



# Legislative Newsletter

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

April 17, 2009

81<sup>st</sup> Texas Legislature

Volume 20, No. 7

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Scherel Carver, Editor

## News from the Capitol

Please pay special attention to Elaine Talarski's Redistricting column this week. Senator Wentworth's bill SB 315 is still one vote short of passing the Senate. Please call any or all the Senators listed in her column as voting against SB 315. We need everyone's help. Numbers of calls to a Senator's office do make a difference!

A voter ID bill is expected to pass out of the House Elections Committee next week. An Action Alert will be sent out to League members when this bill is scheduled on the House Calendar. Please help stop this egregious attempt to hinder voting.

The League has delivered a long list of testimony at the Capitol this session already. You can read Testimony and Advocacy Papers on the state website: [www.lwvtexas.org](http://www.lwvtexas.org) A new AP on voter ID was just put on the website. Click on "Press & Public" and then on "Advocacy." APs are on this page and testimony can be found by clicking on "testimony" at the top part of the page.

## Progress of Bills in the 81<sup>st</sup> Texas Legislature Deemed a Priority by LWV-Texas

### Government

#### EDUCATION/PUBLIC SCHOOL FINANCE Nan Clayton (Austin) [nanclayton@yahoo.com](mailto:nanclayton@yahoo.com)

The League went on record in opposition to three voucher bills that came before the Senate Education Committee on April 7. They were all left pending. They included **SB 183 (Williams)**, which would allow certain students with disabilities to get scholarships to attend private schools; and **SB 1301** and **2204 (Shapiro)**, which establish provisions for the state to make payments for certain special education students with autism or autism spectrum disorder to attend private schools or qualifying community providers. The League has opposed all proposals for voucher programs because they drain funds from public schools.

#### Testing and Accountability

Gaining written support from the LWV TX were several bills that directly relate to the League's recent study on testing and accountability.

They included **SB 1601 (Watson)** and **SB 2087 (Wendy Davis)**. Both would create alternatives to the punitive sanctions in the state's accountability rating system that would close campuses with chronically low ratings.

**HB 3467 (Naishtat) SUPPORT** The League also supported this bill designed to curb excessive testing.

At meetings of the **House Public Education Committee**, the League filed cards in **SUPPORT** of the following bills: **HB 2471**, **HB 3467**. Cards were filed in opposition to **HB 2541**, **HB 3703**.

At the **Senate Education Committee**, the League filed cards in support of the following bills: **SB 1601** and **SB 2087**. The League opposed **SB 183**, **SB 1301**, and **2204**.

#### Following is information on the new bills listed:

**House Public Education Committee: [HB 3467](#)**

**Senate Education Committee: [SB 1301](#), [SB 1601](#), [SB 2087](#), and [SB 2204](#).**

#### Other Bills:

**HB 3467 (Naishtat) SUPPORT** Relates to the administration of certain locally required assessment instruments in public schools. The bill would prohibit a school district from administering locally required assessments to any student on more than 10% of the

instructional days in any school year, in an area assessed under state testing requirements (TAKS and end-of-course exams), unless the student's teacher in that subject area agrees to the administration of the test.

**SB 1301 (Shapiro) OPPOSE** Relates to the accessibility of services for certain students with autism or autism spectrum disorder. This voucher bill would allow eligible special education students to attend their school of choice, including a private school.

**SB 1601 (Watson) SUPPORT** Relates to sanctions for public schools designated academically unacceptable. The bill provides an alternative to school closure for chronic low test scores, placing in statute a system to repurpose struggling campuses. The proposal would require that a technical assistance team, or campus intervention team assigned to a district as part of improvement measures under the Texas accountability system, must work with a commissioner-appointed monitor, conservator, management team, or board of managers, who could recommend that the technical assistance team or campus intervention team is no longer needed.

**SB 2087 (Davis, Wendy) SUPPORT** Relates to sanctions available for certain academically unacceptable campuses. The bill would prohibit the commissioner of education from imposing additional sanctions on a school campus from the time a campus intervention team has been appointed until the team has completed its evaluation and has provided recommendations for school improvement, and until the school has then received necessary financial or other assistance determined in the improvement plan, and has had two years to implement the plan.

**SB 2204 (Shapiro) OPPOSE** Relates to the enhancement of services for certain students with autism or autism spectrum disorder and training and support for educators who serve students with autism. This voucher bill would allow certain students with autism or autism spectrum disorder, at the option of their parents, to access services through a qualifying community provider or private school, as part of the Autism Interdisciplinary Enhancement Program.

**ELECTION LAWS** Barbara Weinstein (Dallas) [gewwendt@swbell.net](mailto:gewwendt@swbell.net)

**NO CHANGE: WATCHING** [HB 373](#) (Anderson/Flynn), [HB638](#) (Leibowitz, [HB 513](#) (Vo), [HB 536](#)(Anchia/etal), [HB 551](#) (Madden), [HB 1103](#)(Guillen

**Bills on House Elections Committee Agenda 4/7/09 on which we took action. TESTIFIED OPPOSE on all:**

**HB 125 (Brown) OPPOSE** Relating to requiring a voter to present proof of identification.

**HB 3556 (Bonnen) OPPOSE** Relating to requiring a voter to present proof of identification.

**SB 362 (Fraser) OPPOSE** Relating to requiring a voter to present proof of identification.

**Bills on House Elections Committee Agenda 4/15/09 on which we took action.**

**HB 157 (Chavez) NEUTRAL** Companion [HB 245](#) Relating to the registration of voters at a polling place and related procedures.

**HB 627 (Anchia) SIGN IN SUPPORT** Relating to the registration of voters at a polling place during early voting by personal appearance and related procedures.

**HB 1256 (Allen) SIGN IN SUPPORT** Relating to requiring the posting of notice of voter complaint information at a polling place.

**FINANCING STATE GOVERNMENT** Bonnie Leitch (New Braunfels) [bleitch@earthlink.net](mailto:bleitch@earthlink.net)

**The budget goes to the full House this week.** "Overall, House budget writers trimmed nearly \$4 billion off the Senate's budget. They did so largely by approving \$2 billion less in bond financing for new highways and spending \$2 billion less for Medicaid, the nation's main health care program for the poor." The question of whether Texas legislators will change the eligibility rules for the unemployed to receive federal stimulus money is still unanswered.

Disappointingly, [HB 133](#), requiring the mandatory sales price disclosure of real property, has stalled and will most likely die in the Ways & Means Committee. [SB 217](#), tying the rate of the state's gasoline tax to the producer price index, has been read and filed in the Transportation and Homeland Security Committee, but no action has yet been taken.

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

The following bills that relate to various aspects of campaign finance reform will be heard in the **Elections Committee** on April 15, 2009:

[HB 391](#), [HB 756](#), [HB 1359](#), and [HB 2511](#). Except for [HB 391](#), these are minor bills. There are others also listed on the agenda but again they are minor clean-up

bills. In other news The League signed in favor of but did not testify for [HB 1997](#) on the period in which contributions can be accepted, and [HB 4060](#) in which a

judicial candidate may not accept a political contribution after a certain date even though there is no opponent. These bills were left pending.

**REDISTRICTING** Elaine Talarski (San Antonio) [etalarski@earthlink.net](mailto:etalarski@earthlink.net)

**SB 315 (Wentworth) SUPPORT** This bill is still on the calendar waiting for one more vote to be passed by the Senate. **Twelve Senators have voted no. Six Leagues have contacted Senators Estes, Harris, Nelson, Nichols, Patrick, Shapiro, and Williams seeking their support. Other Senators who have voted no and also need to be contacted are Fraser, Hager, Huffman, Jackson, and Ogden.** Members are urged to contact these that are in your district expressing the importance of passing this bill and urge their support.

**HB 104** enabling legislation for **HJR 19 (Strama) SUPPORT** These bills are scheduled for a public hearing in committee on April 16, 2009. Testimony from LWV-TX will be submitted.

**HJR 90 (Pena) SUPPORT** No action

**HJR 135 (Ritter) SUPPORT** Companion bill to HJR 90.

**REPRODUCTIVE CHOICE/WOMEN'S HEALTH** Julie Lowenberg (Dallas) [jmlowenberg@sbcglobal.net](mailto:jmlowenberg@sbcglobal.net)

**SB 182 (Patrick) OPPOSE** Has been placed on and removed from the Senate Intent Calendar several times. It could be voted on at any time. **CONTACT YOUR SENATOR AND URGE A "NO" VOTE** on this "ultrasound" requirement measure.

On March 31, LWV-TX filed testimony in **SUPPORT of HB 741 (Castro) and of HB 1567 (Villarreal)** at a hearing by the House Public Education Committee. HB 741, the Education Works measure described in LNL # 2, would ensure that Texas schools teach sexual health with a medically accurate and balanced approach teaching abstinence along with facts about contraception and responsible decision making.

**HB 1567**, described in LNL #4, would require instruction on contraceptive use to be scientifically accurate when it is taught as part of a school's health curriculum. Noting that Texas schools currently fail to give young people complete and accurate information they need and that the state has an alarming rate of teenage births and STI's, LWV stated that teens "need reliable information to protect them from the lifelong consequences of unintended pregnancies and STI's" and that "enactment of these measures would decrease the incidence of teen pregnancy and parenthood and promote self-sufficiency and reduce poverty among Texas children and families." [state bills' status as of deadline]

As of this Newsletter deadline, we have learned that HB 741 has a good chance of being voted upon favorably by the Committee. Meanwhile, no hearing has been scheduled in the Senate Education Committee, chaired by Sen. Shapiro (R-Plano) for the companion Education Works measure, **SB 515 (Ellis) SUPPORT.**

**WHAT YOU CAN DO: IF YOU ARE A CONSTITUENT OF SENATOR SHAPIRO,**

**CONTACT HER AND ASK THAT SB 515 BE GIVEN A HEARING.**

**License Plates Bills**

On April 2, LWV-TX signed in **OPPOSING HB 109 (Phillips)**, the "Choose Life" license plates bill described in LNL #1. The bill was heard by the License Plates Subcommittee of the House Transportation Committee and is still pending in committee.

LWV-TX filed testimony in **SUPPORT of SB 592 (Van De Putte)** at a hearing by the Senate Health and Human Services Committee on 4/7. This measure, as described in LNL #2, would allow an unmarried minor parent to consent to medical treatment and services related to contraception. Noting that Texas has the highest rate of repeat births to teenagers in the nation, LWV stated that parenting minors are already at increased risk of poverty and dependence and that greater access to contraception will help protect them from repeat births and further vulnerability. The bill is still pending in committee.

**SB 1098 (Carona) OPPOSE**, the "Choose Life" license plates companion measure to HB 109 (see above), has been sent to the Senate Health and 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 684 (Farrar) SUPPORT; HB 891 (Villarreal) SUPPORT; HB 893 (Villarreal) SUPPORT; HB 1371 (Rodriguez) SUPPORT; SB 1694 (Strama) SUPPORT; HB 2221 (Farrar) SUPPORT; HB 2592 (Thompson) OPPOSE; SB 593 (Van de Putte) SUPPORT; SB 1076 (Van de Putte) SUPPORT; SB 1100 (Watson) - SUPPORT**

**TEXAS CONSTITUTIONAL REVISION** Sandy Ashby (The Woodlands) [marieashby7@comcast.net](mailto:marieashby7@comcast.net)

No activity in this area.

**STATE/LOCAL RELATIONS** Karen Rankin (Austin) [karenrankin@austin.rr.com](mailto:karenrankin@austin.rr.com)

**County Authority** Three of the major bills on the House side had hearings in the past week.

**HB 3265 (Rose) SUPPORT** Was heard and passed in the County Affairs committee. The League testified in favor of the bill, along with county judges and commissioners from many Hill Country counties.

In the Land and Resource Management committee, **HB 4175 (Rodriguez) SUPPORT** and **HB 4262 (Bolton) SUPPORT** were heard, but left pending. The League also testified in favor of both of those bills.

In the Senate, all of the major bills have been assigned to Intergovernmental Relations, but none has been heard: **SB 578** (Wentworth) SUPPORT, **SB 2097** (Wentworth) SUPPORT, **SB 2202** (Wentworth) SUPPORT (counterpart to **HB 4262**), **SB 2451** (Wentworth) SUPPORT (counterpart to **HB 4175**), **SB 2452** (Wentworth) SUPPORT (counterpart to **HB 3265**), and **SJR (Lucio) WATCH** (counterpart to **SB 1370** (Lucio) SUPPORT which has been referred to International Relations and Trade).

Wentworth's bills with House counterparts are of particular interest.

**Administration of Justice**

**CAPITAL PUNISHMENT**

**HJR 24 (Naishtat) SUPPORT** This bill proposes a constitutional amendment calling for a moratorium on the death penalty. It is considered dead for this session.

**HB 877 (Naishtat) SUPPORT** Creating a commission to study Capital Punishment in Texas. HB 877 may be voted out of the Capital Punishment Sub-committee next week.

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

**HB 498** and **HB 788** Both pertain to the proposed establishment of an innocence commission and both have been left pending in committee.

**SB 1948** Passed the House. Sent to the Senate on April 9. **HB 3439** Testimony will be given on 4/16.

**DRUG LAWS AND POLICIES** Elaine Talarski (San Antonio) [etalarski@earthlink.net](mailto:etalarski@earthlink.net)

**SB 188 (Duell/Van de Putte) SUPPORT** Allows communities to initiate clean needle and syringe exchange programs. Passed the Senate March 23 and was sent to the House. Referred to Public Health by the House on March 31, 2009

**HB 142 (Mc Clendon/Crabb/ Ortiz Jr. /Naishtat) SUPPORT** Identical to SB 188. Still in Public health committee.

**HB 272** and **HB 3707** are similar bills to **HB 142**.

**HB 164 (Naishtat) SUPPORT** Change to the Health and Safety Code for physicians to legally prescribe marijuana for medical use. No action by the committee.

**JUVENILE JUSTICE** Jayne Krawietz (Midland) [jkrawietz@suddenlink.net](mailto:jkrawietz@suddenlink.net)

**SB 1374 (West) SUPPORT** Creates a community-based corrections pilot program for juvenile felony offenders. The pilot will be created by the Texas Juvenile Probation Commission in consultation with TYC.

The Sunset Advisory Commission recommended the creation of a community corrections pilot program that would target low-risk, juvenile felony offenders. This recommendation is consistent with the objective that TYC commitments should be reduced and institutional confinement should be reserved for the more serious juvenile felony offenders.

I think this de-centralization is inevitable; the question is now more about who is going to pay for it. No Fiscal Note has been submitted yet. One concern I have had about community-based corrections programs is that the state might mandate them, but not pay for them. Local government budgets would be hard-pressed to be able to fully fund adequate programs. **If League members contact their Senators about this bill, this concern should be raised.**

## **JUDICIAL SELECTION** Maxine Barkan (Austin Area)

**HB 3995 (Hunter) SUPPORT** This is a new bill that was filed after the March 13 deadline. This bill meets most of the requirements for an appointment/retention system to select appellate court judges. To fill a vacancy for each office, an appointment will be made according to the Texas Constitution requirement, that is, the governor. The judge or justice is then subject to retention or rejection at a nonpartisan retention election after a term of office. If a judge or justice does not seek to be retained, the process goes back for an appointment to the office followed by a nonpartisan retention election. For a retention election, the judge or justice must file a declaration with the Secretary of State. The name of the person will be on a nonpartisan retention/rejection ballot under that heading. No write-in names can be submitted. Campaign contributions would follow the requirements of Title 15 of the Texas Election Code. The election would require a majority vote. On April 6, 2009, the House Judiciary and Civil Jurisprudence Committee heard invited testimony by Chief Justice Wallace Jefferson followed by public testimony. The Chief Justice spoke in favor of an appointment/retention system to select judges and justices. One issue he emphasized was the problem with those who vote a straight party ticket. Such voting has resulted in some nonqualified judges being elected and some qualified judges being defeated. The League

presented written and oral testimony in favor of HB 3995. The bill was left pending.

**SB 782 & SJR 23 (Duncan)** Would provide for appointment/retention system of judicial selection and has been withdrawn. Instead, Sen. Duncan filed **SB 2226 & SJR 44 (Duncan)** that would provide for a partisan election of judges followed by a retention/rejection election. **SB 2226** has been heard in the Senate State Affairs Committee April 9, 2009. The League remains neutral and did not testify. We are opposed to the part that would require a partisan election, but there is also a provision for a nonpartisan retention election which we would favor. Texans for Public Justice testified against the bill.

**HB 1346 (NEUTRAL)** Would provide public financing for appellate court judges and justices will be heard in the Elections Committee April 14. Several groups and individuals are in favor of this approach to reduce the cost and therefore the potential for influence on judicial decision making. However, while the League supports public financing, this bill does not provide for nonpartisan elections as in North Carolina, which has nonpartisan public financing of elections. **A major League goal is to have nonpartisan judicial elections.**

## Social Policy/Human Resources

### **CHILD ABUSE & NEGLECT** Carol Pino (Wimberley) [cpino@hughes.net](mailto:cpino@hughes.net)

**April is Child Abuse Prevention Month.** Will Texas act to protect children? The Senate filed 7,134 bills, many pertaining to children, but will any of them become law? The Senate passed its version of the budget this week and the House is scheduled to act next week. To date, the outlook is not too promising for increases in funding to service providers who provide services to children.

Since the last Newsletter, there has been very little movement for the bills previously mentioned. The only action has been with the following bills.

**HB 277 (Nelson) SUPPORT** has been sent to the House.

**SB 89 (Van de Putte)/HB 639 (Thompson) SUPPORT** Was scheduled for a hearing on April 7th.

**HB 67 (Nelson) SUPPORT** was placed on the intent calendar.

**SB 1646 (Van dePutte)/HB 3259 (Naishtat) WATCHING** This bill has come to my attention. Children's services in Texas are compartmentalized with no mechanism for working together. This bill creates a new Council on Children and Families in Texas that would work to reduce duplications, address gaps and improve quality and delivery of various services benefiting children. In 24 states, similar councils have helped improve outcomes for children. This bill is scheduled for a committee hearing on April 14th.

### **CHILD HEALTH CARE** Susan Majors (Richardson) [majorssusan@gmail.com](mailto:majorssusan@gmail.com)

On April 2, the League of Women Voters of Texas submitted written testimony to the Senate Finance Committee in **SUPPORT** of **SB 841 (Averitt)**. The bill provides for the expansion of CHIP to families with incomes greater than 200% of the Federal Poverty Level (FPL). The bill would allow a sliding scale buy-in to 300%

FPL and a full-cost buy-in above 300% FPL. **HB 1329 (Rose) SUPPORT** is the bill's identical companion.

Another bill allowing families to buy into CHIP is **HB 4278 (Herrero) SUPPORT**. The bill also calls for adjusting the threshold for establishing a CHIP assets test

from 150% FPL to 250% FPL and adjusting the threshold for allowable assets and allowable vehicle values upward. It clarifies inclusion of children in families with greater assets in a full-cost buy-in program.

**HB 67 (Lucio III) SUPPORT** Has been voted unanimously out of the Human Services Committee and sent to Calendars. The bill would permit a Medicaid buy-in for children with certain disabilities living in families up to 300% FPL. **SB 187 (Deuell) SUPPORT** is the bill's similar companion.

There are over forty bills filed in the House and over a dozen filed in the Senate that are directly related to increasing and improving health insurance coverage for children through CHIP and Children's Medicaid. (Beyond that, there is proposed legislation in a wide variety of other areas of concern for child health. Childhood obesity is just one example.)

**On the long list of bills still in committee, the League has been active in SUPPORT of:**

[HB 584 \(Dukes\)](#)  
[HB 647 \(Dukes\)](#)  
[HB 676 \(Eiland\)](#)  
[HB 745 \(Dukes\)](#)  
[HB 787 \(Cohen\)](#)  
[HB 843 \(Martinez\)](#)  
[HB 862 \(Naishtat\)](#)  
[HB 1080 \(Turner, Chris\)](#)  
[HB 1329 \(Rose\)](#)  
[HB 1541 \(Turner, Sylvester\)](#)  
[HB 1699 \(Martinez\)](#)  
[HB 1903 \(Bolton\)](#)  
[HB 2199 \(Marquez\)](#)  
[HB 2200 \(Marquez\)](#)  
[HB 2204 \(Gonzales\)](#)  
[HB 2206 \(Gonzales\)](#)  
[HB 2388 \(Hernandez\)](#)  
[HB 2962 \(Coleman\)](#)  
[HB 4278 \(Herrero\)](#)  
[HB 4662 \(Lucio III\)](#)  
[HJR 125 \(Eiland\)](#)

[SB 23 \(Zaffirini\)](#)  
[SB 187 \(Deuell\)](#)  
[SB 349 \(Shapleigh\)](#)  
[SB 577 \(Shapleigh\)](#)  
[SB 841 \(Averitt\)](#)  
[SB 1252 \(Zaffirini\)](#)  
[SJR 21 \(Watson\)](#)

The League continues to **OPPOSE**: [HB 2376 \(Turner, Sylvester\)](#)

We will **WATCH** the remainder of the bills related to CHIP and Children's Medicaid for the possibility that they would emerge from committees and go forward for consideration.

**There are major BUDGET concerns related to each of the League's priorities for CHIP and Children's Medicaid for the session.**

#### **(1) Twelve-Month Eligibility:**

Currently, neither the Senate Budget nor the House Budget includes funds for 12-month coverage for Children's Medicaid. Without the impact of strong advocacy efforts funding is unlikely.

#### **(2) Improved Intake and Outreach:**

In the Senate a placeholder rider may allow the Health and Human Services Commission to acquire staff needed to deal with severe problems in the eligibility intake system. The budget bill in the House includes a stronger, clearer rider authorizing adequate numbers of staff.

#### **(3) Expansion of CHIP beyond 200% FPL:**

There is not explicit funding for CHIP to 300% FPL in bills in either the House or the Senate. The House has riders and understandings intended to make adequate unspent CHIP funds from the current budget available for taking CHIP to 300% FPL in 2010-2011, and the budget bills allow for contingency riders to be added for any bills that pass one chamber.

**EARLY CHILDHOOD** Marlene Lobberecht (Houston Area) [marlene@lobberecht.com](mailto:marlene@lobberecht.com)

Texas Health and Human Service Commission (HHSC) has invited stakeholders to review and provide feedback on the Redesigned Integrated Application (Form H1010-E). [\[Redesign Project\]](#) The application redesign project includes changing the graphic design and revising the text to make the application easier to read, understand and fill out. HHSC is seeking individuals that have worked with the forms. It is really easy to provide input. There are two versions of the redesigned application. One allows applicants to apply for all programs, including Medicaid for the Elderly and Disabled (MEPD) and the Medicare Savings

Programs (MSP). Comments are due by 5 p.m. Monday, April 20, 2009. Draft information is provided on the web site.

For those wondering what it takes to get a specific bill heard in committee, you are not alone. The answer to the question is simple. One call or email from you can **help** a specific bill get a hearing in the Texas Legislature. Contact the committee clerk of the Committee to say you urge the Chair to give a specific bill a hearing! The Committee Clerk for each Committee can be found online. You may call or e-mail them with your request.

**[SB 59](#) (Zaffirini) SUPPORT** Hearing 4/7/09 and left pending in Health and Human Services committee

**[SB 67](#) (Nelson) SUPPORT** Placed on Senate calendar 4/14/09.

**[SB 68](#) (Nelson) SUPPORT** House received from the Senate.

**[SB 81](#) (Nelson) SUPPORT** Referred to Human Services in House.

**[SB 90](#) (Van de Putte et al.)** House Committee passed and report sent to Calendars and companion **[HB 174](#) (King, Susan; Berman) WATCHING** no movement

**[SB 95](#) (Van de Putte et al.) and [HB 217](#) (Menendez) SUPPORT** Senate passed and sent to the House; House committee reported favorably as substituted.

**[SB 282](#) (Nelson) SUPPORT** Education committee hearing 4/14/09.

**[HB 136](#) (Villarreal) SUPPORT** Reported favorably out of committee and companion **[SB 1032](#) (Van de Putte) SUPPORT** In Public Education committee with first reading 3/13/09

**[HB 161](#) (Deshotel) SUPPORT** Passed in the House and moving to the Senate.

**[HB 1240](#) (Villarreal) SUPPORT** Passed House and received by Senate 4/1/09

**No bill movement on the following:**

**[SB 122](#) (Ellis) and [HB 3192](#) (Ortiz, Jr.) SUPPORT**

**[SB 156](#) (Ellis) and companion [HB 326](#) (Raymond) SUPPORT**

**[SB 382](#) (Van de Putte et al.) and companion [HB 429](#) (King, Susan) SUPPORT**

**[SB 1349](#) (Van de Putte) companion [HB 2446](#) (Rose) SUPPORT**

**[SB 1499](#) (Van de Putte) SUPPORT**

**[SB 1730](#) (West) SUPPORT [HB 130](#) (Patrick) and companion [SB 21](#) (Zaffirini et al) SUPPORT**

**[HB 188](#) (Alonzo) SUPPORT**

**[HB 275](#) (Rodriguez) SUPPORT**

**[HB 316](#) (Raymond) SUPPORT**

**[HB 1241](#) (Villarreal) SUPPORT**

**[HB 1877](#) (Alvarado; Rios Ybarra) SUPPORT**

**[HB 1891](#) (Madden; Eissler) OPPOSE**

#### **EQUAL OPPORTUNITY/INCOME ASSISTANCE** Mildred Derrough Pope [mderrpope@yahoo.com](mailto:mderrpope@yahoo.com)

**[HB 32/33](#) (Leibowitz) SUPPORT and [HB 32](#)** Relate to prohibiting discrimination against certain employees who sustain injury in the scope of employment. **[HB 33](#)** Relates to certain requirements for employers not covered by workers' compensation insurance. Both Left pending in subcommittee since March 23.

**[HB 34](#) (Leibowitz) SUPPORT Companion [HB 32](#) and [33](#)** Relating to the enforceability of certain contracts between an employer who does not have workers' compensation and an employee of the employer. Scheduled for public hearing April 14.

**[HB 248](#) (Alonzo) SUPPORT** Referred to Elections 02/17/2009. Relates to protection of the rights of Texas voters without regard to race, color, ethnicity, or membership in a language minority group.

**[HB 492](#) (Zerwas) SUPPORT** March 31 was reported favorably as substituted. Relates to the expansion of faith- and community-based health and human services and social services initiatives.

**[HB 522](#) (Giddings) SUPPORT** February 18 was referred to Public Education. Relates to intensive preparation academies in certain school districts to prepare public school students to take required end-of-course assessments instruments.

**[HB 612](#) (Naishtat) I et al SUPPORT** Left pending in committee March 26; some public testimony by Capitol Corp. Relating to the eligibility of certain persons for the food stamp program (food assistance for needy).

**[HB 497](#) (Zerwas) SUPPORT** 02/18/2009 Referred to Defense & Veterans' Affairs Relating to study of the feasibility of creating a job training program for certain individuals discharged from the Texas National Guard.

**[HB 785](#) (Rodriguez I et al.) SUPPORT** 04/06/2009 Committee report sent to Calendars Relating to employment services for persons with disabilities.

**[SB 950](#) (West) SUPPORT** 03/25/2009 Intergovernmental Relations (In) No action taken in committee Relating to a fee imposed on real estate transactions to fund the housing trust fund.

**[HB 1627](#) (Naishtat I et al.) SUPPORT** Left pending in committee Relating to low-income Home Energy Assistance Program payments to assist certain households receiving food stamp benefits.

**[HB 1637](#) (Turner, Chris I et al.) SUPPORT** 04/07/2009 Referred to Economic Development Relating to normal weekly hours of work under the shared work unemployment compensation program, under the American Recovery & Reinvestment Act.

**HEALTH CARE SYSTEM FOR OLDER TEXANS** Maria Johnson (Austin Area) [mmjohnson6@hotmail.com](mailto:mmjohnson6@hotmail.com)

Progress has been made on the following bills:

**HB 1081 (Herrero) SUPPORT** and **SB 705 (Nelson) SUPPORT** are engrossed

**HB 1453 (Naishtat) SUPPORT** is in the Calendars Committee.

**HB 802 (Davis) SUPPORT** has been sent to Calendars Committee.

**SB 2402 (Chavez) SUPPORT** and **SB37 (Zaffrini) SUPPORT** are scheduled for public hearing on 4/16 in the Health and Human Services Committee.

**IMMIGRATION** Millie Whittington (Houston Area) [milliekbw@aol.com](mailto:milliekbw@aol.com)

**HB 4487 (Howard) OPPOSE** This bill prevents any governmental agency (local or otherwise) from prohibiting enforcement of federal immigration laws (by their local entities). It encourages agreement between state agencies and federal agencies in enforcement of immigration and customs laws enacted by the federal government. (e.g. City of Houston would be encouraged to enforce federal immigration statutes).

**HB 4675 (Phillips) OPPOSE** A driver's license would henceforth state whether the holder is a US citizen. Unless the information verifying citizenship has been previously provided to the department, each person will be required when applying for a renewal, original, or duplicate driver's license, to provide the information.

**HB 4620 (Deshotel) SUPPORT** This bill specifies that a political subdivision may not regulate residential tendencies based on immigration status. A landlord may not inquire about nor refuse to lease solely on the basis of immigration status.

**HB 2222 (Farrar) SUPPORT** Relates to a prohibition on law enforcement inquiries regarding the nationality or immigration status of a victim of or a witness to a criminal offense except as necessary to investigate the offense.

**SB 1677 (Hinojosa) SUPPORT** Relates to what a person providing immigration assistance may and may not do. It includes registration with the Secretary of State, advertising provisions, fees that may and may not be charged, plus civil and criminal penalties to a provider of immigration assistance who fails to comply.

**SB 1212 (West) NEUTRAL** Relates to granting limited state law enforcement authority to special agents of the Office of Inspector General.

**HB 3334 (Merritt) NEUTRAL** Relates to the cost of replacing a law-enforcement officer during training for enforcement of immigration laws.

**MEDICAID** Lynda Ender (Dallas) [LEnder@theseniorsource.org](mailto:LEnder@theseniorsource.org)

**It is time for advocacy on the following bills:**

**SB 78 Nelson SUPPORT** This bill has passed the Senate and is in the House Insurance Committee. 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.

**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 has been assigned to the House Public Health Committee.

**SB 286 Nelson SUPPORT** This bill has momentum. It would encourage electronic records and the issuance of a Medicaid passport, so 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. It has passed the Senate, has had a hearing in the House Public Health Committee. **If you support this bill, contact the following Committee members: Kolkhorst, Naishtat, Coleman, John Davis, Veronica Gonzales, Hopson, Laubenberg, McReynolds, Truitt and Zerwas.**

**SB 531 Patrick SUPPORT** This is another bill with momentum. It would coordinate the process for filing claims submitted for payment from the Medicaid program. It has passed the Senate and is in the House Public Health Committee.

**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 (Wow! The House passed a bill!) and has been received in the Senate, but has not been assigned to a committee.

No report

## Natural Resources

### **AIR QUALITY** Laura Blackburn (Seabrook, LWV-Houston)

As the business of the legislature begins to move more quickly, many things are happening in air quality. We gave testimony on several bills on April 15.

**Scheduled for public hearing on April 15, 2009** by the House Environmental Affairs Committee. We prepared statements for all of them:

**[HB 29](#) (Dutton) SUPPORT** This bill relates to considering the cumulative effects of air contaminant emissions.

**[HB 776](#) (Strama) SUPPORT** This bill is identical to SB 119 by Ellis and relates to the implementation by the TCEQ of the California Low Emission Vehicle Program to apply to cars and light trucks. It would apply to vehicles with a model year of 2012 or later. We supported a similar bill in the last legislative session.

**[HB 2497](#) (Dunnam) SUPPORT** Relates to a conditional reduction of nitrogen oxides emissions from certain coal-fired electric generating facilities. It requires that coal plants in non-attainment areas reduce nitrogen oxides to the extent technically feasible.

**[HB 3424](#) (Burnam) SUPPORT** This bill sets nitrogen oxide emission limits for cement kilns in non-attainment areas.

**[HB 3582](#) (Dunnam) SUPPORT** This bill requires TCEQ to create a comprehensive emissions database.

**[HB 3942](#) (Truitt) [SB 760](#) (Wendy Davis) SUPPORT** Companion bills that provide for a NO<sub>2</sub> catalytic reduction pilot for cement kilns.

#### **Action on bills:**

**[SB 16](#) (Averitt) SUPPORT** We appeared before the Natural Resources Committee on March 19 in support of this omnibus bill. It was amended on April 8 and then passed to engrossment on April 8. **It now goes to the House and most likely will be passed.**

**[SB 171](#) (Gallegos) SUPPORT** Requires the establishment of effects screening levels with cancer effects set at one possibility out of 100,000. We would rather see one chance in 1,000,000 and will submit remarks to that effect for the hearing scheduled for April 14. We submitted remarks for its companion, HB 769, which is still pending in the House Environmental Regulations Committee.

**[SB 184](#) - (Watson) SUPPORT** This bill relates to development of "no regrets" greenhouse gas emission reduction strategies by the TCEQ and passed the Senate on April 8. It was sent to the House on April 9. We sent supportive remarks on March 16.

**[SB 760](#) (Davis) SUPPORT** SB 760 relates to a pilot test of an advanced control technology for the reduction of nitrogen oxides emissions. We present remarks on April 7 in support of this bill, and it was left pending in committee. Its companion, **[HB 3942](#) (Truitt)** is scheduled for public hearing on April 15 and we will again submit supportive remarks.

**[SB 902](#) (Davis) SUPPORT** Limits natural gas and associated vapors from a gas well. We submitted supportive remarks on April 8 and it is still pending in committee.

**[SB 1472](#) (Gallegos) SUPPORT** Requires that public hearings be held on permits required under the Texas Clean Air Act. It was placed on the Intent calendar on April 14.

**[SB 1541](#) (Gallegos) SUPPORT** Creates an air pollutant watch list. We offered supportive remarks on March 24, and it passed the Senate on April 9. It was received by the House on the same day.

**[HB 557](#) (Hernandez) SUPPORT** We submitted a supporting statement to the Environmental Regulations Committee on April 1 relating to the establishment of an air pollution watch list. It was left pending in committee.

**[HB 769](#) (Hernandez) SUPPORT** We also submitted a supporting statement to the Environmental Regulations Committee on this bill. It relates to establishing effects screening levels and was left pending in committee on April 1.

**[HB 2587](#) (Burnam) SUPPORT** Requires the TCEQ not issue permits that do not meet the standards of the Clean Air Act. It was heard on April 8 and left pending in committee.

**[HB 3428](#) (Hernandez) SUPPORT** We gave supportive comments on behalf of this bill on April 1 and it was left pending in the Environmental Regulations Committee.

**ENERGY** Penny Miller [pmiller737@aol.com](mailto:pmiller737@aol.com)

No report

**HAZARDOUS WASTE**

**SB 338 (Van dePutte) SUPPORT** Legislation to require certain businesses to offer re-usable bags for merchandise at the point of sale and have a recycling bin

for return of plastic bags. Passed by the Senate on April 9 and sent to the House.

**LAND USE** Karen Haschke (Austin Area) [karenhaschke@sbcglobal.net](mailto:karenhaschke@sbcglobal.net)

No report

**TRANSPORTATION** Edie Jones (Tarrant County) [edithsjones@hotmail.com](mailto:edithsjones@hotmail.com)

**Senate Bill 855 SUPPORT** The Committee Substitute for SB 855 (CSSB #855), also known as the **Texas Local Option Transportation Act** (TLOTA) passed on April 14 on third and final reading in the Senate. An Action Alert was sent out to contact senators to request that they continue their support for this bill. Individual contacts were made to many of the senators who supported the

bill on the second reading to ask for their continued support on the third reading. When the corresponding bill comes up for vote in the House (currently HB #9), we will be asking members to contact their representatives. This bill lets the local voters in each county vote on, identified transportation needs, the method for payment.

**WATER** Mary Vogelson (Dallas Area) [mnvo@sbcglobal.net](mailto:mnvo@sbcglobal.net)

No Report