels. While all districts would see an increase, money would be distributed according to a formula that would give more to districts with smaller local tax bases.

SB 1029 (Davis, Wendy) **WATCHING** Relates to the guaranteed level of state and local funds for the instructional facilities allotment and the existing debt allotment under the public school finance system.

SB 1031 (Van de Putte) **SUPPORT** Relates to creation of a county task force to study collaborative methods for public education cost savings in certain counties.

ELECTION LAWS Barbara Weinstein (Dallas)
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SB 362 (Fraser, Estes) **OPPOSE**
We are waiting to hear when this bill

will be scheduled for a hearing before the Committee of the Whole in the Senate. We have our testimony ready against this Photo Voter ID Bill and expect it to be scheduled before March 13th.

Four more bills that we are following in the House have been assigned to the House Elections Committee, but no hearing scheduled yet.

HB 157 (Chavez) & HB 245

(Alonzo) WATCHING The wording is the same in both of these bills. A person would be eligible to vote in the precinct of the person's residence if, on the day the person offers to vote, the person submits a voter registration application that complies with the law.

HB 373 (Anderson) OPPOSE

Requires a voter to have a Photo Voter ID.

HB 627 (Anchia) WATCHING

This allows a person to vote a provisional ballot if the voter registrar determines the voter is eligible.

HB 638 (Leibowitz)

WATCHING This bill says that a Direct Recording Electronic voting device has to have machine certification and must create an auditable paper record.

HB 1256 (Allen) WATCHING

Relates to requiring the posting of notice of voter complaint information at a polling place.

FINANCING STATE

GOVERNMENT Bonnie Leitch
(New Braunsfels)
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No report.

CAMPAIGN FINANCE

REFORM Maxine Barkan (Austin Area)
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Chipping away at current unregulated contributions and expenditures, three lawmakers have introduced bills to prohibit contributions on state properties.

HB 756 (Martinez Fischer)

SUPPORT Would prohibit an individual or someone who authorizes an individual to make a political contribution while in any office building occupied by the state whether leased or owned. At the present time this applies only to the Capitol. The legislation would include candidates or officeholders, political committees, or anyone acting on behalf of a candidate. The attempted contribution must be reported in writing and there are penalties that would be imposed for violators. The bill has been referred to the Elections Committee. Two identical bills were filed along the same lines but with a somewhat different focus.

SB 1152 (Hinojosa) and HB 1359 (Anchia) NEUTRAL

Includes prohibitions for contributions to candidates, officeholders, or political committees, not only in state buildings, but in counties or municipalities in which a justice or judge conducts court proceedings. At this time, because of the scope of the legislation, we will stay neutral pending more information on whether or not this comes under our positions. No referral to a committee has yet been made.

No committee hearings have been scheduled for the Elections Committee which, convenes Monday, March 2, 2009 for an organization meeting and to hear some invited testimony.

NOTE: Community Impact, is a monthly free newspaper covering Northwest Austin. Reporting on the Legislature, they selected **HB 105 (Strama)**, the **Texas Fairness Campaign Act**, which would provide limits on campaign contributions and expenditures, as one of five key bills. This kind of publicity is good because these local newspapers appeal to the grassroots of the community, the very people we want to reach.

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

SJR 23 (Duncan) SUPPORT proposes a constitutional amendment for voters to consider a nonpartisan appointment/retention system for selecting judges at the appellate court level. Appointments would be made when a vacancy occurs, with an initial term ending January 1 of the third odd-numbered year. At that time the judge or justice would be subject to a retention or rejection election on a nonpartisan ballot.

Sen. Duncan previously filed **SB 782**, the enabling legislation reported in LNL #3 supported by the League. It should be noted that neither bill includes district judges. In the past, district judges were usually included. The senator may be thinking that the appellate courts may have a better chance at passage. The League has no position on district judge selection at this time. Neither bill has been assigned a committee. Checking with the Jurisprudence Committee to which the bill is likely to be referred, I found that the procedure for committee referral is to go in accordance with the numerical sequence of the bill. In all likelihood they will be referred the week of March 2, 2009.

REDISTRICTING Elaine Talarski
(San Antonio) etalarski@earthlink.net

SB 315 (Wentworth) Support Bill is in State Affairs Committee. Scheduled for a hearing Mar. 2, 2009.

HB104 (Strama) Support Bill on establishing of an independent commission on redistricting. Referred to Redistricting Committee. No further action

HJR 19 (Strama) Support Bill enabling legislation for HB 10 4 proposing a constitutional amendment. Referred to Redistricting Committee. No further action.

REPRODUCTIVE CHOICE/WOMEN'S HEALTH
Julie Lowenberg (Dallas)
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Several recently filed bills aim to improve sexuality education in Texas public schools and address the state's alarming rate of teenage births and STI's:

- **[SB 1371 \(Rodriguez\)](#) SUPPORT** Would require that Texas refuse federal funds dedicated to abstinence-only sex education
- **[SB 1076 \(Van de Putte\)](#) SUPPORT and [HB 1567 Villarreal](#) SUPPORT**, These companion bills would require instruction on contraceptive use to be scientifically accurate when it is taught as part of a school's sexual health curriculum. It would also prohibit schools from discouraging contraceptive use.
- **[SB 1100 \(Watson\)](#) SUPPORT and [HB 1694 \(Strama\)](#) SUPPORT**, Companion bills, would require that if Texas schools choose to teach sex education, they must present medically-accurate information and would also require schools to notify parents of the content of their sex education curriculum. These bills have other components, described below, and comprise the Prevention Works Act.
- **[SB 515 \(Ellis\)](#) SUPPORT and [HB 741 \(Castro\)](#) SUPPORT**, the **Education Works** bills reported in Newsletter #2.

[SB 1100 \(Watson\)](#) SUPPORT and [HB 1694 \(Strama\)](#) SUPPORT, companion bills known as the **Prevention Works Act**, would expand access to preventive family planning and other health care services and education programs with the goal of reducing the incidence of unintended pregnancies, preventing the spread of STI's, and improving women's health in general. Prevention Works would mandate effective outreach, marketing, and other measures designed to increase enrollment of low-income women in Medicaid-funded family planning and women's health programs. Increased access to vital health services would mean ear-

lier detection and treatment of manageable conditions and infections before they become more advanced, dangerous, and expensive to treat. Prevention Works also has a sex education component, Education Works (see above).

[SB 1098 \(Carona\)](#) OPPOSE, companion bill to HB 109 described in Newsletter #1, would provide for issuance and purchase of "Choose Life" license plates - proceeds to go to "eligible organizations" that give assistance to pregnant women considering placing their children for adoption. BUT organizations that provide abortions or abortion-related services or make referrals to or have affiliations with such providers would not be "eligible" to receive the funds.

Several previously reported bills have been sent to Senate and House Committees, as follows:

- Senate Education Committee: **[SB 515 \(Ellis\)](#) SUPPORT**
- Senate Health and Human Services Committee: **[SB 592 \(Van de Putte\)](#) SUPPORT; [SB 593 \(Van de Putte\)](#) SUPPORT**
- House State Affairs Committee: **[HB 680 \(Farrar\)](#) SUPPORT; [HB 684 \(Farrar\)](#) SUPPORT**
- House Public Education Committee: **[HB 741 \(Castro\)](#) SUPPORT**
- House Public Health Committee: **[HB 891 \(Villarreal\)](#) SUPPORT; [HB 893 \(Villarreal\)](#) SUPPORT**

On February 13, Judy Parken of the Capitol Corps represented LWV-TX at a legislative briefing convened by **Healthy Women, Healthy Families**, a statewide coalition of more than 20 organizations (including LWV-TX) dedicated to improving access to and quality of healthcare services for women and families in Texas. The briefing was co-sponsored by **Representatives Jessica Farrar and Garnet Coleman** and **Senator Jeff Wentworth**.

The briefing highlighted initial results of a survey distributed throughout the state by coalition member organizations. Two of the top three services most frequently ranked "urgently needed" by respondents are: medically accurate sex education and affordable, available family planning options for women and teens. Speakers also urged legislators to support initiatives that promote women's health during this Session.

...It is not too late to participate in the survey – to do so visit www.HealthyWomenHealthyFamilies.org. To request an electronic copy of the initial report, contact jmlowenberg@sbcglobal.net.

STATE/LOCAL RELATIONS

Karen Rankin (Austin)
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[SB 578 \(Wentworth\)](#) SUPPORT

[HB 1119 \(Bolton\)](#) SUPPORT
Referred to Land and Resource Management Committee

No change since the last Legislative Newsletter. These two bills are still the only ones filed, although others are expected very soon.

Administration of Justice

CAPITAL PUNISHMENT

Marjorie Loehlin (Austin)
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[HB 913 \(Dutton\)](#) SUPPORT
Would create a commission to study capital punishment in Texas and enact a moratorium on executions.

[HJR 24 \(Naishtat\)](#) SUPPORT
Proposes a constitutional amendment calling for a moratorium on the death penalty.

[HB 682 \(Farrar\)](#) NO POSITION
Calls for abolition of the death penalty and has been referred to House Jurisprudence Committee for consideration.

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

HB 498 & HB 788 regarding the establishment of a Texas Innocence Commission, have both been referred to committee.

HB 1558 (Martinez Fischer)
HB 1633 (Walle)
HB 1753 (Leibowitz)
SB 1078 (Carona)

SUPPORT ALL All bills are in regards to increasing punishments for deliberate acts of graffiti, crimes that directly impact Texans throughout the state.

DRUG LAWS AND POLICIES
Elaine Talarski (San Antonio)
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SB 188 (Duell/Van de Putte)
Support Clean needle and syringe exchange program aimed at preventing blood-borne communicable diseases. Bill is in Health and Human Services Committee. Scheduled for a public hearing Mar. 3, 2009.

HB 164 (Mc Clendon) Support
This bill is similar to SB 188 in Public Health Committee. No further action

HB 272 (Ortiz) Support Bill is similar to HB 164 referred to Public Health Committee. No further action.

JUVENILE JUSTICE Jayne Krawietz (Midland)
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No report.

Social Policy/
Human Resources

CHILD ABUSE & NEGLECT
Carol Pino (Wimberley)
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SB 81 Of the previously mentioned bills, there will be a public hearing on SB 81 on March 3rd.

HB 579 has been referred to the Criminal Jurisprudence Committee.

There has been no action on **HB 188, SB 277, or SB 67.**

CHILD HEALTH CARE Susan Majors (Richardson)
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More About Our Coalitions
As a member of the Texas CHIP Coalition, LWV-TX participates in an interlocking set of advocacy groups. One of these is the Texas Finish Line Campaign, whose goal is to influence the state to increase access to affordable comprehensive health insurance for every child. Texas was one of eight states awarded a grant by the Packard Foundation to support such efforts. The lead organizations participating in the Texas Finish Line Project include the Children's Defense Fund, Texans Care for Children, the Center for Public Policy Priorities and all partners of the CHIP Coalition. Principles of the Texas Finish Line Campaign, as well as those of the Texas CHIP Coalition, may be found in the Legislative Newsletter dated February 6 (Vol. 20, No. 2).

More About Children's Health and the 81st Legislative Session
In addition to priority issues of (1) streamlined enrollment and expanded outreach for CHIP and Children's Medicaid, (2) 12-months continuous eligibility for Children's Medicaid, and (3) expansion of CHIP to families with incomes higher than the currently allowed 200% FPL; some of the other goals of the League and our various coalitions are:

- Taking full advantage of federal funding and reversing practices that have resulted in Texas' having left nearly 1 billion potential SCHIP dollars on the table.
- Taking full advantage of the Economic Recovery Package. *Invested wisely, the package's additional \$5.3 billion in Medicaid funding is sufficient to prevent cuts, enroll more eligible uninsured children, and bring more enhanced federal funds to Texas. The Legislature must take specific action to use certain funds.*

- Expanding and improving insurance coverage, including a Medicaid buy-in provision for children with disabilities, improved coverage in the high-risk pool, and private market reforms that increase the availability and affordability of coverage.
- Strengthening community mental health services for children and youth.
- Addressing problems for young people with disabilities in transitioning out of the Children's Medicaid program.
- Promoting changes in program eligibility and benefits so that children with special health care needs have the consistent care to keep them well.
- Establishing programs for improved child nutrition and obesity prevention.
- Making smoking cessation and substance abuse treatment more available to pregnant women and new mothers.
- Addressing low reimbursement rates that result in physicians being reluctant to take on patients with CHIP or Medicaid.
- Addressing the shortage of health care professionals by investing in graduate medical education for nurses and primary care physicians.

EARLY CHILDHOOD Marlene Lobberecht (Houston Area)
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The following House and Senate bills have moved to or within their assigned committees:

HB 217 (Menendez) Referred to State Affairs Committee.

SB 81 (Nelson) Relates to certain providers of subsidized child care, scheduled for Health & Human Services public hearing 3/3/09.

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

It seems as if this Bill Watch could get a bit interesting as time goes along. Believe it or not, we would certainly like to see at least some of these bills to become law.

[HB 32](#), [33](#), & [HB 34](#) bill status unchanged.

[HB 248](#) referred to Elections

[HB 480](#) referred to Judiciary & Civil Jurisprudence,

[HB 492](#) referred to Human Services,

[HB 522](#) referred to Public Education,

[HB 697](#) referred to Defense & Veterans' Affairs,

[HB 785](#) referred to Human Services,

[HB 795](#) referred to Culture, Recreation & Tourism.

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

No report.

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

Most immigration bills have been referred to committee and have been read the first time.

[HB 658 \(Jackson, Jim\) SUPPORT](#) Support with caution that there should be adequate procedures to protect employees who claim an error when there is failure to verify. E-Verify system has been reported to have an appreciable problem and error rate. Texas governmental entities should be expected to comply with federal regulations requiring E-Verify.

[HB 639 \(Thompson\) SUPPORT](#) Support, noting that HB 628 has similar objectives and could be combined. The bill will help protect immigrants, legal and illegal, from human trafficking and forced sex-based labor.

[HB 628 \(Anchia\) SUPPORT](#) Note the overlap with HB 639. The bill specifies the creation of a trafficking victim database.

[HB 622 \(Harless\) SUPPORT](#) Spells out procedures for handling licenses suspended for knowing employment of persons not lawfully present.

MEDICAID Lynda Ender lender@theseniorsource.org

Impact on Medicaid from the Federal Economic Stimulus Bill

The American Recovery and Reinvestment Act: The Temporary Federal Medical Assistance Percentage (FMAP) Increase

- The recession adjustment period is for 27 months or nine quarters: October 1, 2008 thru December 31, 2010.
- Components of the FMAP increase: Hold Harmless, Across-the-Board increase, and Unemployment Adjustment.

HHSC estimates indicate that Texas would receive some \$4.63 billion in additional federal funding: \$1.61 billion in FY 2009, \$2.18 billion in FY 2010, and \$0.8 billion in FY 2011

- Maintains the FY 2008 FMAP rate;
- Across-the-Board FMAP increase is 6.2 percentage points;
- Qualifying states would also receive an unemployment adjustment tiered according to the percentage increase in unemployment.

Requirements for state eligibility to receive the FMAP increase include:

- Medicaid eligibility standards, methodologies, or procedures cannot be more restrictive than those in effect as of July 1, 2008, and a state is not eligible for the across-the-board increase (6.2 percentage points) or the additional unemployment adjustment "if any amounts attributable (directly or indirectly) to such increase are deposited into any state reserve or rainy day fund.

- "Reserve" and "Rainy Day Fund" are not defined in statute.

Prompt payment requirements for Medicaid providers must be met.

- States must ensure that 90 percent of claims submitted that do not require additional information or documentation are paid within 30 days, and 99 percent of such claims within 90 days.
- Texas is currently exceeding this requirement.

States must submit a report by September 30, 2011, to the Secretary of Health and Human Services regarding how the funds were spent. It requires the Governor to certify that the State will request and use the funds to create jobs and promote economic growth (certification within 45 days of enactment).

- The Governor submitted a letter to the President on February 18, 2009, certifying that Texas will accept the funds and use them to promote economic growth and to create jobs.

SERVICES FOR THE SERIOUSLY MENTALLY ILL

Molly Van Ort (Dallas) mnvo@sbcglobal.net

No report.

Natural Resources

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

Additional bills that we support that have been referred to the Senate Natural Resources Committee and passed first reading:

- [SB 456 \(Gallegos\)](#) Regulation of Toxic Hot Spots
- [SB 457 \(Gallegos\)](#) Penalties for Major Sources
- [SB 458 \(Gallegos\)](#) More Stringent Air Permits

- **SB 459 (Gallegos)** Disclosure of Emissions Events

New bills that have been filed include:

SB 483 (Seliger/Carona/Deuell) WATCHING This bill offers a franchise tax credit to “clean coal” projects that use integrated gasification and combined cycle technology, as well as permanently sequestering carbon dioxide in a geological formation to be monitored by the Bureau of Economic Geology of the University of Texas at Austin.

SB 760 (Davis) SUPPORT Relates to a pilot program for a dry process cement kiln stack to determine the effectiveness of a selective catalytic reduction technology as an advanced control technology for reducing the nitrogen oxide emissions from the cement kiln stack.

SB 902 (Davis) SUPPORT Requires that operators of gas wells use techniques to minimize the release of gas and associated vapors during completion or recompletion of the well.

HB 1446 (Allen) SUPPORT This is another bill that requires that TCEQ look at the cumulative effects of air contaminant emissions, taking into consideration facilities located less than 100 miles from the facility or proposed facility.

HB 1447 (Allen) SUPPORT Requires the TCEQ to establish an air pollutant watch list.

HB 1469 (Villarreal) SUPPORT This bill adds a “carbon dioxide emission impact statement” to any economic impact statement on bills and joint resolutions presented to the legislature. These impact statements would be prepared jointly by the TCEQ and the Legislative Budget Board.

HB 1525 (Alvarado) SUPPORT Companion bill to SB 459 relating to disclosure of emissions events.

ENERGY Penny Miller
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The primary action taken on most energy bills so far has been to assign the bills to committee.

However, **HB 25 (Leibowitz)** and **SB 236 (West)**, which both prohibit property owner’s associations from restricting homeowners from installing solar energy devices, seem to be moving quickly. A public hearing on **SB 236** is scheduled for March 4 and on **HB 25** is scheduled for March 2.

HAZARDOUS WASTE Melanie Barnes (Lubbock)
Melanie.barnes@ttu.edu

SB 338 (Van de Putte) Support Bill requiring businesses to maintain recycling bins for plastic bags and offer reusable bags at a reasonable price. In Business and Commerce Committee. No further action.

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

Filed bills to **WATCH**:

HB 1195 (Dukes) Relating to the issuance of a permit for a municipal solid waste landfill located near certain municipalities.

HB 722 (Howard, Donna) Relating to the authority if certain municipalities to regulate the location of facilities to supply drinking water.

HB4 (Orr) had been referred to the Land and Resource Management Comm. It relates to eminent domain, including certain limitations, procedures, and standards relating to the use of eminent domain.

TRANSPORTATION Edie Jones (Tarrant County)
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No report. On vacation.

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

No report