



Legislative Newsletter

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

May 22, 2009
Mary Finch, Advocacy Vice President

81st Texas Legislature

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Scherel Carver, Editor

We are now down to ten more days before Monday, June 1, the last day of the 81st regular session. Bills and parts of bills, thought dead, are being purposed as amendments onto related bills that have come through the process. Keeping track of all this and advocating at the same time are keeping your League lobbying team running.

We are not creating a Legislative Newsletter next week May 29. The next Newsletter will come out in the first week of June. Our Program Chair inputs are due the day before the end of the session. We hope to have tracked what bills passed this session and which ones did not. There will be a final Newsletter the week following June 21st, the last day the Governor can sign or veto bills passed during the regular session.

For the latest information on a bill in this newsletter, click on any of the bill numbers and then click on "actions." The latest actions on that bill will be displayed.

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

Bills on the Move

Following is information on some education bills of note that were still viable and advancing through the Legislature, as of May 15, 2009.

Public School Finance

HB 3646 (Scott Hochberg) **SUPPORT** Would provide some financial relief for school districts and a pay raise for teachers, passed out of the House on May 12. There were 19 amendments to the bill, and the Senate referred it to its Education Committee. The League has gone on record in support of this bill. There were reports that sections of this bill could be combined with Senate Education Chair Florence Shapiro's school finance bill, **SB 2392**.

Prekindergarten

HB 130 (Diane Patrick) **SUPPORT** This bill to establish a grant program allowing school districts to im-

plement a quality, full-day prekindergarten program was considered in a hearing of the Senate Education Committee on May 14. Both the author and the Senate sponsor, Judith Zaffirini, testified in support of this bill that has the strong support of the League (topic of a May 6 Action Alert) and many groups. **The bill was left pending while Patrick and Zaffirini develop a committee substitute.**

Accountability

HB 3 (Rob Eissler) This proposed overhaul of the public school accountability system was passed unanimously by the Senate on May 14. Sen. Florence Shapiro added one amendment concerning elective requirements. It mandates that a student under any graduation plan take at least one **fine arts** credit and one **physical education** credit in order to graduate. The next step is for the House to accept the bill as amended in the Senate or for a reconciliation in conference committee.

State Board of Education

HB 772 (Donna Howard) SUPPORT Would require the State Board of Education to broadcast its meetings over the Internet, was passed on May 15 by the Senate, where the sponsor is Sen. **Wendy Davis**. The League has gone on record in support of this bill.

Other Bills

The following bills were voted favorably out of the Senate Education Committee on May 14 and sent to the local and uncontested calendar:

HB 635 (Ryan Guillen) SUPPORT As passed by the full House, this bill would authorize the TEA to seek, accept, and distribute grants awarded by the federal government or any other public or private entity for the benefit of public elementary and secondary education. The League supports this effort.

HB 1423 (Ryan Guillen) As passed by the House, would allow public junior colleges to apply for an open enrollment charter school on its campus or in the same county. The school program must be under the supervision of an experienced faculty member and must be designed to meet specific, measurable goals.

HB 2480 (Scott Hochberg) SUPPORT As passed by the House, would allow a public junior college to enter into an agreement with a school district, organization, or person operating a high school to offer a course for joint high school and junior college credit regardless of service areas. The League supports this effort.

The following bills were voted favorably out of the House Public Education Committee on May 15 and sent to the general calendar:

SB 300 (Dan Patrick) OPPOSE As passed by the full Senate, would amend or repeal certain state mandates on school districts. The League has gone on record in opposition to this bill. Two provisions would: (1) permit a school district to seek exceptions to the 22-1 class size limit, providing that the expiration expires at the end of the school year for which is was granted, and as long as a school district applies for the exception not later than Oct. 1 or the 30th day after the first school day the district exceeds the limit; and (2) require that districts conduct school bus emergency evacuation training once each school year, allowing training to be conducted by video (current law requires live training once per semester). Other provisions concern long-range energy plans and measures to reduce energy consumption.

SB 644 (Florence Shapiro) SUPPORT As passed by the full Senate, would require the commissioner to adjust the average daily attendance of a non-wealth recapture district if all or part of that district is located in an area declared to be a disaster area by the governor if the district experiences a decline in enrollment attributable to the disaster. The League supports this bill.

SB 1830 (Dan Patrick) OPPOSE As substituted by the House Public Education Committee, this bill would allow the TEA to grant charters beyond the current 215 cap and would allow one or more campuses to be opened under one charter. Several provisions were removed from the original bill: allowing facilities funding to be paid to charter schools on a per-student basis, and incentives for collocation agreements between charters and traditional public schools.

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

SB 362 (Fraser) OPPOSE This is the Voter ID bill on which we sent out an Action Alert in opposition last week. I hope you have called with your opposition. It has been sent to Calendars and we do not know just when it will come to the floor of the House.

HB 1448 (Allen) SUPPORT Relating to the requirements for voter registration. We also supported this bill in the Senate (Ellis)

HJR 39 (Allen) SUPPORT Post-ratifying Amendment XXIV to the Constitution of the United States prohibiting the denial or abridgment of the right to vote for failure to pay any poll tax or other tax. HJR 39 has cleared the House and **would symbolically ratify the 24th Amendment to the U.S. Constitution, approved in 1964**, barring a poll tax for any voter in a federal election. Texas voters rejected state-level re-

peals in 1949 and 1963 before going along in 1966, but the state never signed off on the federal amendment. Rep Allen was asked why affirm a change already cemented for decades? "It's the principle" Allen said. "It's a question of what's right and what's wrong."

SB 1783 (Carona) SUPPORT SB 1783 relates to the use of an offender identification card or similar form of identification as proof of identity for an applicant for a driver's license or commercial driver's license.

Sometimes Election Laws issues come up as Amendments in other bills. Right now we are watching such an Amendment. **This Amendment would require proof of citizenship be added to a Public Safety Bill.** If such an Amendment has been added to a bill in the Public Safety meeting on Monday, we will be **AGAINST** it.

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

SB 1569 (Eltife)/ HB 3153 (Parker) SUPPORT The major action in state finance now centers on SB 1569, and its identical twin, HB 3153. The Senate version is now on the calendar. The bill strengthens the state unemployment insurance system, and in doing so, ensures that Texas qualifies for \$555 million in federal funding to help Texans who are out of work. The bill also enables Texas to qualify for \$250 million more in federal funds to activate the program that extends emergency unemployment compensation for

Texans. The League strongly supports amending and passing SB 1569 to solve this fiscal problem.

HB 4765 (Oliviera, et al) OPPOSE Unfortunately, the House passed HB 4765, raising the revenue exemption on businesses from \$300,000 to \$1,000,000, and significantly reducing state funding for public education. This bill has been referred to the Senate Finance Committee. The league continues to oppose this bill strongly.

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

No bill has yet passed both houses but some have advanced and some are stalled.

HB 3216 (Naishtat) SUPPORT would notify a respondent of a filed complaint to the Texas Ethics Commission by telephone or electronic mail the status of the complaint. This tightens up the process and lets the complainant know if the complaint was valid or not. The League signed in favor at a hearing in the Senate State Affairs Committee. The bill was left to be considered.

HB 3218 (Naishtat & Zaffirini) SUPPORT The League signed in support of HB 3218 (Naishtat & Zaffirini) in the Senate State Affairs Committee. It was reported out favorably with no amendments and referred to the Senate Intent Committee. This bill would standardize complaint forms to the Texas Ethics Commission.

HB 1359 (Anchia) SUPPORT This bill that would prohibit campaign contributions in state buildings, for which the League signed in favor, was laid on the table subject to call. This usually ends up nowhere. The

House bill took the place of **SB 1152 (Hinojosa)** an identical bill in the Senate.

CSHB 2511 (T.Smith & B. Brown) SUPPORT Defines what constitutes administrative expenses, referring primarily to corporation and union campaign funds that in the past have not been clarified. This became a political hot potato in the last session. The bill passed the House on third reading with a vote of 71 yeas and 63 nays.

HB 4060 (T.Smith & Leibowitz) SUPPORT Would limit the time when judicial candidates can accept contributions even if there is no opponent. This bill passed the House and will be heard in the Senate State Affairs Committee on May 18. The League will sign in favor.

HB 1997 (McCall) SUPPORT Would prohibit the acceptance of campaign contributions between the time the governor signs legislation and the start of a special session. Was left pending in the Senate State Affairs Committee.

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

SB 1315 (Wentworth) SUPPORT Bill is still on the Senate intent calendar.

HB 104 (Strama) & HJR 19 (Strama) SUPPORT The House Redistricting Committee will not vote these bills out of the committee.

HJR 90 (Pena) SUPPORT No change

HJR 135 (Ritter) SUPPORT No change

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

Bad Bills: Several "bad" bills are still very much alive and kicking:

- **SB 182 (Patrick) OPPOSE** The "ultrasound" measure that passed the Senate several weeks ago is now in the House State Affairs Committee.
- **HB 3796 (Morrison) OPPOSE**, This so-called "coerced abortion" measure is in the House Calendars Committee and could be scheduled for a floor vote at any time. Meanwhile, a substitute version of its

Senate companion measure, **SB 2571 (Shapiro) OPPOSE**, has been reported favorably out of the Senate State Affairs Committee and could be scheduled for a Senate vote at any time.

- **HB 109 (Phillips) OPPOSE, now part of HB 3097** (see LNL #10) and companion **SB 1098 (Carona) OPPOSE**, the "Choose Life" license plates measures, have passed both chambers in one form or another and await further action.

Good Bills: On the other hand a couple of “good” bills are in Calendars

- **[HB 892 \(Villarreal\) SUPPORT](#)** (Would increase outreach for the Women’s Health Program – see LNL #8)
- **[HB 1978 \(Farias\) SUPPORT](#)** (The teen pregnancy prevention measure described in LNL #9) Both are in Calendars Committee and hopefully will be scheduled for a vote.

Dead Bills

Several important House deadlines having passed, a number of House bills, both “good” and “bad”, are now officially “dead” (though there remains a possibility of their being attached to other legislation). These include:

[HB 36 \(Corte\) OPPOSE](#) The House version of the “ultrasound” measure (though as noted above the Senate version is very much alive)

[HB 44 \(Corte\) OPPOSE](#)

[HB 680 \(Farrar\) SUPPORT](#)

[HB 684 \(Farrar\) SUPPORT](#)

[HB 741 \(Castro\) SUPPORT](#) (the House version of Education Works – see LNL #2)

[HB 891 \(Villarreal\) SUPPORT](#)

[HB 893 \(Villarreal\) SUPPORT](#)

[HB 1371 \(Rodriguez\) SUPPORT](#)

[HB 1567 \(Villarreal\) SUPPORT](#)

[HB 1694 \(Strama\) SUPPORT](#) (the House version of Prevention Works – see LNL #4)

[HB 2221 \(Farrar\) SUPPORT](#)

[HB 2592 \(Thompson\) SUPPORT](#)

[HB 2968 \(Coleman\) SUPPORT](#)

[HB 3152 \(Christian\) OPPOSE](#)

Note that the Senate versions of some of these measures are still viable, at least theoretically.

No Action

No new actions have been taken on the following previously reported Senate bills: **[SB 515 \(Ellis\) SUPPORT](#)** (Senate version of Education Works – see LNL #2)

[SB 591 \(Van de Putte\) SUPPORT](#)

[SB 592 \(Van de Putte\) SUPPORT](#)

[SB 593 \(Van de Putte\) SUPPORT](#)

[SB 594 \(Van de Putte\) SUPPORT](#) (companion to HB 892, above, increase outreach for the Women’s Health Program – see LNL #8 – so definitely some hope for this one)

[SB 1076 \(Van de Putte\) SUPPORT](#)

[SB 1100 \(Watson\) SUPPORT](#) (the Senate version of Prevention Works – see LNL # 8).

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

[HB 3265 \(Rose, et al\) SUPPORT](#) and **[HB 4175 \(Bolton, et al\) SUPPORT](#)** HB 3265, relating to granting Hill Country counties regulatory authority to do basic land use management, and HB 4175, relating to granting counties with population over 800,000 authority to adopt buffer zone regulations, are expected to die in the House. After two years of work by the Representatives and their staffs, as well as other interested parties, they both made it to the Calendars Committee but were never presented to the House for a floor vote.

(Wentworth) **[SB 2097](#)**, **[SB 2100](#)**, **[SB 2202](#)**, **[SB 2451](#)**, **[SB 2452](#)** **SUPPORT ALL** Senator Jeff Wentworth’s five bills on the issue were never heard in committee.

As with many other worthy bills on many other topics, the only (very slim) hope is to attach these bills as amendments to other bills.

Administration of Justice

CAPITAL PUNISHMENT

[HB 877 \(Naishtat\) SUPPORT](#) would create a commission to Study Capital Punishment in Texas. This bill was sent to the Calendars committee on

April 22. HB 877 is still being held in the Calendars committee.

HB 2267 (Hodge/Dutton) SUPPORT requires a separate prosecution of a capital felony against two or more defendants. It also prohibits a death penalty judgment against a defendant who is considered a party (Law of Parties) to the crime, as in a

party to the crime but did not kill someone e.g. person driving a car to a crime. This bill has passed the House and is now in the Senate Capital Punishment committee for a hearing scheduled May 21.

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

HB788 and **HB 3439** are still pending in committee. **HB498** (review of wrongful convictions) passed the House on 5/15. **SB1948** is now out of House Committee (inmate skills

development assessment instrument) having passed unanimously by those present. Thanks to testimony from Capitol Corps member Natalie Balden.

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

SB 188 Duell/Van de Putte) SUPPORT Committee reported. SB 188 is scheduled on the House Calendar for May 21.

HB 272(Ortiz) HB 3707 (Coleman) SUPPORT Identical to HB 142 Elements of this bill were rolled into SB 188.

HB142 (McClendon/Crabb/Ortiz Jr./Naishtat) SUPPORT Elements of this bill were rolled into SB 188.

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

CSHB 3689 (McLendon) CSHB 3689 passed by House

SB 1020 (Hinojosa) SUPPORT The House and Senate have apparently reached agreement regarding TYC. The agreement includes a reduced budget of \$210 million a year and a reduction in staffing from 4300 to 3700, both in response to the reduced TYC population since the last session. The offenders not sent to TYC facilities will remain in programs in their own communities. The agreement approved \$48 million for new community-based programs.

The negotiators have not decided whether to close any TYC schools or whether to require the agency to be reviewed in two years or twelve. Because of the major problems and major changes involved, **we believe the review should occur sooner rather than later.**

We should watch in the future that the state does not reduce funding for local programs. Counties and municipalities will be unable to fully fund these programs, and at-risk and offending youths will not receive needed intervention services.

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

HB 3995 (Hunter) SUPPORT The nonpartisan judicial appointment/retention bill has not moved from the Local & Consent Committee. With the time running out, it would appear the bill will not get heard and the time has passed to refer House bills to the Senate. Although the League remained neutral in two other efforts to reform the way we select judges, none made it out of committees.

HB 3146 (Anchia) NEUTRAL A public financing system for judicial races did not have a hearing in the Elections Committee. The League took no position on the bill because it did not address nonpartisanship. The fact that judicial selection had a good deal of publicity recently will help build public awareness. As LWVUS President Mary G. Wilson said in a recent speech **we must begin with public education** if we are to succeed. **That will be our mission.**

SB 2226 and **SJR 44 (Duncan)**, these bills are on the Senate Calendar for debate on May 18.

Social Policy/Human Resources

CHILD ABUSE & NEGLECT Betty Williamson bettybettybetty@austin.rr.com for Carol Pino

Many of the bills we have been watching and have supported are moving through the process. Now let's

hope the Legislature doesn't run out of time to have them all passed before they adjourn.

SB 89 (Van de Putte) SUPPORT This bill relates to prosecution, punishment, and prevention of trafficking for certain forced or sex-based labor or services.

SB 67 (Nelson) SUPPORT Was voted on by Senate and passed. The bill relates to criminal history check requirements for those working with children in agencies.

SB1411 (West) WATCHING Passed the Senate, and the House Committee report was sent to calendars. The bill has to do with financial assistance programs for children in the conservatorship of DFPS.

SB 1064 (Watson) WATCHING Passed in the Senate, but no action has been taken in the House Committee. The bill relates to DFPS having access to records of children being investigated.

SB 1646 (Van de Putte) WATCHING Passed Senate vote and the House Committee reported favorably as substituted. This bill will create the Council of Children and Families and the Children Behavioral Health Council.

SB 277 (Nelson) SUPPORT Passed Senate vote and reported out of the House Committee on Human Services favorably without amendments. This bill has to do with DFPS investigations of abuse of disabled children and provides a criminal penalty.

HB 1041 (Parker) Scheduled for Senate Public Hearing on May 19 and relates to school district policies on addressing sexual abuse.

SB 2080 (Uresti) SUPPORT Passed the Senate, and the House Posting Rule was suspended, making it possible for a House public hearing on May 19.

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

As this is written, there are just two more weeks left in the 81st Legislative Session. Many needed improvements for CHIP and Children's Medicaid are still possible, thanks to support from a number of legislators and to strong advocacy from the League, its coalitions, and many dedicated individuals. **Chances are good for a CHIP buy-in.**

HB 1541 (TURNER, SYLVESTER) SUPPORT Even though **HB 1541**, which the League acted to support, was allowed to die in the Committee on Calendars; 12-month Children's Medicaid is still on the table.

Bills to create a monthly premium-based CHIP program for children from 200-300% of the Federal Poverty Level (FPL):

SB 841 (Averitt) SUPPORT and **HB 2962 (COLEMAN) SUPPORT** Passed in their respective

chambers. The vote for SB 841 was overwhelming and the vote for HB 2962 was well over a majority. The House Bill had been amended in several significant ways. Especially encouraging was the passage of an amendment by Representative Turner for 12-month coverage for Children's Medicaid. Another successful amendment called for improvements in eligibility system performance standards of the Health and Human Services Commission. Inefficiency and delay in the system have prevented many eligible children from attaining or retaining coverage. Other additions related to counting an automobile or college savings as assets when determining eligibility for some programs.

These are exciting developments, but many things can still change in the final days of the Session.

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

Time is running out for legislators to make good on their pre-session pledges and advocates holding them to their promises. Portions of expired bills may reappear as amendments to bills further through the process. The coming days will be a time for continued bill monitoring and amendment watching.

SB 59 (Zaffirini) SUPPORT Posting rules suspended May13 in the House Human Service Committee relating to the qualifications of training providers for child-care employees/operators facilities.

SB 67 (Nelson) SUPPORT Posting rules suspended May15 after first reading without a hearing in the House Human Service Committee. Relates to the imposition of operator/employee criminal history check

requirements of certain facilities and agencies serving children, the elderly, or persons who are disabled. Amendment states duty on a governmental entity is not mandatory without a specific fiscal appropriation.

SB 68 (Nelson) SUPPORT (Position change due to House amendment 5/7/09) Placed on General State Calendar May18. House Committee Amendment No. 2. SB 68 requires the Department of Family and Protective Services (DFPS), before adopting minimum standards for school-age programs, to convene a temporary work group to advise DFPS regarding the proposed standards.

SB 1730 (West) SUPPORT Passed the Senate and earlier this week was in the Texas House. Relates to

a minimum training hour increase for child care staff and Directors. When it comes to increasing the quality of child care, Texas has some of the lowest standards in the country for child care professional development. If SB 1730 becomes law, the following training standards will be required: Child care workers will be required to receive 8 pre-service training hours, and 8 more within 90 days of employment (current requirement: 8 hours of pre-service only). Child care workers will be required to receive 17 hours of annual training (current requirement: 15 hours of annual training). Child care Directors will be required to receive 30 hours of annual training (current requirement: 20 hours of annual training). **With no fiscal implications, SB 1730 still has possibilities.**

SB 81 (Nelson) SUPPORT Sent to House Calendars. Regarding the Texas Workforce Commission providing payments to a provider of unregulated, self-arranged child care, pending a background and criminal history check.

SB 282 (Nelson) SUPPORT Sent May13 to House Local and Consent Calendar Committee. This bill relates to funding grant programs to provide nutrition education to children contingent upon a specific fiscal appropriation for the grant implementation.

HB 130 (Patrick) SUPPORT Pending in the Senate Education Committee following testimony Thursday May 14. HB 130 would provide grants to school districts for full-day, enhanced-quality pre-k programs. The bill also has a commitment of \$25 million for the coming biennium from House-Senate budget negotiators. Only a small percentage of eligible students could be covered with that amount, but it is a start, and the quality standards, if kept intact, would set a strong precedent.

SB 21 (Zaffirini et al) SUPPORT Companion to HB 130. Pending in the same committee and will likely merge with HB 130. State advocates are now calling and e-mailing their Senator, Governor Perry, and Lt. Governor Dewhurst to bring HB 130 to a vote and support HB 130 based on valid pre-k research.

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. House Senate amendments printed and distributed May 15.

No action taken since last report on the following bills:

HB 950 (Dutton) SUPPORT Relating to the modification or enforcement of a child support.

HB 136 (Villarreal) SUPPORT Referred to Senate Education Committee 5/8/09 with companion **SB 1032 (Van de Putte) SUPPORT** Regarding prekindergarten programs parent notification strategies implemented by a school district.

Bills signed or to be signed by the Governor:

SB 90 (Van de Putte et al.) SUPPORT Signed by the Governor and effective immediately. SB 90 relates 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. Relates to prohibiting the sale or use of unsafe children's products; providing a civil penalty.

HB 1240 (Villarreal) SUPPORT Passes Senate and will be sent to the Governor relating to information required to be provided to parents of an infant.

The following bills are active, but remaining in present form is slim due to time constraints. Bills may proceed or portions may be amendments to other bills:

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

SB 1613 (Lucio) WATCHING Pending in Senate Health & Human Service Committee relating to establishing an Early Childhood Behavioral Consultation Grant Program. The Budget Conferees Committee announced a mental health funding increase of \$82 million over and above the current funding of \$82 Million over the biennium.

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

HB 1637 (Turner, Chris et al.) Relating to unemployment compensation program.

HB 32 (Leibowitz) SUPPORT Relating to employee discrimination.

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

No report

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

The “Dead Zone” According to an article in the *Houston Chronicle* (10 May 2009), “Legislation to limit illegal immigration is already dead, its sponsor said.” They are in what the *Chronicle* calls the “Dead Zone.”

[SB 358 \(Patrick\) OPPOSE](#) Relating to the enforcement of state and federal laws governing immigration by certain governmental entities, this bill has taken its second step backward. Twice it was placed on the intent calendar then removed, and twice it has not again been placed on the intent calendar.

[SB 89 \(Van de Putte\) SUPPORT](#) Relating to the prosecution, punishment, and prevention of offenses involving trafficking of persons or certain forced or sex-based labor or services. (Identical to HB 639) it has been sent to House Calendars Committee.

[SB 1212 \(West\) NEUTRAL](#) Relating to granting limited state enforcement authority to the agents of the Office of Inspector General of the US Department of Veterans Affairs. It has been sent to the House Defense and Veterans Affairs committee and a hearing is scheduled.

[SB 1784 \(Carona\) OPPOSE](#) Relating to the requirement of citizenship or lawful presence in the US for the issuance of a driver’s license, personal identification certificate, commercial driver’s license, or commercial driver learner’s permit. It has not again been placed on the Senate intent calendar, having been placed there before.

[SB 1818 \(Van de Putte\) SUPPORT](#) (Identical bill [HB 3360](#)) Relating to the exemption from the administration of certain assessment instruments to students who are asylees or refugees. After hearings and testimony, the bill is still pending in the House Education Committee.

No action has been taken on the following bills since they were assigned to the House State Affairs Committee.

[HB 622 \(Harless\) SUPPORT](#)

[HB 658 \(Jackson\) SUPPORT](#)

[HB 266 \(Berman\) OPPOSE](#)

[HB 416 \(Leibowitz/Button\) SUPPORT](#)

MEDICAID Lynda Ender (Dallas) LEnder@theseniorsource.org

It is truly crunch time!! Friday, May 22 is the last day for the House to consider House bills not in conference committees.

[HB 1081 \(Herrero\) PASSED](#) It is now in the hands of the Governor!! The bill would require the posting of certain information regarding nursing homes and related institutions on the Department of Aging and Disability Services website.

[SB 37 \(Zaffirini\) SUPPORT](#) This bill has almost made it. It passed the Senate and has passed to third reading in the House. It is relating to providing home- and community-based support services under the Medicaid program to persons who are deaf-blind with multiple disabilities.

[SB 286 \(Nelson\) SUPPORT](#) This bill is close to passing. It has passed the Senate and is on the House General Calendar. It would encourage electronic records and the issuance of a Medicaid passport, so that when people move within or out of the state, their records can be accessed by new health care providers. **This will be great for frail elderly moving to live with relatives or into facilities, foster children, etc.**

[SB 287 \(Nelson\) SUPPORT](#) 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, had a public hearing in the House Public Health Committee, and

the League signed in favor of the bill, but it is still in committee.

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, has had a hearing in the House Public Health Committee, and the League signed in favor of the bill, but it is still in committee.

SB 531 (Patrick) SUPPORT This is another bill with momentum. It would coordinate the process for filing

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

No report.

claims submitted for payment from the Medicaid program. It has passed the Senate and was scheduled for a public hearing in the House Public Health Committee on May 19.

SB 705 (Nelson) SUPPORT This is one of the bills that I really like, and it is moving!! This bill would streamline the administration of and delivery of services through Section 1915(c) Medicaid waiver programs and lists streamlining initiatives. It has passed the Senate and was scheduled for a public hearing in the House Public Health Committee on May 19.

Natural Resources

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

One bill in the House was reported out of Committee and sent to Calendars! (As opposed to no movement of any bill last week.)

HB 3581(Dunnam) SUPPORT Representative Dunnam's bill requires the creation of a publicly-accessible electronic emissions database.

Pending in House Committee

SB 16 (Averitt) SUPPORT This is the primary "air" bill in the legislature. It is still pending in the House Environmental Regulation Committee as of May 1.

The following three bills by Senator Gallegos, which we supported last week, were all left pending in the Senate Natural Resources Committee on May 12:

SB 456(Gallegos) SUPPORT Regulation of toxic hot spots.

ENERGY Linda Swenson llswenson@yahoo.com Penny Miller pmiller737@aol.com

Most of the energy bills we have supported appear dead. The three with any hope of passage are as follows:

HB 280 (Anchia, et al) SUPPORT Would require electric utilities to offer energy efficiency incentives. Has moved successful through the House Energy Resources Committee and the House Calendars Committee. On May 14, the House decided to substitute **SB 546** (its companion bill that already passed in the Senate) and then laid that bill on the table.

SB 457(Gallegos) SUPPORT Penalty assessments by major sources.

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

In addition

SB 763 (Watson) SUPPORT This bill requires state agencies to purchase low-emissions vehicles as a minimum percentage of their purchased vehicles. It passed the Senate Finance Committee on April 13, was engrossed, sent to the House where it was sent to the Environmental Regulation Committee. Its companion bill, **HB 657** by Villarreal, is still pending in the Environmental Regulation Committee. **We have hopes for this bill!**

HB 366 (Anderson) SUPPORT Would create a task force to look at the state's long-term energy needs. It is on the General State Calendar. It has no companion bill in the Senate. However, as previous chairs have mentioned, the Senate has been much more responsive than the House.

SB 236 (West) SUPPORT Relates to the regulation of solar energy devices by a property owners' association. Passed the Senate, the House Business and Industry Committee, and has been in the House Calendars Committee since May 7.

HAZARDOUS WASTE

SB 338 (Van de Putte) SUPPORT No change

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

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

No report.

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

HB 55 (Branch) SUPPORT Passed the House on Friday May 15 and now goes to the Senate. Bill forbids drivers from using cell phones while driving through school zones. Bill is based on ordinances adopted in many cities.

HB 4061 (Smith) SUPPORT Auto ignition locks required for all drivers convicted of DWI. Previous law did not require first time offenders to have the locks. Bill goes to Senate.

SB 855 (Carona) SUPPORT Texas Local Option Tax Passed out of Committee to go to the full House for vote in the next two weeks. Bill was amended in House. (See last week's LNL.)

The Texas Rail Relocation and Improvement Fund was approved by a constitutional amendment in 2005 to finance rail improvements around the state. There is still nothing in the current budget to fund this amendment, even though the source was intended to come from TxDOT funds.

A proposed constitutional amendment was approved 7 - 0 that would allow the gasoline tax to rise with producers prices. Increases would be capped at 3 cents per gallon for each two-year period under the proposed amendment. It is part of the amendment that mandates that gasoline tax revenue be spent on transportation.

This week is critical as the House Calendars Committee decides which additional bills go to the House floor.