

TEMPAC

475 5407

'81 Session

Sample Worksheet for Strategy Planning

OVERALL GOAL: Pass bill requiring energy audits on state-owned buildings.

Objectives	Tactics (steps to be taken)	Person(s) responsible	Contacts League & community	Budget (costs)	Time frame
1. See that bill is drafted.	Check with TENRAC (Carol Tombari) to see if bill being drafted by Texas Legislative Service.	Miller			Oct.-Nov.
2. Determine who to ^{contact} introduce bill and establish w/ sponsor(s) and committee(s)	(a) Check with Carol (b) Call on committee sponsors and request to make statement at hearing. (c) Check with Committee Clerk(s) to let them know of our interest and request them to alert us of hearing.	Miller		\$60	Jan-Feb
3. Write review of bill for Legislative Newsletter.	Write!	Miller, Bene			
4. Contact other interested groups.	Telephone or write.	Miller	TEC TSES CEC Sierra Club		
5. Write members of committee indicating our support--have appropriate LL's write, too.	Draft letter; alert local leagues through LN or individually.	Miller			
6. Present testimony at hearing.	(a) Write and have approved. (b) Testify	Miller		\$60	
7. Send out Action Alert to all LL's and AA Corps	Write Action Alert & give to LO.	Miller, Bene			After committee passes bill.
8. Write thanks to sponsor. Write letter.		Miller			May-June.

Probable Successes

EDF increase
Salary

E audit on St Bldys

LL Waste safeguards

Q. the school targeted categorical aid

increase teachers salaries

automatic ^{restoration of} voting rights for ex felons

State wide sup. of jail standards

(antiy crim. just. planning fund)

a good I & R (safeguards part)

Hazardous waste mgmt & funding

Get Amst to raise int clk on water dev bonds

T

To increase effectiveness

Use Capital Corps more efficiently

DIC (staff contacts) Dev Intern Contacts

Earlier cultivation of legislators

Go to their off for info. give info. Reg contact, sub forers
Send with them.

Publicize successes

Interviews on 2 or 3 issues

Jan press conf to announce priorities

BJ wiretapping

LLW Full Discl.

HR of proposals

Press conf on most
controversial
one or 2

Better inv of local leg. in personal lobbying in Austin

Maybe

DHR funding

Full disclosure of real
estate prices

Incentives for waste recycling

Opposing wiretapping

Only 6 action alerts at all

DHR, probably not appropriate

Solar

Fall diesel & real estate prices

anything good in sch finance

Youth correctives

Adult

1-R, Election Code (not likely)

Kill a bad bill probably water

Hazardous waste

Karen

House restructures itself + Senate OKs
Senate " " " House "

They wrangle over Congressional dist.

Will be first statewide restruct. under voting rights law.

If feds don't accept, may require spec. legislation

TAC probably recommend not impl^{ment} 1st & 2nd in Harris Co

Extend life of urban parks from cig. tax
conservation

Mandatory thermal & lighting stds

Defining van-pooling to remove from public buses

Energy audit of state buildings

Salon

TO: LL Presidents, please forward 2nd copy
to Action Chairman; DPM

FROM: Nancy Bené, Legislative Director

RE: Possible Legislative Successes in the
1981 Session

LWV-Texas
November, 1980
LL Pres. Mailing(2); DPM
I. A. 2.
Action - State

During our Program-Action meeting in Austin, November 5 and 6, LWV-T program directors were asked what they predicted could be legislative successes in the next session. Perhaps the following list places us in the position of mystic seers, but we thought you might be interested in what they came up with. You might want to put this in your files until after the governor signs the bills next June just to see how close we came to reality.

The lists are divided into two categories: 1) probable successes and 2) "maybe" successes. I might caution you that this memo is strictly for you and your board's information and should NOT be duplicated in any way for your general membership. I'm sure you realize that what goes on during the session rarely bears any resemblance to the real world and, depending on what's happening at any one time, might have profound consequences on our program.

Probable Successes

- Solar legislation
- Low-level nuclear waste management
- Energy audits for state buildings
- Automatic restoration of voting rights for ex-felons
- Funding for Criminal Justice Division (includes a jail standards commission)
- Safeguards for initiative and referendum
- Hazardous waste management and funding
- Energy Development Fund increase
- Bail bond regulations
- Amendment of aggravated rape and sexual abuse statute

"Maybe" Successes

- DHR requests
- Incentives for solid waste recycling
- Full disclosure of property sales

#



P.O. BOX 2910 AUSTIN, TEXAS 78769 (512) 475-5627
P.O. BOX 7241 HOUSTON, TEXAS 77008 (713) 520-8068

opinion: How to lobby

by Debra Danburg

Policy making, goal setting, and sharpening issue positions are the proper concerns of our feminist organizations. And we can be as democratic, as informal, and as non-hierarchical or as non-manipulative as is humanly possible in our internal deliberations. But if our group decision is to influence the legislative process, we must secure people who can play the "good ole' gals" game, and we must trust their judgment and cooperate with them to the fullest extent.

We are not the average lobby, with the average lobbyists. Possibly 98 per cent of the influence peddlers who haunt the halls, restaurants, and bars of the Capitol are middle-aged men in three-piece suits and western boots. Many are former legislators, and most are being paid over \$20,000 per client, with several accounts per session. Their idea of "grassroots support" is the \$500 or \$1,000 campaign contributions that their clients paid to each legislator. They would be embarrassed to ask for an appointment without the security of these "door-opening," attention-gaining contributions.

By contrast, the public interest contact person . . . the "people's lobbyist," is often young, a woman, and outrageously underpaid.

This one paid staff person is often required to train the hiring support groups in lobbying techniques, coordinate constituent response through the organizational "network," and choreograph all committee hearings which affect their organizations' interests.

The most important resource available to a public-interest or an issue-oriented lobbyist is the people who support their issue(s). Without money and favors to attract a legislator's interest, the only remaining lever is popularity.

Public opinion is an abstract commodity by comparison, but legislators can be made to respond to their constituents, provided that the pressure strategically placed on the official is in a manner which cannot be ignored or overshadowed.

Knowing who needs pressure, when, and in what form is the most important function of the lobbyist. Targeting swing votes, focusing support energies, and providing "problem" legislators with just the right "excuse" to vote with us are the most important things our lobbyist can do. For all legislators to receive random letters is far less impressive and influential than to have the four "swing votes" on a critical committee receive all 2,000 pieces of mail on an issue.

For that mail to be influential, it should be in the form of personal letters, especially when sent to one's own representative. The most ineffective thing that one can do to influence a legislator is to send him/her a random form letter or petition.

Suggestions for an effective personal letter include:

- State that you are a constituent/voter/supporter (if true).
- Cite specific bill numbers, so that staff members can better find and trace them.
- Give personal examples and creative arguments that might lend new light to an old subject, but keep it short and concise.
- Ask for a response. This insures that the letter will be read and filed. Make the responses available to your lobbyist when your correspondent is committed or remains a swing vote.
- If you plan to visit your legislator, state your intentions.

Another real attention getter is carefully timed and targeted telegrams. Few people can help but yield to the pressure of 50 to 75 telegrams from local constituents, especially when they all come the morning of the vote.

A personal visit to the Capitol is best. It demonstrates dedication, and the sort of commitment that is irresistible to most elected people. Clearly, anyone who would go to that trouble also stays abreast of issues, follows voting records, votes in almost all elections, and probably would be a likely volunteer in the future. Grassroots supporters can provide what no amount of lobbyists' money can buy, and that is dedication and fervent support.

If you plan to visit the capitol, here are some tips to make your visit effective and positive.

- Dress as if you were going to court or to a job interview. Your issue is more important to you than your freedom of attire.
- Study the voting record of those whom you will visit. Be informed.
- Be polite and friendly with administrative aides. They read your letters and are informed on the issues and their employer's position. If they like what you have to say, they can insure an audience with the elected official, and can even call him/her off the floor to meet you. They will communicate how well-informed and active you are.
- Represent your organization, when possible. Go with the power and influence implied in the numbers of a well-informed membership.

● Stick to your one issue. Do not allow a person to ignore you simply because you disagree on another unrelated or even collateral issue. Do not debate, argue, intimidate, or threaten. Do not get offended by ignorance on your issue, or by sexist language. The only way to handle such a comment without being detrimental to the primary goal of vote-securing is to politely and quickly change the subject.

● Lobby with a realistic time frame. Often the time of a hearing changes. Be prepared. Be realistic. Plan an overnight stay in Austin.

● Beyond a doubt, the most influential way to lobby is to produce personal visits by a major contributor, known campaign volunteer, or personal friend of the legislator. Naturally these people will just make more sense and seem more rational than others, because they have already established points of credibility and agreement.

We must play by the rules. The "rules" represent 100 years of pink granite "good ole' boy" tradition that no one group or issue can topple in one legislative session. Remember, the rules are not the issue, the ISSUE is. Stay focused. Keep targeted. Subrogate all collateral concerns to the issue. We cannot fight on all fronts, if we want to win.

Debra Danburg is a third-year law student and is currently in Austin serving her second legislative session as Administrative Aide to State Representative Ron Waters.

Breakthrough welcomes your expression of opinion on issues of interest to our readers. Please send your Opinion (typed, double-spaced, maximum length 1000 words) to Breakthrough, P.O. Box 88072, Houston TX 77004.

(2.) ~~Since~~ The critical spacing ^{between buildings} to avoid solar interference is measured ^{with} North-South ^{direction and} ~~having~~ residential streets run East West automatically adds the street rightway ^{width} to the two ^{front} set-back requirements to give a substantial sectional front to front ^{of buildings}. Also, normal configuration ^{of residential} ~~of lots~~ ^{produces} a similar distance back to back between houses. Thus with low rise structures ^{having North-South} no probable interference exists except for trees on reasonably level terrain.

This further indicates the importance of influencing ^{land} development in the earliest stage in order to achieve predominantly east-west street schemes they are feasible on the contours of the land. Administration of this could be entirely local as plat approval new is. I see no added expense at any level.

* Solar energy is providing far more of our energy now than it is given credit for. If we had an all cloudy winter our cost of heating, lighting, drying clothes would escalate dramatically.

People are favorable to use of solar energy but they frequently expect too much or too little. It is difficult and requires commitment and considerable handling. The education and involvement are the responsibility of T&NRAC, the Solar Energy Society, the League of WV, etc.

We see your role as helping to assure that those who

ARTS-ENERGY FAIR

Denton County Arkwork, a non-profit organization, invites you to attend and exhibit in an Arts and Energy Fair.

LOCATION

The Arts and Energy Fair will evolve around the the historic Denton County Court House and Square. It is centrally located with easy access from Dallas, Decatur, Fort Worth, and Gainesville.

ENERGY SYMPOSIUM

The Old Commissioner's Court Room, the heart of the court house, will be the location of energy saving discussions, displays, and strategies.

SALES

Sales in all areas of art and energy will be encouraged. A 20% commission will be charged. Booth assignments for exhibits, demonstrations, solar energy, and technological devices will be given at 8:00 a.m. October 25. Contact Isabel Miller at 817, 387-1659 for more information. You provide your own set up. Exhibits must be up until the end of each day's activities.

DATES/HOURS

The dates and hours of the Arts and Energy Fair are as follows:

October 25, 1980, 10:00 a.m. until 4:00 p.m.
October 26, 1980, 1:00 p.m. until 5:00 p.m.

Participant's registration must be received at 711 W. Sycamore by October 22

Denton County Arkwork, Inc., a non-profit educational institution, will take all reasonable care but cannot be held responsible for losses, thefts, or accidents. Participation in this fair indicates the participants agree to the above terms.
Please print.

WILL/WILL NOT SELL ART _____ MUSIC _____ OTHER _____

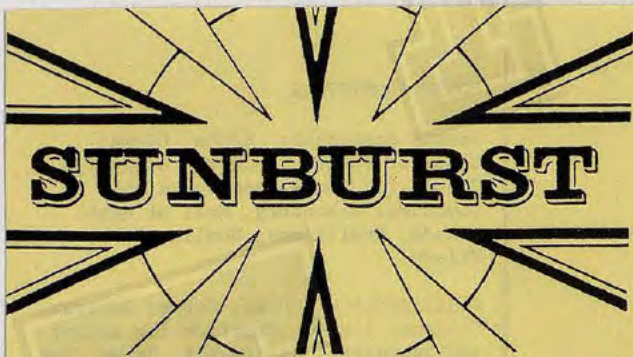
NAME _____ ADDRESS _____ TELEPHONE _____

SPONSOR _____ DESCRIPTION _____

DATE _____ SIGNATURE _____

For more information concerning the Fair and any suggestions for its benefit contact: Isabel Miller at [REDACTED] West Sycamore, [REDACTED]

SHARE WITH A FRIEND.



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VOL. 2 #1

MAR 81

MILLER
ISABEL

TEXAS HOUSE OF REPRESENTATIVES
(P.O. Box 2910, Austin, Texas 78769)

Representative

Phone
No.

Adkisson, Tommy
Agnich, Fred
Allee, Henry
Atkinson, Hamp
Barrientos, Gonzalo
Barton, Erwin W.
Benedict, Jerry
Berlanga, Hugo
Blanton, Bill
Bythe, Bill
Bock, Bennie
Bomer, Elton
Brookshire, Oscar
Browder, Larry
Bryant, John
Buchanan, J. W.
Burnett, Richard
Bush, Robert
Cain, David
Cary, Reby
Ceverna, Bill
Clark, Bill
Clark, Jerry
Clayton, Bill
Cockernham, Jerry
Cofer, Laneil
Colbert, Paul
Coleman, Ronald
Collazo, Frank
Coody, Bill
Craddick, Tom
Crawford, Bo
Criss, Lloyd
Danburg, Debra
Davis, Bob
DeLay, Tom
Deloo, Wilhelmina
Denton, Betty
Edwards, Al
Eikenburg, Frank
Elizondo, Paul
Emmett, Ed
Evans, Charles
Finnell, Charles
Florence, Buck
Fox, Milton
Garcia, A. C. (Tony)
Garcia, Matt
Gaston, R. C. (Frank)
Gavin, John
Giestweidt, Gerald
Gibson, Bruce
Gibson, Jay
Gilley, Smith
Glossbrenner, Ernestine
Gonzales, Arnold
Green, Gene

Grubbs, Walter
Hackney, Clint
Haley, Bill
Hall, Lanny
Hall, W. N. (Billy)
Hanna, Joe
Hartung, Frank
Heatly, Bill
Henderson, Don
Hernandez, Joe
Hill, Anita
Hill, Gerald
Hinojosa, Juan
Hollowell, Bill
Horn, Jim
Hudson, Sam
Jackson, Lee
Jones, Neal T. (Buddy)
Keese, Bill
Keller, Ray
Khouri, Rollin
Kubiak, Dan
Laney, Pete
Lee, Don
Lee, El Franco
Leonard, Bob
Lewis, Gib
London, David
Luna, Al
Lyon, Ted
McBee, Susan
McFarland, Bob
McLeod, Douglas
McWilliams, Jim
Madia, Frank
Maloney, Bob
Martin, Mike
Messer, Bill
Moreno, Paul
Nabers, Lynn
Nowlin, James
Patrick, Kae T.
Patterson, Pete
Pennington, Randy
Peveto, Wayne
Pierce, George
Polk, Mary
Polumbo, Tony
Presnal, Bill
Price, Al
Ragsdale, Paul
Rains, Don
Rangel, Irma
Reynolds, Jay H.
Riley, Ken
Robnett, Nolan (Buzz)
Rudd, Jim
Salinas, Froy
Saunders, Robert
Schlueter, Stan
Semos, Chris
Sharp, John
Shaw, Larry Don

Simpson, Bob
Smith, Ashley
Smith, Carlyle
Smith, Terral
Staniswalis, Chip
Sutton, Lou Nelle
Tejeda, Frank
Thompson, Gary
Thompson, Senfronia
Tow, Rodney
Turner, Jim
Uher, Tom
Uribe, Hector
Valles, Bob
Von Dohlen, Tim
Vowell, Jack
Waldrop, Tom
Wallace, Ralph
Ware, Bob
Washington, Craig
Watson, Ed
Webber, Bobby
Whaley, Foster
Whitmire, John
Wieting, Leroy
Willis, Doyle
Wilson, Ron
Wolens, Steve
Wright, Brad

TEXAS SENATE
(P.O. Box 12068, Austin, Texas 78711)

Senators

Telephone
No.

Andujar, Betty
Blake, Roy
Brooks, Chet
Brown, James E. (Buster)
Caperton, Kent
Doggett, Lloyd
Farabee, Ray
Glasgow, Bob
Harris, O. H. (Ike)
Howard, Ed
Jones, Grant
Kothmann, Glenn
Leedom, John
Mauzy, Oscar
McKnight, Peyton
Meier, Bill
Mengden, Walter H., Jr.
Ogg, Jack
Parker, Carl
Richards, Mike
Santiesteban, H. Tati
Sarpalius, Bill
Short, E. L.
Snelson, W. E. (Pete)
Traeger, John A.
Travis, Dee
Truan, Carlos
Vale, R. L. (Bob)
Williams, Lindon
Wilson, John
To be filled by special election

President of Senate:

William P. Hobby, Jr.
State Capitol, Room 219

President Pro Tem of Senate:

John Traeger
State Capitol, Room G35-B

Speaker of the House:

Bill Clayton
State Capitol, Room 241

Speaker Pro Tem of the House:

Craig Washington
State Capitol, Room 416-C1

SOLAR BILLS BEFORE THE 67th LEGISLATURE

Solar Bills	House	Senate	Committee/Status
Franchise Tax Exemption	HB673 Polk	SB267 Santiesteban	House: Ways and Means - Referred to Sub Committee Senate: Finance - No hearing yet
-Expands the scope of the current franchise tax exemption to include (also) non-exclusive solar dealers.			
-Reduces tax by percentage equal to percentage of solar in overall sales, etc.			
Texas Renewable Energy Development Commission	HB 814 Keese	SB 362 Vale	House: Energy Resources - No hearing yet
-Creates the Texas Renewable Energy Development Commission with powers relating the use of renewable energy.			
Solar Energy in Government Structures	HB817 Keese	SB363 Vale	House: Energy Resources - Referred to Sub Committee
-Requires the State Purchasing & General Services Commission to determine the economic feasibility of incorporating solar design/devices into any building under construction, renovation, or repair using a 10% annual fuel escalation cost.			

Property Tax Exemption HB818 SB364
Keese Vale

-Transfers administrative responsibilities for property tax exemption (for solar and wind devices) from Comptroller's Office to State Property Tax Board.

Solar Easements & HB819
Property Development Keese

-Describes instrument necessary for creating a solar easement and provisions for city ordinances and building codes relating to solar easements and property development.

Solar Involvement HB820
by the PUC Keese

-Exempts electricity generated by solar or wind for site consumption and not for sale from PUC jurisdiction.

-States that rates to encourage solar and energy conservation are not to be considered discriminatory.

-Requires public utilities to institute a testing or monitoring program for solar energy devices.

Solar Industrial HB1146 SB691
Process Steam Coleman Santiesteban

-Allows use of TENRAC-administered Energy Development Fund for the demonstration of solar generation of heat for industrial purposes.

-Provides for no more than 20% state funding for a given project.

Solar Electric HB1154 SB690
Repowering Coleman Santiesteban

-Allows use of TENRAC-administered Energy Development Fund for the demonstration of solar steam generation in steam electric power plants.

-Provides for no more than 20% state funding for a given project.

Licensing of HB1191 SB1009
Solar Installers C. Smith Meier

-Creates a mechanism for licensing active solar installers within the Department of Labor and Standards.

-Requires only this license for solar device installers.

Solar Easements HB1200 SB251
Washington Meier

-Formalizes written voluntary solar easements as legal instruments of record by setting up content requirements and conditions for granting and terminating easements.

Standards for Testing HB1315 SB601
Solar Blythe Brown

-Requires the Public Utility Commission of Texas to study and adopt standards for testing solar energy devices and to update those standards as necessary.

-Does not apply to the actual testing of solar devices.

Solar in New State HB1335 SB637
Buildings Hanna Brown

-Requires economic feasibility studies (during planning stage of all new state buildings) for each solar energy function comparing estimated cost of conventional energy procurement and the estimated cost of using solar energy devices.

-Requires that solar devices be included in construction plans of new state buildings for each function where solar is shown economically feasible.

State Loans for Solar HB1366 SB778
Polk Ogg

-Expands the Texas Housing Agency Act to include capability of making state loans to finance purchase, installation or repair of solar energy devices for residences or to finance purchase of residence having solar devices without regard to income of purchaser.

Restriction (of Solar/Wind SB542
Devices) by Ordinance Mengden

-Requires that new ordinances, regulations, and deeds not impose unreasonable restrictions on the use and/or installation of solar or wind energy devices.

Sales & Use Tax SB717
Exemption

-Exempts certain property used for energy conservation from sales and use taxes.

Renewable Energy Com- HB2285
mercialization Act Keese

House: Ways and Means - Ref. to
Sub Committee

Senate: Finance - No hearing yet

House: Energy Resources -
No hearing yet

House: Energy Resources -
No hearing yet

House: Energy Resources -
Senate: Passed Committee - Ready
for floor

House: Energy Resources
Senate: Passed Committee - Ready
for floor

House: Energy Resources -
Referred to Sub Committee

Senate: Economic Development -
No hearing yet

House: Energy Resources -
Referred to Sub Committee

Senate: Jurisprudence -
No hearing yet

House: Energy Resources -
Referred to Sub Committee

Senate: Natural Resources -
No hearing yet

House: Energy Resources -
Passed House

Senate: Natural Resources -
No hearing yet

House: State Affairs -
No hearing yet

Senate: Natural Resources -
No hearing yet

House: Energy Resources -
No hearing yet

HOUSE COMMITTEES

Energy Resources: Hanna, Chrmn;
Clark of Jasper, V-Chrmn; Robnett,
Chrmn. for Budget and Oversight;
Craddick, Eikenburg, Hall of Webb,
Hudson, McWilliams, Nowlin, Polk,
Wilson

State Affairs: Uher, Chrmn; Ceverha,
V-Chrmn; Blythe, Chairman for Budget
and Oversight; Geistweidt, Chrmn. for
Budget and Oversight; Blanton, Bomer,
Elizondo, Fox, Gilley, Hill of Dallas,
Jones, Madla, Pierce, Ragsdale, Smith
of Travis.

Ways and Means: Davis, Chrmn; Peveto,
V-Chrmn; Sharp, Chrmn. for Budget
and Oversight; Barrientos, Berlanga,
Garcia of Hidalgo, Khoury, Lee of
Harris, Polk, Riley, Schlueter,
Turner, Whitmire.

SENATE COMMITTEES

Natural Resources: Santiesteban,
Chrmn; Williams, V-Chrmn; Brown,
Kothman, Mengden, Ogg, Sarpalius,
Short, Truan, Vale, Wilson.

SENATE COMMITTEES

Economic Development: Harris, Chrmn;
McKnight, V-Chrmn; Andujar, Glasgow,
Jones, Sarpalius, Traeger, Travis,
Wilson.

Finance: Jones, Chrmn; Howard, V-
Chrmn; Blake, Brooks, Farabee, Harris,
McKnight, Meier, Parker, Santiesteban,
Short, Snelson, Traeger.

Jurisprudence: Mauzy, Chrmn; Meier,
V-Chrmn; Caperton, Doggett, Farabee,
Glasgow, Mengden, Parker, Santiesteban.

Natural Resources: Santiesteban,
Chrmn; Williams, V-Chrmn; Brown,
Kothman, Mengden, Ogg, Sarpalius,
Short, Truan, Vale, Wilson.

FOR THE STATUS OF ALL BILLS USE THE LEGISLATIVE INFORMATION SYSTEM

In Austin 475-3026
Toll Free Number 1-800-252-9693



LEAGUE OF WOMEN VOTERS OF TEXAS

lobby do's • lobby don'ts

LOBBY DO'S

DO respond to Action Alerts sent by the state board during the legislative session; if, for some valid reason you cannot respond, please let us know.

When writing to your legislators, DO use the correct salutation and address. These are:

The Honorable _____
The Senate
Austin, Texas 78711

Dear Senator _____:

The Honorable _____
House of Representatives
Austin, Texas 78769

Dear Representative _____:

DO describe a bill by its popular name and by number, if possible.

DO present a concise statement of the reasons for your position, particularly if you are writing about a subject on which you have specialized knowledge.

DO make your letters short and confine each letter to one subject.

DO personalize your letters; form letters are not persuasive.

DO write letters that are constructive and positive, and communicate that you would like to know your legislator's position on the bill you are writing about.

DO time your letter to arrive while the issue is still alive.

DO write letters of commendation when your legislator has done something of which you particularly approve, such as sponsoring legislation or voting for a particular piece of legislation.

DO try to establish a relationship of mutual trust with your legislator.

DO follow through with any commitments you make; i.e., if you promise your legislator further information, see that it is received in a timely manner.

DO follow up a visit or a telephone call with a letter.

DO depend on your own good judgement when communicating with your legislator; good humor and courtesy cover many situations.

DO send the state office any new or novel arguments for or against League measures picked up during your contacts with legislators.

DO make friends for the League. Leave a legislator with a friendly feeling toward the League even if you disagree on this particular issue. (You will probably agree on others.) LISTEN to your legislator's point of view with care.

LOBBY DON'TS

DON'T write to any legislators other than your own, except when requested to do so. Our motto is: "Each takes care of its own." There are two exceptions to this rule:

1. You are urged to write to the Speaker and to the Lieutenant Governor in support of League positions as directed in Action Alerts
2. You may be requested to contact legislators from non-League areas.
(Please volunteer to do this if you know a legislator from a non-League area.)

DON'T be rude or threatening. It will get you nowhere.

DON'T be vague. Let your legislator know what you want.

DON'T write a chain letter or a form letter.

DON'T become a chronic letter writer.

DON'T write a legislator more than once on the same subject, unless you have new facts to present which may help the legislator.

DON'T begin on the righteous note of "As a citizen and taxpayer...." Your elected representatives assume you are not an alien, and they know we all pay taxes.

DON'T apologize for taking your legislator's time. If you are brief and to the point, your legislator is glad to hear from you.

DON'T assume that your legislator has less interest in and concern for good government than you, the constituent, do.

DON'T be afraid to admit ignorance on special points. You might say, "I'll look that up and let you know later." Then be sure to do so.

DON'T oppose or support items not within the League positions when acting as a League member for the League.

DON'T be careless with remarks in the galleries, elevators or other places in the capitol. DON'T talk personalities--you may be sitting alongside that Senator's wife or husband in the gallery. On the other hand, DON'T be afraid to be friendly. Sometimes a contact in the gallery can reveal lots of information. Simply exercise caution and common sense in your conversations.

LEGISLATIVE INTERVIEW SUMMARY

So far we have received 68 interview forms: 54 for representative, 14 for senators. Thank you all very much for the time and effort you expended to compile this information.

1. What problems, if any, do you see with redistricting?

Most legislators felt that getting the information from the Census Bureau in time was the major problem. Many felt there would be disagreement on the plan resulting from urban vs. rural interest, urban vs. residential interests, dilution of the minority vote and political party fights. Only 4 thought there would be no problems and 1 thought redistricting should be handled by the Redistricting Board. There is a definite feeling that a special session for redistricting the national congressional districts is eminent.

2. Would you support legislation to provide funds for development of community-based correction programs as alternatives to imprisonment?

An overwhelming majority (57) favored some form of community based corrections in lieu of incarceration. However, 3 felt such programs were unnecessary and 6 had no opinions. There was some concern over community reaction to alternative programs.

3. What do you think are the most pressing problems in the area of public school finance, and how should the state address them?

By far the greatest concern was for an increase in teacher salaries. The next concern was who was going to pay for illegal alien education, busing and other court ordered educational impacts. Most felt the federal government should fund all or part and/or the state government should pick up a larger portion of the costs.

Many legislators felt that there were inequities in the funding systems. Several supported various other forms of tax than ad valorem. Concern was also expressed for competency testing and better education for future teachers. Several supported more equalization efforts or at least correcting present inequities.

4. What should the legislature do to encourage the reuse of municipal and industrial waste and to assure safe disposal of hazardous waste?

We really threw them a curve on this one. It was difficult to assess the answers to this question. The majority felt it was a very complex problem suited only for experts - i.e. they are woefully uneducated on this subject. Some of the comments ranged from: there should be alternative uses for waste; there is too much bureaucracy already; the state should not pass laws on waste but only issue guidelines; waste should be put in less populated areas than east Texas; companies should dispose of their own waste; and there should be tax incentives for safe disposal. Seven had no opinion.

5. Would you support legislation to permit the sale of state tax-exempt bonds to finance low-interest loans for residential and commercial solar energy devices?

An overwhelming majority favored solar bonds but many expressed concern about the practicability of the state issuing bonds. One legislator felt this was a federal funding problem.

6. What are your personal legislative interests or goals for the 67th session?

Since most of the answers could not be tabulated with any reliability, keep in mind that each legislator reflects the opinions of his/her own districts and priorities are as varied as the individual legislators and districts.

Not all interviewers had time to ask the optional questions but the following represents a cross-section of the answers we did receive:

a) Would you support Texas' ratification of the DC amendment?

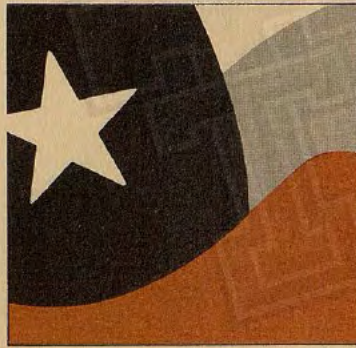
A majority would not favor passage of this amendment.

b) Would you support or oppose legislation to provide for a statewide juvenile probation system?

Most legislators would support a state-wide juvenile probation system either combined with Adult Probation or a separate juvenile probation system. However, 8 had no opinion on this question.

c) What are your views on Texas' water problems and what do you think are potential solutions?

This question received as many varied and vague suggestions as question #4. Seven would support the Endowment Fund as proposed by the Speaker and Governor. Some felt regional (state and national) planning was necessary - and, yes, some still want water pumped from east to west Texas. Four had no opinion.



League of Women Voters of Texas
1212 Guadalupe Suite 109 • Austin, Texas 78701 • Tel. 512/472-1100

February 11, 1981

TO THE NATURAL RESOURCE COMMITTEE
RE: SB 480

The LWV of Texas recognizes the need for continued use of radioactive materials in Texas. Further, it recognizes the need for effective disposal of radioactive waste. Our concern is that the continued use and disposal of these materials be effected in the safest manner possible with greatest regard for protection of public health and the environment.

We are persuaded that these concerns are indeed taken into account in SB 480 and, therefore, encourage the Natural Resources Committee to support this bill.

Sincerely,

Laura Keever
Program Vice President

May 4, 1981

TO: Members of the Committee on State Affairs
RE: HB 1366 (Polk)

The League of Women Voters of Texas supports HB 1366 by Representative Polk which amends the Texas Housing Agency Act to enable it to provide loans for solar energy equipment and installations.

The League believes that we cannot continue our recent energy growth rate without serious consequences. We feel great emphasis should be placed on conservation with increased reliance on solar and other renewable energy sources.

The major barriers to a solar transition in Texas are the amount of initial capital required for installing solar devices and the fact that Texas has no major incentives such as an income tax credit to offer. Therefore, it becomes very important in some way, to assist owners who are inclined to use solar energy but unable to cope with its first cost. The League believes HB 1366, by providing loan funds at this critical point, could be of valuable assistance to the development of solar energy use in Texas.

We encourage you to support HB 1366.

Isabel Miller
Energy

May 4, 1981

TO: Members of the Subcommittee on Civil Matters of the Senate
Committee on Jurisprudence
RE: SB 542 (Mengden)

The League of Women Voters of Texas believes it is essential that we expand our reliance on domestically available renewable energy as rapidly as is feasible.

Throughout Texas, there is an abundance of solar energy available on most days during the year. Its use is cost-effective for water heating in all areas; for space heating in all but the southern area of the state.

The potential for wind generated energy in Texas, concentrated primarily in the high plains and the coastal areas, is equal to six times the installed electrical generating capacity of the state.

All legal barriers to the development of these energy sources should be removed. Moreover, the League feels that the reference to "access" in line 22, page 1 of the bill should be defined later to include requirement that subdivisions be platted to afford maximum solar access, i.e., with at least 80% of all lots facing north or south if terrain permits.

Builders in the city of Port Arthur, which has adopted such an ordinance, report saving one-half ton of air conditioner capacity per apartment due to virtual elimination of east and west windows on which shading from sun is impossible. In areas of more severe cold, the major saving would be in heating costs because of access to more winter sunlight through windows of the longer south walls (which can easily be shaded in summer by overhangs).

No single change, probably, could save as much energy as painlessly, favorably affecting the utility bills of both solar activists and of people who have never considered solar energy. And with flexibility written in for mitigating circumstances, no burden would be put on the developers. One large developer in Port Arthur actively supported and none opposed the adoption of that city's ordinance.

The League of Women Voters of Texas supports SB 542 and recommends this suggested inclusion. (We regret that this testimony was not given at the hearing of the Committee on Jurisprudence, but we failed to get the notification of the hearing.)

Isabel Miller
Energy

[REDACTED]
Dear Senator Brown

The League WV believes that it is essential that an ~~effective~~
~~effort be made in~~ we proceed ^{rapidly developing} ~~the~~ increased reliance
on renewable energy sources. We applaud your effort in
this direction in SB 437 requiring full consideration of
solar energy use in new State Buildings.

Not only will judicious inclusion of solar energy
design ^{in these buildings} ~~save~~ money for the State; but it will serve as
a showcase for the citizens ^{thus} promoting development of the
use of solar energy and the industry which facilitates its use.

Cordially

Isabel Mueller.

Energy Director, LWUT

(address
Senator James E Brown)
[REDACTED]

ARTS-ENERGY FAIR

Denton County Arkwork, a non-profit organization, invites you to attend and exhibit in an Arts and Energy Fair.

LOCATION

The Arts and Energy Fair will evolve around the the historic Denton County Court House and Square. It is centrally located with easy access from Dallas, Decatur, Fort Worth, and Gainesville.

ENERGY SYMPOSIUM

The Old Commissioner's Court Room, the heart of the court house, will be the location of energy saving discussions, displays, and strategies.

SALES

Sales in all areas of art and energy will be encouraged. A 20% commission will be charged. Booth assignments for exhibits, demonstrations, solar energy, and technological devices will be given at 8:00 a.m. October 25. Contact Isabel Miller at 817, 387-1659 for more information. You provide your own set up. Exhibits must be up until the end of each day's activities.

DATES/HOURS

The dates and hours of the Arts and Energy Fair are as follows:

October 25, 1980, 10:00 a.m. until 4:00 p.m.
October 26, 1980, 1:00 p.m. until 5:00 p.m.

Participant's registration must be received at 711 W. Sycamore by October 22

Denton County Arkwork, Inc., a non-profit educational institution, will take all reasonable care but cannot be held responsible for losses, thefts, or accidents. Participation in this fair indicates the participants agree to the above terms.

Please print.

WILL/WILL NOT SELL ART _____ MUSIC _____ OTHER _____

NAME _____ ADDRESS _____ TELEPHONE _____

SPONSOR _____ DESCRIPTION _____

DATE _____ SIGNATURE _____

For more information concerning the Fair and any suggestions for its benefit contact: Isabel Miller at [REDACTED] [REDACTED] [REDACTED]

SHARE WITH A FRIEND.

[REDACTED]

Austin Tx 78711

Dear Senator Mengden:

The LWN of Texas feels that we should augment our traditional energy sources as rapidly as possible with renewable sources. We therefore support your SB 542. ^P We would like for ~~the~~ ^{the} intent of the inserted wording "to promote use of and protect and ensure ^{access} to solar and wind energy" to be defined ~~and amplified~~ to include requirement of ^{maximum} solar access planning of subdivisions. Requiring that at least 80% of the lots in a plat (where topography did not interfere) be made to ~~face~~ north or south so the broadside of the houses would be exposed to winter sun and summer breezes (with overhangs to shade south glass in summer) would be very ^{beneficial}. ~~This~~ ^{This} would enable solar-aware owners to make maximum use of ~~the~~ solar energy; and it would prevent unaware builders from installing great areas of windows and patio doors ~~from~~ facing east and west ~~where~~ overhangs are ineffectual. Part D further passed such an ordinance and estimates each house, ^{as result,} ~~saves~~ 7% - 14% on cooling ~~expend~~ without special design.

The League appreciates your leadership in energy legislation. We have supported SB 280 and 281 in committee hearings and will support SB 717. Though we ~~app~~ favored SB 282, it slipped by us. (over)

LEAGUE OF WOMEN VOTERS OF TEXAS
1212 Guadalupe, Suite 109 Austin, Texas 78701

March 30, 1981

To: Members of the Committee on Energy Resources

Relative to: SB 280

In the nationwide effort to lessen dependence on foreign oil and shift to reliance on domestic energy sources, the LWV-T feels conservation is of paramount importance. It can more than shave the peak off the mountain we have to conquer.

The savings of Texas taxpayers resulting from well considered conservation measures installed in government buildings will increase every year as the cost of energy rises. The sooner the renovation is undertaken, the less will be its cost, the quicker its payoff....

Conservation is often linked in the public mind with discomfort and stinginess rather than with efficiency. It is a businesslike way of achieving equal comfort with less outlay; but it has been slow to gain prestige. The state can by example demonstrate to its citizens the wisdom and effectiveness of conservation if this bill is passed.

We urge your support of SB 280.

Isabel Miller
Energy Director

see quote
I tried once or twice to discuss the solar access issue with you when I was in Austin early in the session but our schedules didn't mesh. I hope it can be considered.

Sincerely

(Address as originally written in
realeira)

Isabel Miller
Energy Director, LWV-T



CHET BROOKS
STATE SENATOR

Senate Chamber
Austin, Texas 78711

FEB 12 1981

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CHAIRMAN:
COMMITTEE ON HUMAN RESOURCES
MEMBER:
FINANCE COMMITTEE
LEGISLATIVE BUDGET BOARD
STATE AFFAIRS COMMITTEE
SUBCOMMITTEE ON NOMINATIONS
PRESIDENT PRO TEMPORE (1972)

February 11, 1981

Ms. Laura Keever
League of Women Voters
Program Vice President
1212 Guadalupe, Suite 109
Austin, Texas 78701

Dear Ms. Keever:

We have received your letter on behalf of the League of Women Voters supporting Senate Bill 280 by Senator Mengden, relating to implementations of energy conservation measures in state buildings in the capitol complex.

The Senate passed S.B. 280 Monday and has gone to the House for consideration there. I supported the measure and hope it is enacted into law this session.

Sincerely,

A handwritten signature in dark ink, appearing to read "Chet Brooks", written over a horizontal line.

Chet Brooks

CB:mpk



JOHN LEEDOM
District 16
2809 Ross Avenue
Dallas, Texas 75201
(214) 821-8831

P. O. Box 12068
Austin, Texas 78711
(512) 475-3764

The Senate of
The State of Texas
Austin 78711

February 12, 1981

FEB 13 1981

LK

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LO

Committees:
EDUCATION
HUMAN RESOURCES
INTERGOVERNMENTAL
RELATIONS

Subcommittees:
CONSUMER AFFAIRS
(Vice Chairman)

Ms. Laura Keever
League of Women Voters of Texas
1212 Guadalupe, Suite 109
Austin, Texas 78701

Dear Ms. Keever:

Thank you for your letter supporting Senate Bill 280.

By now, I'm sure you are aware that this measure passed
the Senate February 9th.

I appreciate your interest in this issue, and I hope that
you will continue to contact me about items of concern to you.

Cordially yours,

A handwritten signature in dark ink, appearing to read "John N. Leedom".
John N. Leedom

JNL:mw

March 4, 1981

TO: The House Committee On Appropriations
RE: The Budget For Texas Energy And Natural Resources Council

The League of Women Voters of Texas urges that a full and adequate budget allotment be made for this agency. This request does not come from a special interest advocacy position but rather from assessing it as first priority among many interests. The League, as you know, works for improvement in many areas - in administration of justice, in school financing, in water supply and waste handling, for example, and, this session we will be closely watching reapportionment - but for this year the Texas members have indicated energy as their top concern.

Texas Energy and Natural Resources Advisory Council, TENRAC, is the umbrella agency for energy in Texas government. It is the center for many programs; and it has had numerous advisory committees active in the past biennium whose reports have been adopted by the Council. In most, if not all, instances, these have laid additional responsibilities on the Council and its staff which increases its funding needs.

The League of Women Voters believes that in order to become more energy independent as well as to conserve resources, we as a state and as a nation must immediately implement conservation in all forms and place increased reliance on renewable energy sources and on the environmentally safe uses of coal. TENRAC has within its structure the Conservation Division which includes the Solar Section. We consider that this division has a very important role in the Texas energy future. Texas has a profusion of renewable energy sources. It has a great abundance of solar and wind energy. There are over 200 dams identified which could produce low-head hydropower. There are also quantities of wastes which plague us - solid waste, forestry scrap, gin trash, feed lot refuse - which can become energy sources when knowledge and incentive are added. TENRAC can provide these.

With its influx of industry and population, Texas is going to need all the energy sources it can develop, with high priority being given to the non-polluting ones, as more concentrated demand is put on our air, water, and land. TENRAC - Texas Energy and Natural Resources Council - is going to have enormous responsibility and opportunity. It should not be underfunded.

Isabel Miller
Energy Director

1982 - 3.75 M EDF + lump sum =
 1983 - very low
 cap g 65 personnel
 lump sum matching grants, ^{for allocation} must come out of S. sum

263 T '82
 270 T '83

Natural Resources

500 T contingency for gas alteration

The League of Women Voters of Texas urges that a full and adequate budget alignment be made for this and other programs. The League of Women Voters of Texas has been active in the past in urging the Texas Energy and Natural Resources Council to take action on these issues. The League of Women Voters of Texas has been active in the past in urging the Texas Energy and Natural Resources Council to take action on these issues. The League of Women Voters of Texas has been active in the past in urging the Texas Energy and Natural Resources Council to take action on these issues.

Texas Energy and Natural Resources Advisory Council, TENRAC, is the state's agency for energy in Texas government. It is the center for many programs and it has had numerous advisory committees active in the past. The Texas Energy and Natural Resources Advisory Council, TENRAC, is the state's agency for energy in Texas government. It is the center for many programs and it has had numerous advisory committees active in the past.

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With its influx of industry and population, Texas is going to need all the energy sources it can develop, with high priority being given to the non-polluting ones as more concentrated demand is put on our air, water, and land. TENRAC - Texas Energy and Natural Resources Council - is going to have enormous responsibility and opportunity. It should not be understated.

Jascel Miller
 Energy Director

Mr Gerald Rapp
City of Port Arthur

Dear Sir:

I heard ^{with great interest} your report ^{in Austin} on Port Arthur's

development of Solar Oriented Subdivision regulations ~~in Austin last week~~. On Tuesday afternoon, 3/17, I testified in favor of HB 819, Keesee, re solar subdivisions planning, and referred to Port Arthur. I believe it would be very useful if you could write a short report ^{to the sub-committee} on your experience in developing and enacting this ordinance. The general assumption ^{public's} is that there would be great opposition to a state law requiring local governments to adopt such a regulation.

Keesee's bill was referred to a subcommittee of the Keesee Committee on Energy Resources, made up of Representatives Nowlin, E. Kenburg, and Clark. James Nowlin is chairman, Box 2410, Austin TX 78769

Many of these legislators are or pretend to be very well informed and are skeptical about the potential of solar energy now.
Cordially



Denton County Arkwork, Inc.

711 West Sycamore Street, Denton, Texas 76201

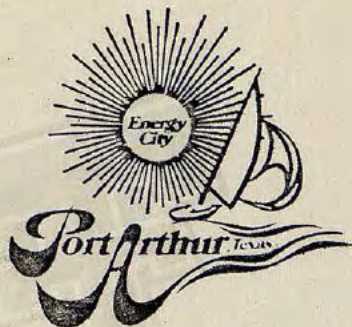
1 November 1980

YOUR MEMBERSHIP IN ARKWORK HAS EXPIRED!

Arkwork's program to help demonstrate and establish ecological living in Denton County is continuing and expanding. The second Arts & Energy Fair was last week end. ARKWORK REVIEW for Fall 1980 is out. On November 7, 8, and 9 we will have a free hands-on workshop to build an 8' x 40' greenhouse on the foundation we have prepared at Fred Moore Day Nursery, Mill Street at Cross-timber. We need your support, we would enjoy your participation, and we will all gain from sharing our successes.

During the Fair and for a month thereafter, to November 25, we have a reduced rate of \$10 for membership renewal. Please mail it in today and stay with us. The fall issue of ARKWORK REVIEW will be mailed on receipt of your renewal.

PS: If you have renewed, please tell us on what date. Some of our records may not be up to date.



APR 6 1981

Bernis W. Sadler, Mayor

Councilmen:

Maurice Conerly
Mayor ProTem

Arthur J. Guidry

Joe James

Malcolm L. Clark

C. Fred Huber

Ray Bernard

George Dibrell
City Manager

CITY of PORT ARTHUR

P. O. BOX 1089 • PORT ARTHUR, TEXAS 77640 • AREA CODE 713 983-3321

April 2, 1981

The Honorable James Nowlin
Texas House of Representatives
P. O. Box 2910
Austin, Texas 78769

Re: HB 819, Keese

Dear Mr. Nowlin:

I understand that House Bill 819 has been referred to your subcommittee of the House Committee on Energy Resources. A major aspect of this bill would enable and require cities to assure access to solar energy in new subdivisions.

The Port Arthur Subdivision Code was amended in a similar manner on September 4, 1979, upon the recommendation of the City Planning and Zoning Commission. To our knowledge it is the only such amendment in Texas and perhaps in the United States. It includes the following major provisions:

1. Solar Orientation - Streets, lots and setbacks must be designed so that at least 80 percent of the buildings in the subdivisions can be oriented with their long axes parallel to 9 degrees south of west with a possible variation to 6 degrees north of west or 25 degrees south of west. The requirement that side lot lines be perpendicular to streets was deleted to provide for solar orientation.
2. Right-of-Way Design Incentive - Street right-of-way widths may be reduced from 60 feet to 50 feet for streets with an ultimate length of 600 feet or less and where 80 percent of the buildings on abutting lots can be solar oriented.
3. Solar Access - When a subdivision abuts an area developed with or specified for high or mid-rise buildings, the location of open space must be such that it will protect shorter structures from shadows cast by taller buildings.

The Honorable James Nowlin
HB 819
Page 2

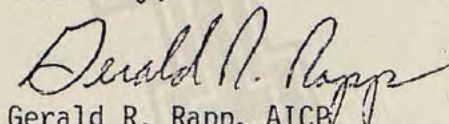
At a public hearing on the amendment prior to adoption, it was supported by Gulf States Utilities Company and by Roy Hayes of Hayes, Inc., developer of the 4,000 dwelling unit Park Central New Town in Town in Port Arthur. This broad support came from the realization by all parties that solar orientation can save energy (estimates range from 7 to 17 percent), reduce the peak load of the utility company and increase the value of newly platted lots without reducing density or increasing costs. Furthermore, solar oriented buildings are more adaptable to passive solar heating and cooling and the installation of collectors for active solar heating.

To date the City Planning and Zoning Commission has approved four subdivision plats with a total of 607 lots. Of these, 528 lots or 87 percent are designed to accommodate solar oriented buildings. As a result the urban pattern established by subdivision platting in Port Arthur has been altered to provide for more energy-efficient land use at no cost to the developer or to the housing consumer.

Enclosed is a copy of the amending Ordinance No. 79-78, which we have provided upon request to 15 cities in Texas and to numerous other agencies, states and consultants. These inquiries, I feel, show the interest in such legislation as Port Arthur has enacted and you are considering. In a State with a 26 percent growth rate from 1970 to 1980, such legislation is vital to local energy conservation and production.

If I can provide any additional information, please let me know.

Sincerely,



Gerald R. Rapp, AICP
Assistant Planning Director

GRR:mae

cc: The Honorable Jerry Clark
The Honorable Frank Eikenburg

Copy to: Isabel Miller

LEAGUE OF WOMEN VOTERS OF TEXAS
1212 Guadalupe, Suite 109 Austin, Texas 78701

March 30, 1981

TO: Members of the Committee on Energy Resources

RE: HB 1577, Coody

The League of Women Voters of Texas SUPPORTS HB 1577 by Representative Coody, which establishes thermal and lighting standards for buildings.

The League has been actively involved with implementing the Federal Energy Production and Conservation Act since its passage in 1976 and views this proposed legislation as a necessary next step in achieving energy-conservation goals for Texas. With current problems relating to foreign oil supplies and nuclear energy, every conservation possibility becomes increasingly important.

Approximately one-third of our annual energy consumption is used to provide heating, cooling, and lighting in buildings. Almost half of this could be saved without altering comfort or convenience. Buildings built without concern for this saving will waste millions of dollars worth of energy in their lifetimes. But the persons who design and construct buildings seldom are the ones who pay their utility costs, and they often lack adequate incentive to produce energy-efficient structures. The League feels that thermal and lighting standards are essential to an effective conservation program.

Developing performance standards in addition to prescriptive standards provides flexibility as it encourages innovation in design in solving energy-conservation goals for buildings.

We strongly encourage your support of HB 1577.

Isabel Miller
Energy Director

2

March 9, 1981

TO: Members of Committee on Energy Resources
RE: HB 1335 by Hanna (SB 637 by Brown)

The League of Women Voters of Texas supports HB 1335 by Representative Hanna, which requires plans for new state buildings to include uses of solar energy wherever each such use would be economically advantageous over the economic life of the building.

The League feels that widespread use of renewable energy, especially solar energy, will be essential in the future to maintain energy independence for Texas. We have abundant sunshine. Judicious and innovative use of it in state buildings for heat and light would save fossil fuel, save state money, and demonstrate to the citizens of Texas the effectiveness of using the sun as an energy source in major buildings.

We encourage you to support HB 1335.

Isabel Miller
Director of Energy

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D

March 10, 1981

RE: HB 1315

Dear Representative Blythe:

The League of Women Voters of Texas believes that increased reliance on renewable energy sources that require minimal use of traditional energy for implementation is very desirable. We believe reliable consumer information, such as performance labeling of tested equipment, would expedite the trend toward use of renewable sources.

Because Texas also has abundant wind energy available, especially along the coast and in the high plains, we would like to see performance labeling of wind energy conversion systems included.

We support HB 1315 and suggest its expansion.

Sincerely,

Isabel Miller

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March 10, 1981

TO: Committee on Energy Resources
RE: HB 1315 (Blythe)

The League of Women Voters of Texas believes it is urgent that the United States place more emphasis on conservation and more reliance on renewable energy sources in order to extend its domestic fossil fuels and to become more independent of an unpredictable foreign oil supply.

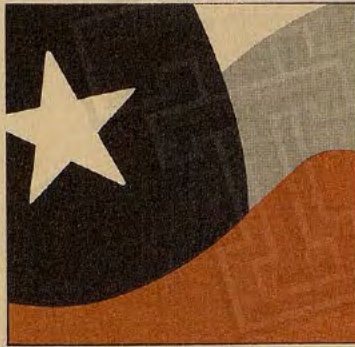
Texas, with its abundant sunshine, could benefit enormously from increased use of solar energy. A very desirable domestic industry would develop as well as an increase in exportable excess Texas oil. Reliable information for evaluating and comparing equipment is very important to persons or industries considering this capital intensive change. The League believes HB 1315, giving the Public Utilities Commission responsibility to develop this information, should be supported.

There is great potential also in Texas, in the coastal and high plains areas, for extracting energy from wind. We would suggest that labeling of wind energy conversion systems (WECS) also be included in this program.

The League of Women Voters of Texas encourages your support of HB 1315 and your consideration of this suggested expansion.

Diana Clark
President

Isabel Miller
Director of Energy



League of Women Voters of Texas
1212 Guadalupe Suite 109 • Austin, Texas 78701 • Tel. 512/472-1100

March 3, 1981

TO: THE HOUSE COMMITTEE ON ENERGY RESOURCES
RE: HB 1191 Carlyle Smith

The League of Women Voters of Texas supports HB 1191 by Rep. Carlyle Smith for licensing solar device installers.

The League, believing we cannot continue to sustain our current energy growth rate with non-renewable energy sources, places strong emphasis on conservation and increased reliance on solar energy in its many forms.

For the use of active solar energy systems (using solar devices) to flourish, building owners must not be liable to getting poorly designed and badly installed systems which impose on them economic hardship and give the program bad publicity.

For the solar industry to flourish, it needs to be relieved of the delay and expense involved when multiple trades are required for an installation. Licensing one person to install a complete system providing single-trade responsibility would both expedite the work and increase the reliability of the product.

The state-wide standardization of licensing would also be beneficial to the industry in eliminating the present necessity for procuring separate licenses in different cities.

The League therefore feels that this bill would protect the public and expedite the solar industry and thus increase the use of solar energy in Texas. We support HB 1191.

Diana Clark
President

Isabel Miller
Energy Director

March 17, 1981

TO: Members of Committee on Energy Resources
RE: HB 819 Keese

The League of Women Voters of Texas believes it is urgent that we place more reliance on renewable energy sources in order to extend our fossil fuels and remain energy independent in Texas.

It is essential if a building is to depend on solar energy that that energy source be unimpaired. Therefore, a procedure by which assurance of this access can be dependably provided is very important. A prudent owner would otherwise not want to invest in solar equipment.

Of even greater importance, however, in the conservation of energy is the need for subdivisions to be platted so a maximum of houses will automatically have their broadside to the south sun and their ends oriented east and west. With moderate overhangs this will minimize the sun penetrating the houses in summer and maximize it in winter.

Port Arthur has established such an ordinance with the support of its primary developer and with no appreciable opposition. It has been calculated that apartments built in this orientation and with few or no west windows, save 1/2 ton of air conditioning per unit.

Sections 6,7,8 and 9 of this act would make it possible, without inconvenience of detailed prohibitions, to prevent the occurrence of dwellings built with few or no south openings and with excessive west exposure where sun control is virtually impossible. Even with builders or owners who are not informed about solar energy, a 7% to 10% savings in energy required for heating and cooling could result.

The League strongly supports HB 819.

Diana Clark
President

Isabel Miller
Director of Energy

LEAGUE OF WOMEN VOTERS OF TEXAS
1212 Guadalupe, Suite 109 Austin, Texas 78701

March 30, 1981

To: Members of the Committee on Energy Resources

Relative to: SB 280 (HB 756)

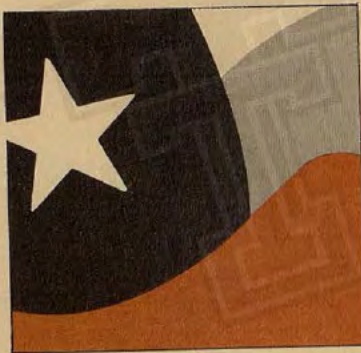
In the nationwide effort to lessen dependence on foreign oil and shift to reliance on domestic energy sources, the LWV-T feels conservation is of paramount importance. It can more than shave the peak off the mountain we have to conquer.

The savings of Texas taxpayers resulting from well considered conservation measures installed in government buildings will increase every year as the cost of energy rises. The sooner the renovation is undertaken, the less will be its cost, the quicker its payoff....

Conservation is often linked in the public mind with discomfort and stinginess rather than with efficiency. It is a businesslike way of achieving equal comfort with less outlay; but it has been slow to gain prestige. The state can by example demonstrate to its citizens the wisdom and effectiveness of conservation if this bill is passed.

We urge your support of SB 280.

Isabel Miller
Energy Director



League of Women Voters of Texas
1212 Guadalupe Suite 109 • Austin, Texas 78701 • Tel. 512/472-1100

March 4, 1981

TO: Members of the House Committee on Ways and Means
RE: HB 673 Polk

The League of Women Voters of Texas supports HB 673 by Representative Polk, allowing for prorated franchise-tax exemption for those corporations whose business is partly but not wholly involved with solar energy.

The League of Women Voters is concerned that an abundant Texas resource, solar energy (sun, wind, plants, falling water), be rapidly developed to maintain our state energy self-sufficiency and to provide an excellent labor-intensive new industry. Since many corporations producing solar equipment are not exclusively "solar", the present franchise-tax exemption is not applicable to them. It, therefore, does not serve to stimulate this industry to the maximum extent possible.

We feel that HB 673 is a desirable revision of the tax laws, and we encourage the Committee on Ways and Means to support this bill.

Diana Clark
President

Isabel Miller
Director of Energy

2
March 11, 1981

Committee on Energy Resources
TO: Members of the ~~Senate Committee on Natural Resources~~
RE: ~~SB 281-Mengden~~ *HB 1577 Coody*

The League of Women Voters of Texas SUPPORTS SB 281 by Senator Mengden, which establishes thermal and lighting standards for buildings.

The League has been actively involved with implementing the Federal Energy Production and Conservation Act since its passage in 1976 and views this proposed legislation as a necessary next step in achieving energy-conservation goals for Texas. With current problems relating to foreign oil supplies and nuclear energy, every conservation possibility becomes increasingly important.

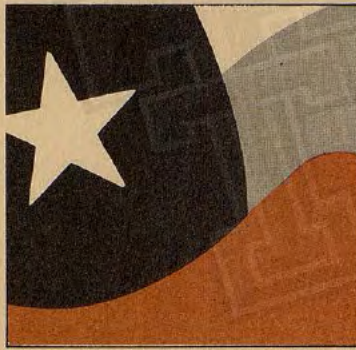
Approximately one-third of our annual energy consumption is used to provide heating, cooling, and lighting in buildings. Almost half of this could be saved without altering comfort or convenience. Buildings built without concern for this saving will waste millions of dollars worth of energy in their lifetimes. But the persons who design and construct buildings seldom are the ones who pay their utility costs, and they often lack adequate incentive to produce energy-efficient structures. The League feels that thermal and lighting standards are essential to an effective conservation program.

Developing performance standards in addition to prescriptive standards provides flexibility as it encourages innovation in design in solving energy-conservation goals for building.

We strongly encourage your support of ~~SB 281~~ *HB 1577*

Diana Clark
President

Isabel Miller
Energy Director



League of Women Voters of Texas
1212 Guadalupe Suite 109 • Austin, Texas 78701 • Tel. 512/472-1100

February 4, 1981

To Members of Committee on Energy Resources
~~TO THE NATURAL RESOURCE COMMITTEE~~

RELATIVE TO: SB 280

In the nationwide effort to lessen dependence on foreign oil and shift to reliance on domestic energy sources, the LWV-T feels conservation is of paramount importance. It can more than shave the peak off the mountain we have to conquer.

The savings of Texas taxpayers resulting from well considered conservation measures installed in government buildings will increase every year as the cost of energy rises. The sooner the renovation is undertaken, the less will be its cost, the quicker its payoff.

Conservation is often linked in the public mind with discomfort and stinginess rather than with efficiency. It is a businesslike way of achieving equal comfort with less outlay; but it has been slow to gain prestige. The state can by example demonstrate to its citizens the wisdom and effectiveness of conservation if this bill is passed.

We support SB 280.

~~Laura Keever~~
~~Program Vice President~~

Isabel Miller
Energy Director

SB 947 McKnight

This bill and its companion, HB 1606, ^{are essential for the} ~~would empower~~
~~the Bureau of Labor and Standards to be the administrative~~
~~implementation of~~
~~agency for the~~ Residential Conservation Service, HB 1606
has been passed by the House and sent to the Senate, ^{from} ~~and~~
~~and Consent Calendar Committee~~. SB 947 is still stuck
in the Senate Natural Resources Committee - Santiago
Wms, Brown, Kathmann, Mengler, Oga, Sarpaulis, Short
Truman, Vale, and Wilson. If your senator is on
this committee, immediately urge him to approve it.

6 Houston ^{approval must come}
13 Houston ~~It must be done~~ this week if ^{they} bills are to ^{get}
15 - Houston ^{also,}
17 Corpus to Galv. to the floor for a vote, Everyone should
18 Temple Victoria urge his or her representative and
19 San Ant. senator to vote for the measures.
20 Corpus
26 San Ant.
24 Lichbach
29 El Paso

31 Amarillo

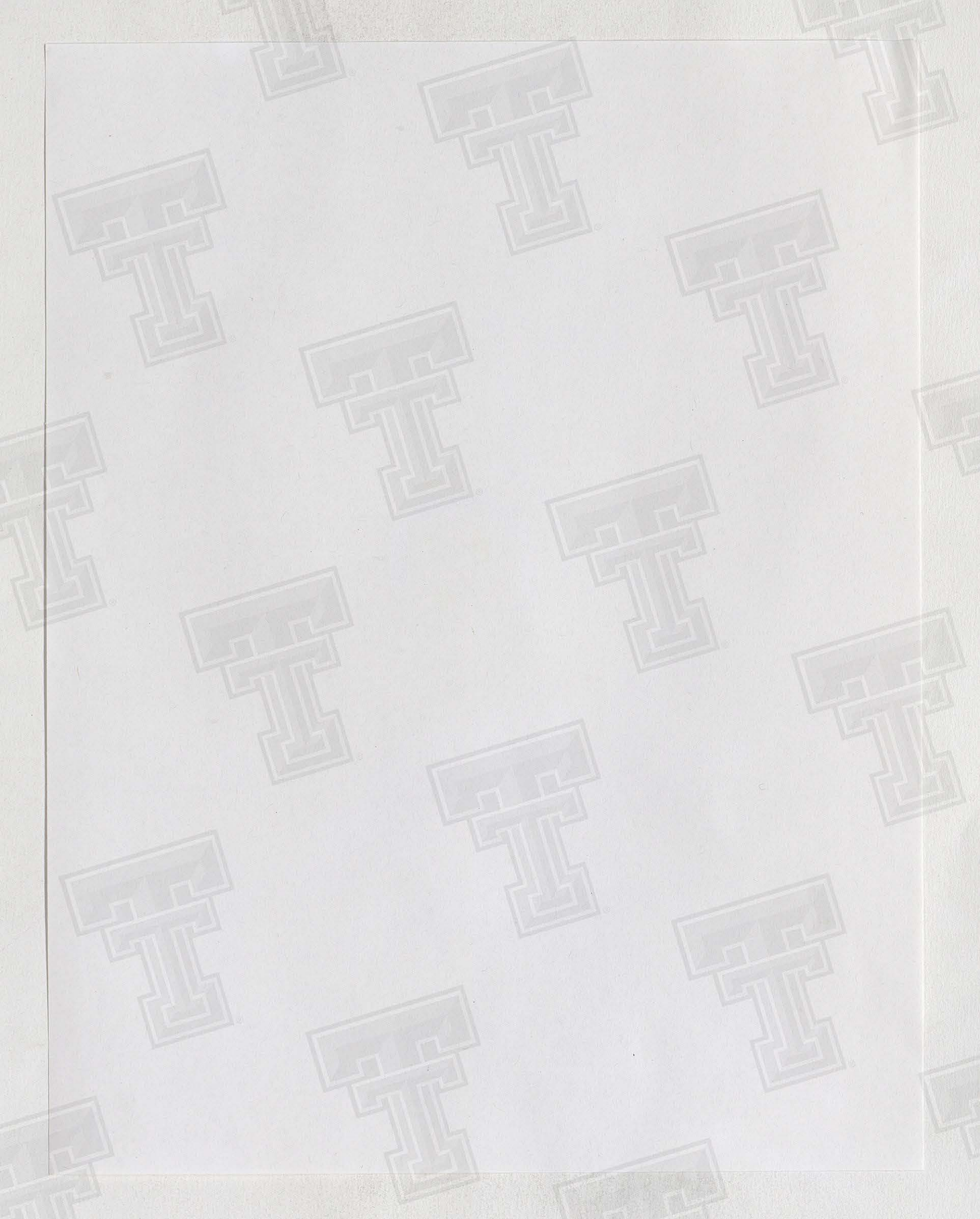
The Residential Conservation Service ^(RCS)

is a Federal program which requires

major utilities to provide energy audits ^{for} ^{to} ^{needed and cost-}
to any patron, and recommend the most effective
improvements to cut energy use, ^{either} ^{for} ^{electric} ^{energy}
These ^{recommendations} may range from specific weatherization procedures
to installing ^{new} air conditioners, ^{and} solar water heating systems

Since the housing stock we now have will ^{most} not be replaced
for 30-50 years, ^{and since it was built in the era of cheap energy} improving its performance is crucial to the
conservation effort.
^{interests of the} both owners and the nation.

This bill empowers the Bureau of Labor Standards



- (1) to prepare a list of reliable persons from which owners may choose a tradesman to do the work
- (2) to inspect the finished work
- (3) to handle grievances relating to the work or the financing
- (4) to levy a fee for its service.

The League believes conservation is our first line of action, and increased reliance on renewable energy ~~is~~ ^{second} next. This program is on the march. It will save energy, revitalize housing, and ~~partly~~ ^{partly} need for more power plants. Let ^{us} get this law in place and then start keeping a protective watch on the Federal mandate for the E.C.S. to prevent its withdrawal.
→ turn our attention to seeing that the Federal E.C.S. program is not abandoned.

To: LL Presidents, DPM, MALs
From: Nancy Bene, Legislative Director

LWV-Texas
January 30, 1981
LL Pres. Mailing,
DPM, MAL

We are anticipating a large turnout for Legislative Day 1981 on February 25, and hope your League and members at large will be well represented.

We have enclosed a map with directions to the Central Christian Church where the morning and afternoon sessions of Legislative Day will be held. Free parking is available behind the church but there probably won't be enough spaces for all of you. There is a pay parking garage across the street. The rates are \$3.50 per day.

Please let the state office know by February 18 how many persons are planning to attend.

The agenda for Legislative Day is as follows:

- 9:30 - 10:30 Registration in the lobby of the Central Christian Church; cost will be \$2 per person; kits will be available and will include program material.
- 10:30 - 11:00 Welcome and overview of Session and LWV-T priorities.
- 11:00 - 11:45 Speech on lobbying and questions from the floor (we are in the process of lining up the speakers now).
- 11:45 Recess for lunch - local Leagues and members at large may wish to make prior arrangements to take their legislator(s) to lunch. (A restaurant guide is on the back of this memo).
- 2:00 - 2:30 Concurrent priority briefings by state program chairs - you attend the briefing of your choice.
- 2:30 - 3:00 Second concurrent briefing - again your choice
- 3:00 - 3:45 Guest speaker.
- 3:45 Meeting adjourned. This would be a good time to catch a committee meeting at the Capitol; or you might want to make an appointment with your legislator, visit his or her office and meet the staff.

I hope you'll make your plans as soon as possible. If you want to stay overnight, you will need to make your own reservations. See you on February 25.

LEGISLATIVE DAY R AND R GUIDE

MAMA'S PIZZA - 16th and Lavaca. Good pizza, served quickly. Reasonable.

CAPITOL COFFEESHOP - Capitol basement. Fare includes tacos, frito pies, sandwiches, fresh fruit, etc. Convenient, inexpensive.

STEPHEN F. AUSTIN BLDG. CAFETERIA - 17th and Congress. Standard cafeteria fare. Reasonable.

CAPITOL OYSTER COMPANY - 15th and Lavaca. Famous for their shrimp salad. Inexpensive to moderate.

RICCO'S - 15th and Lavaca. Noted for a great spinach salad as well as their pasta. Inexpensive to moderate.

TEXAS CHILI PARLOR - 1409 Lavaca. Small, but great chili. Reasonable. (Sandwiches, too).

THUNDERCLOUD SUBS - 1608 Lavaca. Specializing in submarine sandwiches in an informal setting. Inexpensive.

WATERLOO ICEHOUSE - 906 Congress. Old fashioned hamburgers in an interesting old-timey store. Inexpensive.

COMMON MARKET - 304 W. 13th. Hot lunches, Greek style. Inexpensive.

EL METATE - 1207 Red River. First rate tamales, tortillas. Inexpensive to moderate.

ST. MICHAEL'S RESTAURANT AND BAR - 407 W. 17th. Quiches, crepes, sandwiches, salads. Inexpensive.

SCHOLZ GARTEN - 1607 San Jacinto. An Austin tradition since 1866, serving chicken fried steaks, steak fingers, Mexican food, fried chicken, German dishes. Inexpensive.

RED TOMATO - 1601 Guadalupe. Lasagna, cannelloni, veal, antipasto, excellent salad bar. Inexpensive to moderate.

THE AVENUE - 908 Congress. 105 year-old restored Congress Avenue building. Inexpensive to moderate.

RESTROOMS IN THE CAPITOL.....There are only two public ladies rooms in the Capitol. One is just outside the door to the House gallery on the 3rd floor. The other is in the basement near the snack bar.



State of Texas
House of Representatives

JIM McWILLIAMS

P.O. Box 2910
Austin, Texas 78769
(512) 475-3097

2 March 1981

COMMITTEES

Energy Resources
Natural Resources

LO
IM
3-CP
LK
MAR 4 1981

Ms. Nancy Bene, Legislative Director
League of Women Voters of Texas
1212 Guadalupe, #109
Austin, Texas 78701

Dear Ms. Bene:

I am most appreciative of your cordial letter of 18 February and the valuable information flyers which accompanied it.

It is particularly important to a new legislator to be kept as informed as possible while he is learning his way about the business of contributing to the running of a government. I hope you will continue to include me in your mailings. Be sure that I find them valuable.

Thank you.

Sincerely,

Jim McWilliams

McW:rlj

P.S. I am certain that you are aware by now that I was fortunate enough to be assigned to the two Committees of my choice: Energy and Natural Resources.

ENERGY

LWVUUS position:

Action supporting policies that: (1) bring about a significant and progressive reduction in the U.S. energy growth rate; (2) give priority to conservation, renewable resources, and the environmentally sound use of coal in the U. S. energy mix between now and the year 2000; (3) effect a shift to predominant reliance on renewable resources beyond the year 2000.

State position:

- (1) Action to achieve . . . the conservation of energy.
- (2) Action to support the development of public transportation in Texas.

Details of position:

For further information on LWVUS position, refer to Impact publication #386, on Issues 1978080, LWVUS, pp 21-26.

State position (1) is subsumed under LWVUS position on Energy.

State position (2) is subsumed under further guidelines on energy efficiency added to LWVUS Position on Transportation in 1976. See Impact on Issues, p. 14.

Explanation:

Texas delegates have believed that by placing a national item on the state program and arriving at state positions, the action process would be clearer. We therefore included energy and transportation in our LWV-T Natural Resources position. However, under Vertical Programming it has always been possible, under the authority of National positions and with the approval of the National Board, to be active on state problems. Because the guidelines of the LWVUS positions are much more detailed, we

essentially take action under the LWVUS positions.

Energy was the last of the big five (water, air, solid waste, land use, energy) to achieve a broad-based national position under the umbrella of Environmental Quality programming. In 1976 the National Convention had formally recognized the close interrelationship of these five issues, ^{and} grouped them under the new overall heading name of Natural Resources, requiring that action in one area, at whatever level, be evaluated for its impact on the others. (LWV-T followed by renaming Environmental Quality as Natural Resources.)

The League of Women Voters of Texas is involved in the programs and policies mandated by the 1978 National Energy Act and the 1978 LWVUS Energy Consensus. Among these are public education for conservation and ^{for} conversion to renewable resources, advocacy of legislation providing incentives or mandatory requirements for conservation and conversion, fostering of redesign of utility-rate structures, and public education that provides a basic understanding of what energy is, and the costs and benefits of its production and use.

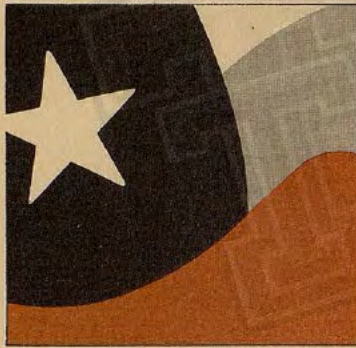
~~April 3, 1979~~

The League of Women Voters of Texas SUPPORTS HB 1699 by Rep. Coody, which establishes thermal and lighting standards for buildings.

This legislation requires that the thermal and lighting standards developed be mandatory for state buildings--a concept the League supports. It also offers the opportunity for local governments to develop their own standards if they wish, as well as leaving enforcement at the local level. In Texas, this concept offers needed flexibility as well as practicality.

We strongly encourage your support of ~~HB 1699~~. 513281

Approximately $\frac{1}{3}$ of ^{our} annual energy consumption is used to provide heating, cooling, and lighting in buildings. Almost half of this could be saved without altering comfort or convenience. Buildings built without concern for this saving will waste millions of dollars in their lifetimes. Since the persons who design and construct buildings seldom are the ones who pay the utility costs on them, they often lack ^{adequate} incentives to produce energy efficient structures. The League feels thermal and lighting standards are essential to an effective conservation program.



League of Women Voters of Texas
1212 Guadalupe Suite 109 • Austin, Texas 78701 • Tel. 512/472-1100

February 18, 1981

Dear Legislator:

Enclosed are four advocacy papers on issues of concern to the League of Women Voters of Texas. We hope the issues are important to you, too. Arguments are presented on why we think legislation is needed in these areas:

- * Water & Wastes
- * Energy Issues
- * Texas Criminal Justice
- * Initiative & Referendum

We have also included a copy of "Wiretapping in Texas: An Unjustifiable Intrusion". The League has taken a strong position against wiretapping and we hope this paper will provide useful information to you on this subject.

A summary of our primary interests is listed in the 1981 Legislative Priorities flyer. We ask for your serious consideration of these issues as they arise during the 67th legislative session. If there is any information or materials with which we may assist you, please let us know.

We wish you the greatest success in this challenging session.

Sincerely,

Diana Clark
President

Nancy Bene
Legislative Director

encl. 6



RAILROAD COMMISSION OF TEXAS

P.O. DRAWER 12967
AUSTIN, TEXAS 78711

MACK WALLACE
COMMISSIONER

February 26, 1981

Ms. Isabel Miller
Energy Director
League of Women Voters of Texas
[REDACTED]

Dear Ms. Miller:

Since the Texas Energy and Natural Resources Advisory Council adopted our report on September 25, 1980, I and my staff have worked closely with the TENRAC to prepare for the legislative session. Of the Solar Advisory Committee's recommendations, seven required legislative action. For your information I am providing you with the following list of bills and the names of their legislative sponsors.

<u>Solar Bills</u>	<u>House</u>	<u>Senate</u>
Franchise Tax Exemption	(H.B. 673) Polk	(S.B. 267) Santiesteban
Property Tax Exemption	(H.B. 818) Keese	(S.B. 364) Vale
Solar Easements	(H.B. 1200) Washington	(S.B. 251) Meier
Solar in State Structures	Hanna**	(S.B. 637) Brown
Licensing of Solar Installers	(H.B. 1191) C. Smith	Meier*
State Loans for Solar	Polk**	Ogg**
Standards for Testing	(H.B. 1315) Blythe	(S.B. 601) Brown

(**Still being drafted by the Legislative Council)

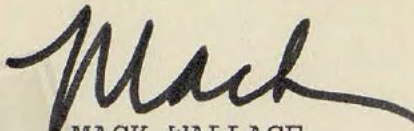
(*Has expressed interest, but no commitment has been made)

February 26, 1981
Page 2

I have offered my support to the sponsors and the
chairmen of those committees who will be holding hearings.
I encourage you to do the same.

If you have any questions, please do not hesitate to
call.

Sincerely,

A handwritten signature in black ink, appearing to read "Mack", with a stylized, flowing script.

MACK WALLACE
Commissioner

bw

099
Polk

RCS program

intere restoration on Municipal utility
LCRPA for Code PL.

Model suburban and
what federal is cons meeting

En Policy & Law Act
1975

Model cons-plan ed package for cities

what main point

5404 Cons
475 0414

" edv cons.

no fed funding
state contingency
schools hospitals

Cons at 11/15

Water
En Eff
Ag Sues
Liquids
Nuc En
Fed Fed Eff.

Senate Fin
So End of Capital 304?
Left of Eff on End

Robnett - status of markup on TENCAC

Jim Kaster

have but govt emergency bills till about Mar 15
In April census data will come then. Senate
has voted itself a committee ^{majority vote} of the whole to retest itself
House has a committee chosen by speaker w/ recommendations

After Mar 14 will be a very fast & hectic time in House.
Senate already going fast.

If you oppose a bill, let gov know re veto.

Last time 2/3 bills passed in last 10 da. Gov
needs help in sniffing out stink in stock
Wiretapping bill this afternoon

Brian Graham

Sometimes staff is integral part of communication
to them = comm to Rep. Not always that way
More & more members judge quality of mail

friends

may check expertise of letter

contributors

requester to vote, have voted?

have they voted

Oct 380, 90 were real, 30 had ^{requested} ~~not~~ voted, 11 in ^{voted} list.
Write re bill, give reasons, maybe give regist. card &
never threaten. Get your other organization mbrs
to write. Get copy of contrib list. Get some of them to write
Get a broad based group. Work w/ members of close knit
group - ie Black Caucus - and it will come along. Some
district delegations hang together. Better to talk to
rep in Oct, if need early in Nov, after lunch. Be short

be secret, be helpful. ^{letters} Thank when you get home
who are buddies ~~in~~ floors, in suits together.

~~Personal~~ ^{to individuals} Personal visits, letters, phone calls ~~pay before~~ ^{to individuals} ~~Vote~~
Concentrate now on committee

" on calendar & House rules, no records
Susan Mc Bee Chair

On complex bills, there are "experts" who members
depend on. Watch that member.

When somebody (chairman) obstructs, build a
backfire with important state citizens involved
w/ issue and they garner support & write reps.

To clear caucus, must have maj of voters ~~some~~
whole committee. Usually 7 or 10 members are on
side of chair due to method of caucus selection.

Don't have to keep following
1 seriously written letter = 5

Energy I	3rd floor
2:30 II	Central rm 2nd floor

MAR 2 1981

League Of Women Voters Of New Jersey
212 West State Street, Trenton, New Jersey 08608

February 1981
Post Board Report

TO : Presidents, Energy Directors, State Energy Committee
FROM : Linda Stansfield, State Energy Director (201) 334-1182
RE : Publicity for March 22 Energy Conference, Used Oil Disposal
Law, and April 22 Energy Bus Trip/House Tour

CONFERENCE PRESS RELEASES: This Post Board (PR section) contains press releases which your local League is to submit to local papers. As Energy Director you should work closely with your President and PR Director to see that these press releases get to your local papers on time. This publicity will be essential to the financial success of the conference.

A SPECIAL OPPORTUNITY: Remember that the Energy Conference scheduling, on a Sunday afternoon, is both an opportunity for working members, husbands, students, and an experiment in rescheduling some League events to fit our new life styles. Your efforts at contacting and encouraging local members will be largely responsible for reaching people who might otherwise not be aware of its availability.

NEW USED OIL DISPOSAL LAW - RECYCLING: On September 1, 1980 the New Jersey Department of Energy issued regulations which require persons who change their own motor oil to return it to a used oil collection site. Used oil collection sites are: service stations, reinspection stations and oil retailers, if storage containers exist on their premises. These sites are required to accept up to five gallons of used oil per day from any person. All operators of collection sites must post a sign to inform the public that the facility is a collection site for the disposal of used oil.

For more information phone the Energy Information Line at 800-492-4242. Presently about five million gallons are indiscriminately dumped in backyards, sewers, lakes and elsewhere. The League is asked to assist in publicizing this program by its administrator, Mary Sheil, (201)648-6295

FLASH! NJDOE THREATENED WITH EXTINCTION

Commissioner Jacobson has told the League that proposed cuts in USDOE would eliminate funds to New Jersey that presently cover 65 of the department's 90 employees.

Home Energy Savings Program

For \$15 you can cut your heating bill by as much as 40% in new program announced by DOE in Trenton on February 11, 1981.

The state's seven major utility companies and the Fuel Merchants Association will:

- 1 - send energy doctors for \$15 to inspect each home and recommend ways of reducing energy costs.
- 2 - help the resident find financing for conservation improvements.
- 3 - provide information to residents about needed equipment and contractors to install this equipment.

THOSE 300,000 ELDERLY CITIZENS INVOLVED IN THE "ENERGY LIFELINE PROGRAM" MAY HAVE THIS SERVICE FREE, WITH NO \$15 FEE.

(over)

The program is designed to reduce New Jersey's dependence on foreign oil and to relieve the crushing economic burden of utility costs, 46% increase from Oct. 31 - Jan. 1.

Persons not desiring the inspection may perform it themselves with the pamphlet. Obtain the pamphlet by writing "HESP" New Jersey Department of Energy, 101 Commerce St, Newark, N.J. 07102.

WEDNESDAY, APRIL 22

ALTERNATIVES TO FUEL \$\$\$

Bus Tour of Four Energy Conserving Dwellings

Princeton, New Jersey

We are pleased to offer League members a very special bus trip this spring. We will be seeing four homes, in nice locations with some ingenious ideas we can all take home and use. All four homes have addressed the problem of runaway fuel bills differently, and all the home owners have been pleased with the results.

The Payne home is heated by a passive greenhouse and wood stove. The waste treatment plant, also energy conserving, is a self-contained composting system.

The Jessers' house was constructed with energy conservation considered in every detail. The Pecks' home has been retrofitted with an active solar system. And Diane Graves' home incorporates passive solar design and a bermed north wall.

During our lunch break we will be privileged to have as a speaker Mr. David T. Harrje, Senior Research Engineer & Lecturer of the Center for Energy and Environmental Studies, Princeton University. He will have a slide presentation of the Twin Rivers Project, an innovative program of energy conservation which cut energy usage of an existing townhouse by 40%.

Box lunches will be provided.

We urge you to sign up early as limited space is available and the registration must be accepted on first-come-first-served basis. You must have space on a bus. Individuals may not take tour in their own cars. Buses will be probably depart from Vineland, Asbury Park, Maplewood and Princeton.

(more)

League of Women Voters of New Jersey
200 West Street, Princeton, New Jersey 08540
League of Women Voters of New Jersey

February 1981
Post Board Report

WEDNESDAY, APRIL 22

WELCOME TO the Residences of

Adra & Don Payne - Heated by a passive greenhouse and wood stove. The waste treatment plant, also energy conserving, is a self-contained composting system.

Sally & Dick Jesser - Owner-built with energy conservation considered in every detail. 1979-80 heat bill approximately \$300.00. It really works!

Mary & Ted Peck - Heated by an active solar system and conventional furnace. They added the system to their existing home and lowered their fuel costs 50%.

Diane Graves - Built as an integral part of the environment--Bermed on the north side and open to the sun on the south side. Solar green house and wood stove have kept this home comfortable all winter.

LUNCH AND GUEST SPEAKER

David T. Harrie, Senior Research Engineer & Lecturer, Center for Energy and Environmental Studies, Princeton University "The Twin Rivers Project" - A pioneering program in energy conservation.

ALTERNATIVES TO FUEL \$\$

Bus tour of Four Energy Conserving Dwellings

Princeton, New Jersey

\$16.00 Fee includes box lunch.

Please reserve _____ seats Enclosed is \$ _____

Name _____

Address _____ City _____ Zip _____

Telephone _____ League _____

Reservation Deadline - March 27.

Space is limited. First come, first serve basis.

Mail form and fee to:

Mrs. Iris Corn

[Redacted Address]

Make checks payable to: The League of Women Voters of New Jersey
Instructions for parking and meeting the buses will be mailed with acknowledgement of your registration acceptance.

League of Women Voters of New Jersey
212 West State Street, Trenton 08608

February, 1981
Post Board Report

TO: President, Energy Directors
FROM: Margery Cohen, Energy Lobbyist

ENERGY LOBBYING - REVIEW:

Where are the bills of yesteryear? Some disappeared from sight, languishing in the files of a N.J. Legislative Committee. This is a report on the 15 energy bills that LWVNJ took a position on in 1980, out of a plethora of bills introduced in the Assembly or Senate Energy Committee. These bills were chosen through a process that began by having Linda Stansfield, State Energy Director, the State Energy Committee and I discuss all the energy bills that the State League office sent to us. Some we eliminated because they did not fall under our League position on energy, some we recommended for support and others, we opposed. As the Energy Lobbyist, it was my job to keep track of these bills in the Legislature. I was able to attend the meetings of the Assembly Energy Legislative Committee (unfortunately not the Senate Energy Committee). There I spoke in favor, opposed, suggested amendments, questioned and testified at two public hearings in the name of the League. Of the 15 bills that were supported in the PBRs that you received, only two "made it" as of January, 1981.

One was the important A.1551 which promoted energy conservation (a LWV priority) by amending the Municipal Land Use Law to require municipalities to consider the energy impact of their master plans, subdivision and site plan ordinances and promote solar energy for new construction wherever possible. This passed both house of the Legislature and was signed into law. The NJ Department of Energy is trying to get a grant to promote and publicize in different parts of the state now all this could be done for municipalities by demonstrating with models and talks. ASK YOUR LOCAL GOVERNMENT OFFICIALS AND PLANNING BOARD IF THEY ARE AWARE OF THIS NEW LAW (MUNICIPAL LAND USE LAW AMENDMENTS CONCERNING ENERGY IMPACT AND SOLAR ENERGY) AND AKS HOW THIS COULD BENEFIT YOUR COMMUNITY.

Second success story. We testified in favor of S.749 which was the Energy Bond Issue that appeared on the ballot in November and was approved by the voters. We worked actively for its passage, wrote letters, testified, gave out press releases, sent you editorials for your local paper, remember? The rules for carrying it out are now being put into effect. (It provides for \$50 million for energy saving improvements for public buildings). The League was part of an effort that was supported by a number of groups. Our Testimony was noted with interest and respect. Our study, objectivity, consensus and action count. Therefore you and your efforts count. Keep up the good work!

Others bills that we support are for the most part still sitting in committee. We will be checking on them to seee if anything will happen with them.



BOB GLASGOW
STATE SENATOR
DISTRICT 22

The Senate of
The State of Texas
Austin 78711

February 16, 1981

FEB 17 1981

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LO

Committees

ECONOMIC DEVELOPMENT
HUMAN RESOURCES
JURISPRUDENCE
SUBCOMMITTEE ON PUBLIC
HEALTH

Vice Chairman
SUBCOMMITTEE ON
CRIMINAL MATTERS

Ms. Laura Keever
Program Vice Chairman
Texas League of Women Voters
1212 Guadalupe, Suite 109
Austin, Texas 78701

Dear Ms. Keever:

I received your letter of February 10, 1981, concerning
S.B. 280.

I have not had an opportunity to review S.B. 280, but
I will do so immediately. If this bill directs itself to
the conservation of domestic energy sources, I leave no reason
why I could not fully support this measure.

As you set forth in your letter, the dependence on foreign
oil is probably the most important political issue facing this
country.

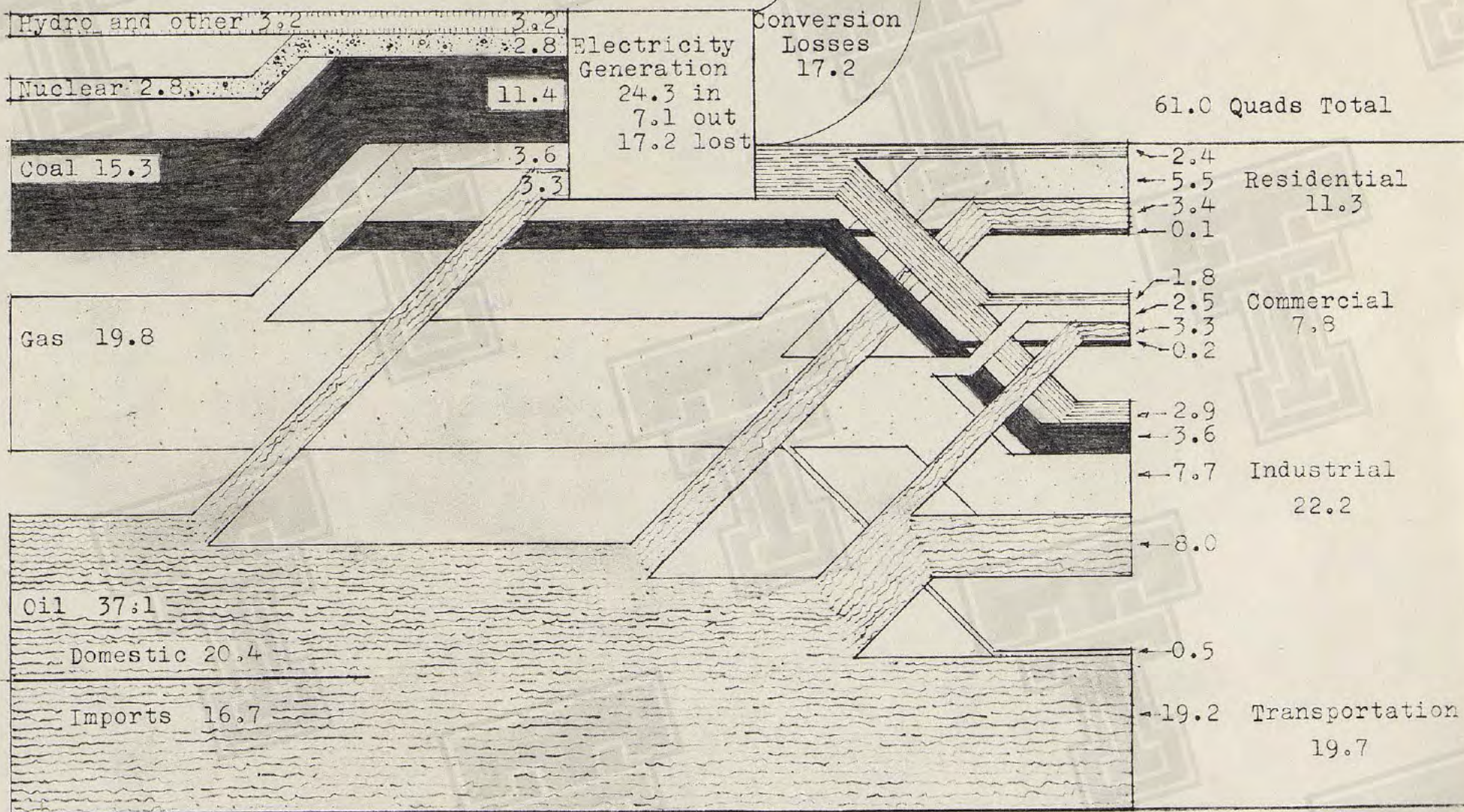
If I can be of assistance to you in other regards, please
feel free to contact me at your convenience. It is truly
associations like the League of Women Voters of Texas that take
the time to become involved in legislation that influence the
direction and attitude this State will take in the future.
Your association does excellent work.

Sincerely,

Bob
Bob Glasgow

BG/bf

78.2 Quads Total (N/I 1.8 Quads Bio-mass)



1979 U.S. ENERGY CONSUMPTION
(QUADRILLION BTUS)



Texas Focus

LEAGUE of WOMEN VOTERS of TEXAS

Suite 109, 1212 Guadalupe, Austin, Texas 78701

WIRETAPPING IN TEXAS: AN UNJUSTIFIABLE INTRUSION

The League of Women Voters of Texas has supported state laws that prohibit electronic surveillance or wiretapping since 1977.

EARLY HISTORY AND USAGE

Originally wiretapping simply meant the attachment of wires to other wires to eavesdrop electronically. The term now includes a vast array of bugging devices and is also referred to as electronic surveillance.

Climbing telegraph poles to intercept messages during the Civil War, spies were the first wiretappers, followed soon by a lazy war correspondent who discovered he could "scoop" his competition by tapping their telegraph lines. Thereafter the police began to use wiretapping; and, when the telephone was invented, these skills were applied to it. Wiretapping increased in World War I, and in the 1920's it was used to combat organized crime and political upheavals.

In 1928 the Supreme Court first ruled on electronic surveillance in *Olmstead vs. United States* holding in a 5-4 decision that Fourth Amendment protections against illegal search and seizure did not apply to wiretapping because words could not be seized, and a wiretap did not involve physical entry. In the dissent Justice Oliver Wendell Holmes called it "a dirty business." Justice Louis Brandeis named the right to be let alone the right most valued by civilized men. He wrote; "To protect that right, every unjustifiable intrusion by the government upon the privacy of the individual, whatever the means employed, must be deemed a violation of the Fourth Amendment."

The Federal Communications Act of 1934 forbade anyone not authorized by the sender to intercept any communication and divulge or publish its contents. The result was that wiretapping continued, but evidence so obtained was not admissible in court.

Presidents Roosevelt and Truman authorized electronic surveillance in the interest of national security. Presidents Kennedy, Johnson, and Nixon employed it to disrupt the civil rights and anti-war movements. Hearings chaired by Senator Edward Long in the mid-1960's revealed extensive illegal wiretapping by private citizens and public officials. Long and the Johnson administration urged passage of a law to forbid such surveillance except in cases of national security. Instead, the Omnibus Crime Control and Safe Streets Act of 1968 was enacted.

PROVISIONS OF FEDERAL LAW

It is Title III of that act that regulates electronic surveillance law today. With few exceptions it prohibits the interception or disclosure of wire or oral communications unless authorized by a federal court. It allows consensual tapping, meaning at least one person in the conversation agrees to the eavesdropping, without a court order. Such wiretapping is routine with most law enforcement agencies and allows police to intercept conversations involving their officers or informants. Within the normal course of their employment telephone company and Federal Communications Commission employees are excepted. Constitutional power of the President in national security matters is not limited by the act.

Permission to wiretap may be granted to a federal agent for investigation of a wide range of offenses including espionage, murder, kidnapping, bribery of public officials, racketeering, and narcotics offenses.

An application for wiretap authority must clear the agent's

local and national offices and be approved by the Attorney General, who then applies to a federal court in the district where the wiretap is to be installed. In emergencies involving national security or organized crime, however, an agent may intercept conversations up to 48 hours without a court order.

The application must specify the agent's identity, facts justifying need for the order, other methods that have failed or will be likely to fail or be too dangerous, and the estimated time period.

To approve the application the judge must find that there is probable cause to believe that a person is committing, has committed, or is about to commit a specified offense; conversations about the offense will be intercepted; and the target person will be using the premises in question. The judge must also find that normal investigative techniques have failed or would be too dangerous or inappropriate.

Each judge's authorization must require agents to minimize interception of conversations unrelated to the investigation. The order must give the identity of the target person, if known; the nature and location of the premises to be tapped; the type of communication to be intercepted; the identity of the authorized agent and agency; and the time period of the order, not to exceed 30 days. Extensions, for which the judge may require a progress report, may be granted upon application.

Safeguards include a provision that privileged communications (between attorney and client, husband and wife, etc.) may not be disclosed in court. The target person may be informed of the interception after it is completed if the judge determines it would serve the interests of justice. Penalties are specified for violations of the act, and civil and punitive damages and attorney's fees may be recovered for such violations. There is also a prohibition on the manufacture, sale, possession, and use of illegal equipment.

Title III of the Omnibus Crime Control Act also provides that if a state passes enabling legislation, state judges may authorize wiretaps if procedures conform to federal and state law. These wiretaps may be for investigation of almost any felony offense. Between 1968 and 1973, 22 states and Washington, D.C. passed such enabling legislation. Since then only two additional states have done so.

TEXAS AND WIRETAPPING

Bills to permit wiretapping have been introduced in Texas since the late 1960's, but all have failed. In 1977 the legislature did pass a law prohibiting electronic surveillance without consent of one of the parties. It also forbids use or divulgence of information so obtained and assistance in an interception by a landlord, building operator, or telephone company employee unless the latter is acting in the normal course of employment. Federal agents, of course, can still act under Title III.

A campaign to pass legislation to permit wiretapping has been mounted by the Governor and the new Director of the Department of Public Safety (DPS). They argue that the federal government lacks enough agents in Texas to cope with narcotics violations and that state and local law enforcement officials must be allowed to wiretap to reach the upper echelon of persons financing or trafficking in narcotics. It should be pointed out, however, that drug offenses for which the proposed tapping could be used are all federal offenses. Texas DPS

and local law officers can give information to federal agents for investigation and possible court-ordered wiretap.

The proposed Texas statute is patterned after the federal law. It is limited to felony narcotics cases (other than felony possession of marijuana) with only the DPS allowed to install and operate wiretaps. One judge in each of the nine administrative judicial districts would be named by the presiding judge of the Court of Criminal Appeals to authorize wiretaps. The authorizing judge would be required to notify the target person of the surveillance within 90 days after its termination. If an application were denied, the designated judge would be required to notify the target person within 90 days after denial. Information obtained from an illegal wiretap would not be admissible in court, and illegal tapping would be a third degree felony.

Heads of local law enforcement agencies, through local prosecutors, could apply for wiretaps; but the DPS would remain responsible for the installation and operation of the tap.

PROBLEM AREAS

Restrictions of the federal law seem very limiting, but when wiretap legislation is considered, there are many problems that bear closer examination.

Extent of Use

From 1969 through 1978, 6,692 wiretapping applications were approved, but only 18 were denied, an approval rate of more than 99 percent. These cases were about 20 percent federal, 80 percent state. During this time, there were 315,571 persons overheard and 4,105,712 conversations recorded. Of these official taps 54 percent were gambling cases, 27 percent drug, and 19 percent other types. Applications have declined steadily since 1973.

These figures do not include national security taps, monitoring taps by the telephone company, or consensual surveillance—all legal but not court-authorized.

Illegal surveillance is a most disturbing factor. In 1976 the National Commission for the Review of Federal and State Laws Relating to Wiretapping and Electronic Surveillance included in its report a representative sampling of 24 alleged police illegal wiretapping incidents. Ten of these occurred in states with state wiretapping laws, but the possibility of obtaining a legal order did not deter police officers from allegedly engaging in illegal activity.

Public concern increased when it was revealed that the Nixon administration had listened to the conversations of four newsmen and 13 government officials in the name of national security.

Probably the largest illegal wiretapping operation yet exposed in this country was carried out by local police assisted by FBI agents in New Haven, Connecticut from 1964 to 1971. Records of just one year's wiretapping, compiled by police on index cards, include more than 250 victims ranging from Black Panthers and anti-war activists to Yale University faculty, housewives, journalists, and lawyers.

Closer to home, former Houston police chief Carrol Lynn told a U.S. House subcommittee in 1975 that he suspected 40 to 50 officers in his department had set up countless illegal taps, many with help from the FBI and Southwestern Bell. Two former Houston police officers were later convicted of illegal wiretapping.

Lack of Effectiveness

How effective is wiretapping? Its proponents argue that it is an indispensable aid; that although the use of wiretapping has not decreased the drug traffic since 1968, it has slowed the increase; and that it is an effective tool used only in major cases. Indications are, however, that it is not so effective. Use of wiretaps has declined since 1973, probably due to the switch from high-yield, low-cost gambling cases to low-yield, high-cost narcotics cases. From 1973 to 1978 Texas had only 15 court-ordered taps—six for gambling and nine for drugs. It is possi-

ble that tapping may be occurring as often as before, but without court authorization. Nevertheless the decline may be interpreted to mean that wiretapping has not been found to be very effective.

Electronic surveillance has not been highly productive of arrests and convictions. Only 15 percent of all conversations intercepted in narcotics cases are incriminating. For the years 1973-1977 in federal and state narcotics wiretaps one-third yielded no arrests. More than half the federal cases and nearly three-fourths of the state cases failed to yield any convictions.

The National Commission report includes a profile of sentences in a representative sampling of narcotics wiretap cases from 1969 through 1973. Half the convictions were for the misdemeanors with either no imprisonment or only up to one year in prison. Another 22 percent resulted in imprisonment of one to five years. These sentences indicate that wiretapping has not been used chiefly to investigate and prosecute the "kingpins" in illegal drugs. John G. Evans of the Drug Enforcement Administration insists that the higher the echelon, the less effective wiretapping is because the more sophisticated criminal will not risk incriminating telephone conversations.

Cost effectiveness, too, must be considered. In 1978 a federal narcotics wiretap cost \$41,577. State costs are less, due in large part to lower pay scales; but in Florida the same year a narcotics tap averaged \$18,584.

Inadequate Safeguards

To grant a wiretap authorization the judge must find the application meets three probable cause requirements, yet in the last ten years more than 99 percent of applications to wiretap have been granted. The arrest and conviction statistics do not confirm existence of probable cause in a reasonable percentage of cases.

Judges must also find that normal investigative procedures have been tried and have failed or appear unlikely to succeed or too dangerous. The National Commission report concluded that judges have been satisfied with a "sweeping recitation" of "standardized language."

The order to wiretap must specify the identity of the target individual only if known, so law enforcement officials are not limited to intercepting only that person's conversations. Despite the minimization requirement, conversations not related to the investigation are frequently intercepted. This practice was upheld in *Bynum vs. United States* in which 71 recorded calls (14½ hours) were made by the teenage babysitter of the defendant's child. Additionally, privileged conversations are intercepted but cannot be used as evidence at trial.

Prohibitions against illegal wiretaps and illegal manufacturing, sale, or use of equipment have not been strictly enforced.

CONCLUSION

This 130 year old practice, which has been so widely used both legally and illegally, is not worth the cost in dollars or the risks to our constitutional rights. Many privacy safeguards in the federal law either are weak, have been weakened by court decisions, or are not strictly enforced. Judges appear to approve wiretap applications routinely. The effectiveness of wiretapping must be questioned when we realize this expensive tool was used in narcotics cases to obtain convictions which were, in at least half the cases surveyed, for mere misdemeanors. For such an expensive procedure, wiretapping produces very little return on the taxpayers' dollars.

Based on past history, it does not appear that state-authorized wiretapping could be successfully used to stop the upper echelon of drug traffickers. Since the drug offenses for which the wiretap law is sought are federal offenses, the state law is not even needed. Overall, it appears that in a state devoted to individual liberty the questionable benefits of state-authorized electronic surveillance are far outweighed by the risks to privacy.

Researched and written by Lois Carpenter

Edited by Charleen Rosebery

League of Women Voters of Texas

1212 Guadalupe #109

Austin, Texas 78701 (512) 472-1100

10/\$1.00 (5% sales tax)

October 1980

bcc: Anderson, Wilbur, [redacted] ers

The following letter was sent to each of the members of the Ways & Means Committee.

IK

March 26, 1979

The Honorable Bob Davis, Chairman
Ways & Means Committee
House of Representatives
Austin, Texas 78767

Re: S. B. 204 - Vale
H. B. 564 - Elizondo
H. B. 1229 - Keese

Dear Representative Davis:

The above bills exempt solar (including passive solar) and wind-powered energy devices from property taxes. The League of Women Voters of Texas SUPPORTS these bills and encourages you to work for their passage in the Ways and Means Committee. In days of declining oil and gas production, incentives to encourage use of renewable energy resources is both reasonable and prudent.

Thank you for your support of this legislation.

Sincerely,

Betty Anderson,
President

Laura Keever,
Energy Director

Dear Jane

Ethel Sturgis told me you would like to have some information about me and about my subject for a little publicity.

I think I would like to talk for 20-25 minutes on "Energy Sources - ~~where do we go?~~ ^{which way do we go?}" with particular reference to ~~proposed~~ policies being proposed by the Administration in formulating Energy Plan III.

Below is a resume' of my trail through the decades. Feel free to ~~use~~ abbreviate it.

Born Isabel Morent, 1916, Denton Co, Tx

~~Studied architecture~~

BA (with distinction), B.S. in Architecture, Rice University

1937-1946 draftsman in Houston, Detroit, Portland

Oregon, Puerto Rico,

1946 Began practicing arch^{in Houston} with former classmate

Tom Miller as Morent Miller, Architects. Principals

married in 1947. ~~Principals married in 1947~~

1948-1952 - Practiced in Los Angeles.

1953-present Practiced in North Texas area.

(We have followed the development of and used the concepts of passive solar heating and cooling since our days at Rice.)

1973-76 President, LUV of Denton

~~1970~~ 1977-79 active in doing historical restorations

1980 appointed Energy chair, LUV of Texas

1980 Elected President of Denton Co. Arkwright, Inc. (Sales & approp Tech)

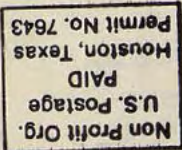
1980 " to Solar Energy Advisory Committee of

Texas Energy & Natural Resources Council

1981 Elected to Executive Board of Texas Solar En. Soc.



My major present concerns are with cutting imports of oil by lessening waste and increasing efficiency of in use of energy; and (2) developing the use of renewable sources of energy to augment extend and eventually ^{mostly} replace



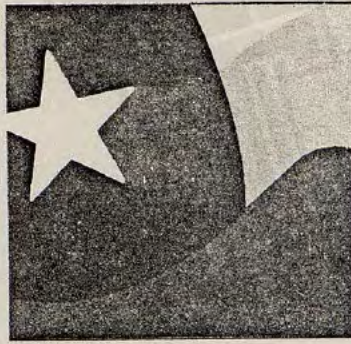
League of Women Voters of Houston

over present non-renewable sources of oil, gas, coal and nuclear fission.

I am looking forward to Friday. Ethel gives enthusiastic reports on your group. I understand that being relatively new and small, you can't predict your attendance but that doesn't bother me.

Cordially yours

J. N.



League of Women Voters of Texas
1212 Guadalupe Suite 109 • Austin, Texas 78701 • Tel. 512/472-1100

To Representatives Nowlin, Eikenburg, and Clark
The Solar Subcommittee of the Committee on Energy Resources

I should like to add some facts relating to solar energy, not brought out at the hearings, which I believe are important to adequate examine examination of some of the initiatives in your subcommittee.

Though some efforts at achieving solar access may not be applicable in areas of high-density or potentially high-density of development, probably one-fourth of all energy used in the United States is used in areas of low-density. About one-third of U. S. energy use is for heating, cooling, and lighting of residential and commercial structures. Except in the larger, older cities, the great preponderance of these are one or two story.

Concern with solar access is not with morning or afternoon shading from east and west, it is with wintertime all-day shading when the sun arc is low and there is an obstruction to the south. When the sun arc is high in summer, obstructions are seldom a problem.

Two conclusions follow: (1) In the vast, generally low-density developments of Texas, there will be thousands of sites where anything tall enough to be a solar obstruction is more likely to be a tree through a building. Given the generally favorable public attitude toward solar-energy use, I believe the likelihood of owners reaching a voluntary solar easement agreement where structural development is not involved, would be very high if the mechanism existed. (2) The critical spacing between buildings to avoid solar interference is measured in the north-south direction. Having residential streets run east-west automatically adds the street right-of-way width to the two front set-back requirements, to give a substantial distance front-to-front of houses. Normal size and shape of residential lots produces a similar distance back-to-back. Thus with low-rise structures facing north or south, no probable interference exists on reasonably level terrain except trees.

The importance of aligning streets east-west is thus underlined. This could easily be influenced, where land contours are amenable, at the earliest stage of land-development design. Administration of this could be entirely local as plat approval now is, with no state expense except preparation of the model ordinance.

Isabel Muller

Energy,
League of Women Voters of Texas

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These are bills
which I reviewed
and on which
we had no position
or took no position.

I suggest you just
look through them &
keep any you find
of interest. L.

E N E R G Y

W.e

W...e...l...l...t...t...t...

We didn't do too bad on our Advocacy Paper list of energy issues.

Under Conservation, we got a decision to implement the energy conservation measures recommended by audits on buildings in the capital complex ordered by the 66th Legislature.

We got a bill encouraging Van Pooling by defining ridesharing as not subject to Railroad Commission regulation.

We got the enabling legislation for the Residential Conservation Service program (our action alert) authorizing the Bureau of Labor and Standards as the administrator.

We did not get a Thermal and Lighting Standards code. SB 281 set very weak standards but was supposed to be required for participation in the federal conservation program. Funding for this has dried up so maybe failure here is no great loss.

On Solar Issues, we did not get installer licensing, equipment testing, pro-rated franchise tax exemption, a solar easement bill or low interest loans for solar buildings (all Solar Advisory Committee recommendations); we did get a bill requiring use of solar energy on new state buildings if it is shown by life cycle cost analysis to be economical. (This was Hanna's own bill; 3 others of the above as well as 6 more solar bills never cleared his committee.)

House Energy Resources

Two other renewable energy bills made it. One encourages small power generators using wind, photovoltaic cells, cogeneration, etc. by removing them from regulation as a utility. The others authorize the state to provide 20% of funding for solar industrial heat demonstration. (It assumed most of the other 80% would be federal but that is unlikely now.)

Insert
LL Waste
any info
re EDF &
conserv. sec.
funding

Not much leaked through the dam, but the flood of renewable energy interest is rising. Twenty three different ideas embodied in 42 initiatives appeared this session on subjects ranging from wood stoves to stills to power towers. The senate end of the stonewall under Hobby's oversight (he fathered the Solar Advisory Committee) is much less impermeable than the house end-- twice as much ~~cleared through~~ it.

I made three trips to Austin, giving testimony at 5 hearings. I provided testimony for about 12 other hearings. Appearing twice before the House Energy Resources Committee, I believe I convinced them that the League Person knew the facts about energy and buildings. But, as in all situations, an ounce of personal acquaintance would outweigh a pound of reason, so we must make earlier association with these people at home and in Austin.

SENATE BILLS

Position	#	Sponsor	Description	committee	date	outc	lett to com	lett to sp	2nd rdg
	92	Vale	Tax exempt on alcohol fuel						
	228	Sarpalius	Reg of alc producing eqpt	Nat. Res					
	233	Short	Alc from cellulose			OK			
	251	Meier 1200	Solar Easement	Jurisprud					
	267	Santiesteban (673)	Partial fran tx exemptn	Finances	3/4		✓		
✓	280	Mengden	Cons. in capitol bldgs			OK			OK
	281	"	Conservation code-all bldgs	Nat res	3/11		✓		X
✓	282	"	Vanpooling	Nat res short Browner hypothecation	water subs	OK			OK 2/9
	290	Caperton	Dev of coal etc on prison prop						
	362	Vale	Renewable Energy Dev. Comm	Nat Res					
	363	" (817)	Cons w/ solar, life cycle costg	Nat Res	X				
ok	364	"	Moving solar adv tx exemptn	Nat Res	✓ 3/4 approve				
	365	"	Reg of non-bev alc prod	State Affairs					
ok	399	Traeger	\$15M for loan fund for R E Ind						
	398	"	\$5M for R&D ag fuels						
?	400	"	Reg of non-bev alcohol prod						
ok	417	McKnight	Dem of fluidized-bed combustn	Nat Res					
	542	Mengden	Voids anti-solar restrictions	Sanispaunce					X
ok	601	Brown	PUC setting stds for solar devices	Nat Res	4/8		✓		
OK	637	"	Solar in new state buildings	" "			yes 1335		X
ok	661	Doggett	Cogeneration exemption	State Affairs		tabled			
ok	690	Santiesteban	Solar Elec Repowering						
ok	691	"	20% funding of Solar Indus. Heat Dome						
OK	717	Mengden	Exemp from siting of conserv. property	Finances					
	608	Wilson, John	PUC regulating small generators	State Affairs			waiter		✓
	778	OGG	Solar audits in TX						

HOUSE BILLS SUPPORTED

800 252 9693

Postn #	Sponsor	Cmp #	Description	Committee	Hg date	Vote	L to C	L to S
673	Polk	7 267	Partial Franchise tx exempt,	Ways& mns	3/4	SC	x	x
756	Delco	<u>9 280</u>	Conserv in Capitol complex	State Aff	<u>3/30</u>	"	x	x
<u>744</u>	Nowlin	5 282	<u>Vanpooling</u>	Transportn		ok		
818	Keese	10 364	Moving Solar Adv. Tx Exemption,	Prop Tr SC	<u>3/13</u>	SC		
819	"	6	Solar easmts & solar subdiv plng	Energy Res	<u>3/17</u>	SC	x	x
821	"		Solid waste a generatg fuel	"				
1191	Smith	2 1009	Dept Lbr & Stds licensing installrs	"	<u>3/3</u>	SC	x	x
1200	Washington	Meier 251	Solar Easements	"	3/17	SC	SC x	
<u>1216</u>	Fox	605	<u>PUC reg small generators</u>	State Aff		ok	ok	
1315	Blythe	601	PUC setting stds for solar devices	Energy Res		SC	x	x
<u>1335</u>	Hanna	4 637	Solar in new State Bldgs	"		ok	x	
1366	Polk	8 778	Solar amdts to THA	State Affairs			x	
1606	Lewis	3 997	Dept of Lbr & Stds to do RCS		4/22	OK		
1577	Coody	1 281	Conserv Code - all bldgs	st Affairs	<u>3/30</u>		x	x
<u>1146</u>	<u>camp</u>							

lgave S

SENATE BILLS SUPPORTED

Bill #	Sponsor	Comp #	Description	Committee	Report Date	Vote	L to C	L to S
251	Meier	1200	Solar Easement	Jurisprud			X	
267	Santiesteban	7673	Partial Franchise Exempt	Finances			x	
280	Mengden	9756	Conserv in Capitol Bldgs		ok	ok	X	X
281	"	11577	Conserv code-all buildings	Nat Res	3/11	✓	x	X
282	"	5744	<u>Vanpooling</u>		ok	ok		X
364	Vale	10818	Moving solar adv tax exemption	Nat Res	3/4	ok		
542	Mengden	6	Voiding anti-solar restrictions	Jurisprud	4/27	SC ✓ Cmt matters	X	X
601	Brown	1315	PUC setting stds for solar device	Nat Res	4/8	OK	x	
637	"	41335	Solar in new State Bldgs	"			1335	X
717	Mengden		Exempt conserv prop fr sales tax	Finances				X
605	Wilson, Jno.	1216	<u>PUC regulation</u> of small generatrs	State Affairs	ok	ok		
778	Ogg	91366	Solar Amdts to THA	Nat Res.				
SCR 47	Brooks		Urge PUC & RRL to have off perbraters	Human Res	4/27	OK w/ a		
1009	Meier	21191	Licensing Solar Installers	ECO. Dev.			X	
447				Nat Res				
1335					May 20			

4B 1315
5B

- 9 maybe:
- 1 ? stls
 - 2 poor licensing
 - 3 fair - 1606 3971 865
 - 4 good Hannus
 - 5 ✓ Vanpooling
 - 6 poor Exemptions
 - 7 poor Franchise Tx
 - 8 " THA
 - 9 maybe 10 good Adv Tx

HOUSE BILLS

600-252-9643

475 3026

Positn #	Sponsor	Comp.	Description	committee	date	X/V	lett to com	lett to sp	2 rdg
HB25	Kubiak		Loan fund for renewable energy industrial plants	Appropriations					
HB26	Kubiak		\$5M for R&D of ag fuels						
135	Kubiak		Alc info clearinghouse	Agr & Livestk					
136	Kubiak		State must use 10% alc	Energy Resources					
673	Polk	(267)	Partial franchise tax exmptn	Ways & Means	3/4	Sub c. Nowlin in	✓		
686	Kubiak		R & D for cellulose alcohol	Energy Resources					
OK 756	Delco	280	Conservtn in capitol complex	State Affairs	3/30	will probably be sb 280			
OK 744	Nowlin	282	Vanpooling	Transportatn		up sb 282			
? 814	Keese	(362)	Renewable Energy Comm, Lic'g						
816	"		Reg. of alcohol prod. eqpt.						
817	"	(363)	Solar in st. bldgs, solar code	Energy Res					
818	"	()	Moving solar adv tx exmptn						
OK 819	"	sf 251 sub 7	Solar easmts & solar subdv plng	Energy Res	3/17		✓	✓	
? 820	"		Regulation of solar by PUC devices						
821	"		Solid waste as generatg fuel	Energy Res					
1146	Coleman		20% fundg f/ solar indus heat demo						
1154	"		" " " " electric repowering						
1191	Smith	near	Dept of Lbr & Stds licensing installers	En Res	3/3	Edenburg Nowlin on Clark	✓		
1200	Washington	251	Solar Easements	En Res	3/12	Reason			
1216	Fox	609	PUC reg exempting small generators	State Affairs			✓		
1278	Craddock		Composition of TENRAC						
1315	Blgthe	601	PUC setting standards for test. devices	En Res		to sub	✓	✓	
OK 1335	Hanna	637	Solar in new state buildings	En Res		approved	✓		
ND 1353	Paveto		Exempt of Ecological Labs	State Affairs			✓		
OK 366	Polk	915	Solar codes to T H A						
1006	Low		labor & stds to do RCS						
1577	Coody	281	Thermal & Lighting		4/30		✓		

S	#	Letter	Proxy	App	Sub C	Bill
		✓ 2467	✗ 280	456		Franchise Ty
				819	✓	Cons C.C. —
		1009		1191		Saler Subd Pl
		601 1315				Licensing
		1335 1335				Solar Devices
		778 1366				Hanna's —
			291			THA
				1577		Bldg Stds
		542			✓	merged Anti. Solar
					✓	Exempts
				✓		Saprop Com

Cons

SPB 280 - Cons C.C.
282 - Vanpooling

HB 1606 - RLS

Solar

Solar Index Ht Demo

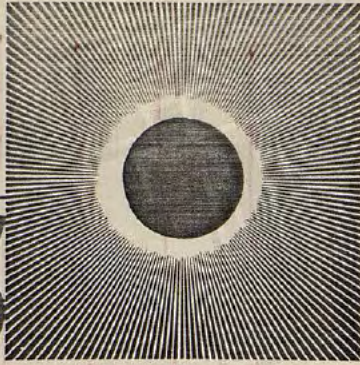
HB 1335

Solar in St Bldgs

POC req small gen.

THE TEXAS SOLAR ENERGY SOCIETY

TX-SES



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Executive Director
Russel E. Smith

March 25, 1981

TO: Board Members
FROM: Russel E. Smith, Executive Director
SUBJECT: Fundraising "Hit List"

As you may recall (those of you who were still present and coherent after the Goals and Objectives sessions) we left a major item on the table at the Board Meeting in Dallas. Everyone agreed to provide a list of every possible source of funding they could think of for both the '82 Conference and general operating funds. It is most urgent that such a list be compiled, including names and addresses of sources and key contact persons either within that organization or who can open doors to it.

Please think about this carefully, compile your list, and forward it to me as soon as as you possibly can. This is, of course, an ongoing situation so don't stop thinking after you send the list. I will be working with Harriet Latimer on this. She will always try to make contact with you first before trying the sources if you so specify. Thanks.

May 14, 1981

To: Program Chairs

From: Nancy Bene

Re: Wrap-Up Newsletter

This memo might sound a bit premature but just to give you a running start, I thought I'd best remind you of the situation here.

Jody's last day will be May 29, and I will hopefully have a job by the second week in June, so begin thinking about what you want included in the last issue of the newsletter (appearing after the close of the session). I realize you may not know exactly what the outcome of your bills will be owing to the last minute crunch - but if you can let us know what you have in mind it will point us in the right direction.

We want to know what successes you and/or the League has/have had during the session (don't be modest); what monumental efforts you made for the cause; how you enhanced the League image; how you sum up the legislative reaction to your area (no bitterness, please); etc.

This material should reach us by June 1 and, all things being equal, the newsletter will be published by the end of the week. We will include how many letters, testimonies, newsletters, etc. were done and the triumphs of the LO.

Basically what I'm saying is that you are responsible for the portion of the newsletter pertaining to your area.

Thank you for your cooperation.

Primer explains bill processes

AUSTIN, Texas (AP) — After the Legislature convenes Tuesday, newspapers will be full of details on dozens of bills as they wend their way through the legislative maze.

Here are some questions and answers to help explain how the lawmaking process works.

Q. In brief, what are the steps a bill must follow?

A. Introduction in the House or Senate. Committee approval. Passage on two separate legislative days — or suspension of the constitutional rule requiring this. Introduction in the other chamber. Committee approval. Floor passage. Signature by the governor.

Q. How does a proposed law get started through the Legislature?

A. A legislator drafts a bill or has it drafted or receives one from a special interest group and files it with the chief clerk of the House or secretary of the Senate. The bill is formally introduced when its caption is read to the House or Senate and the presiding officer refers it to a committee.

Q. Does every bill that is introduced get considered?

A. No. Only about one-third of the Senate bills and a fifth of the House bills came to a final vote last session.

Q. How does the governor's legislative program get introduced?

A. He asks legislators who support various parts of it to introduce his bills. Sometimes lawmakers volunteer.

Q. What bills get heard by committees? Who decides?

A. Those that the committee chairmen decide should receive a public hearing. Generally, a hearing is held only if the author of a bill requests one. A bill may be considered and voted upon by a committee without a hearing. But on important bills or controversial ones, hearings almost always are held.

Q. How can you know if a bill in which you are interested has been set for a committee hearing?

A. If in Austin, check the bulletin boards outside each legislative chamber for hearing notices. If outside the capital city, call the legislative hot line, 1-800-252-9693. Many trade associations and other interest groups inform their members when hearings are scheduled.

Q. Why do some bills speed through the legislative process while others seem to take all session to reach a final vote?

A. Many reasons. Non-controversial bills move quickly. A controversial bill takes time because of the compromises that must be made and the votes to be collected before it reaches the floor. Complex legislation, with many details to be decided, also requires time. Committee chairmen can stall bills they oppose by sending them to unfavorable subcommittees, delaying a hearing or simply not setting them for hearing or action.

Q. If a committee approves a bill, does that mean it is likely to be passed into law?

A. Not necessarily. Committees sometimes do not reflect the views of the House or Senate as a whole, and their products might be rejected or never be considered on the floor. In addition, there is not time in a 140-day session to consider all committee-approved bills before mandatory adjournment, so many die without action.

Q. If a committee disapproves a bill, is it dead?

A. Yes, for all practical purposes, even though legislative rules provide for minority reports as a way to beat the committee system. Occasionally a vote to disapprove a bill will be reconsidered and the bill revived, but this is uncommon.

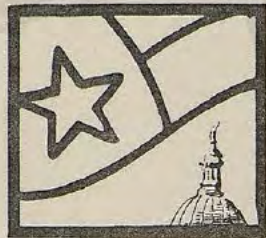
Q. Who decides when a bill is going to be considered in one chamber?

A. In the Senate, a bill reaches floor debate in the first 60 days of the session only if four-fifths of the total membership of 31 senators vote to take it up. During the rest of the session, it takes a two-thirds vote. In the House, the daily debate calendar is set by the Calendars Committee, which is controlled by the speaker. Early in the session, just about any bill that gets out of a committee reaches the House calendar. As the pile of available bills grows, the committee's power increases.

Q. What if one house passes a bill in a form that is unacceptable to the other?

A. A conference committee of five senators and five representatives is appointed by the speaker and lieutenant governor to seek a compromise. If the committee reaches agreement, its version of the bill must be approved by a majority of each chamber before it can go to the governor.

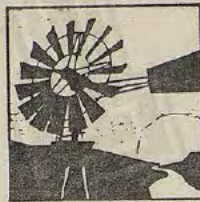
LEAGUE of WOMEN VOTERS of TEXAS



1981 LEGISLATIVE PRIORITIES

League of Women Voters of Texas
1212 Guadalupe, #109
Austin, Texas 78701
(512) 472-1100

*During the 67th Legislative Session,
beginning January 13, 1981, the
League of Women Voters of Texas
will work for:*



Energy

- *Development of renewable energy resources
- *Measures to encourage conservation
- *Environmentally sound use of coal and nuclear power
- *Safe disposal of low-level nuclear waste



Government

Apportionment

- *Voting districts drawn substantially on the basis of population
- *Provisions for necessary local diversities
- *Opportunity for citizen involvement

Initiative and Referendum

- *Provisions for adequate safeguards to insure:
 - .statewide distribution of signatures on petitions
 - .legal review of petition prior to collection of signatures
 - .signatures collected by volunteers
 - .adequate voter education



Water and Waste

- *Research and incentives for more efficient use of water resources
- *Legislation to encourage reuse of municipal and industrial waste and to insure safe disposal of hazardous waste



Administration of Justice

- *Unified juvenile justice programs and facilities
- *New ways to help juvenile status offenders
- *Development of community-based alternatives to prison
- *Voting rights for ex-felons
- *Funding for enforcement of jail standards



Financing Education

- *An adequate education for all school children in Texas by:
 - .providing more state money to school districts with the greatest need
 - .raising the overall level of state funding
- *Full disclosure of the selling price of real estate to appropriate appraisal offices



ENERGY ISSUES

ADVOCACY PAPER

With Texas rapidly nearing the point of being an energy-importing state, the 67th legislative session faces the dual responsibility of implementing conservation as well as encouraging energy production, especially from renewable energy sources, in order to stretch our oil and sustain the economy of the State.

The League of Women Voters of Texas considers energy the most crucial present state and national problem. It recommends expanded conservation and increased reliance on renewable energy sources, as well as environmentally sound usage of more traditional sources, and will actively support sound initiatives which move in this direction.

The agency designated to recommend energy policy is the Texas Energy and Natural Resources Advisory Council (TENRAC). In addition to its staff, it has had the assistance in 1980 of several advisory committees, including the Nuclear Energy Advisory Committee, the Solar Advisory Committee, and the Agriculturally Derived Fuels Committee. TENRAC, in addition to recommending policy, directs research, development, and demonstration in conservation, lignite, solar, wind, biomass, and geothermal areas—all of great energy potential for Texas. The advisory committees have recommended substantial expansion of these activities in their recommendations, which have been adopted by TENRAC. The next TENRAC appropriation should be increased to cover this expanded program.

Conservation:

Energy Audits and Retrofitting

The State should take the lead in conserving energy in its own buildings, both as an example to the public and as a means of saving tax dollars. The State Purchasing and General Services Commission should require energy audits of all State buildings and authorize implementation of those measures which would pay for themselves within a stated time.

Thermal and Lighting Standards

Many new buildings are built without thought or concern about factors which will cost hundreds of thousands of dollars in energy over the life of the building. All new buildings should be required to meet the thermal and lighting efficiency standards set forth by the federal Energy Conservation Act of 1975. State enabling legislation is necessary in this area.

Van Pooling

Ride sharing and van pooling are among the most effective means of conserving gasoline. Texas' van-pool program ranked first in the nation in September. The term "ride sharing" needs to be defined to assure that a van pool will be excluded from consideration as a "motor bus company" and will not be subject to Railroad Commission regulation.



Solar Issues

Texas has an abundance of solar and wind energy. The conclusion of the Solar Advisory Committee was that solar sources (including sun, wind, and some low-head hydroelectric power) could provide 15% of Texas energy needs by the year 2000, and the State should remove all barriers and provide incentives to encourage a rapid substitution of solar energy in order to provide the maximum conservation of fossil fuel for use in transportation and chemical production. Recommended legislation to achieve these goals includes:

- State licensing of solar equipment installers
- Provision for obtaining solar easements (right-to-sunlight security)
- Low-interest loans for new or retrofit residential solar construction
- Required use of solar energy in each new State building built after 1981 if Life-Cycle Cost Analysis proves it economical
- ✓ • Pro-rated franchise-tax exemption for manufacturers not wholly solar
- Testing of solar collectors
- Establishment of a wind-test facility center in Texas

The technology for decentralized use of solar energy is ready. Available small wind-energy conversion systems are economically competitive with utility rates for rural installation if low-interest loans are available. Use of passive solar design is proceeding rapidly. The cost and lack of assurance of quality in solar heating and water heating has been an impediment. Steps to remove these barriers are urgently needed to encourage solar use. The result would be a saving of fossil fuel and a help to a new high-employment-contributing industry.

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These promise to be a hotly debated matter in the coming session. The League supports significantly increased funding of the Radiation-Control Branch of the Department of Health, to enable it to effectively regulate the use of radioactive materials. Additionally, the League supports strong environment monitoring and safety provisions in any legislation establishing a low-level-radiation waste-disposal site in Texas.



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INITIATIVE AND REFERENDUM

ADVOCACY PAPER

Over 20 states currently offer their citizens participation in direct democracy through the tools of initiative and referendum. Polls indicate that a majority of Texans favor these tools for Texas, as well.

According to the various authorities, direct democracy instruments fall into the following categories:

1. **Constitutional initiative:** a constitutional amendment initiated by a petition signed by a specified proportion of the electorate and requiring popular approval.
2. **Statutory initiative:** a law initiated similarly and requiring popular approval.
3. **Mandatory (constitutional) referendum:** a constitutional amendment originating in the legislature and requiring the approval of the electorate.
4. **Mandatory (statutory) referendum:** a law required by constitutional provision to be submitted to a popular vote.

Other forms of referendum include:

5. **Optional referendum:** a law referred by the legislature under an optional constitutional authorization to a popular vote.
6. **Petition or protest referendum:** a law submitted to a popular vote after a petition has been signed by a specified number of voters.
7. **Advisory referendum:** a public policy measure referred to a popular vote, the outcome of which is not binding upon the legislature.

Of the tools listed above, Texas has only constitutional referendum. **The League of Women Voters of Texas supports enactment of constitutional and statutory initiative and statutory referendum by petition.**

But in order to guarantee the integrity of these direct democracy tools and protect against frivolous legislation, the following provisions are recommended.

- Petition signatures should represent statewide distribution and be equal to 10-15 percent of the number voting in the last gubernatorial election.
- There should be a legal review of a proposal, perhaps by the attorney general or secretary of state, before signatures are gathered.
- Signatures should be collected by volunteers. Any funds used for or against a proposal should be fully disclosed as to amounts and sources.
- Voters should be fully informed about all proposals by such means as public notices, hearings, public service announcements and/or information packets mailed to every registered voting household.

With these restrictions, initiative and referendum can be an effective complement to representative government without subjecting it to shrill and extremist demands.



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A look at the record in those states which have I&R procedures indicates that although the usage varies appreciably from state to state, there has generally been no abuse. According to figures compiled by Austin Ranney, a political scientist associated with the American Enterprise Institute, over 1200 statutory and constitutional initiatives were considered in these states from about 1900-1976. The approval rate (about 37%) was well below these referred by legislative bodies. This, coupled with the fact that none of the states that adopted initiative and referendum procedures has seen fit to drop them, indicates that direct legislation has been a positive democratic force during its history.

Most authorities agree that direct legislation has not been, nor is likely to be over a long period of time, a tool apt to benefit those of one political persuasion more than those of another. Support for or against the initiative/referendum process cannot be determined solely on the basis of one's conservative or liberal leanings.

The League of Women Voters of Texas generally feels that these tools can strengthen the basic American view of popular sovereignty and stimulate citizen interest in governmental issues in Texas. Indeed, recent elections demonstrate a higher turnout in states with voter-initiated issues on the ballot. The mere existence of I&R seems to mitigate fears of a strong, uncontrolled government.

The people of Texas have not had a chance to vote on initiative and referendum since 1913, when they turned them down. It's time that they be given the choice again.



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WATER AND WASTES

WATER PLANNING

Nothing is more important to the future economic health of Texas and to the future quality of life for Texans than careful management and protection of the state's water resources.

In May 1977, the Texas Department of Water Resources published initial draft studies for revision of the 1968 Texas Water Plan. The Phase I study predicts future water needs and potential sources of supply in each of the state's 15 river basins and 8 coastal areas. Also included are descriptions of ongoing planning processes and major water problems. Topics to be addressed in Phase II studies include environmental analyses, funding needs, and opportunities for more efficient use of water resources.

To assure timely progress toward an updated statewide water plan, the Legislature should appropriate sufficient funds for water resources planning and public information. Interim studies addressing major water problems—such as groundwater depletion, flooding, and pollution—should provide opportunities for legislators and the public to keep abreast of opportunities for better water resources management and to have input into the planning process.

THE TEXAS WATER DEVELOPMENT FUND

The Texas Water Development Fund was established by a 1957 amendment to the Texas Constitution and has been enlarged and modified by several subsequent amendments. The Fund provides financing for two types of construction projects: A maximum of \$400 million in state bonds may be issued for "conservation and development of water resources." To date, the Water Development Board has issued \$281 million in bonds for this purpose—most of which have been used for loans to political subdivisions for construction of water supply reservoirs. A maximum of \$200 million is authorized for "water quality enhancement" projects. The Board has issued \$100 million in bonds for this purpose, most of which have been used for loans to finance construction of sewage treatment plants. State legislation requires that the Board approve loan applications only in amounts and for projects that cannot be reasonably financed by the applicant without state funds.

The constitution sets the maximum interest rate for the bonds at 6%. Because of increases in prevalent interest rates, it is now impossible for the Board to issue further state bonds at the authorized 6% rate. The Legislature should propose a constitutional amendment increasing the interest rate limit to a figure that is realistic for the current bond market.

HAZARDOUS WASTES

National attention has been focused in recent years on sites, such as Love Canal, where improper disposal of hazardous wastes has caused serious damage to health and water supplies. Congress has addressed these problems in the 1976 Resource Conservation and Recovery Act (RCRA), requiring proper management of hazardous wastes now being produced, and in "superfund" legislation passed in the closing weeks of the 1980 session to facilitate clean-up of dangerous existing disposal sites.

ADVOCACY PAPER



States may be delegated authority to regulate hazardous wastes under RCRA if their programs are equivalent to those required by the federal act and regulations. Delegation of this authority to Texas would avoid costly duplication of state and federal regulatory programs.

In May 1980, EPA published extensive regulations that include definitions of hazardous wastes, requirements for registration of all generators of these wastes, a manifest system for tracking wastes from generation to final disposal, and initial regulations for treatment, storage, and disposal facilities. Further federal regulations for these facilities will be published in December 1980 and early 1981. The Texas Department of Water Resources and the Texas Department of Health have applied for, and will likely be granted, interim authorization for implementation of the RCRA program.

To qualify for final state authorization for implementation of RCRA, the Legislature must provide increased funding to the two state departments for hazardous waste regulation and must increase penalties for violations related to hazardous wastes to maximums of \$25,000 for first offenses and \$50,000 for additional offenses. Criminal penalties of up to a year's imprisonment for first offenses and two years for additional offenses must also be provided. Legislation authorizing these penalties has been drafted by the departments and should be passed in the 1981 legislative session.

The legislature should also enact state "superfund" legislation compatible with the federal act to expedite clean-up of the numerous dangerous disposal sites that have been identified in Texas. Also needed is legislation extending the Texas Coastal Protection Fund to all waters of the state. This fund facilitates emergency clean-up of spills and discharges of oil and hazardous substances and is maintained by reimbursements from the federal government and recovery of costs from those responsible for the spills and discharges.



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TEXAS CRIMINAL JUSTICE

ADVOCACY PAPER

TOWARD JUSTICE FOR ALL

During the 67th Legislature, the League will focus on the following areas of the adult and juvenile justice systems:

- statewide standards and funding for juvenile justice programs and facilities
- removal of responsibility for status offenders from judicial control
- statewide enforceable jail standards
- funding for development of community-based alternatives to prison
- voting rights for ex-felons

STATEWIDE STANDARDS AND FUNDING FOR JUVENILE JUSTICE PROGRAMS AND FACILITIES

Our overall goal is a uniform statewide juvenile justice system. Youth justice services now are **inconsistent and fragmented**. Juvenile probation and detention services are provided by the county, if at all, but there are **no state guidelines for personnel qualifications, programs, or facilities**. A statewide system could provide more comprehensive planning, uniform standards and practices, a comparable level of service to all areas, and more uniform staff training and development.

The League supports the handling of juveniles through local community programs, but this requires adequate state financing at the local level. Although the Texas Youth Council (TYC) community assistance program helps to some extent with funding, it is not enough, because the vast majority of youth in trouble are under the jurisdiction of local probation departments rather than the TYC.

REMOVAL OF STATUS OFFENDERS FROM JUDICIAL CONTROL

The status offenses of **truancy and running away from home are not actually criminal behavior**. Jurisdiction over this conduct should therefore be removed from the criminal justice system.

Then how would juveniles exhibiting such behavior be helped? Responsibility for supervision of status offenders should be given to an already existing agency such as the Department of Human Resources, that is capable of dealing with troubled families through a variety of programs.

Children in one jurisdiction should be able to benefit from a good program in another jurisdiction. State funding should be provided for innovative programs that have been found to be successful in some local communities.

STATEWIDE ENFORCEABLE JAIL STANDARDS

It has been all too common for Texas county jail prisoners to be held in unsafe, unsanitary, and overcrowded surroundings while awaiting trial or serving a misdemeanor sentence. Such condi-



tions served only to foster in the offender a deep-seated anger against the society to which he would someday return. Thanks to the Commission on Jail Standards the situation is improving rapidly. With standards well established and all county jails inspected and notified of any deficiencies, the Commission began its enforcement and certification program late in 1979. By August 1980, 55 jails were certified in compliance with standards; 15 jails voluntarily closed; and an additional 55 jails were in committed states of construction or renovation. Most of those undergoing construction will be in compliance as soon as they are occupied.

This is substantial, obvious progress. **The Commission on Jail Standards must continue to exist and its funding must be adequate to enforce the standards.**

FUNDING FOR DEVELOPMENT OF COMMUNITY-BASED ALTERNATIVES TO PRISON

In ten years Texas' prison population has more than doubled – from 13,000 to over 27,000 – and is expected to reach 40,000 by 1985 if present trends continue. Finding and adequately training enough correctional officers to serve our rural prisons has become impossible. We can no longer justify the enormous cost of imprisoning non-violent offenders convicted of thefts averaging \$1,000 or less in \$100,000 cells.

Alternatives must be developed and funded.

There are many proven alternatives – court residential treatment centers, work release programs, halfway houses, restitution programs, alcohol and drug treatment centers, and community service programs. Non-violent offenders can be placed in these kinds of programs, and even with intensive professional supervision the costs would be much less than operating maximum security prisons. Most offenders in these programs can hold jobs, pay room and board, and help support families. Besides being less expensive and more humane, such treatment is far more likely to help change criminal behavior than is imprisonment. **Alternative programs, rather than new prisons, should be developed and funded.**

VOTING RIGHTS FOR EX-FELONS

We will continue to support restoration of voting rights for ex-felons.

In the past four years, with the full support of the League of Women Voters of Texas, the state has achieved a statewide adult probation agency, a more complete court administration system, a speedy trial law, compensation to victims of crime, and some funding for jail standards enforcement. But more needs to be done. The League urges you to act now to secure justice for all.



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Texas Focus

LEAGUE of WOMEN VOTERS of TEXAS

Suite 109, 1212 Guadalupe, Austin, Texas 78701

WIRETAPPING IN TEXAS: AN UNJUSTIFIABLE INTRUSION

The League of Women Voters of Texas has supported state laws that prohibit electronic surveillance or wiretapping since 1977.

EARLY HISTORY AND USAGE

Originally wiretapping simply meant the attachment of wires to other wires to eavesdrop electronically. The term now includes a vast array of bugging devices and is also referred to as electronic surveillance.

Climbing telegraph poles to intercept messages during the Civil War, spies were the first wiretappers, followed soon by a lazy war correspondent who discovered he could "scoop" his competition by tapping their telegraph lines. Thereafter the police began to use wiretapping; and, when the telephone was invented, these skills were applied to it. Wiretapping increased in World War I, and in the 1920's it was used to combat organized crime and political upheavals.

In 1928 the Supreme Court first ruled on electronic surveillance in *Olmstead vs. United States* holding in a 5-4 decision that Fourth Amendment protections against illegal search and seizure did not apply to wiretapping because words could not be seized, and a wiretap did not involve physical entry. In the dissent Justice Oliver Wendell Holmes called it "a dirty business." Justice Louis Brandeis named the right to be let alone the right most valued by civilized men. He wrote, "To protect that right, every unjustifiable intrusion by the government upon the privacy of the individual, whatever the means employed, must be deemed a violation of the Fourth Amendment."

The Federal Communications Act of 1934 forbade anyone not authorized by the sender to intercept any communication and divulge or publish its contents. The result was that wiretapping continued, but evidence so obtained was not admissible in court.

Presidents Roosevelt and Truman authorized electronic surveillance in the interest of national security. Presidents Kennedy, Johnson, and Nixon employed it to disrupt the civil rights and anti-war movements. Hearings chaired by Senator Edward Long in the mid-1960's revealed extensive illegal wiretapping by private citizens and public officials. Long and the Johnson administration urged passage of a law to forbid such surveillance except in cases of national security. Instead, the Omnibus Crime Control and Safe Streets Act of 1968 was enacted.

PROVISIONS OF FEDERAL LAW

It is Title III of that act that regulates electronic surveillance law today. With few exceptions it prohibits the interception or disclosure of wire or oral communications unless authorized by a federal court. It allows consensual tapping, meaning at least one person in the conversation agrees to the eavesdropping, without a court order. Such wiretapping is routine with most law enforcement agencies and allows police to intercept conversations involving their officers or informants. Within the normal course of their employment telephone company and Federal Communications Commission employees are excepted. Constitutional power of the President in national security matters is not limited by the act.

Permission to wiretap may be granted to a federal agent for investigation of a wide range of offenses including espionage, murder, kidnapping, bribery of public officials, racketeering, and narcotics offenses.

An application for wiretap authority must clear the agent's

local and national offices and be approved by the Attorney General, who then applies to a federal court in the district where the wiretap is to be installed. In emergencies involving national security or organized crime, however, an agent may intercept conversations up to 48 hours without a court order.

The application must specify the agent's identity, facts justifying need for the order, other methods that have failed or will be likely to fail or be too dangerous, and the estimated time period.

To approve the application the judge must find that there is probable cause to believe that a person is committing, has committed, or is about to commit a specified offense; conversations about the offense will be intercepted; and the target person will be using the premises in question. The judge must also find that normal investigative techniques have failed or would be too dangerous or inappropriate.

Each judge's authorization must require agents to minimize interception of conversations unrelated to the investigation. The order must give the identity of the target person, if known; the nature and location of the premises to be tapped; the type of communication to be intercepted; the identity of the authorized agent and agency; and the time period of the order, not to exceed 30 days. Extensions, for which the judge may require a progress report, may be granted upon application.

Safeguards include a provision that privileged communications (between attorney and client, husband and wife, etc.) may not be disclosed in court. The target person may be informed of the interception after it is completed if the judge determines it would serve the interests of justice. Penalties are specified for violations of the act, and civil and punitive damages and attorney's fees may be recovered for such violations. There is also a prohibition on the manufacture, sale, possession, and use of illegal equipment.

Title III of the Omnibus Crime Control Act also provides that if a state passes enabling legislation, state judges may authorize wiretaps if procedures conform to federal and state law. These wiretaps may be for investigation of almost any felony offense. Between 1968 and 1973, 22 states and Washington, D.C. passed such enabling legislation. Since then only two additional states have done so.

TEXAS AND WIRETAPPING

Bills to permit wiretapping have been introduced in Texas since the late 1960's, but all have failed. In 1977 the legislature did pass a law prohibiting electronic surveillance without consent of one of the parties. It also forbids use or divulgence of information so obtained and assistance in an interception by a landlord, building operator, or telephone company employee unless the latter is acting in the normal course of employment. Federal agents, of course, can still act under Title III.

A campaign to pass legislation to permit wiretapping has been mounted by the Governor and the new Director of the Department of Public Safety (DPS). They argue that the federal government lacks enough agents in Texas to cope with narcotics violations and that state and local law enforcement officials must be allowed to wiretap to reach the upper echelon of persons financing or trafficking in narcotics. It should be pointed out, however, that drug offenses for which the proposed tapping could be used are all federal offenses. Texas DPS

and local law officers can give information to federal agents for investigation and possible court-ordered wiretap.

The proposed Texas statute is patterned after the federal law. It is limited to felony narcotics cases (other than felony possession of marijuana) with only the DPS allowed to install and operate wiretaps. One judge in each of the nine administrative judicial districts would be named by the presiding judge of the Court of Criminal Appeals to authorize wiretaps. The authorizing judge would be required to notify the target person of the surveillance within 90 days after its termination. If an application were denied, the designated judge would be required to notify the target person within 90 days after denial. Information obtained from an illegal wiretap would not be admissible in court, and illegal tapping would be a third degree felony.

Heads of local law enforcement agencies, through local prosecutors, could apply for wiretaps; but the DPS would remain responsible for the installation and operation of the tap.

PROBLEM AREAS

Restrictions of the federal law seem very limiting, but when wiretap legislation is considered, there are many problems that bear closer examination.

Extent of Use

From 1969 through 1978, 6,692 wiretapping applications were approved, but only 18 were denied, an approval rate of more than 99 percent. These cases were about 20 percent federal, 80 percent state. During this time, there were 315,571 persons overheard and 4,105,712 conversations recorded. Of these official taps 54 percent were gambling cases, 27 percent drug, and 19 percent other types. Applications have declined steadily since 1973.

These figures do not include national security taps, monitoring taps by the telephone company, or consensual surveillance—all legal but not court-authorized.

Illegal surveillance is a most disturbing factor. In 1976 the National Commission for the Review of Federal and State Laws Relating to Wiretapping and Electronic Surveillance included in its report a representative sampling of 24 alleged police illegal wiretapping incidents. Ten of these occurred in states with state wiretapping laws, but the possibility of obtaining a legal order did not deter police officers from allegedly engaging in illegal activity.

Public concern increased when it was revealed that the Nixon administration had listened to the conversations of four newsmen and 13 government officials in the name of national security.

Probably the largest illegal wiretapping operation yet exposed in this country was carried out by local police assisted by FBI agents in New Haven, Connecticut from 1964 to 1971. Records of just one year's wiretapping, compiled by police on index cards, include more than 250 victims ranging from Black Panthers and anti-war activists to Yale University faculty, housewives, journalists, and lawyers.

Closer to home, former Houston police chief Carrol Lynn told a U.S. House subcommittee in 1975 that he suspected 40 to 50 officers in his department had set up countless illegal taps, many with help from the FBI and Southwestern Bell. Two former Houston police officers were later convicted of illegal wiretapping.

Lack of Effectiveness

How effective is wiretapping? Its proponents argue that it is an indispensable aid; that although the use of wiretapping has not decreased the drug traffic since 1968, it has slowed the increase; and that it is an effective tool used only in major cases. Indications are, however, that it is not so effective. Use of wiretaps has declined since 1973, probably due to the switch from high-yield, low-cost gambling cases to low-yield, high-cost narcotics cases. From 1973 to 1978 Texas had only 15 court-ordered taps—six for gambling and nine for drugs. It is possi-

ble that tapping may be occurring as often as before, but without court authorization. Nevertheless the decline may be interpreted to mean that wiretapping has not been found to be very effective.

Electronic surveillance has not been highly productive of arrests and convictions. Only 15 percent of all conversations intercepted in narcotics cases are incriminating. For the years 1973-1977 in federal and state narcotics wiretaps one-third yielded no arrests. More than half the federal cases and nearly three-fourths of the state cases failed to yield any convictions.

The National Commission report includes a profile of sentences in a representative sampling of narcotics wiretap cases from 1969 through 1973. Half the convictions were for the misdemeanors with either no imprisonment or only up to one year in prison. Another 22 percent resulted in imprisonment of one to five years. These sentences indicate that wiretapping has not been used chiefly to investigate and prosecute the "kingpins" in illegal drugs. John G. Evans of the Drug Enforcement Administration insists that the higher the echelon, the less effective wiretapping is because the more sophisticated criminal will not risk incriminating telephone conversations.

Cost effectiveness, too, must be considered. In 1978 a federal narcotics wiretap cost \$41,577. State costs are less, due in large part to lower pay scales; but in Florida the same year a narcotics tap averaged \$18,584.

Inadequate Safeguards

To grant a wiretap authorization the judge must find the application meets three probable cause requirements, yet in the last ten years more than 99 percent of applications to wiretap have been granted. The arrest and conviction statistics do not confirm existence of probable cause in a reasonable percentage of cases.

Judges must also find that normal investigative procedures have been tried and have failed or appear unlikely to succeed or too dangerous. The National Commission report concluded that judges have been satisfied with a "sweeping recitation" of "standardized language."

The order to wiretap must specify the identity of the target individual only if known, so law enforcement officials are not limited to intercepting only that person's conversations. Despite the minimization requirement, conversations not related to the investigation are frequently intercepted. This practice was upheld in *Bynum vs. United States* in which 71 recorded calls (14½ hours) were made by the teenage babysitter of the defendant's child. Additionally, privileged conversations are intercepted but cannot be used as evidence at trial.

Prohibitions against illegal wiretaps and illegal manufacturing, sale, or use of equipment have not been strictly enforced.

CONCLUSION

This 130 year old practice, which has been so widely used both legally and illegally, is not worth the cost in dollars or the risks to our constitutional rights. Many privacy safeguards in the federal law either are weak, have been weakened by court decisions, or are not strictly enforced. Judges appear to approve wiretap applications routinely. The effectiveness of wiretapping must be questioned when we realize this expensive tool was used in narcotics cases to obtain convictions which were, in at least half the cases surveyed, for mere misdemeanors. For such an expensive procedure, wiretapping produces very little return on the taxpayers' dollars.

Based on past history, it does not appear that state-authorized wiretapping could be successfully used to stop the upper echelon of drug traffickers. Since the drug offenses for which the wiretap law is sought are federal offenses, the state law is not even needed. Overall, it appears that in a state devoted to individual liberty the questionable benefits of state-authorized electronic surveillance are far outweighed by the risks to privacy.

Researched and written by Lois Carpenter
Edited by Charleen Rosebery
League of Women Voters of Texas
1212 Guadalupe #109
Austin, Texas 78701 (512) 472-1100
10/\$1.00 (5% sales tax) October 1980

TO: LL Presidents, please forward 2nd copy
to Action Chairman; DPM

FROM: Nancy Bené, Legislative Director

RE: Possible Legislative Successes in the
1981 Session

LWV-Texas
November, 1980
LL Pres. Mailing(2); DPM
I. A. 2.
Action - State

During our Program-Action meeting in Austin, November 5 and 6, LWV-T program directors were asked what they predicted could be legislative successes in the next session. Perhaps the following list places us in the position of mystic seers, but we thought you might be interested in what they came up with. You might want to put this in your files until after the governor signs the bills next June just to see how close we came to reality.

The lists are divided into two categories: 1) probable successes and 2) "maybe" successes. I might caution you that this memo is strictly for you and your board's information and should NOT be duplicated in any way for your general membership. I'm sure you realize that what goes on during the session rarely bears any resemblance to the real world and, depending on what's happening at any one time, might have profound consequences on our program.

Probable Successes

Solar legislation
Low-level nuclear waste management
Energy audits for state buildings
Automatic restoration of voting rights for ex-felons
Funding for Criminal Justice Division (includes a jail standards commission)
Safeguards for initiative and referendum
Hazardous waste management and funding
Energy Development Fund increase
Bail bond regulations
Amendment of aggravated rape and sexual abuse statute

"Maybe" Successes

DHR requests
Incentives for solid waste recycling
Full disclosure of property sales

#

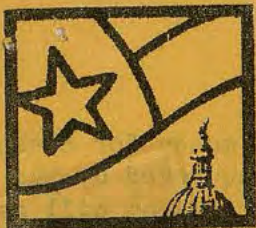
LWV-Texas
July 24, 1981
State Board Mailing

TO: State board, offboard chmn., FSRs, State Unit Advisers
FROM: Beth Brown, Org. VP
RE: Guidelines for WITHDRAWAL OF RECOGNITION

The enclosed sheet supersedes what appears in the "Organization Guidelines" of August 1979 (orange cover, penultimate page). The added paragraph regarding disbanded Leagues immediately becoming state units is purposely blunt. The point needs to be made that State Units are intended to start from the ground up, not from the local League down.

Please throw the old page away.

#



LEAGUE of WOMEN VOTERS of TEXAS
1212 Guadalupe, #109, Austin, Texas 78701
512 472-3841 Legislative Info 1-800-252-9693

LEGISLATIVE NEWSLETTER

Vol. 6 No. 17
June, 1981

Nancy Bene
Legislative Director

ONE MORE TIME...

Governor Clements has called the 67th Legislature back into session beginning July 13. He has already indicated 5 areas that were "left-over" from the regular session - 3 of which will be of interest to the League: congressional redistricting, creating of a Texas Water Trust Fund (HJR 33) and revision of the state property tax code (HB 1465). All of these areas were discussed at length during the regular session but all deadlocked in conference committees in the last few hours.

The call does not include consideration of alternate financing of college construction projects or some other "hot" issues. Therefore, there is a possibility that other items will be added before the session convenes.

AS FOR THE REGULAR SESSION - This newsletter capsulizes what happened to the League priority items during the regular session. The dust has settled a bit and each of the program chairs has given an overview of their area. In general we had several big successes such as keeping HJR 33 from being passed, a statewide juvenile probation system, and a Low Level Nuclear Waste Authority. Read on for the particulars.

WATER AND WASTE - Catherine Perrine

Water Project Funding - HJR 33 and HB 1569 (Clayton). The League made a major, and partially successful, effort to modify this proposed constitutional amendment and its implementing legislation in the Senate. Substitute versions of both bills were favorably reported by the Senate Finance Committee on the next to the last day of the session. HJR 33 died on the last day of the session because its Senate sponsor (Howard) had not placed it on the Intent Calendar. This point of order was raised by Senator Mauzy. HB 1569, which would have been subject to the same point of order was not brought up for consideration on the Senate floor.

Water Planning - Little attention was given by the legislature to water planning issues; however, near the end of the session, SR 719 (Santiesteban) creating an interim study of water planning, was introduced and passed. The study will include water issues relating to ground water supplies, legislative alternatives encouraging renewable energy resources and determination that new nuclear and industrial waste disposal laws mandate the safest locations for disposal and transportation of wastes and are adequately enforced.

Hazardous Wastes - HB 1407 (Clark) underwent numerous changes in both the House and Senate. As passed, it includes higher penalties for violations and other provisions necessary for the state to be delegated authority for regulation of hazardous wastes, but does not include the siting requirements for disposal facilities that were supported by the League.

SB 758 (Brown) authorizes state appropriations to match federal Superfund money for cleaning up dangerous inactive hazardous waste disposal sites. The \$5.6 million requested by the Department of Water Resources for this purpose was included in the appropriations bill as passed.

HB 531 (Weiting) which was supported by the League, would have expended funding for cleanup of spills of oil and hazardous materials (now available in coastal counties) to all of the state. It passed the House but died in the Senate.

HB 1379 (Craddick) which includes provisions necessary for state delegation of authority to regulate injection wells, passed.

APPORTIONMENT - Lavora Spradlin Arizaga

Congressional redistricting will be done in the special session because the conference committee could not resolve the differences in HB 1400 and SB 799 before the end of the regular session. The full legislature will be concerned with this issue.

As Governor Clements vetoed the Senate redistricting bill, the constitutionally mandated Legislative Redistricting Board (Lt. Governor, Speaker of the House, Comptroller, Land Commissioner and Attorney General) will undertake the task of redrawing the lines.

House redistricting has a good chance of also going before the same board. At this writing the House redistricting plan is in court. Lt. Governor Hobby is waiting for the court hearing before calling the first meeting of the LRB.

HUMAN RESOURCES - Lavora Spradlin Arizaga

HJR 62 (Washington), which replaced the \$80 million amount ceiling on welfare payments with a ceiling of 1% of the state budget, was sent to the governor and will appear on the ballot in 1982. While this cannot be considered a total victory (which complete removal of the ceiling would have been), we nevertheless view this as a major success.

HB 467 (Luna), which would eliminate the requirement that public school children must be citizens, died in committee.

HB 1113 (Washington), which revised the Displaced Homemaker's Act, died in subcommittee.

ADMINISTRATION OF JUSTICE - Lois Carpenter

Criminal Justice Planning and Funding - SB 127 (Meier) continuing the Criminal Justice Division in the Governor's office and Criminal Justice Planning Fund, finally passed and was sent to the Governor 6/2. This was the only part of the Governor's anti-crime package we actively supported. Replacing the federal Law Enforcement Assistance Administration funding, the monies for criminal justice grants will come from increased court costs.

Commission on Jail Standards - Success at last! The state of Texas will be the only source of funding for the Commission on Jail Standards for the first time since its creation in 1975. League testimony before the Senate Finance Committee and the House Security and Sanctions Budget and Oversight Subcommittee stressed that the Commission's budget requests were reasonable and consistent with the work expected of them. Incidentally we were the only organization supporting the Commission.

Funding News - The caseload supervision funds for the Board of Pardons and Paroles (BPP) were restored so that the caseload will remain at 50:1 as recommended by the Legislative Budget Board and the LWV-T.

The Adult Probation Commission received \$5 million for intensive supervision but the funds for community-based corrections were not reinstated.

Juvenile Probation - HB 1704 (N. Jones) At last Texas will have statewide juvenile probation though not the system we preferred. The bill creates a Juvenile Probation Commission consisting of 3 juvenile judges and 6 citizens, some of whom will probably be juvenile probation officers. HB 1704 was amended several times before it finally passed. The only funding it has is a little for administration plus the \$6.5 million in community assistance program funds from the TYC budget request. These are the funds which the LWV worked successfully to have reinstated.

Work Furlough and Overcrowded Prisons - SB 1221 (Caperton) relating to the quartering of prisoners on work furlough was actually passed by the legislature and may well be signed by the governor. What passed, however, was a House committee substitute by DeLay that was worked out with the governor's office and is vastly more stringent than Caperton's original bill. Given the more stringent requirements and the current governor's reputation for a high parole veto rate, we are doubtful that this bill will do much to relieve overcrowding in Texas' prisons.

The legislature approved \$35 million for construction of metal dormitories at existing prisons to house 2,880 inmates. Also 4,000 prisoners per year are to go into half-way houses. Funds were appropriated for additions to several existing prison units as well as \$47.5 million to construct a prison in Grimes County, and \$28 million to purchase land for 2 more prisons.

Wiretapping - We lost this one. For details check the 5/29 Texas Observer. HB 360 (Bock) passed the Senate with only Doggett, Mauzy, Truan, Uribe and Vale voting no. The House approved the Senate changes including a self-destruct clause for September 1, 1985. The bill was sent to the governor 5/28. Those who voted no deserve a note of thanks.

Interim Study - HCR 119 (Laney) sets up an interim committee with an advisory board and with subpoena powers to study the whole criminal justice system in Texas. Its recommendations will be reported to the 68th Legislature in January, 1983. It was signed by the Governor 5/25.

SCR 63 (Brooks) making the development of community based corrections a policy of the legislature, was reported favorably from the Senate State Affairs Committee on 3/25 but was never brought to the floor.

SB 546 (Ogg) giving voting rights to ex-felons, was reported favorably from the Senate State Affairs 3/2 but Ogg was never able to get enough votes to bring it to the floor. Companion HB 2045 (Ware) was reported favorably from the House Committee on Elections on 4/28; but died in Calendars Committee.

SB 570 (Mauzy) transferring supervision of truants and runaways to DHR, was reported favorably from the Senate Jurisprudence Committee 3/25 but was never brought to the floor.

HB 393 (Hernandez) providing \$1 a day inmate pay, was tabled by the Committee on Security and Sanctions.

HB 582 and HB 583 (Benedict) reorganizing the Board of Pardons and Parole, died in the House Committee on Security and Sanctions; it was superceded by SB 125 by Farabee, the Governor's bill.

HB 916 (Washington) expanding jurisdiction of the Jail Standards Commission to include city jails, was tabled by the Committee on Security and Sanctions in mid-May.

HB 1111 (Washington) removing the governor's veto power over parole decisions, was changed in subcommittee to a completely different bill to restructure the Board of Pardons and Paroles; it was then tabled when it reached the floor of the House.

ENERGY - Isabel Miller

Conservation: We got a decision to implement the energy conservation measures recommended by audits on buildings in the capitol complex ordered by the 66th Legislature (SB 280, Mengden). SB 282 (Mengden) encouraging Van Pooling by defining ridesharing as not subject to Railroad Commission regulation, passed. We got the enabling legislation (HB 1606, Lewis) for the Residential Conservation Service program (our action alert) authorizing the Bureau of Labor and Standards as the administrator. We did not get a Thermal and Lighting Standards code. SB 281 (Mengden) set very weak standards but was supposed to be required for participation in the federal conservation program. Funding for this has dried up so maybe failure here is no great loss.

Solar Issues: We did not get installer licensing, equipment testing, pro-rated franchise tax exemption, a solar easement bill, or low interest loans for solar buildings (all Solar Advisory Committee recommendations); we did get a bill (HB 1335, Hanna) requiring use of solar energy on new state buildings if it is shown by life cycle cost analysis to be economical. (This was Hanna's own bill; 3 others of the above as well as 6 more solar bills never cleared his House Energy Resources Committee.)

Renewable Energy: Three bills made it. One (SB 605, Wilson) encourages small power generators using wind, photovoltaic cells, cogeneration, etc. by removing them from regulation as a utility. Another (SB 691, Santiesteban) authorizes the state to provide 20% of funding for solar industrial heat demonstration. (It was assumed that most of the other 80% would be federal, but that is unlikely now.) The third (HB 1154, Coleman) relating to a program to demonstrate solar electric repowering, passed.

Not much leaked through the dam, but the flood of renewable energy interest is rising. Twenty-three different ideas embodied in 42 initiatives appeared this session on subjects ranging from wood stoves to stills to power towers. The Senate end of the stonewall is much less impermeable than the House end --- twice as much trickled through it.

SCR 19 (Caperton) This bill established a moratorium on commercial radioactive waste management sites. We were successful in limiting this moratorium, as only one processor-collector is licensed in Texas.

SB 480 (Traeger) This bill establishes the framework for establishment of a low-level radioactive waste disposal site in Texas with strict environmental and health provisions. The League was active from the beginning in revisions of and passage of this legislation. Success!

SB 1177 (Brooks), HB 1533 (Bock). This bill establishes a Low Level Waste Disposal Authority for the state of Texas. It passed the Senate unanimously but ran into difficulties in the House and many floor amendments were introduced. These hurdles were finally passed, however, and the bill passed in good form. We had constant input on this bill, including participation in the initial drafting. We can consider passage of this legislation a major success.

The other area we supported long before the Session began was sufficient funding of the Radiation Control Branch of the Department of Health. We saw the funding raised from less than \$1 million to approximately \$5 million. Again, the League can take much of the credit.

The following prayer was given by the Senate Chaplain, Dr. Gerald Mann:

"We are grateful that it doesn't take a wire-tap law for You to find out what we're up to. Amen."

GOVERNMENT - Jeanette Davis

Initiative and Referendum - We spoke strongly for SJR 2 (Mengden) and HJR 2 (Smith) and wrote an amendment which was accepted. The measure failed in the House as we had predicted it would. The League was recognized as one of the few groups lobbying in Austin on I & R who actually understood the subject.

Recodification of the Texas Election Code (SB 610 by Ogg and HB 1008 by G. Hill) Senator Ogg had high praise for the League's long-standing support and work for this recodification. The bill passed the Senate but never made it out of subcommittee in the House due to the last minute work being done on redistricting.

HJR 47 (Ware) providing for the non-partisan election and merit selection of judges, long a support position for the League, died in subcommittee.

A number of bills passed which make minor but important changes in the Election Code. As soon as these are signed by the governor and put in some order, you will be notified.

MODERNIZING STATE GOVERNMENT - Helen Hunter

We reviewed 15 bills regarding salary of legislators, annual sessions, judicial selection, legislative review of rule making by agencies in the executive department, state finance committee.

We supported two of four bills relating to salary increases for legislators. All failed on either the floor of the House or Senate. We reviewed 5 bills relating to legislative review of rule making by agencies in the Executive department, and gave testimony opposing HJR 7 (Sharp) which failed to come out of senate committee.

We supported and testified in favor of HJR 38 (Simpson) creating a state finance management committee. This legislation passed and will be presented to the voters on November 3, 1981 as a constitutional amendment. Success!

PROPERTY TAXES - Jan Albers

We had expected HJR 81 (Jackson and Sharp), which permits local governing bodies to grant larger homestead exemptions, to die in a Senate committee. But HJR 81 made it to the Senate floor where it was changed for the worse and the House concurred. This proposed constitutional amendment will be on the November 3, 1981 ballot.

If passed by the voters, HJR 81 permits the governing bodies of political subdivisions to grant tax relief for residence homesteads by exempting a percentage of the market value from ad valorem taxation. The maximum exemptions are: 40% in 1982-1984; 30% in 1985-1987; and 20% thereafter. The minimum exemption is \$5,000 but may be changed by the legislature.

This all sounds great, however, there is nothing to stop the governing body granting the increased exemption from at the same time raising the tax rate. In this case, the benefit to a homeowner will not be as great as the adopted exemption would imply. Nevertheless, some shifting of the tax burden would occur - primarily to businesses and renters. It should also be noted that by moving from a fixed dollar exemption to a percentage, the most dollar relief would go to the wealthiest.

The legislators who supported HJR 81 thought that new appraisals were already unfairly shifting the tax burden to homeowners and were attempting to restore the relative tax burden of businesses to homeowners. There are other people who question this contention and the extent to which it might be occurring, but reliable data is hard to obtain and the emotional tax relief arguments clearly won.

The League regrets that the legislature did not give serious consideration to the "circuit-breaker" approach where tax relief is related to a person's ability to bear the tax burden. But if property taxes are to remain the primary funding source for local

(continued page 6.)

governments, this concept will come up again and hopefully fare better in the future. In the meantime, the LWV-T board will analyze HJR 81 and decide what the LWV-T position should be on November 3.

HB 1465 (Peveto) making needed changes in the Property Tax Code as passed last session, died in the final hours of this session. This bill became so burdened with amendments - some controversial, some difficult to administer, and some just plain terrible - that it could not survive. Even though some of the Senate and House conferees understood that certain amendments were bad or would doom the legislation, they were reluctant to take the political heat for removing them. Unfortunately, if needed corrections to the Property Tax Code are not made soon, a movement to do away with the Code altogether (such as HB 602 by Nabers) may gain even more support than it did this time. HB 1465 will be included in the Special Session or at least some property tax reform bill will be considered.

FOR YOUR INFORMATION

HB 231 (Hudson) - Shelters for abused wives and children - tabled in House Human Services Committee.

****All ERA bills (SCR, 39, 40, 41, 42 by Mengden) died in the State Affairs Committee!**

SB 748 (Parker) - Annual Sessions - died in the Senate State Affairs Committee.

SB 284 (Mengden) providing for joint primary elections by political parties, died in Senate State Affairs.

HB 1470 (Washington) - Shelters for victims of family violence, tabled in the House Human Services Committee.

*HB 696 (Heatly) - relating to the sales and use tax exemption of certain non-profit organizations - passed 5/30/81.

HB 702 (G. Hill) - relating to personal liability of agents of non-profit organizations - died in the House Intergovernmental Relations Committee.

SB 521 (Mauzy) - defining students eligible for admission to public schools, never reached the House floor.

SB 516 (Ogg) - Displaced Homemakers Programs - passed the Senate but did not reach the House floor.

*SB 30 (Jones) - lifting the \$5 million per year ceiling on the gifted and talented program - signed by the Governor 4/15.

HB 1334 (Polk) providing for the Department of Human Resources to contract with family violence shelters - sent to the governor 5/29/81

STATISTICS - Nancy Bene

Realizing that more of you responded to the Action Alerts than I received notices of, the following report is taken from those notices that I did receive in the Legislative Office.

Alert #1 - Initiative and Referendum (HJR 60 by Sharp and HJR 2 by C. Smith) - Corpus Christi, San Antonio, Bay Area, Austin, Houston, Tarrant County, Brazos County, Galveston and Abilene. Six Action Alert Corps members.

(continued page 7.)

Alert #2 and #6 - HJR 33 (Water Trust Fund) - Richardson, Edinburg-McAllen, Houston, Tarrant County, Abilene, San Antonio, Brazos County, Dallas, Galveston, El Paso, Bay Area, Austin and Corpus Christi. Action Alert Corps members: 12.

Alert #3 - HJR 62 (elimination of the welfare ceiling) - Brazos County, Galveston, Irving, Corpus Christi, Bay Area, Austin, Richardson, Tarrant County. Action Alert Corps members: 3.

Alert #4 - HB 360 (Wiretapping) - Corpus Christi, Austin, Waco, Tarrant County, Bay Area, Brazos County, Dallas, Galveston. Action Alert Corps members: 10.

Alert #5 - SB 997, 637, 778 and 1606 (Energy) - Galveston, San Antonio, Houston, Irving. Action Alert Corps members: 4.

A special thanks to the alert AAC members: Mary Rhodes, Jan Martin, Jean Lustgarten, Dorothy McCaleb, Kathy Winston, Gay Buell, Mazie Lauderdale, Mona Parker, Sally Coughlin, LaDelle Olson, Dee Jackson, Mary Whitworth, Mary Remenchick, Sally Holleman, E.O. Zeagler, Johnie Christian and Mary Moss.

Testimony - According to our records, 53 separate testimonies were given. Administration of Justice and Energy headed the list. A special thanks to Mary Blackstock who represented the League on three occasions.

To: All subscribers of the Legislative Newsletter

From: The Legislative Office

Re: Special Session Newsletter

The Special Session begins in 2 weeks and the LO will be putting out three (possibly four) issues of the newsletter. It will again be sent via 1st class mail so that the information will be timely. What with the increase in postage and the fact that the regular session newsletter ran over budget, we are asking that you subscribe to the Special Session newsletter for the low cost of \$2.

Each local League and state unit will receive two free subscriptions. One will be sent to the president, and the other will be sent TO WHOMEVER YOU DESIGNATE ON THE FORM BELOW. If you do not designate anyone, the president will automatically receive the second free copy. Each member at large, who is not a member of a state unit, will receive one free subscription.

TO: LWV-Texas
1212 Guadalupe, #109
Austin, TX 78701

Please send second free Legislative Newsletter subscription for the LWV of:

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(League name) (Name of recipient)

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(Address)

TO: LWV - Texas, 1212 Guadalupe, #109, Austin, TX 78701
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ISABEL MILLER



LEAGUE of WOMEN VOTERS of TEXAS

1212 Guadalupe, #109,

Austin, Texas 78701

512 472-3841

Legislative Info 1-800-252-9693

LEGISLATIVE NEWSLETTER

Vol. 6 No. 16
May 22, 1981

Nancy Bene
Legislative Director

TIME FOR ACTION

TIME FOR ACTION

TIME FOR ACTION

TIME FOR ACTION

HB 360 (Bock) Wiretapping OPPOSE

After two weeks on the bottom of the Senate Jurisprudence agenda, HB 360 was layed out for public hearing on Wednesday, 5/20. Lois Carpenter came to Austin on Tuesday to present testimony opposing the bill but the meeting was postponed. Therefore, Nancy Bene presented the testimony on Thursday morning. The opposition was spear-headed by Roy Minton, one of Speaker Clayton's Brilab defense team. At this writing HB 360 had been amended 4 times and a major amendment is expected before the final vote of the committee. (One of the adopted amendments would make the bill self-destruct on September 1, 1985 unless it was passed again in the 1985 session.)

It is expected that the bill will pass out of the committee favorably and reach the Senate floor early next week. If you haven't contacted your Senator on HB 360, call or telegraph now urging their opposition (SEE ACTION ALERT, LN #15). The political pressure behind this bill is formidable and we cannot anticipate the final outcome but it surely won't hurt to generate some pressure of our own.

If the bill passes the Senate as expected - even after a threatened filibuster by Senator Doggett - it will go to conference committee. Therefore, you might want to also contact your representatives to urge their opposition.

HJR 7 (Sharp) OPPOSE

Proposes a constitutional amendment providing for legislative review of executive agencies. This is an exact copy of the resolution that became Amendment #2 and defeated at the polls in 1979. The LWV-T opposed that amendment because it would be a violation of separation of powers. HJR 7 passed decisively to third reading on 5/9. It is expected to pass the house before the end of the week. Write your Senator to oppose this bill.

HJR 38 (Simpson) SUPPORT

This proposed constitutional amendment would create a state finance management committee consisting of the governor, lieutenant governor, speaker of the house and the chairs of the house appropriations committee and the senate finance committee. This amendment was #5 on the ballot last November and failed - mostly because the committee was called the budget execution committee. The LWV-T supported Amendment #5 last year and has given testimony in support of HJR 38 this year. (LN #11) Write your Senators to support HJR 38.

There are several pieces of legislation that the League has watched very closely this session that have not been reported in the newsletter. The newsletter has tried to focus on our priority issues that needed local League support. There have been other issues that were of concern to us, but our best information has been that these bills or resolutions would either be substantially altered or would die in the House or Senate.

Two such resolutions we have monitored are HJR 111 (Clayton) and HJR 81 (Jackson). HJR 111 as passed by the House would make several changes in the way in which Texas colleges and universities are funded. It not only would constitutionally dedicate more money to higher education but is intertwined with HJR 33 which the League opposes. We expect HJR 111 to be greatly changed in the Senate and it is questionable that the changed version would meet with House approval.

HJR 81 has also passed the House and would provide for greater exemptions on residents homesteads from local property taxes. As the League repeatedly pointed out last session such exemptions merely shift the tax burden and sometimes the burden is shifted on to those least able to pay. The granted tax benefits should be based on a more careful analysis of need. Fortunately we do not think HJR 81 will pass the Senate and perhaps next session the legislature will consider other alternatives like the circuit breaker approach.

REDISTRICTING

The Senate, meeting in Committee of the Whole, gave tentative approval last Wednesday to both the Senate and Congressional redistricting plans (SB 799 and SB 800 by Ogg). The House passed their own congressional plan on Tuesday. These plans differ in some areas and will almost certainly be worked out in a House-Senate conference committee.

The Senate is expected to vote out the two plans in regular session on Friday which will then send them to the House. Some Senators have predicted that the governor will veto the congressional plan and another will be drawn in a special session after the regular session ends June 1.

The maps to reapportion the representative' districts are expected to be handed to House members late Thursday 5/21 or sometimes Friday. Action on that plan is expected next week.

ELECTION LAWS

SB 610 (Ogg) Recodification of Election Laws SUPPORT

SB 610 passed the Senate last week and was sent to the House Committee on Elections. Companion HB 1008 (G. Hill) is still in an Elections Subcommittee (McBee, Gibson, Ware) being amended to change those provisions which met with the most opposition. As soon as HB 1008 is reported out of Subcommittee with amendments, the full committee will amend SB 610 to match HB 1008.

CSHB 1569 (Clayton) WATER FUNDS

This bill, the implementing legislation for HJR 33's water fund provisions, has passed the House and has been referred to the Senate Finance Committee. The League will OPPOSE this bill as passed by the House.

It would set up four new water funds to be administered by the Texas Water Development Board. The "mother fund" is a Water Development Assistance Fund, which would funnel money to the other three funds: a Water Bond Guaranty Fund, a Water Loan Assistance Fund, and a Storage Acquisition Fund.

CSHB 1569 would go into effect regardless of the fate of HJR 33. The legislature could appropriate money for the new Funds, in addition to the money that would automatically go to them if HJR 33 is approved. The House has already included a rider in its Appropriations Bill that dedicates Fiscal Year 1981 "surplus" revenues to the proposed Water Development Assistance Fund.

The new Funds would have fewer restrictions and safeguards than the present Water Development Fund, which would also continue to exist. This bill gives the Texas Water Development Board far too much discretion over the spending of state revenues for unspecified projects.

CSHB 1569 may be revised by the Senate Finance Committee, as may HJR 33. Please keep this information and stand by for further news.



Legislative Info 1-800-252-9693

LEAGUE OF WOMEN VOTERS OF TEXAS

1212 Guadalupe, No. 109 • Austin, Texas 78701 • Tel 512/472-1100

ACTION ALERT

SB 997 (McKnight) and HB 1606 (Lewis)

SB 997 and its companion HB 1606 are essential for the implementation of the Residential Conservation Service. HB 1606 has been passed by the House and been sent to the Senate. SB 997 is still stuck in the Senate Natural Resources Committee (Santiesteban, Williams, Brown, Kothmann, Mengden, Ogg, Sarpalius, Short, Truan, Vale, Wilson). If your Senator is on the committee, immediately urge him to approve it. Approval must come this week if the bills are to get to the floor for a vote. Also, everyone, should urge his or her Senator to vote for the measure.

The Residential Conservation Service (RCS) is a federal program which requires major utilities to provide energy audits on request to any patron for \$15, and to recommend the most needed and cost effective improvements to cut energy use, either gas or electric. These recommendations may range from specific weatherization procedures to installing new equipment such as a solar water heating system or a new air conditioner. Since the housing stock we now have will not be replaced for 30-50 years and since it was built in the era of cheap energy, improving its performance is crucial to the conservation effort.

This bill empowers the Bureau of Labor and Standards to (1) prepare a list of reliable persons from which owners may choose a tradesman to do the work (2) inspect the finished work (3) handle grievances relating to the work or to the financing (4) levy a fee for its service.

The League believes conservation is our first line of action and increased reliance on renewable energy our second. This program is on the mark. It will save energy, revitalize housing, and postpone need for more power plants.

(Detach and mail to LWV-T Legislative Office as soon as possible)

Action Alert Member or
LWV of _____

contacted Senator _____

on Bill Number _____

Date _____

TO: State Program Chairs
FROM: Nancy Bene
Legislative Director

LWV-Texas
February 6, 1981
State Board Mailing

Heretofore I realize I have barraged many of you with any and all bills that fell within your general area of interest. I am now being more selective - which is the good news.

Now for the bad news.

Because I do not come preprogrammed in any one of your areas, you must not assume that I know what you are talking about. With the new service, I have very current information; however, that information is no better than what is posted at the Capitol. For instance, the Senate Finance Committee has been meeting the last two weeks to hear agency budgets. Twice now, the Senate Agenda has not reflected those meetings. The Senate works on a 24 hour posting schedule and some of the time those postings arrive in our office too late. Therefore, the only way for us to find out about things before it's too late is for you to alert us by way of your contacts in the various agencies or keep in touch with capitol contacts. I can't cover them all. Jan Albers informs me that the House Committee schedule is even more erratic. They post the schedules but very often do not stick to them. Now that the House committees are being geared up, in some areas, it is even more important that you utilize your contacts or at least the toll-free number. That isn't to say that if you need help that the LO won't do everything possible to answer your call - we will.

As was explained at the Board meeting: Our deadline for the Newsletter is Wednesday. Since I have received so few bill analyses from you, I assume you do not want the Newsletter subscribers to know what is going on in your area.

If you would please go through the stacks of bills which have been sent to you, make a list of those that we do not have a position on (I.E. forget), a list of those we want to watch carefully - either support or oppose, and write a brief - one or two paragraphs - an analysis of why you recommend those positions. Copies of your analysis should be sent to Diana, Laura and the LO simultaneously. You are responsible for getting copies of the bills you want action on to Laura and Diana at the same time you send your analyses to them. Consult the LWV-T Legislative Policy Guide for more details.

Keep in mind that working with approximately 10 (+ or - 1!) bills in each priority area are about the limit that any program chair (or the LO) can expect to effectively monitor. So choose your bills carefully.

One last reminder: It is courteous to inform the sponsor that we support his bill. It reinforces our relationship with the legislators.



LEAGUE of WOMEN VOTERS of TEXAS

1212 Guadalupe, #109, Austin, Texas 78701

512 472-3841

Legislative Info 1-800-252-9693

LEGISLATIVE NEWSLETTER

Vol. 6 No. 14
May 8, 1981

Nancy Bene
Legislative Director

TIME FOR ACTION

TIME FOR ACTION

TIME FOR ACTION

TIME FOR ACTION

Because the Omnibus approach last session got no where, proposed energy legislation this session has been an assortment of small, separate efforts at conservation and facilitation of development of alternative energy sources. There is a chance of our obtaining some good new law regarding energy but it will require writing numerous letters supporting separate bills, or else we will lose our chance. So far, only one of our approved bills has passed both houses.

In order to clarify the picture, the following are the more desirable bills in a rough order of priority, the two most important first:

1. Texas Building Energy Conservation Standards bill. SB 280 (Mengden) passed the Senate and is in the House Subcommittee on State Land and Buildings - Ragsdale, Bomer, Fox. Companion bill HB 1577.
2. Bill authorizing the Department of Labor and Standards to set rules, standards, and procedures for licensing a person to do complete installation of solar heating or water heating systems. No other trade would be involved. It would expedite and centralize responsibility for installation, help solar industry by making one state-wide license valid everywhere- HB 1191 is in an as-yet-unnamed Subcommittee of Energy Resources. Companion bill SB 1009 (Meier) is in the Committee on Economic Development - Harris (Chairman), McKnight, Andujar, Glasgow, G. Jones, Sarpalius, Traeger, D. Travis, J. Wilson.
3. Bill assigning administration of the Residential Conservation Service (RCS) to the Commissioner of Labor and Standards. This is a program requiring major utilities to provide energy audits on request and assist homeowners in getting recommended improvements done. HB 1606 (Lewis) was placed on the Local and Consent Calendars committee on April 30. Companion bill SB 997 (McKnight) is in the Senate Natural Resource Committee - Santiesteban, Williams, Brown, Kothmann, Mengden, Ogg, Sarpalius, Short, Truan, Vale, Wilson.
4. Bill requiring all new state buildings to incorporate use of solar energy wherever it would be cost effective over the life of the building. HB 1335 passed the House and is now in the Senate Natural Resources Committee as is its Companion Bill SB 637.

5. (a) Bill providing for solar easements and requiring subdivisions to be laid out for optimum use of solar energy by requiring east-west streets. HB 819 was sent to a Subcommittee on Energy Resources on March 17. That Subcommittee is as yet unnamed.

(b) Bill requiring voiding of any anti-solar device restrictions and providing for free access to the sun. SB 542 (Mengden) was sent to the Civil Matters Subcommittee of the Senate Jurisprudence Committee - Parker (Chairman), Doggett, Caperton, Santiesteban.

6. Bill exempting corporations which are not wholly involved in solar device manufacturing to exempt that fraction of franchise tax proportional to their solar involvement. The current tax law requires a business to be wholly solar in order to qualify for exemption. HB 673 (Polk) was sent to the Subcommittee on State Finance of the Ways and Means Committee on March 4. Companion Bill SB 267 (Santiesteban) was sent to the Senate Finance Committee - Jones (Chairman), Howard, Blake, Brooks, Farabee, Harris, McKnight, Meier, Parker, Santiesteban, Short, Snelson, and Traeger.

7. Amendment to Texas Housing Authority to enable it to provide loans for financing solar homes or solar additions. Initial cost is the biggest barrier to use of solar equipment. HB 1366 (Polk) was sent to the subcommittee on Utilities of the State Affairs Committee - Gilley (Chairman), Jones, Pierce. Companion bill SB 778 (Ogg) was sent to the Senate Natural Resources Committee on March 2.

8. Providing for implementation of energy conservation measures recommended by audit of the capitol complex building in Austin (Authorized in the last session). HB 765 (Delco) was sent to the State Land and Building Subcommittee of the State Affairs Committee - Ragsdale, Bomer, Fox. Companion bill SB 280 (Mengden) passed the Senate.

If you have a Representative or Senator on any of the committees listed above, write them immediately. In addition to requesting your Senators or Representatives to promptly approve these various bills that are bottled up in committee, all Leagues should proceed with letters to their legislators to vote for these bills when they come up on the floor, because if and when they come out, we may not have time to alert you before the debate. The speed-up has begun.

News Flash

SB 1177 (Brooks) - This bill establishes a Low Level Radioactive Waste Disposal Authority and is the Companion Bill to HB 1533 by Bock. SB 1177 passed the Senate unanimously on 5/6/81 and now goes to the House. Laura Keever deserves a well placed feather in her cap for the work she did on this bill.

COMING UP NEXT WEEK: Update on ADMINISTRATION OF JUSTICE



Legislative Info 1-800-252-9693

LEAGUE OF WOMEN VOTERS OF TEXAS

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ACTION ALERT

GOOD NEWS! HJR 62 has passed the House and is on its way to the Senate!

This is the resolution that proposes the constitutional amendment to remove the constitutional limitation on welfare expenditures. Success is in sight! Write your Senator now to urge him/her to vote for it. Point out that 25% of all Texas children, 22% of all Texas elderly, and 15% of all Texans live below the poverty line. Gelloping inflation, increased unemployment, and decreasing federal spending may soon create a crisis situation in Texas. Even at the present low level of funding (last set in 1969) it appears that the expenditures for the various programs benefiting the needy will reach the constitutional ceiling of \$80 million by the middle of the biennium.

The League of Women Voters has long supported the position that eligibility for assistance be based on need, and that the benefit levels be sufficient to provide decent, adequate standards for food, clothing and shelter. We support the idea that a revision of these "levels" take place periodically to take into account changes in the purchasing value of the dollar. We oppose any constitutional limitations on welfare spending. We believe that the legislature should have the responsibility to meet the needs of the people of our state.



LEAGUE of WOMEN VOTERS of TEXAS
1212 Guadalupe, #109, Austin, Texas 78701
512 472-3841 **Legislative Info 1-800-252-9693**

LEGISLATIVE NEWSLETTER

Vol. 6 No. 15
May 15, 1981

Nancy Bene
Legislative Director

Below is the testimony given by Catherine Perrine, May 11, 1981, to the Senate Finance Committee on HJR 33 (Clayton):

I am Catherine Perrine, speaking for the League of Women Voters of Texas. The League strongly opposes several provisions of HJR 33.

We have long opposed the dedication of state tax revenues for specific purposes, believing that such earmarking unwisely restricts the ability of future legislatures to respond to changing state needs. It is not possible to foresee in the 1980's what needs will be most urgent in the next century.

Moreover, we see no necessity for the vastly expanded state role in the financing of water projects envisioned by this proposed amendment. State subsidies for water development projects will discourage the conservation and more efficient use of water needed to avoid future water shortages. These projects should be paid for chiefly by user charges, rather than state tax revenues. State financial assistance should continue to be limited to hardship cases--the small communities and water districts that cannot finance their projects through the commercial bond market.

In recent years (1977-79) about 70 percent of the costs of Texas water projects have been financed by water districts, cities, and river authorities through the commercial bond market. The Texas Water Development Fund has supplied about 5 percent of the funding, with the rest coming from federal agencies.

Current annual spending rates for water projects, amounting to almost \$700 million per year, are more than adequate to cover estimated costs of all major water supply, water treatment, and flood control projects that have been identified by the Texas Department of Water Resources as needed over the next twenty-five years.

These estimates do not include the cost of importation of out-of-state water to replace declining ground water supplies used for irrigated agriculture in the Texas Panhandle. Construction costs for a project to move Arkansas water to the Panhandle were recently estimated by the Corps of Engineers to run as high as \$40 billion. State funds should not be made available for a project of this magnitude until costs and alternatives have been thoroughly examined. The Six-State High Plains Ogallala Aquifer Study, scheduled for completion next year, will provide much additional information on these costs and alternatives.

-more-

Advocates of the state water fund stress that local financing of water projects is increasingly difficult because of high interest rates and expanding needs of the state's fast-growing metropolitan areas. However, no evidence has been offered to indicate that the funding of such projects is any more difficult than the financing of other new capital expenses, such as streets, schools, and public buildings.

The "crisis" in water supplies is also exaggerated by proponents of the new water fund. Current use of surface water in Texas, about 5.9 million acre-feet per year, is much less than the firm drought-year yield of existing reservoirs--about 11 million acre-feet per year. It is also significant that two-thirds of the potential yield of Texas river basins has already been developed: 11 million of 16.3 million acre-feet. State plans and policies to encourage the most efficient use of the state's ground water and surface water will do more to avert a future water crisis than state subsidies to unspecified water projects.

The League foresees serious problems for the appropriations process that would be created by the proposed amendment. The "surplus" revenues that would go into the new special funds at the end of each biennium include all monies over the amounts estimated by the comptroller as available for appropriation. This provision allows the comptroller to determine revenue allocations that should be the responsibility of the legislature. In the past, funds remaining in the state treasury at the end of one biennium have been appropriated for use in the following biennium. If the legislature begins the appropriation process without a surplus carried over, cuts in state services or new taxes may be required.

We agree with the concept of setting aside surplus revenues in future bienniums in a general-purpose "rainy day" fund to meet state needs in the next century, when revenues from oil and gas taxes may decline sharply. But we believe that these amounts should be set aside as a part of the appropriations process, rather than by a constitutional amendment.

We strongly oppose the amendment's proposal for use of tax revenues to pay off state bonds. Water development bonds, and other outstanding bonds, are now being retired by repayments of loans. The amendment would allow these repayments, which will amount to \$400 million for the water development loans, to be used for new loans. Contrary to the implication of the ballot proposal, the effect of the amendment would not be "to retire state debt" any sooner than would otherwise occur, but to authorize additional funding for water projects, veterans loans, etc. without a clear indication of these authorizations to the voters. As you remember, Texas voters turned down a proposal to authorize issuance of \$400 million of additional water development bonds in 1976.

We support the provision of the proposed amendment that increases the interest ceiling on bonds already authorized by the voters. This provision would enable the Texas Water Development Board to issue \$218.6 million in additional bonds already approved to finance water projects--an amount sufficient to continue loan assistance at recent rates for about six more years. The increase in interest ceilings should be submitted to the voters as a separate proposal, without being tied to other provisions of HJR 33.

The League urges that your committee reject all other provisions of HJR 33 because of their adverse consequences for both the state's water resources and state finances.

ON MONDAY AFTERNOON CATHERINE PERRINE PRESENTED THE PREVIOUS TESTIMONY TO THE SENATE FINANCE COMMITTEE. AS OF MAY 14 NO ACTION HAS BEEN TAKEN BY THE COMMITTEE. THANKS FOR YOUR EXCELLENT RESPONSE TO THE ACTION ALERT ON HJR 33. LAST FRIDAY THE LWV-T ISSUED A PRESS RELEASE STATING ITS OPPOSITION TO THIS CONSTITUTIONAL AMENDMENT AND ITS INTENTION TO OPPOSE THE AMENDMENT AT THE POLLS IF IT IS APPROVED BY THE LEGISLATURE. PLEASE USE THE INFORMATION IN THE TESTIMONY TO WRITE LETTERS TO THE EDITOR, LOBBY OTHER COMMUNITY GROUPS AND ELECTED OFFICIALS, AND INFORM OTHERS IN ANY OTHER WAY YOU CAN.

Do not throw away this newsletter. It will be important for future reference.

PROPERTY TAX REFORM

Wednesday was a great day for those concerned about property tax reform. Not only was the bill (HB 602 by Nabers) to repeal the Property Tax Code, in effect, defeated, but HB 1465 by Peveto, correcting problem areas in the Code, passed on second reading in the House. The crucial vote on HB 602 occurred on a motion to table an amendment to the Nabers bill. (See record vote on page 5). It is important to let your representatives know that you appreciate their aye vote on the motion to table. You will be contacting these legislators on other League issues in the next two weeks and they should be aware that the League is following their voting records.

TIME FOR ACTION

TIME FOR ACTION

TIME FOR ACTION

TIME FOR ACTION

The recodification of election laws (SB 610 by Ogg) passed the Senate on 5/7 and was referred to the House Committee on Elections on 5/13. Write your representatives in the House and especially those on the Election Committee (Hill of Travis, Ware, Gibson of Ector, Danburg, Horn, Browder, Gaston, McBee, Shaw, Wallace and Wieting) urging their support for the passage of recodification in this session.

REAPPORTIONMENT

On Monday, May 10, House members received a congressional redistricting plan. The House Committee on Regions, Compacts and Districts met Wednesday evening and voted favorably on the congressional plan with changes in Dallas county and west Harris County (areas 3,5,7,24,25,26). This plan was a composite of input from public hearings, various groups such as the Texas Rural Legal Services, Southwest Voter Registration Project, Texas Republicans and others, and representatives. This bill (HB 1400) is expected to reach the House floor next week. The plan for state representative districts will be considered by the committee next week.

The Senate also received composite maps for Congressional and state senatorial districts on Monday. The Senate is meeting as a committee of the whole in public hearing on Saturday.

JUVENILE JUSTICEJUVENILE PROBATION

TEXAS YOUTH COUNCIL BUDGET REQUEST (HB 656 General Appropriations Bill)--Good News! The House version of the state budget approved last week contained an amendment by Rep. Nabers providing \$6.5 million for juvenile probation services to the Texas Youth Council or to the Texas Adult Probation Commission if HB 1704 wins Senate approval. Thanks to those of you who contacted your reps about this!

HB 1704 (Jones) to provide statewide juvenile probation by expanding jurisdiction of the Adult Probation Commission passed the House with a minor amendment on May 1 and awaits a hearing in the Senate Jurisprudence Committee. Remember, we have taken no position on this bill. Also awaiting a hearing in Senate Jurisprudence are: --SB 685 by Farabee, which we do support and which would establish the Texas Department of Juvenile Services; and --SB 82 by Truan, which would establish a separate Juvenile Probation Commission. We also have taken no position on SB 82.

JUVENILE JUSTICE

SB 570 (Mauzy)--transferring supervision of truants and runaways to DHR is ready to be (and may be) brought to the floor at any time.

ADULT JUSTICE

TIME FOR ACTION! HB 2045 (WARE) was voted out of the House Elections Committee and may be brought to the House floor any time. We are close to getting this passed once again. PLEASE WRITE! Its companion SB 546 (Ogg) giving voting rights to ex-felons still waits to be brought to the Senate floor. If you have not written your Senator on that, please do so.

TIME FOR ACTION! SB 127 (MEIER) to continue the Criminal Justice Division in the Governor's office and establish the Criminal Justice Planning Fund (See Newsletter #4, p.2 and p.5) was finally reported from House Criminal Jurisprudence Committee. Please contact your Reps and urge their support. This is the only one of the Governor's anti-crime bills we are actively supporting, and since we have opposed his wiretap bill, it would be especially good to let your Rep. know we favor this one.

SB 1221 (CAPERTON) to provide quarters for prisoners on work furlough (See Newsletter #13) passed the Senate on May 1 and was referred to the House Committee on Security and Sanctions. If you Rep. is on S & S, now is the time to write him/her.

SCR 63 (BROOKS) making development of community-based corrections a policy of the state legislature still has not been brought to the Senate floor.

HB 393 (HERNANDEZ) to provide \$1/day inmate pay (See Convention Legislative Newsletter) is still in a Security and Sanctions Subcommittee consisting of Delay (Chairman), Tow and Hernandez. If your Rep. is on either the full committee or the subcommittee, please write of your support.

HB 916 (WASHINGTON) to expand jurisdiction of the Jail Standards Commission to include city jails was tabled by the Security and Sanctions Committee and is most likely a dead issue for this session.

STATE OF TEXAS
HOUSE OF REPRESENTATIVES

BILL CLAYTON, SPEAKER
67TH LEGISLATURE
REGULAR SESSION
SUMMARY

REC. NO.
0015
MEASURE
H36J2

AYE
~~85~~
87

NAY
56

PHV
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ABS
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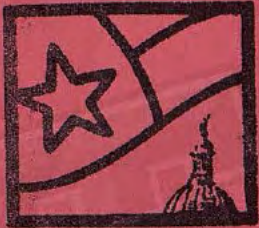
DATE
05-13-81

LEG. DAY 062
TIME 12:03

SECOND READING
AMENDMENT
MOTION TO TABLE

A: AYE VOTE N: NAY VOTE P: PRESENT, NOT VOTING E: ABSENT, EXCUSED C: IN CHAIR

MR. SPEAKER	P	EDWARDS	A	KELLER	N	RUDD	N
ADKISSON	A	EIKENBURG	A	KHOORY	N	SALINAS	A
AGNICH	A	ELIZONDO	A	KUBIAK	N	SAUNDERS	N
ALLEE	A	ENNETT	A	LANEY	N	SCHLUETER	N
ATKINSON	A	EVANS	N	LEE, D.	N	SCHOOLCRAFT	A
BARRIENTOS	A	FINNELL	N	LEE, E. F.	A	SEMOs	A
BARTON	A	FLORENCE	N	LEONARD	A	SHARP	N
BENEDICT	A	FOX	A	LEWIS	N	SHAW	A
BERLANGA	A	GARCIA, A.	A	LONDON	A	SIMPSON	N
BLANTON	A	GARCIA, M.	A	LUNA		SMITH, A.	A
BLYTHER	N	GASTON	A	LYON	A	SMITH, C.	N
BOCK	N *	GAVIN	A	MCBEE	C	SMITH, T.	A
BOMER	N	GEISTWEIDT	N	McFARLAND	N	STANISWALIS	N
BROOKSHIRE	N	GIBSON, B.	A	MCLEOD	N	SUTTON	A
BROWDER	A	GIBSON, J.	N	McMILLIAMS	A	TEJEDA	A
BRYANT	A	GILLEY	A	MADLA	A	THOMPSON, G.	A
BUCHANAN	N	GLOSSBRENNER	A	MALONEY	A	THOMPSON, S.	A
BURNETT	A	GONZALES	A	MARTIN	N	TOW	A
BUSH	A	GREEN		MESSER	N	TURNER	N
CAIN	A	GRUBBS	N	MORENO	A	UHER	N
CARY	A	HACKNEY	A	MABERS	N *	VALLES	A
CEVERHA	A	HALEY	A	HOWLIN	A	VON DOHLEN	A
CLARK, B.	N	HALL, L.	A	OLIVEIRA	N	VOWELL	A
CLARK, J.	N	HALL, W.	N	PATRICK	A	WALDROP	A
COCKERHAM	A	HANNA	N	PATTERSON	N	WALLACE	A
COFER	N	HARTUNG	N	PENNINGTON	N	WARE	N
COLBERT	A	HEATLY	N	PEVETO	A	WASHINGTON	A
COLEMAN	A	MENDERSOHN	A	PIERCE	A	WATSON	A
COLLAZO	A	HERNANDEZ	A	POLK	A	WEBBER	A
COODY	E	HILL, A.	A	POLUNBO	A	WHALEY	N
CRADDICK	N	HILL, G.	A	PRESNALL	N	WHITMIRE	N
CRAWFORD	A	HINOJOSA	A	PRICE	N	WIETING	A
CRISS	A	HOLLOWELL	A	RAGSDALE	A	WILLIS	A
DANBLRG	A	HORN	A	RAINS	N	WILSON	N
DAVIS	N	HUDSON	A	RANGEL	A	WOLENS	A
DELAY	N	JACKSON	A	REYNOLDS	A	WRIGHT	N
DELCO	A	JONES	N	RILEY	N		
DENTON	N	KEESE	A	ROBNETT	N		



Legislative Info 1-800-252-9093

LEAGUE OF WOMEN VOTERS OF TEXAS

1212 Guadalupe, No. 109 • Austin, Texas 78701 • Tel 512/472-1100

ACTION ALERT

HB 360 (Bock) - Wiretapping

HB 360 has passed the House and is now in the Senate Jurisprudence Committee and we are fearful that it will reach the Senate floor before the end of the session.

The Legislative Office wrote each Senator early in February and included copies of the "Wiretapping" brief. However there is a great deal of pressure from the Governor, in particular, for this bill to pass.

Although HB 360 is stronger in many ways than the federal law, based on past history, it does not appear that state authorized wiretapping could be successfully used to stop the upper echelon drug traffickers. During the debate on the House floor it was pointed out that if a person had "call forwarding" installed on their telephone, an electronic tap could not be used since all calls would be forwarded via computer. It stands to reason that a person involved in illegal activity would invest the small dollar amount in "call forwarding" to avoid the possibility of wiretapping. Therefore, it is extremely questionable that any wiretap bill would be effective in stopping drug traffic in Texas.

Wiretapping is expensive, averaging about \$20,000 per wiretap, and the risks to personal privacy are too great to warrant the passage of this legislation. The League of Women Voters of Texas has supported state laws that prohibit electronic surveillance or wiretapping since 1977.

Write, call, telegraph your Senator, especially if they are on the Jurisprudence Committee (Mauzy, Meier, Caperton, Doggett, Farabee, Glasgow, Mengden, Parker, Santiesteban). But, nonetheless, contact your Senator even if they are not on the committee as the bill may reach the Senate floor. Review the "Wiretapping" brief and urge your Senators to review it also.

(Detach and mail to LWV-T Legislative Office as soon as possible)

Action Alert Member or
LWV of _____

contacted Representative _____

on Bill Number _____

Date _____



LEAGUE of WOMEN VOTERS of TEXAS

1212 Guadalupe, #109,

Austin, Texas 78701

512 472-3841

Legislative Info 1-800-252-9693

LEGISLATIVE NEWSLETTER

Vol. 6 No. 13
April 30, 1981

Nancy Bene
Legislative Director

TIME FOR ACTION

TIME FOR ACTION

TIME FOR ACTION

TIME FOR ACTION

We Can't Believe It's Happening --- But It Is...

A bill (HB 602 by Nabers) to REPEAL the Property Tax Code which was just passed by the Legislature last session, has been reported out favorably by the House Ways and Means Committee and will be considered by the full House very soon. Passage of the Tax Code was a priority of the League for many sessions, so we are distressed to hear that this bill has a good chance of passing the House.

As taxing entities have begun moving toward compliance with the new Code, a number of problems have been identified. These problems are addressed in another bill (HB 1465 by Peveto and SB 765 by Grant Jones) and this bill is also pending before the House. The League supports HB 1465 (SB 765) correcting problems in the Code but vigorously opposes HB 602.

Why is HB 602 even being given serious consideration by the House? Well some tax offices, especially those with lax administration and poor appraisal practices, have discovered that doing the job right might cost more money. Of course up-to-date maps, files, and trained appraisers cost money - but they should be viewed as an investment in equitable appraisals. There are also tax offices that had not reappraised property in many years and found that reappraisal caused huge increases in some property's values and a tremendous outcry by the property owners. These local entities are now suffering from attempts to correct bad situations. Infrequent reappraisals are not fair to many property owners such as those owning new properties which are apt to be valued much closer to market value than older properties or those which have not changed hands in many years.

Another problem is that many governmental entities found it necessary to increase their budgets because of inflationary pressure, but rather than explain the situation to their constituents they used the new Code as a scape-goat.

It would be an incredible step backward for Texas if the Property Tax Code is repealed. Instead, we must work to correct legitimate problems by supporting HB 1465 and SB 765.

WHAT YOU CAN DO: Let your representatives know immediately before Tuesday of your opposition to HB 602 and support of HB 1465.

TIME FOR ACTION

SB 1177 (Brooks) This bill establishes a Low Level Radioactive Waste Disposal Authority and is the companion bill to HB 1533 by Bock. It was considered by the Senate Natural Resources Committee on April 29 and Laura Keever spoke in support thereof as this bill addresses our concerns relating to health, safety and environmental protection. SB 1177 will be heard before the Senate soon, so it is now time to write your Senator in support of the bill. Encourage him (or her) to retain the strong health, safety and environmental protection features.

ADMINISTRATION OF JUSTICE

TIME FOR ACTION - SB 1221 by Caperton SUPPORT - New Bill

This bill addresses the problem of overcrowding in the state prisons by providing for the quartering of prisoners on work furlough. It is a type of community based correction similar to work release. Under it the Department of Corrections could lease or contract with local residential correctional facilities or, (subject to restriction) designate private residences (the prisoners home) as work furlough quarters. Private residences could be so designated whenever the total number of prisoners exceeds the prison system's capacity for 30 consecutive days. Prisoners quartered in private residences would be supervised by TDC personnel and required to pay for their supervision. They would have to be recommended by TDC and either confirmed or not rejected by the Board of Pardons and Paroles. They also would have to be at least 40 years old or be eligible for final release within six months or be serving their first prison term for a non-violent offense. (However, some non-violent offenses such as burglary of a home are excluded.) This bill was only filed two weeks ago and has already been reported favorably (7 to 0) from the State Affairs Committee. It may come to the floor any time now so please urge your Senator to support it.

HB 1111 (Washington) was a simple one page bill to remove the Governor's veto power over parole decisions. It was supported by the League as introduced. However, it was reported from a House Security and Sanctions subcommittee with a 29 page substitute on April 13 and voted out by the full Security and Sanctions committee on April 15.

Unfortunately the bulk of this substitute bill dealt with a complete restructuring of the parole mechanism, one which we think would only deepen the split between the board of pardons and paroles and the parole commissioners.

So it was with mixed emotions that we observed HB 1111 being debated on the House floor on April 29 and then tabled. The term tabled means that the bill not only failed to pass to third reading but is essentially dead.

UPDATE ON HJR 33 ACTION ALERT - As of April 30, Leagues in Austin, Dallas, Edinburg-McAllen, Galveston, El Paso, Bay Area, Corpus Christi, San Antonio, and 6 Action Alert members have responded to the HJR 33 Action Alert.

HJR 33 (Clayton) OPPOSE

The Senate Finance Committee is completing its work on the appropriations bill and may schedule a hearing on HJR 33 next week. PLEASE CONTINUE TO RESPOND TO LAST WEEK'S ACTION ALERT. MEMBERS OF THE SENATE FINANCE COMMITTEE SHOULD BE CONTACTED IMMEDIATELY. In addition to information on HJR 33 provided in last week's Action Alert, you may wish to use the following:

The League does support one provision of HJR 33--the section raising the interest ceiling on bonds already authorized by the Constitution to 10%, or to a higher rate if approved by a 2/3 vote of the legislature. (See advocacy paper.) Approval of this proposal would facilitate the sale of \$119 million in bonds for water development and \$100 million for water quality enhancement that have already been authorized by the voters. Use of these funds is now restricted to projects that cannot be fully financed by their local sponsors (chiefly small communities). This limited state role in the financing of water projects should be continued.

HJR 33 places no limit on the amount of state tax revenues that would go into the special funds that it would create and provides no role for the people or for the legislature in determining what projects would be funded.

PLEASE LET THE LEAGUE LEGISLATIVE OFFICE KNOW IMMEDIATELY WHAT RESPONSE YOU RECEIVE FROM YOUR SENATOR. AND PLEASE SEND CLIPPINGS OF YOUR LETTERS TO THE EDITORS WHEN PRINTED BY YOUR NEWSPAPERS.

HAZARDOUS WASTES

HB 1407 (Clark) SUPPORT - This bill has now passed the House, with several strengthening amendments, and will go to the Water Subcommittee of the Senate Natural Resources Com. Members of the Subcommittee are Senators Short, Brown, and Williams. Leagues in these three senatorial districts should write the senators, urging their support of HB 1407 as passed by the House, and particularly of the amendments which require listing information to be provided on applications for new hazardous waste disposal facilities and requiring protection of hazardous waste disposal facilities from flooding. (See LN #9)

SUCCESS!--SB 758 (Brown), allowing appropriation of state funds to match federal Superfund money for cleaning up dangerous inactive hazardous waste disposal sites, has passed both houses of the legislature.

INITIATIVE AND REFERENDUM

HJR 60 (Sharp), initiative for tax issues, failed to pass the House on Tuesday, April 28. Several amendments were brought before the legislators - two passed. Carlyle Smith, author of HJR 2 which the League supported, introduced and passed an amendment to make it possible for voters to initiate any piece of legislation or constitutional amendment - i.e. broadened the bill to cover all possible subjects. The amendment passed 110-30. Representative Wilson introduced an amendment to provide for recall. It passed 102-30 and thus presented what would seem to be a conflict of interest for the representatives. At this point it looked as if the bill might receive the necessary 100 votes to pass the bill to the Senate. Final vote: 87 ayes, 57 nays, 1 present and not voting and 5 absent, not enough.

In spite of all our efforts, not the least of which was your prompt reply to the Action Alert, initiative and referendum is, for all practical purposes, dead for this session. SJR 2 (Mengden) is still in Subcommittee of the Senate Jurisprudence Committee and is not expected to see the light of day. But there's always next session, folks.

FOR YOUR INFORMATION - HB 1334 (Polk) SB 1173 (Brooks)

These bills propose to amend Title 2, Subtitle E, of the Human Resources Code, by adding Chapter 51 to provide for the Texas Department of Human Resources to contact for services with family violence shelters and for the provision of training, technical assistance, and evaluation; establishes the family violence program fund in the comptroller's office; amends Section 205.03 (c) of the Alcoholic Beverage Code to require that one twenty-fifth of the state's share of the mixed beverage tax be deposited in the family violence program fund. An emphasis of these bills is the maintenance of local support and volunteer participation. At least 25% local support is required in the proposed legislation.

Passage of these bills would provide a permanent source of funding at the state level for services to victims of family violence. HB 1334 (Polk) is in the House Human Services Committee and SB 1173 (Brooks) is in the Senate Human Resources Committee.

Under current Texas law, each county is issued 15 percent of the mixed beverage tax collected within that county, and each city is issued 15 percent of the mixed beverage tax collected within that city. The remainder of the tax is deposited in the general revenue fund.

FOR YOUR INFORMATION

At the March state board meeting in Beaumont, it was brought to our attention that there were two bills dealing with non-profit organizations. It was the board's decision to support these two bills by way of letting you know that they exist and their current status:

HB 696 (Heatly) SB 355 (Ogg)

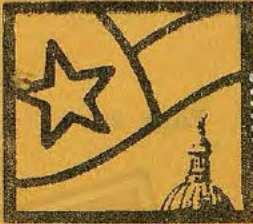
HB 696 will change the current sales/use tax laws to exempt all local Leagues in Texas from payment of sales or use taxes on purchases.

Passage of this bill would certainly relieve local League treasurers of one administrative headache. Furthermore, in our opinion, for the small amount of sales/use tax realized by the state and cities, it is counter productive for the state sales tax office to handle the reports and to explain the sometimes complicated rules to continually changing volunteer treasurers.

This bill was sent to the Committee on Calendars, April 27. Please contact your legislator and urge his or her support of this bill.

HB 702 (G. Hill) relating to personal liability of agents of nonprofit organizations.

This bill would relieve a member, officer or director of a nonprofit organization of personal liability for the debts or claims (except personal tort claims) occurring while in the service of that organization. HB 702 was referred to a subcommittee of the House Judiciary Committee on March 31.



ISABEL MILLER



LEAGUE of WOMEN VOTERS of TEXAS
1212 Guadalupe, #109, Austin, Texas 78701
512 472-3841 **Legislative Info 1-800-252-9893**

SB 542
HB 1577
SB 542
SB 637

LEGISLATIVE NEWSLETTER

Vol. 6 No. 12
April 22, 1981

Nancy Bene
Legislative Director

Because last week was a short one for the legislature, and because most of the action happened Thursday afternoon (4/16), we decided to postpone LN #12 until we had some good information for you. Action on our concerns is coming much quicker now and as the votes are becoming more important we're trying to keep you as up-to-date as possible so that you can take immediate action on Times for Action and Action Alerts. If we are to have an impact, your responses are needed just as soon as you can possibly respond. Be sure to send the LO the tear-off portion of the Action Alerts so that we know whom you have contacted and when.

INITIATIVE AND REFERENDUM

Jeanette Davis presented testimony on Tuesday, April 14, before the Senate Jurisprudence Committee in support of SJR 2 (Mengden) on Initiative and Referendum. This is the companion bill to HJR 2 (Smith) which is presently involved in some controversy in the House (see recent Action Alert).

Because these bills did not provide for voter education, which is inherent in the League's position on I and R, Jeanette wrote an amendment which will be sponsored by Senator Mengden and has been drafted by the Legislative Council. The amendment, which will be statutory, requires that the Secretary of State prepare news articles explaining in full the effects of the proposition to the voters. The articles will be published in newspapers statewide in the same size print as that of regular news articles. Congratulations Jeanette!

FURTHER ACTION: HJR 60 (Sharp) - the I and R bill the League is opposing - was scheduled for floor debate in the House on 4/16 but was postponed until Thursday, 4/23 after three and one-half hours of debate on HJR 33 (Clayton).

FYI: At this writing, the following Leagues have responded to the Action Alert on I and R: Austin, Baytown, Brazos County, Corpus Christi, Galveston, San Antonio, Tarrant County and three members of the Action Alert Corps.

REAPPORTIONMENT

For maps and census data for your counties, congressional districts and senatorial districts, call or write:

Senator Jack Ogg
The Capitol
Austin, Texas 78769
Attn: Lynn Moak
(512) 475-3106

For maps and census data for your House districts, call or write:

The Honorable Tim Von Dohlen
P. O. Box 2910
Austin, Texas 78769
(512) 475-3722

ADMINISTRATION OF JUSTICE

IT IS TIME FOR ACTION! Everything seems to be coming to the floors of the House and Senate at the same time. Please read carefully and act! (This listing is in order of state League priority).

TEXAS YOUTH COUNCIL BUDGET REQUEST: The House Appropriations Committee last week voted 9 to 7 to delete the \$6 million-plus line item for Community Assistance Program (CAP) funds from the TYC budget request. The Legislative Budget Board had recommended CAP funding be continued unless the Legislature establishes a statewide juvenile probation system and sets up specific guidelines for its implementation. Specifically the LBB recommended \$3,069,000 for 1982 and \$3,375,900 for 1983 (Total \$6,444,900 for the biennium). The CAP served 135 counties in 1980 and is currently the only state funding support for juvenile community-based correction programs. If this is discontinued and if no state-wide juvenile probation legislation is enacted, there will be no state funding for these programs. PLEASE CONTACT YOUR STATE REPRESENTATIVES NOW AND URGE RESTORATION OF CAP FUNDS TO THE TYC BUDGET APPROPRIATION.

HOUSE BILL 360 (Bock) - WIRETAPPING: Most of you have heard by now that this bill was voted favorably out of subcommittee on April 9, heard by the full House Criminal Jurisprudence Committee on April 10, and voted out favorably 7 to 3 (Hudson, Hernandez, and Uher deserve thanks for voting against). It went to Calendars and is expected to come to the floor any time. SO PLEASE CONTACT YOUR REPRESENTATIVE NOW AND URGE THEM TO VOTE AGAINST THIS BILL. Use arguments in our Texas Focus on wiretapping - or even send them another copy high-lighting our opposition on the second page.

SENATE BILL 570 (Mauzy) - TRANSFER SUPERVISION OF TRUANTS AND RUNAWAYS TO DEPARTMENT OF HUMAN RESOURCES: (For summary see convention Legislative Newsletter which was in President's Packets). This was reported from Senate Jurisprudence Committee favorably without amendments on March 25. May come to the floor any time now. PLEASE CONTACT YOUR SENATORS TO URGE THEIR SUPPORT FOR THIS BILL.

SCR 63 (Brooks) - PURSUIT OF DEVELOPMENT OF COMMUNITY-BASED CORRECTIONS TO BE A POLICY OF THE LEGISLATURE: (See convention legislative newsletter for summary). Reported from Senate State Affairs Committee favorably on March 25. Now on Senate Intent Calendar. URGE YOUR SENATORS TO SUPPORT THIS BILL.

REMINDER: Send copies of all correspondence to the Legislative Office or send us a postcard or some other memo to let us know you have made contact with a legislator. If you write letters, remember to comment on only one piece of legislation per letter.

MODERNIZING STATE GOVERNMENT

RE: Bills relating to salary increase for legislators

FYI - Present salary \$600 per month. Per diem \$30 per month for each day during regular and special sessions. Mileage at the same rate as prescribed by law for employees of the State of Texas.

HJR 17 (Criss) SUPPORT (or HJR 24)

Salary of legislators \$14,000 a year with a per diem equal to the per diem of employees of the State of Texas for each day during regular and special sessions and for each day during which the member conducts official state business while the legislature is in session.

HJR 24 (Heatley) SUPPORT (or HJR 17)

Salary for legislators \$900 per month with per diem of \$50 for each day during regular and special sessions.

We can support either of these on the basis of our consensus "adequate compensation for legislators." Both HJR 17 and HJR 24 were referred to a subcommittee of House Constitutional Amendments Committee 3/3.

OTHER ACTION:

4/13 - A letter was sent to each member of the Security and Sanctions Committee concerning Juvenile Probation services. Lois Carpenter urged the senators to strongly consider a single juvenile justice agency.

4/20 - Lavora Arizaga met with the Citizen's Advisory Committee for the Regions, Compacts and Districts Committee. This was the first meeting of the Advisory Comm.



Legislative Info 1-800-252-9693

LEAGUE OF WOMEN VOTERS OF TEXAS

1212 Guadalupe, No. 109 • Austin, Texas 78701 • Tel 512/472-1100

ACTION ALERT

TO: All local Leagues
All Action Alert Corps Members
RE: HJR 33 (Clayton) OPPOSE

WRITE YOUR SENATOR NOW! (Amarillo and Lubbock may remain silent)

HJR 33 passed the House on Thursday, April 16, and was referred to the Senate on April 21.

This resolution proposes a constitutional amendment that dedicates all revenues in the state treasury at the end of each biennium that were eligible for appropriation by the legislature, but were not appropriated, to 2 special funds. (1) Half of the money would go to a fund, or funds, administered by the Water Development Board, to be used for water development, water conservation, water quality enhancement, or flood control. Money could be removed from the fund, if not already obligated, by 2/3 vote of the legislature. (2) The other half of the revenues would go to a special reserve fund. By majority vote the legislature could dedicate all or part of the fund to one or more state bond retirement funds. By a 2/3 vote, the legislature could use the money for other purposes.

The legislature, by a 2/3 vote, could limit the amount of revenue going to either fund; however, the suspended amount may not exceed the amount estimated by the comptroller to be available as surplus at the close of the biennium.

If a bond retirement fund is set up, money would go into the fund until enough has accumulated to pay off the outstanding bonds when due. The money that would otherwise have been used to retire the bonds is made available for the purposes for which the bonds were authorized. The legislature could, by majority vote, authorize use of the money for other purposes. The amendment would also raise the interest ceiling on bonds authorized by the constitution to 10%, or to a higher rate if approved by a 2/3 vote of the legislature.

-more-

(Detach and mail to LWV-T Legislative Office as soon as possible)

Action Alert Member or
LWV of _____

contacted Representative _____

on Bill Number _____

Date _____

REASONS THE LEAGUE OPPOSES HJR 33:

- This amendment would restrict the legislature's ability to respond to changing needs of the state. (The League has been opposed to dedicated funds since our studies on constitutional revision and financing state government.)
- Texas does not currently have surplus revenues. On the contrary, the Comptroller's estimate of tax revenues for the 1981-83 biennium are less than the amount budgeted by the Legislative Budget Board, and cuts are now being made.
- The state should not be taking on new ways to spend money when it is unable to provide needed funds for schools, transportation, prisons, courts and human services.
- HJR 33 would remove the "cushion" or "emergency reserve" that is carried over from each biennium to the next, leaving the state with empty accounts at the beginning of each biennium.
- The legislature's ability to respond to a fiscal crisis without imposing new taxes would be restricted. This is especially crucial in inflationary times.
- The state debt would be retired no sooner than would otherwise occur without the "dedicated funds."
- If a water bond retirement fund is set up, more than \$400 million in loan repayments would be available for more water development projects, with no vote of the people.
- The amendment sets no criteria to assure that projects for which the new water fund(s) would be used would be needed, financially feasible, or environmentally acceptable.
- Texas has had, and continues to have, an active program of water development. Water storage capacity has increased from 1 million acre-feet 50 years ago, to 10 million acre-feet 25 years ago, to 32 million acre-feet today. More than 2/3 of the "full development" of surface water supplies has been completed.
- In recent years, about 70% of the money spent for Texas water projects has come from the private bond market, - 25% from federal agencies, and less than 5% from the state.

LATEST NEWS:

HJR 33 was referred (4/22) to the Senate Finance Committee: Jones, Chairman; Howard, Vice Chairman; Blake, Brooks, Farabee, Harris, McKnight, Meier, Parker, Santiesteban, Short, Snelson, Traeger.

Senate Sponsors are: Brown, Howard and Sarpalius.

WHAT YOU CAN DO:

Write your Senator immediately, send a letter to the editor, contact educators, environmental groups and human service agencies in your area to enlist their help in defeating this proposal. Remember if we don't defeat HJR 33 in the Senate we will have to use precious League resources in a statewide effort at the polls.



LEAGUE of WOMEN VOTERS of TEXAS

1212 Guadalupe, #109, Austin, Texas 78701

512 472-3841

Legislative Info 1-800-252-9693

LEGISLATIVE NEWSLETTER

Vol. 6 No. 11
April 10, 1981

Nancy Bene
Legislative Director

REAPPORTIONMENT

Redistricting Hearings

The schedule for the redistricting hearings for the House Committee on Regions, Compacts and Districts is in Legislative Newsletter #9. All of these hearings will be in Austin in the Reagan Building, Room 410 from 4:00 to 6:00 p.m. and 7:30 to 11:30 p.m. depending on how long the House stays in session.

The redistricting hearings for the Senate and Congressional districts will be held as follows:

April 23, Fort Worth -	9:00 a.m., Municipal Office Building
April 23, Dallas -	2:00 and 7:00 p.m., City Hall
April 24, Houston -	10:30 a.m. and 7:30 p.m., County Commissioners Court Room County Administration Building

Hearings were held in Tyler (4/2), Lubbock (4/3), Corpus Christi (4/9), and San Antonio (4/10). We understand that in Dallas and Houston that there actually are four meetings: 2 concurrent meetings at each scheduled time. One of the meetings will be concerned with senatorial districts and the other with congressional districts.

Legal Requirements for Redistricting

1. Districts must be of as nearly equal population as is practicable. The Supreme Court has disapproved plans for congressional districts that deviated as little as 4% from the ideal distribution numbers. Less rigid numerical standards are set for legislative districts but any significant deviation from numerical equality of representation must be justified by a strong state interest.
2. Congressional and state senatorial districts must be single number districts. There are some multi-member districts left in other states but any attempt to restore them in Texas would be almost certain to incur disapproval of the Justice Department and/or a proliferation of legal actions.
3. Each district must be made up of contiguous territory.
4. The redistricting plans must not have the intent nor the effect of denying representation to minority voters.

5. The plans must be submitted to the U.S. Attorney General for approval (or to the federal district court of the District of Columbia) before they can go into effect.

WHAT YOU CAN DO

1. Give testimony (in person or by a written statement mailed in) about your area regarding: changes in the population base; reasons for dissatisfaction, if any, with present boundaries; reasons for needed changes in boundaries; location of special communities of interest; anticipated effects of redistricting changes on members of minority, racial or language groups. (Send copies of testimony to the Legislative Office.)

2. Ask your state representatives and senators now to send you copies of the draft bills and accompanying maps and population data as soon as they are available. (Maps and data have already been given to the legislators. Each legislator is the most influential person for effecting a redistricting change, so contact them as to your concerns as soon as possible.)

3. Write to: Voting Rights Division
Department of Justice
Washington, D.C. 20530

and ask to be put on their mailing list to receive all submissions relating to redistricting in your county, your congressional and state legislative districts.

4. Begin now to talk to your county commissioners about redrawing district lines for the commissioners precincts, justice-of-the-peace and voting precincts.

You can get census data with maps for your county from:

U. S. Department of Commerce
Bureau of the Census
Washington, D.C. 20233

NOTE: Lavora Arizaga was appointed as one of 24 citizen members of the Citizens' Advisory Committee to the House Committee on Region, Compacts and Districts. The purpose of the committee is to facilitate communication on redistricting between the House and interested citizens and organizations.

HB 847 (Von Dohlen) SUPPORT

This bill clarifies when and how voting precinct changes can be made. It has passed the House and has been referred to the subcommittee on Elections of the Senate State Affairs Committee on 4/8.

ENERGY

HB 1533 (Bock) Support with Amendments

This bill establishes a Low Level Radio Active Waste Disposal Authority which would own and operate a low level radio active waste disposal site in Texas. The act limits the Authority to accepting only low level waste generated within the state unless the Legislature authorizes the Authority to enter into compacts with other states.

The Authority will be governed by a 9-member board appointed by the Governor with the following positions stipulated: an attorney, medical doctor, nuclear engineer or physicist, biophysicist, geologist. The Authority will have the power of eminent domain and bonding authority. It is to charge user fees to recover all expenses.

Laura Keever appeared before the House Environmental Affairs Committee on 4/6/81 in support of this approach to low level waste management as a publically owned and operated facility which would have as its primary goal safety, protection of public health and the environment. We also support two amendments proposed by the Texas Energy and Natural Resources Advisory Council to provide for (1) consideration of at least two alternative sites and (2) a mediation process and the final selection of a site. The bill has been sent to a subcommittee which is to be named by the Chair.

ADMINISTRATION OF JUSTICE

One of the Parole Commissioners is helping the House Security and Sanctions Committee draft a compromise bill for reorganization of the Board of Pardons and Paroles. This compromise bill will be drafted from SB 125 (Farabee), HB 582 and 583 (Benedict).

Thanks to the Local Leagues who have written letters about Senate bills 685 and 546. If you have not written, do so now. Please remember to send copies of your correspondence to the Legislative Office.

The companion bill to Ogg's SB 546 (Voting Rights for Ex-felons) is HB 2045 by Ware. HB 2045 was heard last week before the Committee on Elections. No action was taken except to send it to a subcommittee. Our on-th-spot observer, Mary Blackstock, tells us that Representative Danburg spoke forcefully against adding a provision to prohibit former felons from running for office. She supported the bill as it stands and urged the committee not to weaken the bill with provisions but report it without amendments.

ACTION FOR THE WEEK

4/1 -- Testimony was given by Nancy Bene on behalf of Jeanette Davis in support of SB 610 and HB 1008 (G. Hill) concerning the recodification of election laws. This was a joint meeting of the Senate State Affairs Committee and House Committee on Elections. Senator Ogg praised the League for its diligence in pursuing the recodification. SB 610 (Ogg) was passed favorably with amendments on 4/9. HB 1008 was sent to subcommittee on 4/1.

4/7 -- Testimony by Helen Hunter was given before the House Constitutional Amendments Committee in support of HJR 38 (Simpson), which would create a state finance management committee. This is act 2 for this concept. Last November the League supported Amendment #5 which would have created a budget execution committee to oversee appropriated funds during the biennium. HJR 38 does the same thing as Amendment #5 did. Amendment #5 lost the election so perhaps we have a second chance. HJR 38 was referred to subcommittee as yet unnamed. This bill has the support of the Governor and the Speaker, as well as the League.

4/7 -- The Constitutional Amendments Committee also heard League testimony in support of HJR 47 (Ware) which would create a Judicial Nominating Commission. This bill is the merit system of judicial selection which combines appointment with the election process. Judge Calvert spoke eloquently for the bill as did the League. HJR 47 was also sent to as yet unnamed subcommittee.



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LEAGUE OF WOMEN VOTERS OF TEXAS

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ACTION ALERT

INITIATIVE AND REFERENDUM

IMPORTANT for Action Alert Corps members in districts with the following representatives: McFarland (Chairman), Whaley, Delco, Sharp, Ware, Atkinson, Barrientos, Elizondo and Schoolcraft. These are the representatives on the Constitutional Amendments Committee.

A House Constitutional Amendments Subcommittee reported HJR 60 by Sharp and HJR 2 by C. Smith without recommendation back to the full committee. On Tuesday, April 7, the committee voted to send HJR 60 to the full house and tabled HJR 2 on subject to call from the committee chairman. Delco, Barrientos and Elizondo voted against. HJR 60 will be sent to the Calendars Committee and then placed on the House Calendar for floor debate probably sometime in the next week.

We oppose HJR 60 because even though its title speaks to initiative and referendum, the bill allows only for direct statutory initiative and does not provide for referendum. HJR 60 restricts the initiative subject matter to limiting the gross amount of money the legislature may appropriate, or reducing or limiting the rate of existing taxes. Because of the limited subject matter and the nonprovision for referendum, HJR 60 does not conform to our League consensus position.

On February 24, Jeanette Davis, LWV-T Government Chair, spoke before the House Committee on Constitutional Amendments in support of HJR 2. This bill not only provides for initiative and referendum but does not limit the subject matter.

Write, phone or visit personally with your representatives NOW urging them to vote against HJR 60. Also urge them to call up HJR 2 from committee. And, because neither bill provides for voter education for ballot proposals, urge them to consider the importance of voter education. Also remind them that they have the LWV-T Advocacy paper on I & R which explains our position in full.

(Detach and mail to LWV-T Legislative Office as soon as possible.)

Action Alert Member or
LWV of _____

contacted Representative _____

on Bill Number _____

Date _____



LEAGUE of WOMEN VOTERS of TEXAS
1212 Guadalupe, #109, Austin, Texas 78701
512 472-3841 Legislative Info 1-800-252-9693

LEGISLATIVE NEWSLETTER

Vol. 6 No. 10

April 3, 1981

Nancy Bene

Legislative Director

ADMINISTRATION OF JUSTICE

SB 546 (Ogg) Voting Rights for Ex-Felons

On 3/11, Senator Ogg brought a motion to the Senate floor to suspend the rules so that SB 546 could be considered for 2nd reading (floor debate). He needed 4/5's vote at that time and came close (24) but the motion failed. Tuesday, 3/24 he tried again and needed only 2/3's present (21) to suspend the rules. There was a record vote which failed 16 to 15. In other words 9 senators changed their vote from yea to nay within that time. Those senators were: Blake, Harris, Howard, Jones, Leedom, McKnight, Meier, Richards and Short. (Andujar, Brown, Glasgow, Mengden, Travis and Wilson have voted consistently against. All the rest have voted for.)

On Wednesday, 3/25 we noticed that Senator Ogg pulled SB 546 off the Senate intent calendar. He will not put it back on until he feels he has the votes to suspend the rules. On 3/31, the companion bill, HB 2045 (Ware) was heard before the House Elections Committee. It was referred to a subcommittee: Gibson (Chairman), McBee and Shaw.

Letters, mailgrams, or phone calls are in order NOW. This is a classic example of constituent pressure. Act as soon as possible. And please let the Legislative Office know what action you have taken so that we can keep Senator Ogg's office informed.

UPDATE: SB 125 (Farabee), HB 582 and HB 583 (Benedict, HB 1111 (Washington) were heard before the Security and Sanctions Committee. All of these bills deal with the Board of Pardon and Paroles (See LN #6 for more information). No action was taken at that meeting.

ELECTIONS AND CAMPAIGN FINANCING

TIME FOR ACTION

TIME FOR ACTION

TIME FOR ACTION

HJR 47 (Ware) SUPPORT

Creates a judicial nominating committee to nominate to the Governor appointees to

appellate courts. This method of merit selection of judges removes the election of judges from the partisan arena and allows voters to vote either for or against a judge without party affiliation or opposition. Long a League priority and one for which we worked during the unsuccessful constitutional revision process, this bill has been assigned priority status. HJR 47 has been assigned to the House Constitutional Amendments Committee and if you have a representative on the committee, now is the time to let him or her know of our SUPPORT. (See additional information in LN #6).

SB 610 (Ogg), HB 1008 (G. Hill) SUPPORT

In an unusual joint committee meeting of the House and Senate Election Committees, Nancy Bene presented testimony (representing Jeanette Davis) in support of SB 610 and HB 1008. These companion bills represent the recodification of the Texas Election Code. These bills are approximately 1000 pages long. Sources say that there is little chance for these bills during this session because of their length. Most code changes require 2/3 sessions for adoption since legislators must "trust" the authors and committees to have done their work properly. Legislators generally do not have the time or staff to extensively research the bills and are then, generally, reluctant to pass something that comprehensive until they have had time to do so. But because recodification has been a priority for the League for some time you might want to write your legislators to express the fact that the sooner the Election Code recodification is passed the easier it will be to administer elections in the proper prescribed manner.

HJR 7 (Sharp) OPPOSE

Proposes a constitutional amendment providing for legislative review of executive agencies. This is an exact copy of the resolution that became Amendment #2 which was defeated at the polls in 1979. The LWV-T opposed that amendment because it would be a violation of separation of powers. HJR 7 is in a Constitutional Amendments subcommittee.

SB 423 (Mengden), HB 1535 (Cockerham) OPPOSE

These bills would be the enabling legislation for HJR 7. It would allow standing committees of each house to review and disapprove all agency rules and proposed rules. An agency rule would become ineffective if either house disapproved. This bill would allow the legislature to exercise administrative power over the executive agencies. These bills have been sent to the State Affairs committee. No hearing has been set.

HB 1560 (Sharp) OPPOSE

Relating to executive and legislative review of rules of state agencies. Similar to above bills. Oppose on same grounds. Sent to State Affairs committee. No hearing set.

HB 1596 (Ware) SUPPORT

Extends reporting time for campaign contributions and expenditures for all candidates. Referred to House Elections committee.

HB 1597 (Ware) Provides a penalty if the reporting is not completed in the time allowed. Referred to House Elections committee. Though not a priority of the League, both of these bills strengthen the campaign financing laws which we support under a national League position.

FOR YOUR INFORMATION

SB 748 (Parker) Relates to annual sessions. This bill creates a supplemental session in even numbered years. It does not limit length of sessions or specify subject matter. Sent to committee on State Affairs. No hearing set.

SJR 34 (C. Parker) Also provides for supplemental legislative sessions. Sent to State Affairs. No hearing set.

SB 284 (Mengden) Provides for joint primary elections held by political parties. Although we support joint primaries, we will not be actively working for this bill due to the fact that it has so little support and is unlikely to come up for hearing. Referred to State Affairs.

ENERGY

HB 1606 (Lewis) SUPPORT

Would give the Bureau of Labor and Standards authority to administer the Residential Conservation Service (RCS) program. This is a program in which utilities would provide residential energy audits and assist in financing the recommended improvements. The Bureau would oversee the operation of the program, investigate grievances and keep the list of approved installers up-to-date. This could be a very effective tool in furthering conservation. This agency is an appropriate home for these duties. Companion bill: SB 997 (McKnight) HB 1606 sent to subcommittee of Employment Practices.

HB 1577 (Coody) MAXIMUM SUPPORT

This is the companion to SB 281 which sets up statewide standards for building energy conservation. Isabel testified before the State Affairs Committee in support of 1577 3/30. Has been sent to subcommittee in General Services.

HB 2285 (Keese) FOR YOUR INFORMATION

a. Would create a "Texas RCS" program similar to the federal RCS enabled in HB 1606 above but under the administration of Public Utilities Commission in this case. Goal is widespread conservation with 5% of gas users and 10% of electricity users pre-heating their water in solar water heaters by fall, 1984.

b. The PUC shall make a study of the feasibility of use of renewable energy systems by municipal utilities and make it available free to the public.

c. The PUC shall institute a load management program encouraging utility customers to conserve and use renewable energy by application of time-differentiated rates reflecting future costs of supplying energy at particular times of day, week, and year. (Peak-use period electricity costs the most/unit.)

d. The PUC shall monitor these programs and publish a cost-benefit analysis of participation by renewable energy users and those who are not.

This legislation illustrates two of Keese's principles: (1.) Put in place in Texas law, good programs which emanate from Washington that now require no Texas mandate to function but which could be withdrawn at any time leaving nothing. (2.) Keep

a whole range of conservation and renewable energy ideas rolling before the legislators whether the initiatives have a chance of passage this session or not.

These ideas are all good but we can not support this version of the RCS if we want one to go into effect that is ready-to-go because the two conflict. Indication to legislators that we support these ideas, however, would reinforce the educational motive.

HB 1470 (Washington) Women's Issues Legislation

This bill includes funding for shelters for victims of family violence as well as multipurpose service centers for displaced homemakers. Washington's HB 1113 funded the multipurpose service centers for displaced homemakers through a \$3.00 of each divorce suit filing fee. This bill designates \$2.00 of each marriage license fee to the Displaced Homemaker Fund. Rep. Washington seems to be covering all the bases. Sent to Government Organization. No hearing set.

SJR 28 (Blake) FOR YOUR INFORMATION

This proposes a constitutional amendment to provide for a special session for legislative reapportionment if the decennial census is published late. Sent to a subcommittee of the whole Senate.

FINANCING STATE GOVERNMENT

HJR 33 (Clayton) OPPOSE

On March 24 the House Committee on Constitutional Amendments reported favorably a substitute version of this proposed constitutional amendment. No date has been set for consideration on the House floor.

A detailed analysis will be included with a Legislative Newsletter before the proposed amendment reaches the Senate. Meanwhile, if you are talking with your Senator about other legislation, please mention that the League OPPOSES this amendment. One major reason:

The amendment would make large amounts of state revenues unavailable for appropriation by future legislators. Half of the state's "surplus" revenues would go into a fund for water projects - a purpose for which state tax revenues have not been used in the past.

If, in the future, funds are urgently needed for public schools, criminal justice, transportation, or other purposes that have traditionally been met by state revenues, money in the water fund could not be used for any of these purposes. Hence, tax increases or new taxes might be imposed to meet these needs.

IM

March 25, 1981

TO: LL Presidents
FROM: Nancy Bene, Legislative Director
RE: Convention Legislative Newsletter

Welcome to Convention '81: This week we are distributing this brief update instead of printing a regular newsletter. Because of the short week for us leaguers, the boost in postal rates and the fact that the legislature has been slow to take up our priority bills, we have decided to go this route. Newsletter #10 will arrive on your doorstep next week as usual.

All the bills that are going to be filed have been. Therefore, the program chairs are in the process of targeting bills for concentrated action at this time. Committee action continues but the log jam and pressure are building. More than 4,000 bills and resolutions have been filed but only 170 have seen any action. Redistricting and money are high on the legislator's list of concerns. Even with the Comptroller's new estimate which adds \$377 million to the game, it still won't be enough to do what the legislators want. Write those letters, keep tuned, and keep sending those press clippings, etc. - it really helps.

Those Leagues with members on the Senate Finance Committee (Jones, Howard, Blake, Brooks, Farabee, Harris, McKnight, Meier, Parker, Santiesteban, Short, Snelson and Traeger) WRITE YOUR SENATOR to encourage him to fund the TENRAC budget at the level suggested by the Legislative Budget Board.

Isabel Miller testified before the House Appropriations Committee earlier this month for "full and adequate budget allotment...for this agency."

The TENRAC budget will be heard before the Senate Finance Committee early in the week of March 30. WRITE YOUR SENATORS NOW!

SB 546 (Ogg) Voting Rights for Ex-Felons - Senator Ogg has tried to suspend the rules twice to bring SB 546 to floor debate and has failed to get the necessary 2/3 of the Senators present to do so. The bill still remains on the Senate intent calendar. We have written letters to all the Senators urging their support.

HB 1335 (Hanna) SUPPORT - Relating to the use of solar energy in new state buildings. 3/24 passed to 3rd reading. Non record vote (members voted by voice vote).

HJR 65 (Tejeda) SUPPORT - Proposes a constitutional amendment to require reapportionment of county commissioners precincts following the publication of a federal census.

HB 393 (Hernandez) SUPPORT

This would provide \$1 per 8 hour work day to TDC inmates for their labor, the funds coming from specified sales contracts on prison-made goods. Prices on such goods would be set as needed in order to carry out this act. The work incentive fund is created for deposit of these monies and solely for payment of inmate wages. As a form of restitution and rehabilitation, 50% of the total earned would be credited to the victim compensation fund. Also, an inmate could choose to contribute any portion of the remaining 50% of his wages to this same fund and that may be considered as a factor justifying parole. This fits our position for inmate compensation from the sale of prison-made goods and surpluses.

Heard by Security and Sanctions 3/11/81 and referred to subcommittee of DeLay (Chairman), Tow and Hernandez. Letters of persuasion needed from local leagues of Pearland and Montgomery County; of thanks and support from San Antonio.

SCR 63 (Brooks) SUPPORT

This is a simple resolution to declare that it is the policy of the Texas Legislature that the state pursue the development of a comprehensive program of community based corrections and that restitution centers be fully realized. The "whereas" clauses point out the large and growing prison population, the kinds of community based programs that could be developed, the fact that such programs are more effective in reducing recidivism and cheaper too, and the importance of saving tax dollars while providing an adequate and humane corrections system. This meshes perfectly with our position calling for a broad range of community based corrections programs. It was heard by the State Affairs Committee Wednesday, March 25.

SB 570 (Mauzy) SUPPORT

This would redefine truant and runaway behavior as conduct indicating a need for services through the children's protective service offices of the DHR rather than as a conduct indicating a need for supervision through juvenile probation departments. Funding would be appropriated separately to prevent an increased caseload for existing abused and neglected children caseworkers. County funds now used for truant and runaways services would follow the child to the child welfare board services unless the services are contracted back to county probation departments offices or boards. Our position calling for continuing court jurisdiction over status offenders only until other supervision is available supports this measure. Referred to Jurisprudence. Heard on Tuesday, 3/24.

CORRECTION - Newsletter #9, page 5

HB 1704 (Jones) to expand the Adult Probation Commission from 9 to 12 members, etc. We goofed. The composition of the commission should read: 4 appointments by the Governor with at least 1 being a judge; 4 by the Chief Justice of the Supreme Court with 3 being juvenile district judges and 1 a citizen; and 4 by the presiding judge of the court of Criminal Appeals with 3 being criminal district judges and 1 a citizen.



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1212 Guadalupe, #109, Austin, Texas 78701

512 472-3841

Legislative Info 1-800-252-9693

LEGISLATIVE NEWSLETTER

Vol. 6 No. 9
March 20, 1981

-Page 5-

TIME FOR ACTION

Nancy Bené
Legislative Director

Traditionally the House and Senate each redraw their own boundaries without much opposition from the other chamber. The real fight, however, is likely to occur over the drawing of congressional seats and this year the decennial redistricting process is complicated by the addition of three new Texas congressional seats as a result of the state's large population growth. Texas congressmen, who are rarely seen around the state capitol in other years, have begun finding excuses to visit Austin and to stop in to talk with state legislators. And earlier this month Hobby, Santiesteban and others journeyed to Washington to review with the congressmen the procedures that will be used in redrawing boundary lines. Protecting incumbents will be a major priority in the process, said Hobby, who noted that none of the federal guidelines, including the Voting Rights Act, prohibits the protection of incumbency as a legitimate basis for drawing districts. But present districts will have to be cut to make room for the three new seats which will probably be in the large metropolitan areas where much of the population growth has occurred. Two of the new seats are expected to be predominately Republican in nature, but Democrats have their eye on U.S. Rep. Jack Fields' district in Houston, which up until this year belonged to liberal Democrat Bob Eckhardt, and much of a change there could swing the seat into either the Democratic or Republican columns. Congressman Jim Mattox's seat in Dallas is also a target of both parties since Mattox has won the last two elections by the narrowest of margins. *

APPORTIONMENT

SB 799 (Ogg) HB 1400 (Von Dohlen, et al.) These are the dummy bills for re-apportioning the state into congressional districts which will be amended after the final census data is received.

SB 800 (Ogg) This is the dummy bill to apportion the state into senatorial districts.

ADMINISTRATION OF JUSTICE

The House passed an emergency appropriation of 35 million dollars for construction of three facilities to house 2,880 inmates without even a word of discussion or opposition.

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HOUSE REGIONS, COMPACTS, AND DISTRICTS COMMITTEE

Preliminary Committee Schedule

Week of March 23

Begin hearings on non-metropolitan districts (Austin)

Tuesday - Begin East Texas Districts 14, 15, 18, 27, 28, 29, 30, 35-B, 36
(ten districts)

Wednesday - South Texas Districts 31, 38, 39, 40, 41, 47, 49, 57, 58
(nine districts)

Week of March 30

Continue hearings on non-metropolitan areas (Austin)

Monday - 1, 2, 3, 4, 5, 6, 8, 9, 10, 11, 12, 16, 17, 22, 23, 25 (15 districts)

Wednesday - 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 73, 76, 77, 101
(15 districts)

Thursday - 23, 33, 34, 42, 43, 44, 45, 52, 53, 54, 55, 56, 70 (12 districts)

Weeks of April 6 and April 13

- . Receive printed census data
- . Load data on computer system
- . Rerun maps with population totals by census units
- . Draft 1980 district profiles
- . Staff work
- . Meet with each metropolitan delegation and disseminate district profiles and hard copy maps
- . Distribute district profiles and maps to non-metropolitan members.

Week of April 21

Begin metropolitan hearings (general testimony (Austin))

Monday Harris County

Tuesday Bexar County
Valley

Nueces County

Wednesday Dallas County

Tarrant County

Thursday Travis County

Jefferson County

El Paso County

Friday If necessary

Draft Bills

Week of April 27

Continue metropolitan hearings - testimony on draft proposals (Austin)

Monday Harris County

Tuesday Bexar County

Valley

Nueces County

Wednesday

Thursday

Friday

Dallas County

Tarrant County

Travis County

Jefferson County

El Paso County

If necessary

Week of May 4

- . Work on final bills
- . Public hearings on Wednesday and Thursday on final bills (Austin)
- . Report House and Congressional bills

Week of May 11

House Bill to floor

Week of May 18

Congressional Bill to floor

PUBLIC SCHOOL FINANCE

School finance is proving very illusive to follow this session. For the first time since 1969 the dollar amounts of the specific components such as teacher salaries, transportation funding and operations allotments are in the general appropriation bill instead of a lump sum to be allotted to public school finance. There will be no comprehensive school finance bill this session.

The public school finance section of the appropriations bill (HB 656 by Presnal, et al) was "marked up" in the Public Education Budget and Oversight subcommittee (Haley). This subcommittee held a formal meeting after which they recommended an increase of \$150 million. This additional money would: 1) increase teachers' salaries in pay grades 7, 8 and 9 2) increase the operations budget, and 3) put more money into the equalization formula.

The subcommittee sent their recommendations to the Public Education committee which adopted the report. The report will be considered before the Appropriations committee in the latter part of March.

Bills already heard by the House Public Education committee relate to teacher competency, to curriculum (to get the Legislature out of prescribing curriculum requirements) and state funding for special programs - community guidance centers and summer school pilot programs for children who do not meet minimum basic skills standards. The League has no position on any of these bills.

****Update:** SB 30 (Brooks) concerning the gifted and talented program was referred to the Committee on Public Education 3/5/81.

WATER

HJR 33 (Clayton) OPPOSE

All three of the funds proposed by this constitutional amendment would dedicate state revenues to promote water development. As explained by Duncan Ellison of Water Inc., Lubbock: "We see HJR 33 as a vehicle to accelerate the development of water in the state so we would have a better position for negotiating for importing water".

The League believes that the best way to avoid a future water crisis is to make realistic plans for efficient use and management of the state's water resources - not to rush to the limits of our supply and then call for help from some other state.

WASTES DISPOSAL

HB 1407 (Clark) SUPPORT

This bill was favorably reported by the House Natural Resource Committee on Tues. night. It increases the penalties for hazardous wastes violations, thus enabling the state to qualify for final delegation of authority to regulate hazardous wastes under the Federal Resource Conservation and Recovery Act. (see advocacy paper) We also strongly support the bill's requirements for the training and certification for operators of waste plant facilities.

Urge your representative to vote for HB 1407 being sure to keep these requirements. Our testimony to the committee also urged an amendment to prohibit location of any new hazardous waste facilities in a flood plain or in an area that provides recharge to ground water that is used as a source for drinking water. We also support a requirement that all applicants for hazardous waste disposal permits analyze alternatives of recycling and reduction.

HB 402 (Gonzales)

This bill was referred to subcommittee by the House Natural Resource Committee. (Our guess: It will never come out) It provides stringent requirements for hazardous waste disposal. Representative Gonzales will offer some of these as floor amendments to HB 1407. (See above)

ACTION FOR THE WEEK

*Letters were sent to each of the Senators urging their support for SB 546 (Ogg) giving voting rights to ex-felons which was scheduled for floor debate this week. As of this date, the bill still had not been debated.

*Isabel Miller presented testimony in support of HB 819 (Keese) concerning solar easements and property development. The bill was sent to a subcommittee of the Energy Resources Committee.

*Nancy Bene represented the League in testimony for support of HJR 62 (Washington) to remove the constitutional ceiling on welfare assistance. This bill was referred to a subcommittee of the Constitutional Amendments Committee.

*Nancy Bene presented testimony by Isabel Miller before the Senate Natural Resources Committee in support of SB 281 (Mengden). This bill would establish lighting and thermal standards for buildings. SB 281 was referred to the subcommittee on water. (Companion bill HB 1577 (Goody) was sent to the State Affairs Committee)

CORRECTION

Legislative Newsletter No. 8, page 4: Under HB 938 (Craddick) - subcommittee of Criminal Jurisprudence (Wilbur, Tow, Rudd) should read subcommittee of Security and Sanctions (Webber, Tow, Rudd)

Legislative Newsletter No. 8, page 4: Under ACTION FOR THE WEEK - Mary Blackstock's testimony on HB 916 (Washington) was referred to subcommittee (Webber, Tow and Rudd) should read (Webber, McLeod and Burnett)



LEAGUE of WOMEN VOTERS of TEXAS
1212 Guadalupe, #109, Austin, Texas 78701
512 472-3841 Legislative Info 1-800-252-9693

LEGISLATIVE NEWSLETTER

Vol. 6 No. 8
March 13, 1981

Nancy Bene
Legislative Director

HJR 33 Clayton OPPOSE

This resolution proposes "a constitutional amendment dedicating the state's surplus revenue to special funds in the state treasury to be used for retiring state debt and for water development, water conservation, and water quality enhancement purposes, authorizing the legislature to spend for public purposes the receipts otherwise pledged to pay state debt, and establishing a reserve fund in the state treasury."

This amendment, if passed by the Legislature, would be voted on November 3, 1981. The League of Women Voters of Texas considers this resolution to be of major importance and we have been watching the development of this legislation very closely.

Jan Albers, speaking for the League of Women Voters of Texas, at a March 10th House committee hearing on Constitutional Amendments, identified several of our objections to HJR 33. Jan noted that we are against constitutionally dedicated funds, believing instead that flexibility is essential to the wise management of state monies. We do not have a crystal ball and cannot be certain that some future need will not become a more pressing priority than one identified today.

We are also opposed to requiring "super majorities" (such as 2/3 or 4/5 votes) to shift or appropriate state revenues. Such requirements are overly restrictive. We are confident that future legislators can be trusted to use their good judgement and continue to be responsive to the needs of Texas citizens.

Information on some of the Leagues' other concerns about HJR 33 will be in future newsletters. Catherine Perrine is drafting information on how the Leagues' positions relate to the water issues in HJR 33. For obvious reasons, we think this resolution will receive a favorable reception in the House. So, we will direct most of our attention to the Senate at the appropriate time.

This Friday, March 13, is the deadline for "free introduction" of bills. The only bills that will be allowed introduction from now on are local bills, emergency appropriations and emergency matters declared by the Governor. Any other bills introduced would be possible only by a suspension of the rules, which requires a four-fifths vote of those present and voting.

The program chairs will be assessing the bills that they have commented on and determining which of those are indeed priority so that we can concentrate our lobbying efforts and give you direction for action.

ENERGY

HB 1366 (Polk) and SB 778 (Ogg) SUPPORT

Provides loans through the Texas Housing Agency for installing or repairing solar energy equipment or for financing the portion of a houses' cost attributable to its solar energy use installation. This would help remove a great barrier to the use of solar energy. HB 1366 was referred to the State Affairs committee and SB 778 was referred to the Natural Resources committee.

HB 1335 (Hanna) and SB 367 (Caperton) SUPPORT

Requires all new state-owned buildings to make use of solar energy in whatever ways are found by life-cycle cost analysis to be cost effective.

This bill is not as good as Keese's HB 817 (which includes renovated as well as new buildings and also requires publication of a conservation code incorporating use of solar energy) but since HB 1335 is the outcome of the Solar Advisory Commission and has the backing of TENRAC, it is a better bet. HB 1335 was reported favorably out of committee without amendments and is now in Calendar Committee. The League presented testimony in favor of HB 1335 this week.

SB 717 (Mengden) SUPPORT

Exempts from taxation any equipment or device to recover and use waste heat or steam in a commercial or industrial operation. This is an excellent conservation strategy. Referred to the Senate Finance committee.

HB 820 (Keese) SUPPORT

This bill brings state regulations into line with federal standards in exempting small electricity generators from regulation as utilities. Referred to the committee for Energy Resources.

FOR YOUR INFORMATION

We are not expecting action on SCR 39,40,42, and 41 by Mengden. These are the bills reported in Newsletter #7 concerning various ways to deal with the ERA. To clarify any confusion that might have occurred from the report of these bills, we oppose SCR 39,40, and 42. But SCR 41 was "for your information only".

SJR 34 (Parker) SUPPORT

In addition to the present regular sessions of the legislature in odd-number years and special session when convened by the Governor, this bill provides for a supplemental session in even number years. This session would be for not longer than 40 days; the only subject to be considered are fiscal matters, repeal of existing statutes, and matters submitted by the Governor.

SJR 28 (Blake) proposes a constitutional amendment to provide for an automatic special session for legislative reapportionment if the decennial census is published late.

Human Resources - HJR 62 (Washington) SUPPORT - Proposes removal of constitutional ceiling on amount of state assistance to needy persons.

PRELIMINARY REDISTRICTING TIMETABLE

<u>Week of:</u>	<u>Activity for Week</u>
March 16-20	Initial Subcommittee on Redistricting meeting to develop specific criteria for districts
March 23-27	Panels begin work on nonmetropolitan districts, develop internal procedures, rough drafts, etc.
March 30-April 3	Outreach hearings - South, East, West Texas
April 6-10	Committee of the Whole meets to review final date results and analysis of changes
April 13-17	Outreach hearings - Dallas/Forth Worth, Houston, San Antonio
April 20-24	Panels develop preliminary plans
April 27-May 1	Subcommittee reviews preliminary panel results and provides instructions for further development Panel on Congressional Districts reports to subcommittee
May 4-7	Subcommittee finalizes congressional plan and reports to Committee of the Whole Committee of the Whole debates congressional plan, reports plan to Senate for final passage
May 11-15	Panel on Senate Districts reports to subcommittee Subcommittee finalizes Senate plan and reports to Committee of the Whole
May 18-22	Committee of the Whole debates Senate plan, reports plan to Senate for final passage

NOTE: The exact dates for public testimony and hearings are left for later determination.

<u>Subcommittee on Redistricting</u>	<u>Legislative Panel</u>	<u>Congressional Panel</u>
Ogg, Chairman	Snelson, Chairman	McKnight, Chairman
Brooks	Farabee	Brooks
Farabee	Jones	Harris
Harris	Meier	Kothmann
Jones	Mengden	Mauzy
Kothmann	Traeger	Santiesteban
Mauzy		
McKnight		
Meier		
Mengden		
Santiesteban		
Snelson		
Traeger		

ADMINISTRATION OF JUSTICE

The following is an update on bills that have been included in previous newsletters:

SB 120 (Howard) the Governor's bill on wiretapping is still in the Senate Jurisprudence committee. Companion HB 360 (Lewis) was referred to a subcommittee of the House Criminal Jurisprudence committee.

SB 127 (Meier) concerning the funding of the Criminal Justice Division in the Governor's office passed the Senate. SB 127 and its companion, HB 367 (Lewis) are both in a subcommittee of Criminal Jurisprudence.

SB 265 (Farabee) representing the statutory procedural law to implement Amendment 8, changing the name of the Courts of Criminal Appeals to the Courts of Appeals, passed the Senate on 3/10. Companion bill HB 499 (Maloney) and SB 265 are both in a Criminal Jurisprudence subcommittee.

HB 916 (Washington) concerning extending the authority of the Jail Standards Commission to include municipal jails was referred to subcommittee. (See the "Action This Week").

HB 582 (Benedict) 583 (Benedict) and 1111 (Washington) dealing with the Board of Pardons and Paroles will be heard before the House committee on Security and Sanctions, Monday 3/16.

HJR 47 (Ware) to create merit selection of judges is still in the House committee on Constitutional Amendments.

HB 938 (Craddick) relating to the powers and duties of juvenile boards and the establishment of a juvenile board in counties where none exist, was assigned to a subcommittee of Criminal Jurisprudence (Wilbur, Tow, Rudd). Companion bill SB 80 (Truan) is still in the Senate Jurisprudence committee.

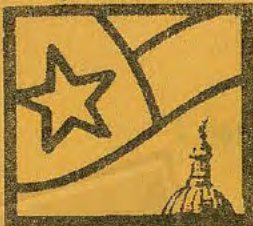
ACTION FOR THE WEEK

Nancy Bene presented testimony by Isabel Miller in support of HB 1335 (Hanna) and HB 1315 (Blythe) before the House Committee on Energy Resources. Both bills deal with solar energy and both were sent to subcommittee.

Testimony by Jeanette Davis (3/10) was presented before the House Committee on Election in support of HB 183 (Hudson). The bill requires that people be notified by first class mail (i.e. forwardable mail) that their voter registration application was rejected or canceled. The attached fiscal note placed the cost of each notification at \$2.00. The bill was sent to the Voter Registration subcommittee.

Jan Albers (3/10) testified in opposition to HJR 33 (Clayton) before the House Committee on Constitutional Amendments. (See page 1) Referred to subcommittee (unnamed).

Mary Blackstock (3/11) presented testimony before the House Committee on Security and Sanctions in support of HB 916 (Washington). This bill deals with jail standards for municipal jails. The bill was referred to subcommittee (Webber, Tow and Rudd). In the same committee meeting, Mary also spoke in support of HB 393 (Hernandez) to pay prisoners \$1 per day. Fifty cents would go to the victim's Compensation Fund and 50¢ would stay with the prisoner. Referred to subcommittee.



LEAGUE of WOMEN VOTERS of TEXAS

1212 Guadalupe, #109,

Austin, Texas 78701

512 472-3841

Legislative Info 1-800-252-9693

LEGISLATIVE NEWSLETTER

Vol. 6 No. 7
March 6, 1981

Nancy Bene
Legislative Director

Events this past week have made it clear that money will be one of the big problems for this session. In spite of a larger surplus than ever before, the Legislative Budget Board, which draws up the excess of what Comptroller Bullock says is available to spend. Usually the budget board recommendation comes in well below the revenue estimate and the House and Senate add dollars to it up to the revenue maximum.

Two reasons have been cited for this situation: 1) The budget board did not have Bullock's estimates during their deliberations, and 2) Bullock has changed his policy on how he counts the money left in the agency accounts at the end of the biennium. Recent emergency pay raises have made the matter worse.

Last week Lt. Governor Hobby told his Senate committee chairmen that they have already written enough red-ink proposals to send the state into debt in 1982-83. This is a declaration he usually makes in April - not February.

House Speaker Billy Clayton has given notice that he intends to invoke an old House Rule that hasn't been used in a long time. He said he would enforce the rule that no bill that appropriates money can be passed until after the general appropriations bill has passed the House. Many bills that are not major spending bills could be hurt.

Bullock usually raises his first conservative estimate before the end of the session but that increased estimate is not expected to approach the possible \$1.4 billion deficit.

The appropriations bill is considered first in the House before being sent to a Senate committee and full Senate. Speaker Clayton and Appropriations Chairman Bill Presnal have their own version prepared. (HB 656)

ADMINISTRATION OF JUSTICE

SB 685 Farabee SUPPORT

This proposal meets all the points of our position calling for a single State Juvenile Justice Agency. (For details see "We Support" or "Program Perspectives")

continued on Page 2

1. ADMINISTRATIVE PROVISIONS - Under this bill a 9 member Tx. Board of Juvenile Services (6 year staggered term) is created and would initially include all 5 members of the current TYC Board. The terms of 2 of those members expire 8/31/81. The new board would go into effect 9/1/81. Thus, there would be 5 new people on it. Under the proposed structure the Governor would appoint all board members designating one as chairman. We would support an amendment to split the appointed power several ways and possibly allow board members to select their own chairman. Also provided is a 9 member advisory council to be appointed by the board and composed of 3 juvenile judges, 3 juvenile probation officers and 3 private citizens. We would consider supporting an amendment to provide appointment of the Administrative Council by other(s) than the Board. The Department of Juvenile Services would have two divisions. One for administration of state training schools and other residential placements of children committed to the Department and the other to administer supplemental funding of and minimum standards for locally administered community based services.

II. GENERAL POWERS AND DUTIES - Provision is made for continuing study and focus on juvenile problems, biennial reports and recommendations to the Governor and Legislature, and adoption of policies and rules. The department is required to assist cities and counties in development of new juvenile programs when requested. It may contract with public and private agencies. Specific provision is made for contracting with Big Brothers/Big Sisters of America.

III. STANDARDS AND SUPPLEMENTAL FUNDING - The Department in cooperation with local representatives involved in the system is to establish minimum standards for county juvenile boards receiving funds from the department. This includes standards for probation and parole services, probation and parole staff qualifications, and juvenile detention homes and other temporary educational training and technical assistance to counties, juvenile boards, and probation offices. Counties are encouraged to establish juvenile boards and probation departments, but if that is not done by 9/1/85 the department may provide direct services. Allocation of funds would be on the basis of juvenile population but to receive funds a county must spend no less on juvenile services than it did in 1980. Aid may be suspended for failure to comply with standards.

IV. FACILITIES AND SERVICES FOR DELINQUENTS COMMITTED TO THE STATE - Similar to current provisions for care and treatment of committed delinquents and providing for parole supervision.

SB 685 referred to committee on Jurisprudence 2/24/81

If another juvenile probation proposal is introduced establishing state funding for juvenile probation departments under the adult probation system, we will re-evaluate both proposals at that time.

HB 1083 - Benedict

SUPPORT

Would require medical facilities for TDC inmates to be adequately equipped and meet state licensing requirements. Also, inmates assigned jobs in the prison medical care system would have to be "...properly qualified, trained, and supervised." in their jobs.

HB 1083 addresses major problems brought up in the Ruiz case against TDC. It fits our position which calls for improved health care delivery, greater access to professional services, and adequate facilities which meet minimum standards. Referred to Committee on Security and Sanctions

HB 1084 by Benedict SUPPORT

This would require sufficient inservice training for TDC correctional officers and psychological evaluation in their hiring. It meshes with our positions calling for higher standards in CO selection and expanded inservice training. Referred to Committee on Security and Sanctions 2/16/81

HB 916 by Washington SUPPORT

This would broaden the jurisdiction of the Commission on Jail Standards to include all jail facilities in the state--municipal as well as county. It would mean city jails would have to clean up their acts just as county jails have had to do since 1975. Our position calls for a jail commission "...for city and county jails." Referred to Committee on Security and Sanctions 2/11/81

ENERGY

HB 814 by Keese SUPPORT

This bill codifies procedure for establishing a solar easement, i.e. a document insuring continued access to sun and/or wind across adjacent property with compensation if it is interrupted.

It also mandates cities to require all future subdivisions to be platted so that all lots, where feasible, can make full use of solar energy (all houses be aligned broadside to the sun.)

The solar easement is an essential assurance before building near a property line. It is possible now to create, with normal legal tools, though this bill standardizes the procedure.

Ordinances requiring solar orientation for subdivisions would be extremely valuable and would automatically produce a great energy saving for the future. Referred to Committee on Energy Resources. Companion Bills 251 (Meier) and HB 1200 (Washington) address solo-easements only.

FOR YOUR INFORMATION:

SB 30 by Brooks - relating to educational programs for the gifted and talented, passed the Senate 3/3/81. It will now be sent to the House.

SB 411 by Mauzy - This is a good county ordinance making bill. However, because of the population restrictions in it, it applies only to Dallas County at this time. The county commissioners of counties with populations of more than 1,200,000 and fewer than 2,000,000 may enact ordinances that are not inconsistent with state law and that apply only to unincorporated territory in the county. If passed it could be a foot in the door. It was heard before the State Affairs Committee 2/20/81. No action was taken.

WOMEN'S ISSUES

SCR 39, 40, 42 by Mengden

OPPOSE

SCR 41 by Mengden These concurrent resolutions would:

- . rescind the Texas ratification of the Equal Rights Amendment (#39)
- . submit a new limited version of a national Equal Rights Amendment by memorializing Congress. The resolution states that the opposition centers on the amendment's ambiguity, therefore, the new version spells out preventing judicial interpretations requiring women to serve in combat, depriving wives, widows, and mothers of special protections, impairing privacy of men and women, eliminating rape and other sex-offense laws, or allowing homosexual marriages. (#40)
- . avoid the use of sexist language in drafting of public documents (#41)
- . notify Congress that their extension of the time limit from March 22, 1979 to June 30, 1982, for ratification of ERA was highly improper and that action should be repudiated by Congress as a precedent for future submission. (#42)

The rescission bill, which is the most significant of the four, has failed to get out of committee for the last four sessions. All four bills have been referred to the State Affairs Committee 2/19/81

ACTION FOR THE WEEK:

3/2 Mary Blackstock (a loyal Capitol Corps observer) presented League testimony in support of SB 546 (Ogg) before the Senate State Affairs Committee. This bill concerns the restoration of voting rights to ex-felons. The League has testified in favor of the concept for the past several sessions. Mary was the only one to testify in favor. SB 546 was reported out of committee favorably.

3/3 Nancy Bene presented testimony on behalf of Jan Wilbur before the House Constitutional Amendments Committee in opposition to constitutionally prohibiting income tax. Four bills were considered before the committee. HJR 3 (Kubiak), HJR 8 (Schlueter), HJR 18 (Riley). All were referred to subcommittee.

3/3 Laura Keever testified in favor of SB 480 (which was substituted for HB 906 (Bock) before the House Committee on Environmental Affairs. The bill was reported out favorably and will probably be heard sometime this week before the full House. Copies of the testimony were distributed to each member of the House.

3/3 Isabel Miller testifies before the House Committee on Energy Resources in support of HB 1191 (C. Smith) for licensing solar device installers. The bill was sent to subcommittee.

3/4 Isabel Miller personally testified before the House Committee on Appropriations to urge "that a full and adequate budget allotment" be made for the Texas Energy and Natural Resources Council (TENRAC).



LEAGUE of WOMEN VOTERS of TEXAS
1212 Guadalupe, #109, Austin, Texas 78701
512 472-3841 Legislative Info 1-800-252-9693

LEGISLATIVE NEWSLETTER

Vol. 6 No. 6
February 27, 1981

Nancy Bene
Legislative Director

LWV-T LEGISLATIVE DAY IN AUSTIN

In spite of the bill we introduced for fair weather, which died in subcommittee, approximately two hundred members of the League of Women Voters of Texas came to Austin Wednesday, February 25, for Legislative Day. What an impressive group! We were welcomed by Jim Kaster, the Governor's Legislative Liason; heard useful and up-to-date lobbying techniques and insights from Brian Graham, a former aide to Luther Jones; had legislative priority briefings conducted by the state board program directors; and heard a concluding speech from the perspective of a new legislator, Debra Danberg. Many members took their legislators to lunch or at least contacted them in their office. We had a great time and hope that you did!

APPORTIONMENT

HR 58 - Von Dohlen (filed 2/9/81) passed the House 2/12/81)

sets out steps that have been taken and procedures that will be followed in drawing up and adopting state House and U.S. Congressional redistricting plans. Some specifics:

- members of the legislature shall be advised of the requirements of the federal Voting Rights Act and all federal and state court decisions on reapportionment
- a citizen advisory group shall be formed
- continuing effort shall be made to involve all interested citizens and organizations
- demographic profiles of proposed districts are required at each stage of the process
- all House members initially prepare proposed district plans for their individual districts on hard copy maps

HB 960 - Von Dohlen, et al (filed 2/10/81)

This is the dummy redistricting bill for the representative districts. It delineates the existing districts and will be amended by substitution after the data from the census bureau arrives--expected on April 1, 1981.

SR 256 - Brooks (filed 2/12/81)

provides that bills and resolutions relating to the apportionment of the state among legislative and congressional districts shall be referred by the President of the Senate to the Committee of the Whole Senate. This passed the Senate 2/24/81 and Lt. Gov. Bill Hobby appointed T. Santiesteban as chairman of the Committee of the Whole.

HUMAN RESOURCES

SB 521 (companion to HB 467) by Mauzy (filed 2/10/81) SUPPORT

Amends Texas Education Code to define students eligible for admission to public schools as those children who are over the age of five years and under the age of 21 years on the first day of September. This bill eliminates the requirement that such children must also be citizens of the U.S. or legally admitted aliens.

HB 1113 - Washington and SB 516 - Ogg SUPPORT

These companion bills amend the 1977 Displaced Homemakers Programs legislation. The proposed bills would amend the present legislation by:

- striking the words "is 40 years of age or older", resulting in defining a displaced homemaker as "an individual who has worked without pay as a homemaker for his or her family...and has difficulty in finding adequate employment..."
- establishing two other multipurpose service centers for displaced homemakers in counties with a population of 500,000 or more
- designating \$3.00 of each divorce suit filing fee for the Displaced Homemakers Fund

During the last session LWV-T supported continued funding for the two Displaced Homemakers centers in San Antonio and Arlington. The appropriations bill designated \$230,000 for the centers, but Governor Clements vetoed the program.

ADMINISTRATION OF JUSTICE

HJR 47 - Ware SUPPORT

HJR 47 proposes a constitutional amendment to create a Judicial Nominating Commission for the merit selection of appellate judges and authorizes the legislature to extend merit selection to judges of district and county courts. The bill provides for a nonpartisan retention election every 6 years.

The commission will consist of 11 members, a majority of non lawyers, to be selected by the governor, lieutenant governor and speaker of the house who shall also designate the chairman. Members of the commission are to serve 6 year staggered terms, and no individual is to serve more than one term. A member of the commission may not hold an elective or salaried public office or office in a political party and is not eligible for appointment to a state judicial office during the term for which the member is appointed.

This bill also states that the commission members and the judges shall be selected with due regard to sexes, ethnic groups, and geographical regions of the state.

HB 582 (and HJR 28) by Benedict SUPPORT

Attempts to increase coordination and efficiency of the Board of Pardons and Paroles by reorganizing its structure--just what our position calls for. This would do away with the six parole commissioners and make them full members of the BPP for a total of 9 on the Board. They would serve 6 year staggered terms. The Governor, Presiding Judge of Court of Criminal Appeals and Chief Justice of Supreme Court would each appoint 3, subject to Senate approval. This is dependent on passage of a constitutional amendment, HJR 28, to eliminate constitutional authority for the BPP, but give legislature authority to require the Governor to exercise his pardon and parole power only on the written recommendation of an agency created by law--the BPP. HB 582 is in Security and Sanctions Committee and HJR is in Committee on Constitutional Amendments.

HB 583 (and HJR 29) by Benedict SUPPORT

These 2 bills provide another means to reach the same ends as HB 282 and HJR 28. HB 583 does away with the parole commissioners and HJR 29 changes the constitutional authorization for the BPP to a 9 member appointed board as described in HB 582. These are also in the House Committees on Security and Sanctions and Constitutional Amendments respectively.

HB 1111 by Washington SUPPORT

This brief bill would eliminate the Governor's veto power over parole board decisions by removing the wording which required his approval. This fits our position exactly. HB 1111 was heard by the Security and Sanctions committee the night of Feb. 25. Testimony was highly favorable and included a parole board member, a parole commissioner, a lawyer who has pleaded cases for inmates denied parole by the Governor's office and a father of an inmate of model behavior who has been repeatedly denied parole by the governor's office because "he hasn't been punished enough". Sponsor Craig Washington eloquently pointed out that his bill would save the state 5 to 14 million dollars in not having to warehouse all the prisoners denied parole by the Governor. HB 1111 was sent to a friendly subcommittee. Rep. Benedict is chairman. Tom Delay and Doug McLeod the other members. Please write your representative in SUPPORT of the above three bills.

PUBLIC SCHOOL FINANCING

SB 30 - Brooks SUPPORT

This bill lifts the \$5,000,000 per year ceiling on the gifted and talented program. SB 30 has been passed out of the Senate Education Committee. Contact your Senators and let them know we support this bill.

ACTION THIS WEEK

****Jeanette Davis gave testimony before the House Constitutional Committee supporting HJR2 (C. Smith), but urging the Committee to amend the bill to include a provision for voter education. HJR2 has been endorsed by the Governor. All 4 I and R bills under discussion have been referred to a subcommittee as yet unnamed. We expect a single bill to be reported from the subcommittee which will probably be a composite of all the bills under consideration. (This testimony was Jeanette's debut.)

****On Tuesday night, Diana Clark testified before the House Natural Resources Comm. in support of HB8 (Substitute bill by C. Smith), which authorizes the Texas Department of Water Resources to use state funds for clean-up of dangerous and abandoned hazardous waste disposal sites. She also urged the committee to support the Department's request for appropriation of \$5.6 million in state funds, which would be matched by \$50 million in federal "Superfund" money, for this purpose when it makes its recommendation on the budget for the department. The sponsor expects the bill to be reported out of subcommittee in a week to 10 days.

****Diana Clark also testified in opposition to HB360 (Bock) before the House Criminal Jurisprudence Committee on Legislative Day afternoon. This bill concerns wiretapping. Testimony on this and other issues will be heard before the Comm. on Monday afternoon.

****Lois Carpenter presented testimony in support of HB582 and HJR28 (both by Benedict). See page 3 of this newsletter. These bills were heard before the House Committee of Security and Sanctions and were referred to a subcommittee. The subcommittee will be chaired by Benedict. McLeod and DeLay will also serve on the subcommittee.

****Laura Keever was present on the Senate floor during the debate of SB480 (Traeger) setting up criteria for low level waste disposal sites. The debate in the Senate centered on the issue of citizen's right to sue. The amendment striking this section failed 20-9. The bill itself passed 30-0 and will be sent to the House.

****Packets including our advocacy papers, wiretapping brief, and priority brochure were sent to each Representative and Senator. This is to let you know that they have this information. Please follow up whenever possible.



LEAGUE of WOMEN VOTERS of TEXAS

1212 Guadalupe, #109,

Austin, Texas 78701

512 472-3841

Legislative Info 1-800-252-9693

LEGISLATIVE NEWSLETTER

Vol. 6 No. 5
February 20, 1981

Nancy Bene
Legislative Director

ENERGY

SB 480 - Traeger SUPPORT

This is the bill which establishes the framework for a low-level radioactive disposal site in Texas. (See Leg. N. #4) It was heard by the Senate Natural Resources Committee on Wednesday with much emotional testimony on both sides. Both "sides" in this case did not deal with the pros and cons of site establishment, but what should be in the bill establishing the site. Laura Keever presented testimony on behalf of the League as the bill has such strong environmental and public health safeguards. There were minor amendments made in the committee substitute (which were passed) and one which was more substantive, relating to the definition of low-level waste. That amendment changed the definition to include low-level wastes of no more than 10 nanocuries of transuranics. This is included in the legal definition of low-level waste by the Nuclear Regulatory Commission and clarifies that low-level waste from commercial nuclear reactors will be included in any proposed site. The bill passed the Natural Resources Committee and will probably be heard in the Senate on March 3. Therefore, if you have not written your Senator regarding this bill, DO SO IMMEDIATELY. Encourage retention of the strong public health and environmental safeguards.

SCR 19 - Caperton For Your Information
HCR 21 - Turner

These companion bills establish a moratorium on commercial radioactive waste management sites. Initially the moratorium was to have been effective as of Sept. 1 or 60 days after the effective date of any new radioactive waste management legislation (which could be as late as November 1). As there is currently only one processor-collector licensed in Texas (whose 4000 barrel limit is rapidly being reached), we were concerned that illegal dumping of radioactive material could occur before a new site could be licensed. We, therefore, worked to limit the moratorium and were successful. The amended version of the more limited bill (the moratorium is now June 1 or until the effective date of new legislation) was substituted for HCR 21 by Turner and passed the Senate. The House passed the Senate substitute February 19. It is therefore now effective, as the Governor does not have to sign Concurrent Resolutions.

ENERGY (cont.)

SB 363 - Vale SUPPORT

Requires: 1) publication of energy conservation standards for use both in renovation and new construction in all state buildings; 2) publication of Model Energy Conservation Codes, incorporating the use of solar and wind energy, for voluntary adoption by cities; 3) publication of a manual, for use by designers and builders in meeting the codes, which explains conservation and solar technologies; 4) application of life-cycle-cost analysis (saving vs. capital cost over the life of the building) in the design process of all new or renovation plans for state buildings with a mandate to include all solar technologies thus found to be economically advantageous. Referred to Natural Resources Committee.

SB 417 - McKnight SUPPORT

Provides for up to 20% funding of demonstrations of industrial applications of fluidized bed combustion of lignite. Removes \$5 million ceiling on appropriations to the Energy Development Fund.

Fluidized bed combustion of coal is a method in which swirling air-borne powdered coal and limestone are burned precipitating the sulphur with the limestone. It is in line with our position calling for environmentally safe uses of coal. Referred to the Senate Natural Resources Committee.

ELECTIONS

HB 183 - Hudson SUPPORT

This bill amends the election code to provide notification to a citizen whose voter registration has been cancelled or whose application for registration has been rejected.

Since the institution of mailing registration certificates as non-forwardable mail, many people (particularly those who change their address) do not realize they are not registered until election day. This bill carries instructions to furnish omitted information: correcting incorrect information and showing a change of address. Referred to Committee on Elections.

SUCCESS STORIES:

Laura Keever was instrumental in changing the effective date on the moratorium for permitting new commercial radioactive waste management sites. (Refer to p. 1 of this newsletter.)

Jeanette Davis was successfully able to persuade Representative Hudson to include the word "forwardable" to assure the citizen of receiving the notification of cancellation or rejection of voter registration. (See HB 183 (Hudson) under ELECTIONS.)

ADMINISTRATION OF JUSTICE

We received a letter on wiretapping from Senator Mauzy who is Chairman of the Senate Jurisprudence Committee. He expressed his concern with the spreading crime problem but explained that he does not believe that wiretap legislation is the proper response to it. He agreed that wiretap legislation has proven ineffective where it has been used and that the opportunity for abuse is great regardless of whatever controls may be tied to the legislation. Senator Mauzy says "Our individual rights are too precious to sacrifice for legislation which is a product of emotional rhetoric and not of considered judgement".

The state League is taking no action at present on TDC proposals to reduce crowding. What Director Estelle is calling "work release" would actually be a work furlough. The prisoner would apparently be furloughed to his hometown to live and work but would still be under the authority of TDC field supervision.

SB 546 Ogg SUPPORT

This would give voting rights to ex-felons by changing the classes of persons not qualified to vote in the Texas Election Code. Specifically, it deletes from the classes of persons not qualified to vote the wording "all persons convicted of any felony except those restored to full citizenship...." and replaces it with persons while incarcerated, on parole, mandatory supervision, on probation as a result of a felony conviction. Also deleted from the list of those who cannot vote would be paupers supported by the county. Our support for this actually comes from our voting rights position from automatic restoration for voting rights to felons upon completion of their sentence and/or probationary period. In 1977 a similar bill included other provisions and was vetoed by Governor Briscoe. In 1979 it passed the House but failed to be heard by the full Senate. This year we have high hopes. It was filed and referred last week to the Senate Committee on State Affairs.

INITIATIVE & REFERENDUM

HJR 2 - Carlyle Smith

Will be heard in the House Constitutional Amendments Committee, Tuesday, Feb. 24 at 2:00 P.M. If you have a representative on this committee, please contact him or her now and voice our support of this bill.

Members of this committee: McFarland, Whaley, Delco, Sharp, Ware, Atkinson, Barrientos, Elizondo

UPDATE ON LEGISLATION COVERED IN NEWSLETTER #4

SB 280 - Mengden, HB 756 - Delco: relating to energy conservation in state buildings. Passed the Senate. Assigned to House Committee on State Affairs.

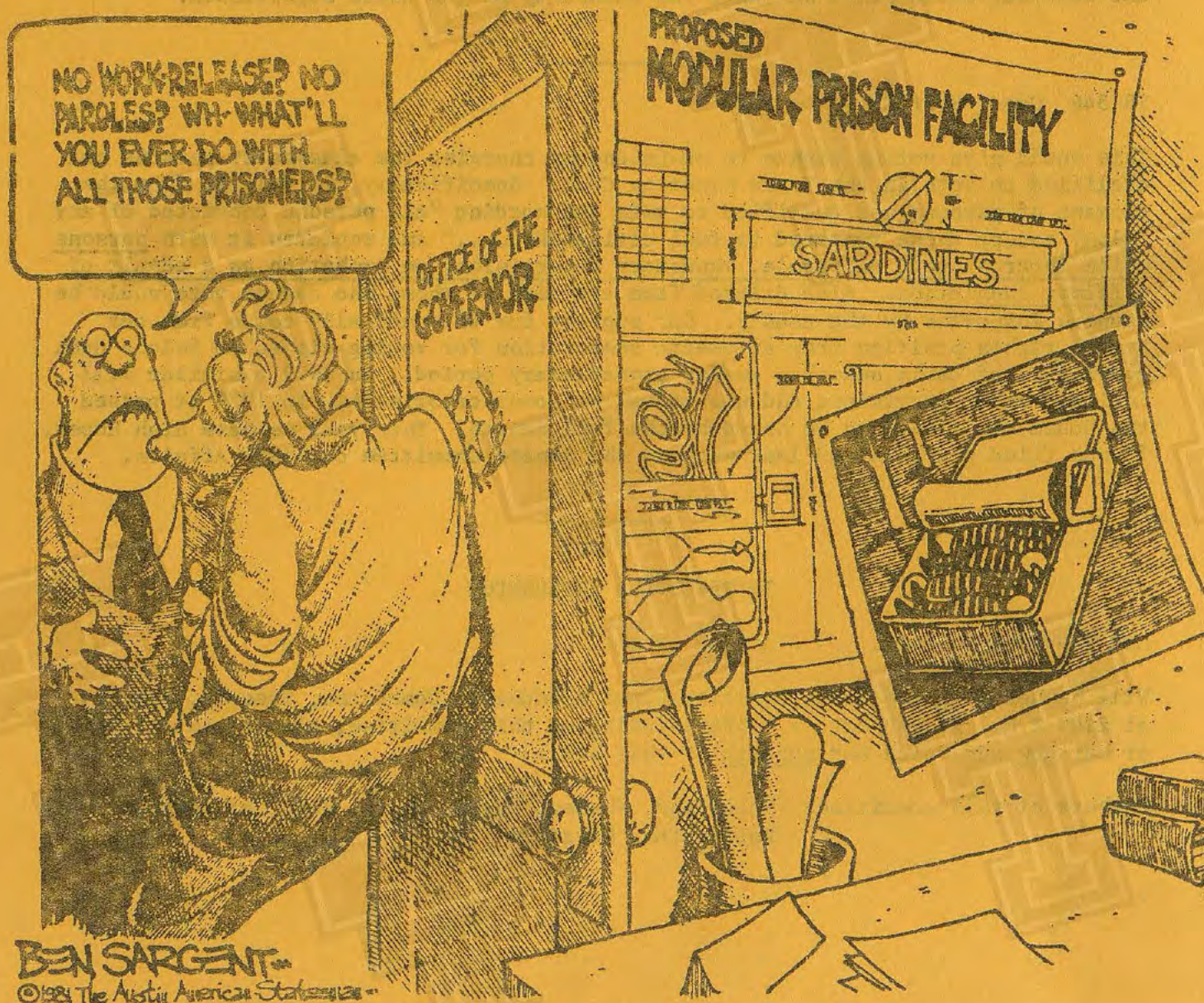
HB 152 - Willis: relating to pay of election judges and clerks. Referred to subcommittee on Elections 2/17/81.

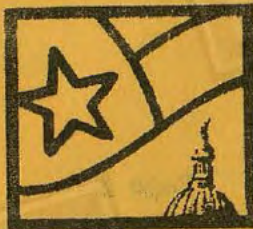
SB 282 - Mengden, HB 744 - Nowlin: which removes ride-sharing from the designation as a Motor Bus Company. Passed the Senate 2/9/81. Assigned to House Committee on Transportation.

SB 127 - Meier: Relating to the Criminal Justice Planning Fund, et al. Passed Senate. Transferred on Monday from House State Affairs to Criminal Jurisprudence. Referred to a subcommittee on Jurisprudence. The Chairman of the subcommittee is Uher. Other members are: Browder, Hernandez, Nabers. No hearing has been scheduled yet.

Austin American Statesman, February 17, 1981

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LEAGUE of WOMEN VOTERS of TEXAS

1212 Guadalupe, #109, Austin, Texas 78701

512 472-3841

Legislative Info 1-800-252-9693

LEGISLATIVE NEWSLETTER

Vol. 6 No. 4
February 13, 1981

Nancy Bene
Legislative Director

The problems produced by the 4/5's rule in the House have been resolved this week. Speaker Clayton told House members on Tuesday that February 12 was not the deadline for bill filing.

Speaker Clayton, fortified with legal memos in hand, ruled that the Constitution does not require that all bills be filed during the first 30 days of the session. Members will have another month for "free" introduction of bills. After that it will take approval of 4/5's of the legislators present to file a bill.

Up until now the only bills considered in the House were the "emergency" matters designated by Governor Clements.

ANOTHER MATTER: Speaker Clayton and Appropriations Committee Chairman Bill Presnal produced the House budget at \$26.5 billion, some \$200 million under the Legislative Budget Board's figures. The House sub-Committee on Budget and oversight has begun hearing testimony from the various agencies for changes in their allocations.

* * *

SB 280 (Mengden)

relating to implementation of energy conservation measures in state buildings in the Capitol complex passed second reading on the Senate floor on Monday. (See Newsletter #3 for background.) Letters to each of the Senators were sent urging passage of this bill.

* * *

CORRECTION: A bill was referred to in Newsletter #2, page 2, as SB2 (Mengden), HJR 2 (Smith) SUPPORT. That should read SJR 2 (Mengden) instead of SB2 (Mengden).

ADMINISTRATION OF JUSTICE

HB 367 by Lewis and SB 127 by Meier SUPPORT

The purpose of this Act is to statutorily establish the Criminal Justice Division in the Governor's Office and define their responsibilities, create the Criminal Justice Division Advisory Board and provide that the Criminal Justice Planning Fund funds be made available to the Criminal Justice Division in the Governor's Office for funding of state and local criminal justice projects.

Federal (LEAA) funds have been paying for multitudes of criminal justice programs in Texas for the last ten years. These have been developed and administered by the Criminal Justice Division of the Governor's Office, which was created for this purpose. Now that LEAA funds are no longer available, this bill is proposed to continue the CJD, and with it, the Criminal Justice Planning Fund. Monies for the Fund are to come from increased court costs. Traditionally these monies have been used for the types of programs the League favors such as: law enforcement training, court administration projects, alternatives to incarceration and rehabilitation projects and the Jail Standards Commission. HB 367 is in the House Committee on State Affairs. SB 127 passed the Senate with amendments.

ELECTIONS

HB 152 by Willis SUPPORT

This bill amends the election code to increase the rate of pay of election judges and clerks working during elections. The previous rate is below minimum wage and although working in elections is considered by the League as a most important function, it is indeed difficult to find citizens willing to work for such low pay.

This more equitable monetary reimbursement is necessary to attract capable, responsible individuals in the conduct of elections.

HB 187 and HB 188 by Hudson SUPPORT

Both bills amend the election code to make each high school principal and assistant principal in Texas a deputy voter registrar. The registration of high school students of voting age encourages those students to begin voting at the earliest possible age and also encourages this activity to be maintained.

The difference in the two bills is in HB 187 which states that voter registration cards be distributed to each student who is at least 17 years and 10 months old. We support both bills.

ENERGY

HB 25 by Kubiak SUPPORT

Authorizes transfer of \$15 million from general revenue to The Texas Industrial Commission for use as loans for building plants to make fuel from renewable resources. This probably will be used for making alcohol from grain, a questionable net energy gain, but it might be used for methane from residues, feedlots, etc. or for other useful generation. Referred to the Committee on Appropriations.

HB 673 by Polk SUPPORT

Companion bill to SB 267. Allows corporations whose production is not wholly solar to be exempt from franchise taxes on that portion of their income which comes from solar. Law now requires entire operation to be solar to be eligible. Referred to Committee on Ways and Means.

HB 686 by Kubiak SUPPORT

Companion bill to SB 233. Provides modest support for R & D of alcohol production from cellulose in solid waste, crop residues, and forest products. Removes \$5 million ceiling on legislative appropriation for Energy Development Fund. Referred to Committee on Energy Resources. SB 233 passed the Senate Natural Resource Committee.

SB 282 by Mengden SUPPORT

Removes ride-sharing from designation as Motor Bus Company operation and resultant Rail Road Commission regulation. Has cleared committee.

SB 362 by Vale OPPOSE

Establishes a full scale new commission, Texas Renewable Energy Commission, with staff and advisory committees. Principal duties: cooperate with industry and organizations in developing codes, standards, tests, and certification programs; Make available to local governments model codes for their adoption; Promote industry self-regulation; Establish and administer a solar installer licensing program; Assist in establishing vocational training for employees in renewable energy industry.

* Report annually to the Governor and Legislature on its work and on legislation needed to enhance development of renewable energy industry.

* The only function this new commission would serve which TENRAC is not already or could not handle is solar licensing and there are existing state agencies who could do that much more economically.

Referred to committee on Natural Resources.

SB 480-Traeger et al SUPPORT (Co-Sponsors: Caperton, Doggett, Brooks, McKnight)
Companion Bill - HB 906-Bock (No Co-Sponsors at this time. Bill was just filed
2-12-81)

This bill establishes the framework for a low-level radioactive disposal site in Texas. It was filed by Sen. Traeger on Feb. 9 and was initially scheduled for hearing before the Sen. Natural Resources Committee on Feb. 11. It has now been rescheduled for Feb. 18. (The House companion bill was referred to the House Environmental Affairs Committee on Feb. 11.) The bill also includes provisions for additional regulation of processor-collectors.

Specifics of the bill include:

- . Processing is defined as the "storage, extraction of materials, transfer, volume reduction, compaction, or other separation and preparation of radioactive waste for re-use or disposal, including any treatment or activity that renders the waste less hazardous, safer for transport, or amenable to recovery, storage, or disposal."
- . Disposal is defined as "isolation or removal of radioactive wastes from mankind and his environment with no intention of subsequent retrieval."
- . No high-level radioactive waste may be accepted nor any radioactive waste with a half life longer than 100 years (transuranics are thus excluded.)
- . Provisions for the state assuming title of the land for a processing or disposal site are provided.
- . No out of state wastes are to be accepted unless Texas has entered into a compact with other states (with certain exceptions.)
- . Factors to be considered in granting a license include:
 - * site suitability, including geological, hydrological, and meteorological factors, and natural hazards
 - * socioeconomic effects on surrounding communities
 - * need for and alternatives to the proposed site
 - * qualifications of the applicant including financial, technical, and past operating practices
 - * background monitoring plans for the proposed site
 - * training and retraining programs for employees
 - * monitoring and reporting programs
 - * spill detection and cleanup plans
 - * decommissioning and postclosure care plans
 - * a monitoring program that includes prelicense and postlicense monitoring of background radioactive and chemical characteristics of the soil, ground water, and vegetation
 - * all other solid waste, wastewater discharge, and air emission permits required by law must be obtained

- . Certain of these provisions may be waived for limited storage of radioactive wastes.
- . No license for a waste disposal site shall be given to any person other than a public entity established by law unless such an entity is not created by the legislature (i.e. an authority such as the Gulf Coast Waste Disposal Authority is preferred.)
- . Provisions for public notice and public hearings are provided.
- . An environmental assessment is required for a license, including impacts on any waterway or ground water.
- . Civil penalties of up to \$25,000 per day per act and criminal penalties of up to \$100,000 per day are provided.
- . A Radiation and Perpetual Care Fund is established for decontamination, decommissioning, stabilization, reclamation, maintenance, surveillance, control, storage, and disposal of radioactive material.
- . Three representatives of the general public are added to the radiation advisory board.

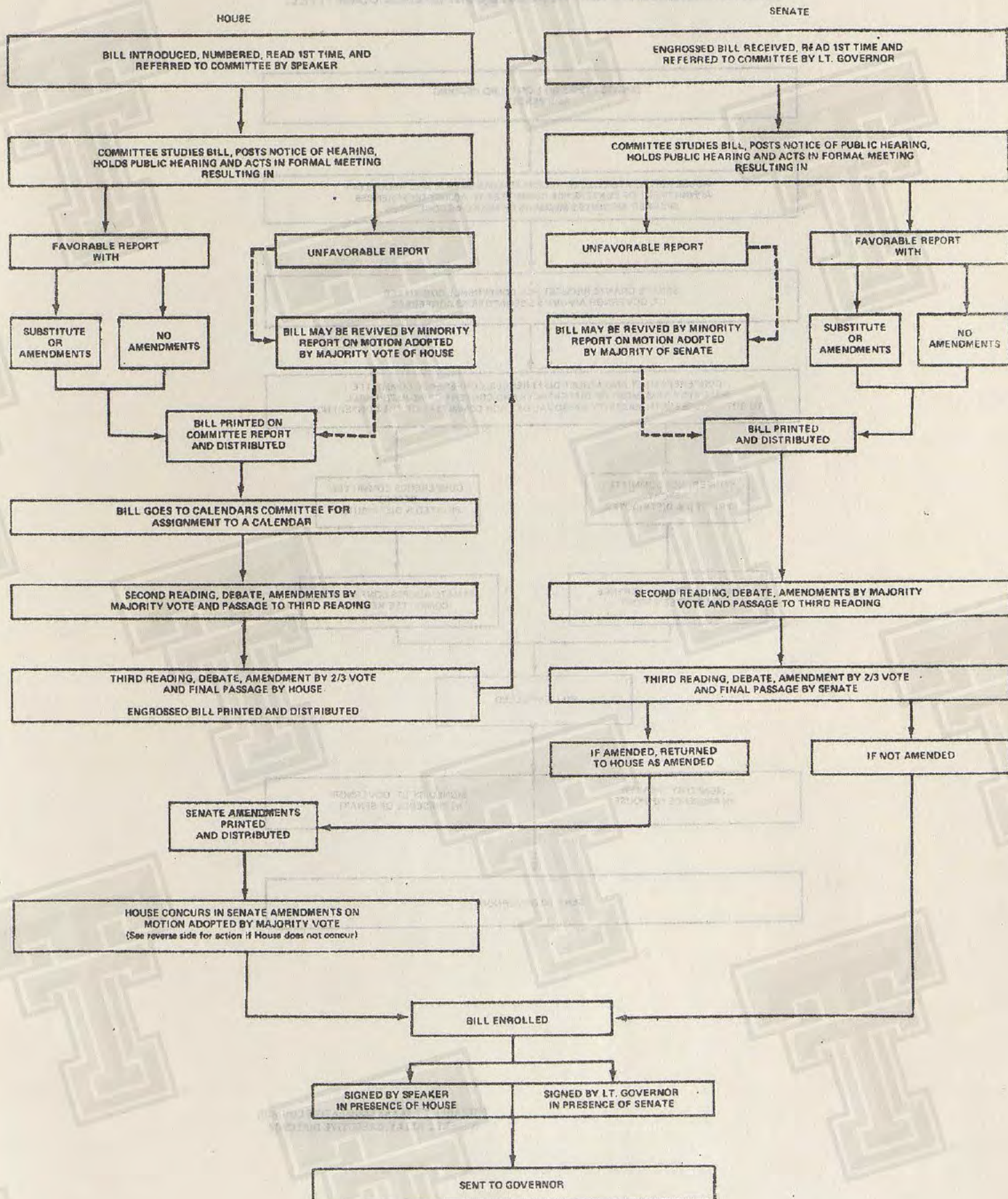
As this bill includes broad and continuing commitments to protection of public health, safety, and the environment, we are strongly supporting it. Further, we expect no substantive change in either committee. As this is one of the bills designated as an "emergency" by the Governor, WRITE YOUR SENATORS AND REPRESENTATIVES NOW IN SUPPORT OF THESE COMPANION BILLS.

HJR 33 - Clayton A joint resolution proposing a constitutional amendment dedicating the state's surplus revenue to special funds in the state treasury to be used for retiring state debt and for water development, water conservation, and water quality enhancement purposes, authorizing the legislature to spend for public purposes the receipts otherwise pledged to pay state debt and establishing a reserve fund in the state treasury.

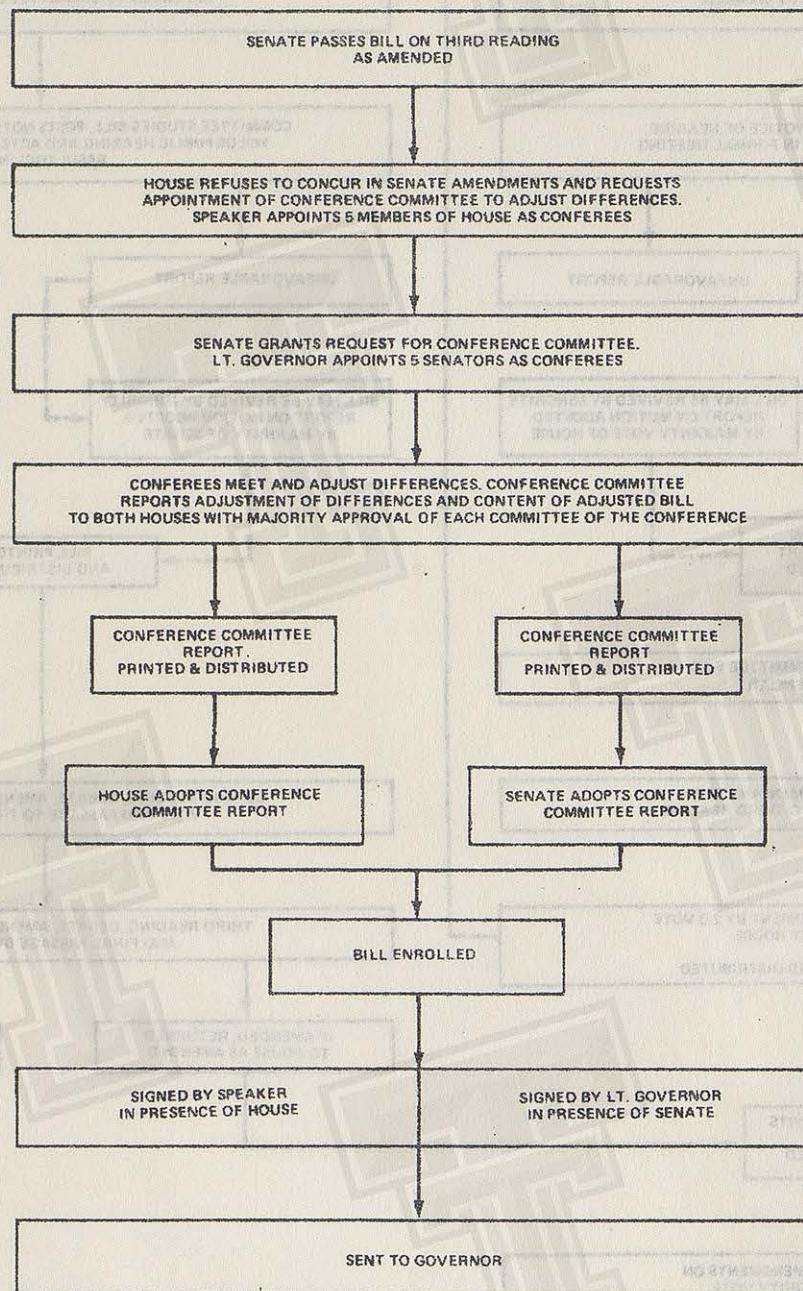
** SB 127 - Meier, HB 367 - Lewis The full Senate passed SB 127 by a vote of 28-0 with 3 additional important safeguards. (1) Set up an Executive Funding Committee consisting of the Governor, Lt. Governor, and State Comptroller. Any grant from the Criminal Justice Planning Fund must have majority approval from the committee. (2) This committee shall not approve grants for electronic surveillance equipment unless and until use of such equipment is authorized by the Leg. (3) No Criminal Justice Planning Fund monies may be used to influence any election or legislative issue. This now goes to the House where the House Committee on St. Affairs has scheduled a hearing for 7:30 P.M. on Monday, February 16. They will probably drop the HB 367 No. and just consider the bill as it was amended by the Senate. If your Rep. is on the House St. Affairs Committee, call or wire immediately to urge support of SB 127 as amended and passed by the Senate. If your Rep. is not on the committee, you have time to write a letter.

BASIC STEPS IN THE TEXAS LEGISLATIVE PROCESS

This diagram displays the sequential flow of a bill from the time it is introduced in the House of Representatives to final passage and transmittal to the Governor. A bill introduced in the Senate would follow the same procedures in reverse.



**PROCEDURE WHEN HOUSE DOES NOT CONCUR IN
SENATE AMENDMENTS AND REQUESTS CONFERENCE COMMITTEE.**



PREPARED BY TEXAS LEGISLATIVE COUNCIL
ROBERT I. KELLY, EXECUTIVE DIRECTOR



LEAGUE of WOMEN VOTERS of TEXAS

1212 Guadalupe, #109,

Austin, Texas 78701

512 472-3841

Legislative Info 1-800-252-9693

LEGISLATIVE NEWSLETTER

Vol. 6 No. 3
February 6, 1981

Nancy Bene
Legislative Director

The leaders of the loose-knit group which defeated the 4/5's rule in the House are now being called the "Termites". House Rules Committee Chairman, Buck Florence accused the group of being "termites, eating away at the power of the speaker." What is clear now is the "Termites" have given additional power and leverage to the governor since the governor can declare (and has) emergency status for his packages. Governor Clements issued a third declaration of emergency this week but the issues involved were not of League priority interest.

The Senate, on the other hand, traditionally suspends the 4/5's rule for each bill considered on the floor. If this practice continues, the Senate may leave the House behind, insuring that many of the bills passed are of Senate origin. Several bills have now passed the Senate and been sent to the House.

The problem of the 4/5's rule (see Newsletter #1) in the House has greatly slowed the pace of the legislative work. The failure to suspend the rule, which is unprecedented, could be interpreted in 3 ways: 1) Only bills introduced during the first 30 days (by February 12) could be heard on the floor; 2) even if a bill was introduced in the first 30 days, it would still have to be acted upon by committee during the first 60 days, or it still couldn't be heard on the floor; 3) the House could consider both those bills introduced during the first 30 days, and those introduced thereafter. Since there is no precedent, the final decision will be made by Speaker Clayton.

No matter what the decision is, the Legislative Council (the group which drafts most of the bills at the request of legislators) has a back-log of 3000 requests now and is receiving about 100 requests a day. If the February 12 deadline stands, it would be impossible for the Legislative Council to finish their work in time, thus, greatly limiting the work in the House.

WATER AND WASTE

HB 531 by Wieting SUPPORT

This bill concerns the prevention and clean-up of spills and discharges of oil, hazardous substances, and other pollutants into the waters of the state. It would extend to all of the state existing regulations that are now applicable only in coastal counties. The program would be administered by the Texas Department of Water Resources and would enable Texas to comply with the 1977 federal Clean Water Act and to continue to qualify for federal grants for clean-up operations. This bill is the same one submitted by Senator Schwartz in the last session.

ADMINISTRATION OF JUSTICE

HB 499 by Maloney - SB 265 by Farabee SUPPORT

These companion bills represent statutory procedural law to implement Amendment 8 which was passed in the general election. It would rename the state's 14 Courts of Civil Appeals as simply Courts of Appeals, making them an intermediate layer of tribunals in criminal as well as civil appeals. The bills would increase the number of justices in both Dallas and Houston. It also enables the judges to sit in panels of three instead of having to sit as a full court. The purpose of the bill is to give legal direction for the implementation of the Constitutional Amendment which will go into effect in September 1981. HB 499 has not been assigned to a Committee yet, but SB 265 has been referred to the Senate Committee in Intergovernmental Relations.

SB 82 by Truan *

This bill would create a separate juvenile probation commission. It would create a 9-member commission (3 juvenile judges, 3 juvenile probation officers, and 3 lay citizens) to set standards for juvenile boards, probation officers, and facilities. The commission would provide state aid to county juvenile boards for probation services. This would accomplish our objectives of statewide juvenile probation services and standards even though it would not provide the single juvenile services agency our position also calls for.

SB 80 by Truan *

This bill would create a juvenile board in each county now without one and allow for 2 or more counties to jointly operate one board. It outlines powers and duties of juvenile boards including establishment of probation departments, and sets qualifications for probation officers. The passage of this board would be necessary to implement SB 82 (see above).

* We are taking a wait-and-see attitude with these two bills in order to see the bill to provide a Department of Juvenile Services and the one to place juvenile probation with the existing Adult Probation Commission. Those bills have not been filed as yet.

ENERGY

HB 135 by Kubiak SUPPORT

Pertains to coordinating of activities and information regarding industrial alcohol production, and to regulation of alcohol fuels and alcohol-producing equipment. If operated in conjunction with other operations (e.g. a feedlot and a methane digester) it can be an energy conserver as well as converter.

SB 233 by Short SUPPORT

Provides modest state support for research and development of alcohol production from "cellulose" in solid waste, crop residues, and forest products. It removes the \$5 million ceiling on legislative appropriation for the Energy Development Fund.

Jurisdiction
SB 251 by Meier SUPPORT

Contains definitions and procedures for establishing solar easements. The bill would protect the right to receive sun or wind unimpaired across adjacent property by reimbursing that owner, and by reimbursing the receiver if impairment occurs. It also voids property restrictions which effectively prohibit use of solar wind devices.

Finance
SB 267 by Santiesteban SUPPORT

The bill would allow corporations which are not wholly solar to be exempt from franchise tax on the solar portion of their income. The exemption now applies only to wholly solar corporations.

Energy
SB 280 by Mengden SUPPORT

The bill requires implementation of energy-conservation measures in appropriate state buildings in the capitol complex. The Senate Natural Resources Committee favorably passed 280 out of committee (2/4/81). See the action box on page 4.

SB 281 by Mengden SUPPORT

Provides for establishing and implementing the Building Energy Conservation Standards. Creation of a 6-member non-compensated Advisory Committee is also provided for.

Standards would be prescribed by the State Purchasing and General Services Commission in consultation with the Texas Energy and Natural Resources Advisory Council (TENRAC), and the Texas Department of Community Affairs.

continued

Compliance would be mandatory statewide in new and renovated buildings (renovated portion only). Mobile homes, historic, and federal buildings excepted.

The Commission would enforce the standards in state buildings. Local enforcement would be by cities, towns, and counties, which could adopt their own standards provided they were as stringent as the state standards. The Advisory Committee would review the standards annually and recommend changes to the Commission.

- * * * * *
- * The State League gave testimony this week before the Senate Finance Committee in support of the budget requests made by the Department of Water Resources and the Commission on Jail Standards. *
 - * Laura Keever testified before the Senate Natural Resources Committee in favor of SB 280 (Mengden) dealing with energy conservation measures in state buildings. The bill was passed favorably out of committee. The LO will send letters to the other Senators not on the Natural Resources Committee urging their support for SB 280. *
 - * A letter was sent to each Senator this week urging their support of SB 127 (Meier) as amended. This bill pertains to the Criminal Justice Division in the Governor's office, the Criminal Justice Division Advisory Board and the Criminal Justice Planning Fund. *

* * * * *

The following bill has been included in the newsletter for your information.

SB 213 by Brooks SUPPORT

"An Act relating to obtaining information for the administration of human resources programs", authorizes the DHR to obtain information 1) from criminal records maintained by state law enforcement agencies in order to meet present requirements for licensing child care facilities and for the administration of protective services for children, and 2) from the Texas Industrial Accident Board in order to establish eligibility for Medicaid recipients.

This bill relates to our HR position "provision of supportive services for welfare recipients, including health care, child care..."



LEAGUE of WOMEN VOTERS of TEXAS

1212 Guadalupe, #109, Austin, Texas 78701

512 472-3841

Legislative Info 1-800-252-9693

LEGISLATIVE NEWSLETTER

Vol. 6 No. 1
January 23, 1981

Nancy Bene
Legislative Director

67th TEXAS LEGISLATURE NOW IN SESSION!!

The Legislature is now officially in session. At noon on January 13, the galleries were packed with people eager to witness the banging of the gavels in both Houses.

The Senate opening took about 1 1/2 hours with ceremony, rule changes, committee listings (see page 2) and swearing in the new members. The Senate has 8 freshmen legislators (4 Republicans). A special election to fill Senator Longoria's seat will be held February 10. Until then 30 Senators are carrying on business.

The House ceremony took a record 3 1/2 hours. House Speaker Clayton was elected to an unprecedented 4th term. Secretary of State George Strake took the opportunity as the officer in charge of opening the House for business to speechify from a "viewpoint somewhat different" from state lawmakers.

House members voted not to suspend the four-fifths rule, which states no legislation except emergency matters can be brought before the House during the first 60 days, or before a committee for the first 30 days, without 120 members voting to suspend the rule. An article in the Austin American Statesman quotes Representative Ron Coleman of El Paso as saying this was a maneuver to block the normally routine suspension of the rule as a means of gaining leverage for reform. The result of this action, however, could slow the passage of legislation for the first 2 months.

There are still 2 seats to be filled in the House: Chase Untermeyer of Houston resigned and there is still a dispute between Al Brown and Alan Schoolcraft of San Antonio over voting irregularities.

Comptroller Bob Bullock has predicted that there is about \$27.9 billion for the Legislature to work with. Needless to say that each Legislator and the Governor have their own priorities for spending that money.

The major issues for this session seem to be redistricting, revision of the state's property tax system, education, hazardous and low-level nuclear waste disposal -- all areas of priority for the League.

LEGISLATIVE INFORMATION SYSTEM OF TEXAS

The Texas House and Senate provides information on bill status, schedules and agendas of committee meetings and hearings. Call 1-800-252-9693 (toll free) or in Austin, 475-3026.

SENATE STANDING COMMITTEES - 67th LEGISLATURE

The senator named first is committee chairman; the second is vice-chairman.

ADMINISTRATION - Blake, Howard, Brown, Mauzy, Richards, Travis, Vale.

SUBCOMMITTEE ON RULES - Mauzy, Travis, Brown, Howard, Vale.

ECONOMIC DEVELOPMENT - Harris, McKnight, Andujar, Glasgow, Jones, Sarpalius, Traeger,
Travis, Wilson.

EDUCATION - Snelson, Truan, Jones, Leedom, Mauzy, Richards, Short, Travis, Vale,
Williams, (Vacancy).

FINANCE - Jones, Howard, Blake, Brooks, Farabee, Harris, McKnight, Meier, Parker,
Santiesteban, Short, Snelson, Traeger.

HUMAN RESOURCES - Brooks, Wilson, Andujar, Brown, Caperton, Doggett, Glasgow, Leedom
Sarpalius, Truan, (Vacancy).

SUBCOMMITTEE ON CONSUMER AFFAIRS- Doggett, Leedom, Caperton, Truan, Wilson.

SUBCOMMITTEE ON PUBLIC HEALTH - Andujar, (Vacancy), Brown, Glasgow, Sarpalius.

INTERGOVERNMENTAL RELATIONS - Traeger, Parker, Kothmann, Leedom, Mengden, Ogg,
Snelson, Williams, (Vacancy).

JURISPRUDENCE - Mauzy, Meier, Caperton, Doggett, Farabee, Glasgow, Mengden, Parker,
Santiesteban.

SUBCOMMITTEE ON CIVIL MATTERS - Parker, Caperton, Doggett, Santiesteban.

SUBCOMMITTEE ON CRIMINAL MATTERS - Meier, Glasgow, Farabee, Mengden.

NATURAL RESOURCES - Santiesteban, Williams, Brown, Kothmann, Mengden, Ogg, Sarpalius,
Short, Truan, Vale, Wilson.

SUBCOMMITTEE ON AGRICULTURE - Sarpalius, Truan, Wilson.

SUBCOMMITTEE ON ENERGY - Mengden, Vale, Ogg.

SUBCOMMITTEE ON WATER - Short, Brown, Williams.

STATE AFFAIRS - Farabee, Kothmann, Andujar, Blake, Brooks, Caperton, Doggett, Harris,
Howard, McKnight, Meier, Ogg, Richards.

SUBCOMMITTEE ON ELECTIONS - Ogg, Richards, Caperton, Doggett, Harris.

SUBCOMMITTEE ON NOMINATIONS - McKnight, Andujar, Blake, Brooks, Howard, Kothmann, Meier,

The following is a partial list of House Committees. The first name listed is the Chairman, the second name is Vice-Chairman. A complete list will be available in the new "When You Go to Austin" pamphlet, which will be available as soon as possible.

COMMITTEE ON APPROPRIATIONS - Presnal, Rains, Agnich, Garcia of Bexar, Hartung, Heatly, Kubiak, Moreno, Smith of Dallas, Sutton, Thompson of Harris, Collazo, Crawford, Gibson of Ector, Grubbs, Haley, Hollowell, Rudd, Valles, Whaley, Willis.

COMMITTEE ON CALENDARS (PROCEDURAL) - McBee, Messer, Bock, Davis, Keller, McFarland, Nabers, Rudd, Wilson.

COMMITTEE ON CONSTITUTIONAL AMENDMENTS - McFarland, Whaley, Delco, Sharp, Ware, Atkinson, Barrientos, Elizondo, (Vacancy).

COMMITTEE ON CRIMINAL JURISPRUDENCE - Nabers, Cofer, Hernandez, Burnett, Jones, Smith of Travis, Browder, Hudson, Maloney, Uher, Waldrop.

COMMITTEE ON ELECTIONS - Hill of Travis, Ware, Gibson of Ector, Danburg, Horn, Browder, Gaston, McBee, Shaw, Wallace, Wieting.

COMMITTEE ON ENERGY RESOURCES - Hanna, Clark of Jasper, Robnett, Hall of Webb, Hudson, Nowlin, Wilson, Craddick, Eikenburg, McWilliams, Polk.

COMMITTEE ON ENVIRONMENTAL AFFAIRS - Bock, Lee of Harris, Agnich, Jackson, Reynolds, Benedict, Lewis, Shaw, Thompson of Harris, Turner, Watson.

COMMITTEE ON HUMAN SERVICES - Washington, Clark of Smith, Smith of Dallas, Polumbo, Barton, Vowell, Green, Hackney, Martin.

COMMITTEE ON INTERGOVERNMENTAL AFFAIRS - Lewis, Pierce, Edwards, Criss, Keller, Wallace, Adkisson, Colbert, Emmett, Gavin, Lee of Cameron, Pennington, Salinas.

COMMITTEE ON JUDICIARY - Bush, Garcia of Bexar, Nowlin, Allee, Denton, Khoury, Maloney, Adkisson, Colbert, Coleman, Rangel.

COMMITTEE ON JUDICIAL AFFAIRS - Florence, Hill of Dallas, Heatly, Gibson of Johnson, Lyon, Allee, Gilley, Luna, Moreno, Pennington, (Vacancy).

COMMITTEE ON LOCAL AND CONSENT CALENDARS (PROCEDURAL) - Nowlin, Berlanga, Emmett, Geistweidt, Gibson of Johnson, Polk, Saunders, Sharp, Ware.

COMMITTEE ON NATURAL RESOURCES - Craddick, Geistweidt, Laney, Buchanan, Clark of Jasper, Cockerham, Patterson.

COMMITTEE ON PUBLIC EDUCATION - Atkinson, Blanton, Haley, Bryant, Fox, Hanna, Peveto, Barton, Evans, Glossbrenner, Hall of Tarrant.

COMMITTEE ON REGIONS, COMPACTS, AND DISTRICTS - Von Kohlen, Valles, Cary, Coody, Davis, Finnell, Hollowell, Ragsdale, Semos, Washington, Willis, Berlanga, Buchanan, Bush, Clark of Smith, Hill of Travis, Messer, Thompson of Taylor, Wright.

COMMITTEE ON STATE AFFAIRS - Uher, Ceverha, Blythe, Geistweidt, Blanton, Blythe, Gilley, Hill of Dallas, Pierce, Bomer, Elizondo, Fox, Jones, Madla, Ragsdale, Smith of Travis.

COMMITTEE ON TRANSPORTATION - Henderson, Hall of Tarrant, Tejeda, Cain, Edwards, Emmett, Brookshire, Eikenburg, Hackney, Rangel, (Vacancy).

COMMITTEE ON WAYS AND MEANS - Davis, Peveto, Sharp, Barrientos, Berlanga, Garcia of Hidalgo, Lee of Harris, Schlueter, Khoury, Polk, Riley, Turner, Whitmire.

To Local League Members: The tentative agenda for the February 25 Legislative Day is:

9:30 - 10:30 - Registration

10:30 - 11:00 - Overview and Speaker on Lobbying

11:45 - 2:00 - Lunchbreak (You might want to invite your legislator)

2:00 - 3:00 - Two twenty minute priority subject briefings

3:00 - 3:30 - Speaker on The Legislature from the inside

3:30 - Adjournment - Free time to visit the Capitol

More information and a list of restaurants will be included in the January 30 president's mailing.

If you want copies of bills, ask your Legislator for them. This not only gets you the bill, but alerts them that one of their constituents is interested in it.

EXPLANATION OF BILL PREFIXES

SB or HB	Senate or House bill. These are statutory bills that require passage by both houses by a majority vote.
SJR, HJR	Senate or House Joint Resolution. Any joint resolution must pass the House and Senate by a two-thirds vote. These are proposed constitutional amendments and if passed by the Legislature, are then put on the ballot to be voted on the next general election or in a special election, as specified in the resolution.
SCR, HCR	Senate or House Concurrent Resolution. Both houses must concur in passage. Usually sets up interim or study committees, commissions, etc.
SR	Senate Resolution. A simple resolution usually used for congratulatory or memorial resolutions passed by the Senate.
HSR	House Simple Resolution. Same as above, with passage of House only.
CS	Committee Substitute. When CS precedes HB or SB, it indicates a committee substitute for the original bill bearing that number.

LWV-Texas
State board mailing
March 13, 1981

To: Program Chairs
From: Nancy Bene

Re: Legislative Bills

Since Friday, March 13 was the last day for "free introduction" of bills, there will not be more bills for you to review (with the possible exception of emergency matters). (I can hear you all cheering.) This means that the LO would greatly appreciate you reviewing the bills you already have and establish priorities based on the merit of the bill, the possibilities of passage and the pertinence to our established priorities. (Not necessarily in that order.) Probably you should choose only 10 bills at the most for your priority list. You might also consider or reconsider support and oppose decisions you have previously made in addition to considering bills that you know are still coming but haven't reached you yet.

This will enable us to more efficiently monitor, testify and lobby - in addition to your efforts. We will also be able to give the LL's more and better direction for lobbying from their level in up-coming newsletters.

Please let us know as soon as possible what bills you consider priority. You've all done a good job but we're only a third of the way through. Keep up the good work.



ISABEL MILLER
[REDACTED]

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LEAGUE of WOMEN VOTERS of TEXAS
1212 Guadalupe, #109, Austin, Texas 78701
512 472-3841 Legislative Info 1-800-252-9693

LEGISLATIVE NEWSLETTER

Vol. 6 No. 2
January 29, 1981

Nancy Bene
Legislative Director

On Thursday, January 22, Governor Bill Clements addressed a joint session of the legislature giving his state of the state message. The key ingredients were: endorsement of Speaker Clayton's trust fund to finance water projects as a form of tax relief, 22% increase in teachers' pay for the biennium, competency testing for new teachers, wiretap and oral confessions, and expansion of community-based correction - among others.

Because of the House's refusal to pass the 4/5ths rule, thus, prohibiting House committees from hearing bills in the first 30 days and the House from hearing them for 60 days, a logjam has already begun. (So far over 800 bills have been filed.) The only way to break this impasse was for the Governor to declare a state of emergency which he did on Monday, January 26 for the following areas: public education, anti-crime legislation, war on drugs, anti-pornography, initiative and referendum, management, higher education, elections, (including a regional primary), gasahol tax exemption, low-level nuclear waste.

This declaration of emergency will enable the legislature to begin deliberation on bills that have been filed in those areas. Those bills which have already been filed and which represent the Governor's position are:

SB 50 (Farabee), HB 295 (Peveto): Teacher Competency Testing

SB 206 (Ogg), HB 416 (Jackson): Master Teacher Position

SB 208 (Travis), HB 316 (Delco): Curriculum Revision

SB 207 (Ogg): Summer School Pilot Program

HB 354 (Smith): School-Community Guidance Center

SB 120 (Howard), HB 360 (Bock): Wiretap (See p. 2)

SB 121 (Glasgow), HB 361 (Rudd): Permitting Oral Confessions

SB 122 (Brown), HB 362 (Henderson): Instruction to Jury as to Parole Laws

SB 123 (Brooks), HB 363 (Bock): Amendment to Shock Probation Law

SB 124 (Blake), HB 364 (Schlueter): Amendments to the Aggravated Rape
and Sexual Abuse Law

SB 125 (Farabee), HB 365 (Geistweit): Board of Pardons and Paroles-Amendments

SB 126 (Kothmann), HB 366 (Semos): Offenses Against Children

SB 127 (Meier), HB 367 (Lewis): Statutory Authority

SB 128 (Mengden), HB 368 (Schueter): Bail Bond

SB 129 (Mengden), HB 369 (Waldrop): Materials Harmful to Minors

SJR 2 (Mengden), HJR 2 (Smith): Initiative and Referendum (See p. 2)

HB 24 (Kubiak): Gasohol Tax Exemption

SB 2 (Mengden), HJR 2 (Smith) SUPPORT

These companion bills provide for constitutional and statutory initiative and statutory referendum, and carry the support of the Governor. The Governor's office indicates that he will work for their passage. Provisions of the bills are: petitions must be signed by a number of registered voters equal to 10% of the total number of voters voting in the last gubernatorial election for a petition proposing a statute; 15% for a petition proposing a constitutional amendment; and 10% for a petition for referendum. The signatures must be gathered by volunteers and represent 190 counties as well as statewide distribution. Further provisions require a \$100 filing fee; legal review by the Attorney General; review of all signatures on all petitions by the Secretary of State; fiscal note provided by the comptroller; full disclosure of funding sources; no gubernatorial veto power over measures proposed by initiative. There are no provisions for voter education. We will work for an amendment to these bills to provide citizen education.

HJR 4 (Kubiak) CANNOT SUPPORT

This bill provides for statutory and constitutional initiative as well as statutory referendum. This bill calls for petition signatures to represent at least 50 counties as well as statewide distribution equal to 25% of the registered voters voting in the last gubernatorial election. There are no further provisions in this bill.

SB 120 (Howard) OPPOSE

This bill would permit the DPS and heads of local police or sheriff's departments to apply for wiretaps in narcotics cases only (other than felony possession of marijuana). Only the DPS could install, operate, and monitor the devices. It would increase the use of legal tapping and probably thereby increase illegal taps as well. We do not believe it would result in significant arrests and convictions (See Texas Focus on wiretapping) and it would likely cost \$18,000 per wiretap. In addition, it would invade the privacy of the innocent as well as the guilty and would record privileged conversations. The supposed purpose of this bill is to catch the high level individuals engaged in drug financing and trafficking. It is more restrictive than the federal wiretap law, but mainly because it could only be used in narcotics cases. Otherwise it has most of the same drawbacks as the federal law.

LWV-T is opposing this bill because we support current laws that prohibit wiretapping by state agencies in Texas. SB 120 has been referred to the Senate Jurisprudence Committee. If your senator is on that committee, now is not too soon to let him/her know of our opposition.

TO: Nancy Bene
FROM: C. Perrine

HB 8
TEXAS SUPERFUND

Our (LWV-T) position: SUPPORT

HB 8, prefiled by Rep. Carlyle Smith, would create a state "superfund" to clean up hazardous waste sites in Texas. This is the same bill that the League supported in the last session, when it passed the Senate unanimously but never got heard in the House.

Federal "superfund" legislation was passed in the closing weeks of the 1980 Congress. Texas needs to authorize a state agency (the Texas Department of Water Resources) to participate in the program. For some types of cleanup, the state must pay 10% of the costs. Thus a state "superfund" will be needed to take full advantage of the Federal program. Some amendments to HB 8 will be drafted to meet federal requirements.

Texas "superfund" legislation is recommended in the excellent report of the Hazardous Waste Subcommittee of the House Environmental Affairs Committee, which describes more than fifty problem waste disposal sites in Texas, some of which will be priorities for "superfund" cleanups. The subcommittee was chaired by Rep. Jerry Clark. Rep. Carlyle Smith was vice-chair. Urge your representative to read this report.

-more-

The following is an analysis of a bill which does not come under one of our six priorities. However, we have included it for your information.

HB 231 (Hudson): Shelters for Abused Wives and their Children

Since Texas only has a limited number of grants awarded to already existing shelters, this bill would extend services. However, it is limited in scope and would provide services only to married women who are victims of physical abuse from their husbands. Existing shelters have been providing services to women and their dependent children experiencing violence, physical or mental, in any home-like setting, married or unmarried.

March 23, 1981

TO: Nancy Bene, Laura Keever, Diana Clark
RE: Energy Bills
FR: Isabel Miller

HB 1606 Lewis Support
Would give the Bureau of Labor and Standards authority to administer the RCS (Residential Conservation Service) program. This is a program in which utilities would provide residential energy audits and assist in financing the recommended improvements. The Bureau would oversee the operation of the program, investigate grievancies and keep the list of approved installers up-to-date.

This could be a very effective tool in furthering conservation. This agency is an appropriate home for these duties.

Companion bill: SB 997 McKnight

Hbl577 Coody Maximum support
This is the companion to SB 281 which sets up statewide
standards for building energy conservation.

SB 1009 Meier Support
This is the companion to HB 1191 which provides for licensing of solar energy equipment installers.

HB 2285 Keese FOR YOUR INFORMATION

a. Would create a "Texas RCS" program similar to the federal RCS enabled in HB 1606 above but under the administration of Public Utilities Commission in this case. Goal is widespread conservation with 5% of gas users and 10% of electricity users preheating their water in solar water heaters by fall, 1984.

b. The PUC shall make a study of the feasibility of use of renewable energy systems by municipal utilities and make it available free to the public.

c. The PUC shall institute a load management program encouraging utility customers to conserve and use renewable energy by application of time-differentiated rates reflecting future costs of supplying energy at particular times of day, week, and year. (Peak-use period electricity costs the most/unit.)

d. The PUC shall monitor these programs and publish a cost-benefit analysis of participation by renewable energy users and those who are not.

This legislation illustrates two of Keese's principles:
(1.) Put in place in Texas law, good programs which emanate from Washington that now require no Texas mandate to function but which could be withdrawn at any time leaving nothing.
(2.) Keep a whole range of conservation and renewable energy ideas rolling before the legislators whether the initiatives have a chance of passage this session or not.

These ideas are all good but we can not support this version of the RCS if we want one to go into effect that is ready-to-go because the two conflict. Indication to legislators that we support these ideas, however, would reinforce the educational motive.

a. Public UC and PUC shall set up programs to test, demonstrate and encourage use of renewable energy systems with a goal ~~conversion~~ of 5% of gas water heaters and 10% of electric water heaters ^{to be} supplied with solar pre-heated water by 9/1/1984

b. ^{PUC shall} Set up a Texas mandated PUC program ^{provided for} through utilities with its cost shared in ^{the} rates. ^{the} Aim of program shall be to encourage conservation by ^{building} repairs & improv. Goal shall be ^{participation} 10% of elec cons & 5% of gas cons by 9/1/83

c. PUC shall institute a program requiring ^{energy} utilities to provide loans to its customers for conservation improvements and renewable energy installations. Residential consumers shall have highest priority for these loans. Payment of principal on a loan may be deferred until sale of building.

d. PUC shall set qualifications for acceptable installers and require min 5 yr guar. on equipment

e. PUC shall institute a load management program encouraging utility customers to use conservation & renewable energy by ^{application} ~~use of~~ time-differentiated rates reflecting ~~the~~ future costs of supplying energy at particular times of day, week, and year
f. PUC shall monitor ^{these} programs & publish cost-benefit analyses of operation of program for renewable energy users and non-users.

This legislation ^{illustrates} two of Keese's principles:

(1) Put in place in Texas law good programs which emanate from Washington ^{that now} ~~which~~ require no Texas mandate



Greater Denton Arts Council

[REDACTED]

Dear Board Member;

This year's Fine Arts Festival promises to be the finest ever. We encourage you to attend, participate and enjoy the activities that are scheduled.

As you know, every artist appreciates applause. You will have an opportunity to applaud a long-time artist and supporter of the arts at the Awards Reception on Saturday, April 4th at 7:30 p.m. at the Woman's Club Building. This year we are honoring Isabel Scionti and Ema Ruth Russell. Please show your support for these two women by selling the 10 enclosed tickets at \$5.00 apiece, returning \$50.00, and attending the reception on April 4th. If your supply of tickets run short, they may be purchased at the door--or call me for tickets in advance.

There are two other enclosures in the letter. One is a ticket to the Spring Concert which we are pleased to send you compliments of the Denton Community Band. The other is a free ticket to the Tomorrow's Artist Showcase. Both events, along with the Awards Reception, will be exciting and enjoyable.

We look forward to seeing you during the 1981 Fine Arts Festival!

Sincerely yours,

Jo Ann Wheeler

Jo Ann Wheeler, Ticket Chairman

Work: [REDACTED]

Home: [REDACTED]

to go into operation but which could be withdrawn by Washington at any time, leaving nothing.

(2) Keep a whole range of conservation and renewable energy ideas rolling before the legislators to whether the initiatives have a chance ^{of passage} this session or not. Both the "Texas BCS" and the time-differentiated rates are very good ideas. The latter would enable present generating capacity to be adequate for years if peak consumption periods could be leveled. ^{in prodn. electric, the} Since ^{the} most expensive back-up plants & fuels are last cut in and first cut out, peak period electricity is the most expensive, and application of rates reflecting this would "shave the peak." This bill deserves support, not with expectation of passage but to show the legislators these ideas are important to our goal of increased ^{emphasis on} conservation ^{and reliance on} ~~with transition to~~ renewable energy.

Isabel Miller
387-1659

The Greater Denton Arts Council invites the public to suggest nominees for consideration by the Council when it chooses this year's recipients of the Recognition Awards. Beginning this year, two awards annually will be made, one to a performing artist--actor, dancer, musician, etc.--and one to a creating artist--writer, painter, craftsman, etc. The criteria on which the Arts Council bases its choices state that "each award shall go to a person who by recognized achievement in a field of art and/or by service to the arts in the community has significantly enhanced the cultural life and stature of the city."

The first award was made in 1974 to the late Kenneth B. Loomis, a painter. Subsequent awards went, in 1975, to the late Arthur Sampley, a poet; in 1976 to Josh Roach, an actor-director and potter, and Olgie Ivey, a patron of the arts; in 1977 to Wilgus Eberly, a pianist and teacher; in 1978 to Eugene Conley, a singer; and in 1979 to Stephen Farish, a singer and director.

Anyone suggesting a nominee is requested to mail the suggestion, including supporting information, by March 15 to Isabel Miller, chair of the Recognition Awards Committee, 711 W. Sycamore, Denton.

The awards will be made at a reception opening the 1980 Arts Festival in the Community Building at on April . Tickets will be available from members of the Greater Denton Arts Council and at the Arts Director's office in the Community Building.

March 2, 1981

TO; Nancy Benet, Laura Keever, Diana Clark
RE: Energy Bills
FR: Isabel Miller

Minimal Support
HB 1315 The Public Utility Commission shall set standards for testing
Blythe solar devices to make possible the affixing of performance
(SB 601) labels on manufactured solar equipment.

This would provide better consumer information which would increase the use of solar energy.

HB 1335 Hanna (SB 637 companion) SUPPORT
Requires all new state-owned buildings to make use of solar energy in whatever ways are found by life-cycle cost analysis to be cost-effective.

This bill is not as good as Keese's HB 817 (which includes renovated as well as new buildings and also requires publication of a conservation code incorporating use of solar energy) but since HB 1335 is the outcome of The Solar Advisory Commission and has the backing of TENRAC, it is a better bet.

HB 1353 Peveto No Position
Exempts ecological laboratories from taxation.

HB 1366 Polk SUPPORT
Provides loans through the Texas Housing Agency for installing or repairing solar energy equipment or for financing the portion of a house's cost attributable to its solar energy use installation.

This would help remove a great barrier to use of solar energy.

SB 661 Doggett Minimal Support
Removes from regulation by the Public Utility Regulatory Act all electrical generating by co-generation (by reused industrial steam) and by using fuel by products or renewable energy.

This would promote use of a good conservation practice as well as the use of renewable energy sources.

SB 690 Santiesteban (HB 1154 companion) Minimal Support
Provides 20% of funding for solar electric repowering project demonstrations.(use of solar heat instead of oil or gas to operate utility generating plants).

SB 691 Santiesteban (HB 1146 companion) Minimum Support
Provides 20% of funding for solar generated industrial heat demonstration.

SB 717 Mengden SUPPORT
Exempts from taxation any equipment or device designed to recover and use waste heat or steam in a commercial or industrial operation.

This is an excellent conservation strategy.

HB 819

Keese

SUPPORT

1st Priority

Codifies procedure for establishing a solar easement, that is, a document insuring continued access to sun and/or wind across adjacent property with compensation if it is interrupted.

Mandates cities to require all future subdivisions to be platted in such manner where feasible that all lots, where feasible, can make full use of solar energy, that is, ^{all houses} aligned broadside to the sun.

The solar easement is an essential assurance before building near a property line. It is possible to create with normal legal tools though this standardizes the procedure.

Ordinances requiring solar orientation for subdivisions would be extremely valuable in improving routine poor solar orientation of houses at no cost or hassle to the builders.

HB 820 Keese

Support (may become a priority item)

Brings state regulations into line with federal in exempting small electricity generators from regulation as utilities.

HB 821 Keese

Support but no action

Requires a utility planning to add or renovate a plant to make a feasibility study of using solid waste for a fuel. Provides incentives in rate regulation procedure.

HB 1191 C. Smith

~~wait, duplicates~~
~~Sec 2 of another bill~~

Provides for licensing of installers of solar equipment. *assigned to Newlin.* *Fikselburg Sub. C.*

SB 400 Traeger

No position

Regulation of non-beverage alcohol

SB 542 Mengden

Support but no action

voids property restrictions on local government regulations which prohibit or significantly decrease effectiveness of solar energy use

HB 814 - haven't decided

Feb 25

HB 816 - no position

HB 817 Keese

~~NO SUPPORT~~

~~Requires publication of model energy conservation code incorporating use of solar energy. Local adoption of code is voluntary.~~

~~Requires all new or renovated state buildings to incorporate use of solar energy if life-cycle-cost analysis (capital cost prorated over life of building vs cost of energy saved in life of building) is economically advantageous.~~

~~Requires publication of energy conservation manual for use by designers and builders in complying with The Code.~~

~~Assigned to Comm on Energy Resources~~

~~This is a good bill to promote renewable energy, ^{and tax dollars} save energy, acquaint Texas government with solar energy first hand, and provide knowledge and instruction for builders.~~

~~It is a 1st priority bill~~

HB 818 Keese moving solar adv. tax exemption from Comptroller to Tax Board
House keeping OK no action needed

SB 601

Brown

Support no action yet

Requires Public Utility Commission to adopt standards and test solar energy devices.

HB 1146 Coleman

Support, no action

Provides for 20% of funding for demonstration of use of solar heat in industrial applications
Lifts \$5 M ceiling on Energy Development Fund appropriation.

HB 1154 Coleman

Support no act.

Provides for 20% of funding for a demonstration of use solar heat for repowering a steam electric plant.

Removes \$5 M ceiling on Energy Dev. Fund appropriation.

HB 1200 Washington

Hold

Codifies procedure for establishing solar easements

HB 1216 Fox

Support no act

Removes small electric generating plants - wind generators - from PUC regulation
Similar to HB 820

HB 1278 Craddick

No position

Adds Health Commissioner to TERCSC

February 15, 1981

TO: Nancy Bene, Laura Keever, Diana Clark
RE: Energy Bills
FR: Isabel Miller

HB 26 Kubiak SUPPORT, NO ACTION
Authorizes transfer of \$5 million to the Texas Energy and Natural Resources Council from the general revenue fund for R&D of agriculturally derived fuels.

HB 756 Delco SUPPORT
Requires implementation of energy-conservation measures in certain buildings of the capitol complex.
Referred to State Affairs Committee

SB 363 Vale ~~SUPPORT~~
Requires: Publication of energy conservation standards for use both in renovation and new construction in all State buildings.

Publication of Model Energy Conservation Codes, incorporating the use of solar and wind energy, for voluntary adoption by cities.

Publication of a manual, for use by designers and builders in meeting the codes, which explains conservation and solar technologies.

Application of life-cycle-cost analysis (saving vs capital cost over the life of the building) in the design process of all new or renovation plans for State buildings with a mandate to include all solar technologies thus found to be economically advantageous.
Referred to Natural Resources Committee

SB 398 Traeger SUPPORT, NO ACTION
Provides up to \$5 million in two years for R&D on agriculturally derived fuels. Removes the \$5 million ceiling on appropriations to the Energy Development Fund.

SB399 Traeger (companion to HB 25) ~~SUPPORT~~
Authorizes transfer of \$15 million from general revenue to the Texas Industrial Commission for loans for plants to make fuel from renewable resources.

Probably intended for alcohol production (questionable use of energy and grain) but could be used for methane production.
Referred to Committee

SB 417 McKnight SUPPORT
Provides for up to 20% funding of demonstrations of industrial applications of fluidized bed combustion of lignite. Removes \$5 million ceiling on appropriations to the Energy Development Fund.

Referred to Committee
Fluidized bed combustion of coal is a method in which swirling air-borne powdered coal and limestone are burned precipitating the sulphur with the limestone. It is in line with our position calling for environmentally safe uses of coal.

2/9/81

ENERGY

HB 29 by Kubiak ~~SUPPORT~~

Authorizes transfer of \$15 million from general revenue to the Texas Industrial Commission for use as loans for building plants to make fuel from renewable resources. This probably will be used for making alcohol from grain, a questionable net energy gain, but it might be used for methane from residues, feedlots, etc or for other useful generation. Referred to the Committee on Appropriations.

HB 673 by Polk SUPPORT

Companion bill to SB 267. Allows corporations whose production is not wholly solar to be exempt from franchise taxes on that portion of their income which comes from solar. Law now requires entire operation to be solar to be eligible. Referred to Committee on Ways and Means.

HB 686 by Kubiak SUPPORT, no act

Companion bill to SB 253. Provides modest support for R & D of alcohol production from cellulose in solid waste, crop residues, and forest products. Removes \$5 million ceiling on legislative appropriation for Energy Development Fund. Referred to Committee on Energy Resources.

SB 282 by Mengden SUPPORT, no act

Removes ride-sharing from designation as Motor Bus Company operation and resultant Rail Road Commission regulation. Has cleared committee.

SB 362 by Vale ~~HOLD~~ ~~OPPOSE~~ no support

Establishes a full scale new commission, Texas Renewable Energy Commission, with staff and advisory committees. Principal duties:

- Cooperate with industry and organizations in developing codes, standards, tests, and certification programs.
- Make available to local governments model codes for their adoption
- Promote industry self regulation
- Establish and administer a solar installer licensing program
- Assist in establishing vocational training for employees in

renewable energy industry.

* Report annually to the Governor and Legislature on its work and on legislation needed to enhance development of renewable energy industry.

* The only function this new commission would serve which TENRAC is not already or could not handle is solar licensing and there are existing state agencies who could do that much more economically.

Referred to committee on Natural Resources

SB 363 by Vale I need to examine this one more

SB 364 by Vale Housekeeping, noncontroversial

SB 365 by Vale SUPPORT BUT NO ACTION

Establishes conditions and fees for permits for alcohol production not intended for beverage purposes.

MEMORANDUM

2 February 1981

TO: Nancy Bené, Diana Clark, Laura Keever
FR: Isabel Miller
RE: Analysis of Bills

The following bills should be disposed of as indicated:

HB 135 (Kubiak) Pertains to coordinating of activities and information re industrial alcohol production, and to regulation of alcohol fuels and alcohol-producing equipment.

OK. If it is going to be done, it should be properly done. Operated in conjunction with other operations (e.g., a feedlot and a methane digester) it can be an energy conserver as well as converter. SUPPORT. *no act*

HB 136 (Kubiak) Requires state agencies to use gasohol as 10% minimum of fuel they use.

Only desirable if alcohol production is not a food-to-fuel net-energy-loser operation. Questionable. NO POSITION.

SB 92 (Vale) Provides for exempting tax on gasohol when its sales reach 10% of total motor fuel sales (diesel excepted) and for graduated phase-out of exemption in 2 years.

Gasohol doesn't save energy, it converts food to motor fuel. This bill would require much paper work. Questionable. NO POSITION.

SB 228 (Sarpalius) Similar to HB 135, but shorter and weaker.

NO POSITION.

SB 233 (Short) Provides modest state support for research and development of alcohol production from "cellulose" in solid waste, crop residues, and forest products. Removes \$5 million ceiling on legislative appropriation for Energy Development Fund. SUPPORT. *no act*

SB 251 (Meier) Contains definitions and procedures for establishing solar easements. Would protect right to receive sun or wind unimpaired across adjacent property by reimbursing that owner, and by reimbursing receiver if impairment occurs. Also voids property restrictions which effectively prohibit use of solar wind devices.

Essential. SUPPORT. *rf Kaese #819 file*

2 February 1981

SB 267 (Santiesteban) Allows corporations which are not wholly solar to be exempt from franchise tax on the solar portion of their income. Exemption now applies only to wholly solar corporations.

SUPPORT.

SB 280 (Mengden) Requires implementation of energy-conservation measures in appropriate state buildings in the capitol complex.

SUPPORT.

SB 281 (Mengden) Provides for establishing and implementing Building Energy Conservation Standards. Creates a 6-member non-compensated Advisory Committee.

Standards would be prescribed by State Purchasing and General Services Commission in consultation with Texas Energy and Natural Resources Advisory Council (TENRAC) and the Texas Department of Community Affairs. Standards would be a combination of performance, prescriptive, and component performance standards, designed to obtain maximum cost-effective saving consistent with health, safety, and reasonable economic costs.

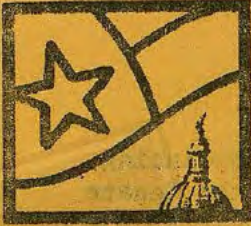
Compliance would be mandatory statewide in new and renovated buildings (renovated portion only). Mobile homes, historic, and federal buildings excepted.

Enforcement: The Commission would enforce in state buildings. Local enforcement would be by cities, towns, and counties.

Local governments could adopt their own standards provided they were as stringent as the state standards.

The Advisory Committee would review the standards annually and recommend changes to the Commission.

This would be a useful substitute for the now-sidetracked federal Building Energy Performance Standards. Probably won't have a chance, but very important to SUPPORT.



ISABEL MILLER
[REDACTED]



LEAGUE of WOMEN VOTERS of TEXAS
1212 Guadalupe, #109, Austin, Texas 78701
512 472-3841 Legislative Info 1-800-252-9893

LEGISLATIVE NEWSLETTER

Vol. 6, No. 19
July 23, 1981

"WATER TRUST FUND" - ACTION ALERT (CONTINUED)

HJR 6, Clayton's proposed constitutional amendment, is now expected to be considered on the Senate floor next Monday morning, soon after the Senate convenes at 11:00 A.M.

At the Senate Finance Committee meeting on Monday of this week, Senator Ray Farabee of Wichita Falls proposed a substitute for HJR 6 that would delete the provisions dedicating "excess" state tax revenues. Farabee pointed out that roughly two-thirds of the state's income is already tied up in funds dedicated by the constitution, statutes, or legislative tradition. His substitute, he told the committee, would "avoid further tying of our hands."

The Farabee substitute retains all provisions of HJR 6 pertaining to the \$500 million bond guaranty program and the increase in the interest rate on state bonds. "In our long-range best interest we would do better if we went with two-thirds of the Clayton program," Farabee said. The Farabee proposal failed in committee by a 5-5 vote. (Senators voting FOR the Farabee substitute were: Brooks, Farabee, McKnight, Parker, and Snelson. Voting AGAINST were: Blake, Harris, Howard, Jones, and Short.) On the following day, the Finance Committee passed out HJR 6 as received from the House by a 9-3 vote. The enabling legislation, HB 8, was voted out by the same margin.

On Wednesday, after a brief meeting, the Senate adjourned until 11 A.M. Monday, and most senators left for their home towns on Wednesday afternoon.

Senator Farabee will propose his substitute again on Monday on the Senate floor, where the vote is likely to be very close. The League has been urging adoption of the Farabee proposal, which we believe to be a very significant improvement.

WHAT TO DO: Most Senators are aware of the League's position on HJR 6. What is needed now is communication from individual citizens opposing the provisions of HJR 6 that dedicate future state tax revenues (see last week's Action Alert), or supporting the Farabee substitute (especially if your local Tuesday newspaper carried a story on the Farabee proposal). **MESSAGES SHOULD REACH THE SENATORS BY MONDAY MORNING - EARLIER IF POSSIBLE.**

WHOM TO CONTACT: Senators Andujar, Blake, Brooks, Caperton, Glasgow, Harris, Jones, Kothmann, Leedom, Meier, Mengden, Ogg, Richards, Santiesteban, Snelson, Travis, Truan, Vale, Williams, Wilson, and Uribe.

PROPERTY TAX CODE REVISIONS

Senate action this week on the Property Tax Code revisions was MOST disappointing. Last week, Senator Jones was able to get his omnibus bill (SB 6) out of the Senate Finance Committee with few changes. But he evidently became concerned that SB 6 would prove to be too controversial to pass both houses, so instead of pushing for SB 6, he presented the Senators a new bill incorporating issues where there was broad agreement. This bill also makes language changes necessary to bring the Code into conformity with the new constitutional amendment requiring counties to join a single appraisal district. He also announced that a second bill was being drafted that would include the more controversial issues, and urged his colleagues to hold their amendments until that bill reached the Senate floor. But the Senators ignored his pleas and promptly added some very controversial amendments to the bill and then passed the whole thing on Second Reading. Because of the nature of the amendments, the League no longer supports SB 6 as passed by the Senate. Two amendments which were added are opposed by the League:

- requiring that members of the board of directors of single appraisal districts be elected officers of a taxing unit within the district. Current law permits both elected officials and lay persons, who often have more expertise and time to give to the job than elected officials, to serve on the board. The League believes this flexibility in the law is desirable and opposes efforts to change it.
- allowing the single appraisal districts in all counties to postpone appraising property until 1984 or 1985. There has been little testimony that a postponement is necessary, except from Harris County. Because of its size and the complexity of its taxing unit, the League has no opposition to a one-year delay for Harris County, but opposes a delay for all counties, most of which are "on schedule."

Another amendment which was added is certainly questionable. It exempts implements of farming or ranching from property taxation. It is difficult for us to understand why only one kind of business (farming & ranching) should have the tools to operate a business exempt from taxation.

Among the new bills filed this week in the House is a particularly bad idea contained in HB 106 (Nabers) -- to elect the chief appraiser of the appraisal districts in an at-large election. The county tax assessors have been elected for many, many years in Texas, and generally they have done the poorest job of all appraisers in the state in appraising property. Their failures helped create the demand for reform, which culminated in the new Code. One of the goals of reform efforts has been to de-politicize the appraising of property, but this bill would do the opposite. The LWV-Texas opposes HB 106.

Our attention will now be focused on the House Ways & Means Subcommittee (Schlueter [Chairman], Turner, Peveto, Sharp, Polk) which will be dealing with the Senate bill and a small mountain of other property tax bills that have been introduced in the House. The Ways & Means Committee heard more testimony this week and referred all the taxation bills to subcommittee which has not met as yet. After the subcommittee completes its work, those bills it passes will have to go back to the full committee. Now is the time to let members of the Ways & Means Committee know that the League is distressed by some of the proposals to change the Code:

- elected officials for the appraisal board
- postponement of appraisal for all counties
- limitation on appraised value (Newsletter #18)
- electing the chief appraiser.

We do, however, still support HB 30 as introduced by Peveto.

(also see editorial on p. 3)

Senate 'bolting' on tax reforms

The Senate, given a bit of rein to fine-tune the Tax Relief Amendment, has taken the bit in its teeth and jumped a three-rail fence.

Somebody needs to stop this runaway and get back to the mild changes originally propounded by Rep. Wayne Peveto of Orange, author of the tax reforms.

The House's property tax legislation remains in the stables and is expected to attack the problems through "single-shot" bills.

Texas long has needed the reforms, and the Senate is working against the best interests of the people by such amendments as postponing reforms from 1982 to 1983 or later and requiring that tax appraisal district boards be composed of already elected officials.

If implementation of the reforms is delayed, cities, counties and school districts would have to support both countywide offices and separate appraisal staffs. Other districts would have no statewide standards for perhaps three years, throwing local governments' plans based on full market value appraisals out of joint.

Requiring members of the appointed appraisal boards to be elected officials, such as members of city councils and county commissioners courts, is almost as bad as Rep. Lynn Nabers' proposal during the regular session to do away with the boards and allow tax assessors to do the work.

The only way to ensure full market appraisals is to de-politicize the boards as much as possible. The Senate seems to have the reverse in mind.

It is time to get the state's taxing units in compliance with the state constitutional mandate for fair and uniform appraisal. The Legislature should not abandon the Peveto reforms through wild-horse amendments.

CONGRESSIONAL REDISTRICTING

A vote switch by Senator Jack Ogg of Houston temporarily halted a congressional redistricting proposal on Monday that creates a 63.8 percent minority district in Dallas County and threw the Senate into a parliamentary bind it could not resolve. However, when it reconvened again on Tuesday morning, after turning down a plan presented by Senator Ogg, which would have reduced the minority district to 58% black and brown, the Senate voted out Senator John Wilson's proposal which contains the 63.8% minority district in Dallas and raises from four to five the number of districts dominated by Mexican-Americans.

The plan will be considered today (Thursday) by the House redistricting committee, chaired by Rep. Tim Von Dohlen of Goliad, who has indicated that he wants to split Nueces County down the middle, despite objections from Mexican-Americans. Von Dohlen said his plan is only slightly different from the final plan offered by House conferees during the regular session. That plan created a minority-dominated district in Dallas, but had the split in South Texas that the Mexican-Americans oppose.

Ruben Bonilla, immediate past president of the League of United Latin American Citizens, charged that the division was being done on racial lines because Anglos in Corpus Christi have been beaten at the polls by candidates receptive to Mexican-Americans. "It's an effort to ignore and ostracize the Hispanic community," he said.

The vote today, and on the House floor later, could determine whether the Senate plan will become the final one for congressional districts, or whether the measure will go to conference committee. Governor Clements has indicated he favors the plan the Senate passed.

#



ISABEL MILLER



LEAGUE of WOMEN VOTERS of TEXAS
1212 Guadalupe, #109, Austin, Texas 78701
512 472-3841 Legislative Info 1-800-252-9693

LEGISLATIVE NEWSLETTER

Vol. 6, No. 18
July 16, 1981

67th LEGISLATURE - SPECIAL SESSION

The 67th Legislature convened at noon on Monday, July 13, in a special session called by Governor Clements to consider five subjects: the repeal of the ad valorem tax, renewing the Medical Practice Act, congressional redistricting, creation of a Texas Water Trust Fund, and refining the Property Tax Code. The LWV is concerned with the last three.

After the House adjourned on Monday, the House Committee on Natural Resources met and approved Speaker Clayton's water bill, HB 8, which is the enabling legislation for the Constitutional Amendment, HJR 6, which was passed out of the House Committee on Constitutional Amendments on the same afternoon. The Senate Finance Committee considered the companion bills, SJR 3 and SB 4 by Howard on Tuesday, July 14, and Wednesday, July 15, and decided to put off action until the House took action on the issue as a body. The House passed both bills on Wednesday, July 15. (See Action Alert)

The House Ways and Means Committee is considering the Property Tax Code revisions. This committee is chaired by Davis, and Peveto is vice chairman. Other members are Sharp, Barrientos, Berlanga, Garcia of Hidalgo, Lee of Harris, Schlueter, Khoury, Polk, Riley, Turner, and Whitmire.

SB 6 (Jones), which is the property tax code revisions bill in the Senate, was passed out of the Senate Finance Committee favorably with amendments on Wednesday, July 15. (See discussion below)

There has been speculation that Governor Clements will open up the call if the Legislature is seen to be working through the schedule of five in the original list. Subjects which might be included in an expanded call are legalizing bingo, refining the newly-passed wiretapping law, exempting gasohol from the state's motor-fuel tax, and possibly initiative and referendum, veterans' land bonds, and financing of higher education institutions.

- more -

PROPERTY TAX CODE REVISIONS

Making changes in the Property Tax Code passed in the 1979 session is one of the issues included in the Governor's call for a special session. Thus far, only a few bills dealing with this subject have been introduced in the Senate, but over 50 bills have been filed in the House and there is talk that additional bills may be filed shortly.

Two of the bills filed, SB 6 by Grant Jones and HB 30 by Wayne Peveto, are similar and are omnibus bills addressing various concerns that have arisen since the passage of the Code.

The LWV-Texas can support either of these comprehensive bills as introduced. However, there is the possibility that destructive amendments will be added to the bills, so we will monitor their progress closely.

The House Committee on Ways and Means has met and taken public testimony on tax issues expected to be considered by this special session. Bills will be referred to subcommittee and, after their work is completed, back to the full committee. Tax proposals are not expected to reach the House floor much before July 28.

The Senate is moving more rapidly, as the Senate Finance Committee passed SB 6 Wednesday, July 15. Floor debate on the proposal may take place this first week.

Most of the bills filed in the House are "single-shot" bills dealing with subjects covered by the omnibus bills. They were supposedly introduced to give the legislature some options in case the omnibus bills ran into trouble as happened during the regular session. Some of the House bills and resolutions deal with other property tax matters and thus far we have identified two that are particularly bad: HB 34 Nabers, and HJR 8 Turner. Both provide that after minor adjustments, the appraised value of a given property, in any year 1982-1985, may not be increased more than $1\frac{1}{2}$ times the percentage increase in value for the total tax roll of a tax unit.

This means that appraisal rolls would not reflect true market value for all properties -- only for some properties. It is not fair that some property values be artificially low while other properties reflect changing market conditions.

Both HB 34 and HJR 8 appear to conflict with constitutional provisions for equal and uniform taxation, and if passed would be a tremendous setback for property tax reform in Texas. The League opposes them. Watch for further information

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Legislative Info 1-800-252-9693

LEAGUE OF WOMEN VOTERS OF TEXAS

1212 Guadalupe, No. 109 • Austin, Texas 78701 • Tel 512/472-1100

ACTION ALERT

HJR 6 (Clayton) OPPOSE

July 16, 1981

This proposal for what the Governor calls a "water trust fund" (which Texas Monthly has dubbed a "slosh fund") is much the same as the version of HJR 33 approved by the Senate Finance Committee on the next-to-last day of the regular session, except that the constitutional amendment would be voted on in 1981 instead of 1982. The proposed amendment:

-- dedicates half of the state's excess tax revenues to a special fund for water development, water conservation, water quality enhancement, and flood control. The legislature may, however, limit the amount of money going into the fund in any biennium. Excess revenues are defined as tax revenues not otherwise dedicated by the constitution in excess of the spending ceiling set by the "tax relief" amendment adopted in 1978 (which provides that appropriations of these revenues cannot increase at a greater rate than the state's economic growth, but allows emergency appropriations in excess of the ceiling).

-- provides that the other half of the excess revenues may be dedicated by the legislature for any purpose, including the retirement of state bonds. (The Special Reserve Fund, or "rainy day fund," included in Clayton's original HJR 33 has been eliminated.)

-- authorizes the use of \$500,000,000 of the credit of the state for a bond guaranty program to assist cities, water districts, river authorities, etc. in the financing of water projects. (The pledge of the state's credit would enable political subdivisions with lower than AAA or AA bond ratings to obtain lower interest rates on bonds for their projects.)

-- increases the maximum interest rate on state bonds already authorized but not issued to 12%, or a higher rate if approved by a two-thirds vote of the legislature.

- MORE -

(Detach and mail to LWV-T Legislative Office as soon as possible, address above)

Person _____ contacted Senator _____

on HJR 6 (date) _____ LWV of _____

PLEASE ALSO SEND ANY RESPONSE OR OTHER INDICATION OF SENATOR'S VIEWS.

OVER, PLEASE

HJR 6

The implementing legislation (HB 8, Clayton) establishes a Water Assistance Fund to receive the revenues dedicated by HJR 6, from which the Water Development Board will distribute money to three other funds: a Water Loan Assistance Fund, a Storage Acquisition Fund, and a Research and Planning Fund. It also provides for the establishment of the Water Bond Guaranty Program and sets the maximum amount of bonds that may be guaranteed at \$1 billion--twice the state's maximum liability of \$500 million. (This 2:1 ratio is described as very conservative by the program's proponents, who have testified that the ratio can probably be increased to 10:1 in the future, allowing \$5 billion in local water bonds to be guaranteed.) And HB 8 appropriates \$40 million to the Water Assistance Fund for the biennium beginning September 1, 1981.

WHAT YOU CAN DO:

Again the focus of League action is the Senate. Votes may be close both in the Finance Committee and on the floor. The Finance Committee may consider HJR 6 as early as Monday (July 20) and the floor vote could come as early as Tuesday. So the time to act is IMMEDIATELY.

Think creatively about possible allies and ways of reaching the Senators' ears. Letters to newspapers may be timely enough, also, and will certainly do some good for the potential November vote on the amendment. CALL 800-252-9693 AND CONTINUE AS LONG AS TIMELY.

POINTS TO STRESS:

-- The increase in interest rates on state bonds should be a separate ballot proposition. Voters should not be given an all-or-nothing choice on state assistance for water projects. (The interest rate increase would allow \$218.6 million in already authorized but unissued water development bonds to be sold and used.) And bonds for other purposes (veterans land purchases, college student loans, parks) should not be tied to water fund proposals.

-- Dedication of "excess" state tax revenues may leave too little money in the General Revenue Fund to meet other state needs that may be more pressing in the future and is contrary to the intent of the "tax relief" amendment of 1978.

-- Too much state assistance is authorized. Most water projects should be paid for by users, with state assistance limited (as it is now) to projects that cannot be financed on the commercial bond market.

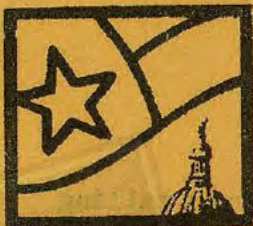
-- More money won't bring more rainfall. Development projects may not solve problems where no more water is available. No proposals for better management of surface and ground water resources or for conservation (in the sense of using less water) are included in the proponents' list of needs.

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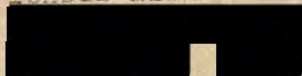
WHOM TO CONTACT: All senators except the following, who appear to be firmly committed to HJR 6:

Do not contact: BROWN, HOWARD, SARPALIUS, SHORT, and TRAEGER.

#



ISABEL MILLER



LEAGUE of WOMEN VOTERS of TEXAS
1212 Guadalupe, #109, Austin, Texas 78701
512 472-3841 **Legislative Info 1-800-252-9693**

LEGISLATIVE NEWSLETTER

Vol. 6, No. 21
August 11, 1981

Evelyn Bonavita, LWV-Austin
Legislative Assistant for
Special Session

67th LEGISLATURE - SPECIAL SESSION

Four and one-half days before the end of the special session, and with three of the subjects contained in the first call far from completed, Governor Clements opened the call to twenty-two other issues, among them: a constitutional amendment authorizing the issuance of an additional \$250 million in bonds for the Veterans' Land Program; creation of a fund for the encouragement of gasohol production; implementing legislation for the regulation and taxation of bingo; and appropriation of funds for a Texas Southern University Excellence Fund.

There were those among the legislators who accused the Governor of attempting to distract members from the hotly-debated issue of redistricting by opening the call to issues dear to the hearts of many members, and whether or not this was the intention, by Monday, after a weekend of almost continual sessions and an all-night effort by Democrats to amend it, the Governor and Speaker Bill Clayton could rejoice over the adoption by both houses of a redistricting plan submitted by Clayton and endorsed by Clements.

Some Democratic members of Congress claimed that the Clayton plan will guarantee more seats to Republicans than La Grange Senator John Wilson's plan that came out of the Senate. "The House took a sorry bill and ruined it," declared Senator Carl Parker of Port Arthur. Credence was given to this view when Hilary Doran, the Governor's legislative liaison, said Clements was satisfied with Wilson's bill. "But he's more satisfied with the Clayton plan." Areas of the state that received the most impact under the adopted measure are the 14th District, represented by Democrat Bill Patman; the 4th District, represented by Democrat Ralph Hall; and the 5th District, represented by Democrat Jim Mattox.

WATER TRUST FUND

HJR 6 (Clayton), the constitutional amendment that creates a water trust fund from dedicated funds, and its accompanying enabling legislation (HB 8), passed the House on Monday, August 3, by a vote of 117 to 23. The enabling measure now goes to the Governor for his signature, while the constitutional amendment will be on the ballot for voter approval in November.

As was pointed out in the last newsletter, the LWV-Texas is opposed to the creation of a water trust fund with dedicated monies, and we will be working to defeat the measure at the polls.

Catherine Perrine

PROPERTY TAX CODE REVISIONS

In 1979 the Texas Legislature responded to citizens who had for years been calling for property tax reform by passing a new Property Tax Code. Passage of the bill was primarily due to a recognition by legislators that with our system of school finance, a standardization in the appraisal of properties in local school districts was necessary if state aid were to be distributed equitably.

Legislators were also interested in greater efficiency and ended duplicate local appraisals by creating single appraisal districts. Many other tax issues, including some very controversial issues, were addressed by this extremely complex Property Tax Code. Considering the number of changes that were made in property tax law, and the complexity of the subject, it is not surprising that after some reflection on its impact, the authors of the Code decided some "fine tuning" was necessary.

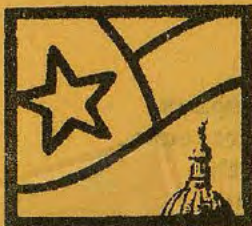
During this past regular session and the Special Session, the original authors, Sen. Jones and Rep. Peveto, worked to garner support for revisions in the Property Tax Code. For the most part, the revisions were changes needed to make the implementation of the Code work more smoothly. However, legislators who were opposed to reform efforts saw this as an opportunity to either repeal the Code outright or to subvert its intent through amendments.

An August 3, the Property Tax Code revisions (HB 30, Peveto) passed the House in fairly good shape. The worst amendments proposed on the House floor, electing appraisal board members or the chief appraiser, were soundly defeated. HB 30 then went to the Senate Finance Committee where few substantive changes were made.

When the full Senate debated HB 30 on August 6, they attached several controversial amendments and the bill's future looked dim as it had to go back to the House for concurrence with Senate amendments. Lobbyists for school districts were unhappy with amendments lowering the signature requirement for a tax rollback election from 15% to 10% of qualified voters and completely eliminating the current voter turnout requirement of 25% of qualified voters. They were also distressed that petitions for the rollback election could be circulated up to 90 days, rather than 60 days, after the adoption of a district's tax rate. They were, however, pleased with an amendment by Senator Farabee permitting rollback elections only if a taxing unit's tax rate increases by more than 8% — the current Code reads 5%.

When HB 30 was brought up for concurrence on August 8, House members did not appear to be terribly concerned about the amendments relating to rollback elections, but were adamant about not accepting a Senate amendment by Santiesteban which could have allowed much oil and gas temporarily in the state to escape taxation. After some most unusual parliamentary maneuvers by the House, HB 30 was sent to a conference committee where the offensive amendment was removed. Both houses accepted the conference report and Gov. Clements is expected to sign the bill, so after a long and tortuous struggle, one more step toward improving the administration of the property tax has been taken.

As we indicated in the last newsletter, the League is not entirely pleased with HB 30. Some of the provisions are almost certain to create problems, but when dealing with an omnibus bill that is almost 140 pages long, some provisions are expected to be disappointing. Our greatest fear was that some really gutting amendments would be firmly attached to HB 30. But with the exception of the limitation on increases in appraisals, which will almost certainly be challenged on constitutional grounds, that did not happen.



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1212 Guadalupe, #109,

Austin, Texas 78701

512 472-3841

Legislative Info 1-800-252-9693

LEGISLATIVE NEWSLETTER

Vol. 6, No. 20
July 31, 1981

Evelyn Bonavita, Austin LWV
Legislative Assistant for
Special Session

PROPERTY TAX CODE REVISION

Property tax code revision hit a snag this week. On Monday, the Ways and Means subcommittee passed a substitute for Peveto's HB 30. On Tuesday, the full committee added some amendments and passed CSHB 30 to the House floor. However, the bill was not considered by the full House on Friday as scheduled because of a technical error in the committee report. There was an effort to suspend the rules so that the CSHB 30 could be considered as originally planned, but that effort failed.

CSHB 30 (Peveto) is still supported by the League in spite of the fact that a provision limiting increases in appraisal values was added in committee. This provision is clearly unconstitutional and we expect it to be challenged immediately if the bill becomes law. We continue to support CSHB 30, and urge you to contact House members if you are able to reach them before Monday morning. See Newsletter #19 for the issues we are most concerned about in property tax code review.

Jan Albers

CONGRESSIONAL REDISTRICTING

A congressional redistricting plan passed to third reading in the House on Wednesday, when representatives approved a plan similar to that passed by the Senate last week. The House plan, like the Senate's, creates a minority-dominated district in Dallas County, which puts Democrat U. S. Rep. Jim Mattox in a Republican district and forces Democrat Martin Frost to run in the 64% minority-dominated district if he wishes to keep his seat.

A significant amendment to the plan as it came out of the House redistricting committee turned down committee chairman Tim Van Dohlen of Goliad's intention to make the 14th District, represented by Democrat Bill Patman, include the Republican stronghold of Brazoria County. By a vote of 81-64, the House voted to put Brazoria and Fort Bend Counties with a portion of Harris County, and place several rural counties between Houston and Austin back with the 14th District. Von Dohlen had attempted to pair Republican U. S. Rep. Ron Paul of Lake Jackson with Democrat U. S. Rep. Bill Patman.

The House adjourned Thursday afternoon without final consideration of redistricting.

WATER TRUST FUND - ACTION ALERT CONTINUED TO NOVEMBER ELECTION

Senate passage of HJR 6 this week assures a November vote on Clayton's complex constitutional amendment providing state financial assistance for water projects. The Senate's rejection of the Farabee substitute that would have deleted the dedication of "excess" tax revenues from the HJR 6 "package" assures League opposition to the amendment as it goes to Texas voters. Our effort to inform and persuade the public will be an uphill struggle, as was our attempt to inform and persuade the Senate.

Senator Howard, who carried HJR 6 in the Senate, delayed the vote for consideration until late Tuesday morning to assure the necessary 2/3 majority. Discussion of HJR 6 and various amendments proposed by Senators Farabee, Parker, Jones, and Doggett extended through a four-hour session on Tuesday afternoon.

In presenting his proposed substitute, Senator Farabee emphasized that:

- The \$1.218 billion state assistance for water projects that would be available immediately through the Water Development Fund and the new Water Bond Guaranty Program is far in excess of the \$380 million of state assistance for such projects provided during the 24 years that the Water Development Fund has been in existence. (These sources of assistance were retained in the Farabee substitute.)
- No estimate has been made of the amount of state assistance needed for water projects for any future period.
- No estimate has been made of the amount of the "excess" state revenues that would be dedicated to state assistance for water projects under the Clayton proposal.
- The use of "excess" state revenues for assistance to water projects would limit the ability of future legislatures to finance other state needs without a tax increase.
- Creation of the four new water funds proposed in the enabling legislation (HB 8) and the complex formula for determining amounts of "excess" funds would further entangle state financial management, which is already excessively complicated.

Despite a masterful presentation by Senator Farabee, his substitute was tabled by a vote of 16-13. By a vote of 18-11, the Senate also tabled another League-supported substitute, offered by Senator Parker, that would have presented three separate ballot proposals: the interest rate increase, the \$500 million bond guaranty program, and the dedication of state tax revenues. Two amendments proposed by Senator Jones were accepted by Senator Howard and approved by voice vote. One clarifies the ballot wording and the other expands the legislature's authority to limit deposits of excess revenues in the water funds.

Passage of a proposed constitutional amendment requires a 2/3 vote of the Senate membership--that is, 21 votes. The vote last Tuesday afternoon on passage of HJR 6 to third reading was 21-8, with Senators Snelson and Ogg absent. The 8 senators who deserve our heartfelt thanks are: Caperton, Doggett, Farabee (!!), Mauzy, McKnight, Parker, Truan, and Vale. The 5 senators who voted for the Farabee amendment (in addition to the faithful 8) were Brooks, Glasgow, Kothmann, Santiesteban, and Uribe.

On Thursday morning, HJR 6 passed on third reading in the Senate by a vote of 23-7. Because of the Jones amendments, another vote in the House will be necessary, after which the proposed amendment goes to the voters. It is not too soon to seek allies for the defeat of the ballot proposition. Defeat of the proposition will not leave the Water Development Board penniless, since HB 8 (which also passed the Senate on Thursday) includes a \$40 million appropriation for the new Water Assistance Fund for the 1982-83 biennium.

Catherine Perrine