

League of Women Voters of Texas
1212 Guadalupe, #107 • Austin, Texas 78701 • Tel. 512/472-1100

December 18, 1985

TO: Texas Department of Health

RE: Proposed regulations of abortion facilities

I am Evelyn Bonavita, legislative director of the League of Women Voters of Texas. The League supports the Department of Health in its efforts to draw up sensible and well-balanced regulations on the licensing, standards of operation, and reporting requirements of abortion clinics. Our concern is that the confidentiality of patients' names and records be maintained at all times and that clinics, which are, after all, performing legitimate services, not be subjected to unnecessary and burdensome restrictions designed to hamper their work.

The League feels that a woman's right to a safe abortion should be protected. Sane, practical regulations implemented in an evenhanded manner can be a means to this end.

May 21, 1985

Dear Representative:

HB 21 and SB 725, the Sunset review for the Texas Air Control Board, is a good piece of legislation. The League of Women Voters of Texas supports it as it was voted out of committee on May 20.

The TACB has been weak on enforcement. Out of 10,000 inspections in 1983, there were 1,874 violations, and of these violations only seven were fined! The provision for administrative penalties, an increased maximum fine, helps, but requirements for a monthly enforcement report to be on the TACB agenda, with copies sent to the attorney general and the governor, and proceedings to revoke a permit after 180 days of continuous violations, assure that the TACB will indeed address the problem of chronic air polluters.

Other important provisions in this bill include:

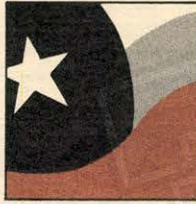
- * specific conditions for permit review;
- * a study committee to determine whether to require controls on grandfathered facilities;
- * an environmentalist on the TACB.

We urge you to vote for the bill as it came out of committee.

Sincerely,



Kathy Jacob
Air Quality Director
League of Women Voters of Texas



League of Women Voters of Texas
1212 Guadalupe, #107 • Austin, Texas 78701 • Tel. 512/472-1100

May 21, 1985

Dear Representative:

HB 21 and SB 725, the Sunset review for the Texas Air Control Board, is a good piece of legislation. The League of Women Voters of Texas supports it as it was voted out of committee on May 20.

The TACB has been weak on enforcement. Out of 10,000 inspections in 1983, there were 1,874 violations, and of these violations only seven were fined! The provision for administrative penalties, an increased maximum fine, helps, but requirements for a monthly enforcement report to be on the TACB agenda, with copies sent to the attorney general and the governor, and proceedings to revoke a permit after 180 days of continuous violations, assure that the TACB will indeed address the problem of chronic air polluters.

Other important provisions in this bill include:

- * specific conditions for permit review;
- * a study committee to determine whether to require controls on grandfathered facilities;
- * an environmentalist on the TACB.

We urge you to vote for the bill as it came out of committee.

Sincerely,

Kathy Jacob

Kathy Jacob
Air Quality Director
League of Women Voters of Texas

May 20, 1985

CSHB 2358
Senate Natural Resources Committee

The League of Women Voters of Texas believes that wise management of hazardous waste is critical both to environmental protection and economic development. Because attention to hazardous waste is of relatively recent vintage, laws and regulations are still being developed to address a variety of needs. CSHB 2358 is designed to implement the legislative recommendations of the diverse members of the Governor's Task Force on Hazardous Waste Management and address some issues raised in other bills. CSHB 2358 addresses the four major areas the LWV-Texas identified for priority attention this legislative session: cleanup of dangerous sites, enhanced enforcement, incentives for better technology, and the need for new sites.

This bill has been subjected to intense scrutiny by a wide spectrum of those involved in hazardous waste issues. As a consequence, it is a balanced approach to improving Texas' hazardous waste management programs.

There is hazardous waste in every part of this state; there is probably hazardous waste in every home in this state. If we are to be able to manage our waste safely, we must show the public that we are cleaning up problem sites, that we're monitoring and enforcing our laws and regulations, that we're encouraging the use of the best technology possible to handle the wastes we've tried not to generate. The League urges your support of CSHB 2358 because it addresses these needs. With passage of CSHB 2358 and adequate funding from both general revenues and the hazardous waste fee bill, Texas can have the best hazardous waste management program in the nation.

Sincerely,

A handwritten signature in blue ink that reads "Diane Sheridan". The signature is fluid and cursive, with the first name "Diane" and last name "Sheridan" clearly distinguishable.

Diane Sheridan
Hazardous Waste Director



League of Women Voters of Texas
1212 Guadalupe, #107 • Austin, Texas 78701 • Tel. 512/472-1100

May 20, 1985

CSHB 2358
Senate Natural Resources Committee

The League of Women Voters of Texas believes that wise management of hazardous waste is critical both to environmental protection and economic development. Because attention to hazardous waste is of relatively recent vintage, laws and regulations are still being developed to address a variety of needs. CSHB 2358 is designed to implement the legislative recommendations of the diverse members of the Governor's Task Force on Hazardous Waste Management and address some issues raised in other bills. CSHB 2358 addresses the four major areas the LWV-Texas identified for priority attention this legislative session: cleanup of dangerous sites, enhanced enforcement, incentives for better technology, and the need for new sites.

This bill has been subjected to intense scrutiny by a wide spectrum of those involved in hazardous waste issues. As a consequence, it is a balanced approach to improving Texas' hazardous waste management programs.

There is hazardous waste in every part of this state; there is probably hazardous waste in every home in this state. If we are to be able to manage our waste safely, we must show the public that we are cleaning up problem sites, that we're monitoring and enforcing our laws and regulations, that we're encouraging the use of the best technology possible to handle the wastes we've tried not to generate. The League urges your support of CSHB 2358 because it addresses these needs. With passage of CSHB 2358 and adequate funding from both general revenues and the hazardous waste fee bill, Texas can have the best hazardous waste management program in the nation.

Martha - 25 copies by ~ 11:00 a.m.
Diane

May 20, 1985

{ Testimony on CSHB 2358
Senate Natural Resources Committee

The League of Women Voters of Texas believes that wise management of hazardous waste is critical both to environmental protection and economic development. Because attention to hazardous waste is of relatively recent vintage, laws and regulations are still being developed to address a variety of needs. CSHB 2358 is designed to implement the legislative recommendations of the diverse members of the Governor's Task Force on Hazardous Waste Management as well ^{and address} as some issues raised in other bills. 2358 addresses the four major areas the LWV-Texas identified for priority attention this Legislative session: cleanup of dangerous sites, enhanced enforcement, incentives for better technology, and the need for new sites.

This bill has been subjected to intense scrutiny by a wide spectrum of those involved in hazardous waste issues. As a consequence, it is a balanced approach to improving Texas' hazardous waste management programs.

There is hazardous waste in every part of this state; there is probably hazardous waste in every home in this state. If we are to be able to manage our waste safely, we must be able to show the public that we are cleaning up problem sites, that we're monitoring and enforcing our laws and regulations, that we're encouraging the use of the best technology possible to handle ^{the} waste we've tried not to generate. The League urges your support of CSHB 2358 because it addresses these needs. ~~Managed by~~ ^{With} adequate funding

With passage of ~~CSHB~~ ^{HB} 2358 and

from ^{both} general revenues and the hazardous waste fee bill, ~~CSHB~~
~~2359~~, Texas can have the best hazardous waste management
program in the nation.

MAY 14 1985

League of Women Voters of the Austin Area

10, WEST 1ST STREET

AUSTIN TEXAS 78701

May 13, 1985

CP
EB-

Honorable John T. Montford, Chairman
Subcommittee on Water
P. O. Box 12068
Austin, Texas 78711

Re: Senate Bill 1248

Dear Senator Montford:

On behalf of the League of Women Voters of the Austin Area, I urge prompt action by the Subcommittee on Senate Bill 1248 proposed by Senator Barrientos. The League wishes to stress the local nature of the legislation and trusts it will be treated accordingly.

In light of the unprecedented growth in Austin and the surrounding communities, unusually heavy demands are being placed on the Edwards Aquifer increasing the potential for contamination from urban development and the threat of inadequate water for the small cities in the region that depend solely on the Edwards for their water supply. In order to meet the needs of the existing long-time residents of the area and to insure availability of water for future residents, control over groundwater needs to be provided; passage of SB 1248 would provide opportunity for such control. If total management of water resources is to occur in Texas, we need laws to provide for the management of both surface and groundwater.

The League urges your prompt action and support of Senate Bill 1248.

Yours very truly,

Barbara Ann Hudson

Barbara Ann Hudson, Chairperson
Local Water Study Committee

BAH/sd

cc: Senator Gonzalo Barrientos
Senator J. E. Brown
Senator Cyndi Krier
Senator Carlos Truan
Senator Lindon Williams

May 15, 1985

Dear Senator

The League of Women Voters of Texas believes that the state of Texas should expand its role in child-care services by taking additional steps in seeing that quality, affordable child care is available to all working parents in this state. That is one of the League's legislative priorities.

Therefore, we urge your support for SB 1101 which would establish a task force and a pilot program to lease space to private tenants who would provide child-care services for pre-school children of state employees.

There have been several studies/surveys, including one from the Health and Human Services Coordinating Council, that show state employees need child care. These studies tie absenteeism to child care problems.

The number of children under six years of age is likely to climb to more than 23 million nationwide by 1990. Texas, with its growing population, will have a large share of these youngsters. One half, at least, of the mothers of these children will work to support their families.

Child care is obviously a growing concern for employers. In order to attract and retain workers, employers are becoming involved in child-care programs, and the number of employer programs has doubled since 1981.

The Bureau of National Affairs in its special 1984 report, Employers and Child Care: Development of a new Employee Benefit, describes several studies or surveys of corporations that provide various kinds of child care assistance. The findings of these studies clearly show the firms believed they were able to attract and keep talented employees and improve employee morale. Lower absentee rates, less turnover of employees and the ability to attract top people back to work were also shown to be very important results of child-care programs. Productivity, although more difficult to measure, certainly can be tied to reduced absenteeism.

Passage of SB 1101 will enable our state government to begin to realize these benefits. In this era of reduced budgets and the need for increased efficiency in state agencies, SB 1101 is a vital addition to the best possible employment strategy and plan.

The League of Women Voters applauds the intent and direction of this legislation. We urge your support for SB 1101.

Sincerely,

Barbara McCormick
Barbara McCormick, Human Resources Director

Sent to
all
Senators



League of Women Voters of Texas
1212 Guadalupe, #107 • Austin, Texas 78701 • Tel. 512/472-1100

May 15, 1985

Dear Senator

The League of Women Voters of Texas believes that the state of Texas should expand its role in child-care services by taking additional steps in seeing that quality, affordable child care is available to all working parents in this state. That is one of the League's legislative priorities.

Therefore, we urge your support for SB 1101 which would establish a task force and a pilot program to lease space to private tenants who would provide child-care services for pre-school children of state employees.

There have been several studies/surveys, including one from the Health and Human Services Coordinating Council, that show state employees need child care. These studies tie absenteeism to child care problems.

The number of children under six years of age is likely to climb to more than 23 million nationwide by 1990. Texas, with its growing population, will have a large share of these youngsters. One half, at least, of the mothers of these children will work to support their families.

Child care is obviously a growing concern for employers. In order to attract and retain workers, employers are becoming involved in child-care programs, and the number of employer programs has doubled since 1981.

The Bureau of National Affairs in its special 1984 report, Employers and Child Care: Development of a new Employee Benefit, describes several studies or surveys of corporations that provide various kinds of child care assistance. The findings of these studies clearly show the firms believed they were able to attract and keep talented employees and improve employee morale. Lower absentee rates, less turnover of employees and the ability to attract top people back to work were also shown to be very important results of child-care programs. Productivity, although more difficult to measure, certainly can be tied to reduced absenteeism.

Passage of SB 1101 will enable our state government to begin to realize these benefits. In this era of reduced budgets and the need for increased efficiency in state agencies, SB 1101 is a vital addition to the best possible employment strategy and plan.

The League of Women Voters applauds the intent and direction of this legislation. We urge your support for SB 1101.

Sincerely,

Barbara McCormick
Barbara McCormick, Human Resources Director

May 14, 1985

CSHB 2359
Senate Finance Committee

My name is Diane Sheridan and I am testifying on behalf of The League of Women Voters of Texas.

Income from a waste-end fee, either alone or in combination with general revenues, must be adequate to fund the following hazardous waste activities:

- * cleanup of dangerous sites
- * enhanced enforcement
- * current regulatory programs.
- * additional mandate imposed by the comprehensive hazardous waste bill, CSHB 2358.

The League prefers that a mixture of general revenues and waste-end fees be used to fund the state's total hazardous waste management program because it operates not only to service users but also in the public interest. However, in this budget year, we urge you to be sure that, one way or another, these critically important programs are funded.

In regard to the Hazardous Waste Generation and Facility Fees Fund, the League believes that imposition of fees on generators is the most direct incentive to reduce the amount or hazard of the waste they generate. And we believe that waste reduction is as important a goal of a waste-end fee as is generating revenues.

Basing the generation fee schedule on volume is fine. But we don't believe a \$1,000 annual fee on those who generate more than 10,000 kilograms per month provides adequate incentive to institute the process changes needed to reduce waste.

We like the graduated annual facility fee and believe it can generate enough income to meet more needs than are currently listed in the bill if the board sets the rates accordingly.

We object to the \$2.75 million annual cap on income in the Hazardous Waste Generation and Facility Fees Fund because it does not meet the needs of the administrative programs it seeks to fund. To implement CSHB 2358's enforcement and miscellaneous activities, to supplement current permitting activities, and to administer the fee funds, TDWR needs \$2.35 million the first year and \$2.1 million the second year of the biennium; TPWD should still get \$500,000 for the biennium; TDH needs \$1.05 million for biennium; and the AG's office needs \$1 million for the biennium to handle hazardous waste cases in a timely manner.

In regard to the Hazardous Waste Disposal Fund, the League believes that support for preferred technologies is best accomplished by a graduated fee on hazardous waste disposal, as laid out in the original bill, rather than the flat, dry weight fee in this substitute.

We strongly object to the \$12 million cap on income for this biennium in the Hazardous Waste Disposal Fee Fund. It will neither provide the state Super Fund match nor cleanup of dangerous sites for which no other options are available. It is based on an overly optimistic estimate of both costs recoverable from responsible parties within the biennium and of the number of sites the state must clean up. We believe an \$18.5 million cap will provide \$14.5 million for the Super Fund match, \$2 million for state cleanup, and \$2 million for the state to proceed with emergency remedial action if potentially responsible parties litigate.

We appreciate the opportunity to share our concerns and urge your support of a strengthened version of CSHB 2359.

Sincerely,

A handwritten signature in cursive script that reads "Diane Sheridan".

Diane Sheridan
Hazardous Waste Director



League of Women Voters of Texas
1212 Guadalupe, #107 • Austin, Texas 78701 • Tel. 512/472-1100

May 14, 1985

CSHB 2359
Senate Finance Committee

My name is Diane Sheridan and I am testifying on behalf of The League of Women Voters of Texas.

Income from a waste-end fee, either alone or in combination with general revenues, must be adequate to fund the following hazardous waste activities:

- * cleanup of dangerous sites
- * enhanced enforcement
- * current regulatory programs
- * additional mandate imposed by the comprehensive hazardous waste bill, CSHB 2358.

The League prefers that a mixture of general revenues and waste-end fees be used to fund the state's total hazardous waste management program because it operates not only to service users but also in the public interest. However, in this budget year, we urge you to be sure that, one way or another, these critically important programs are funded.

In regard to the Hazardous Waste Generation and Facility Fees Fund, the League believes that imposition of fees on generators is the most direct incentive to reduce the amount or hazard of the waste they generate. And we believe that waste reduction is as important a goal of a waste-end fee as is generating revenues.

Basing the generation fee schedule on volume is fine. But we don't believe a \$1,000 annual fee on those who generate more than 10,000 kilograms per month provides adequate incentive to institute the process changes needed to reduce waste.

We like the graduated annual facility fee and believe it can generate enough income to meet more needs than are currently listed in the bill if the board sets the rates accordingly.

We object to the \$2.75 million annual cap on income in the Hazardous Waste Generation and Facility Fees Fund because it does not meet the needs of the administrative programs it seeks to fund. To implement CSHB 2358's enforcement and miscellaneous activities, to supplement current permitting activities, and to administer the fee funds, TDWR needs \$2.35 million the first year and \$2.1 million the second year of the biennium; TPWD should still get \$500,000 for the biennium; TDH needs \$1.05 million for biennium; and the AG's office needs \$1 million for the biennium to handle hazardous waste cases in a timely manner.

In regard to the Hazardous Waste Disposal Fund, the League believes that support for preferred technologies is best accomplished by a graduated fee on hazardous waste disposal, as laid out in the original bill, rather than the flat, dry weight fee in this substitute.

We strongly object to the \$12 million cap on income for this biennium in the Hazardous Waste Disposal Fee Fund. It will neither provide the state Super Fund match nor cleanup of dangerous sites for which no other options are available. It is based on an overly optimistic estimate of both costs recoverable from responsible parties within the biennium and of the number of sites the state must clean up. We believe an \$18.5 million cap will provide \$14.5 million for the Super Fund match, \$2 million for state cleanup, and \$2 million for the state to proceed with emergency remedial action if potentially responsible parties litigate.

We appreciate the opportunity to share our concerns and urge your support of a strengthened version of CSHB 2359.

Sincerely,

A handwritten signature in cursive script that reads "Diane Sheridan".

Diane Sheridan
Hazardous Waste Director

May 14, 1985

TO: Senate Criminal Justice Committee
RE: SB 929, Washington

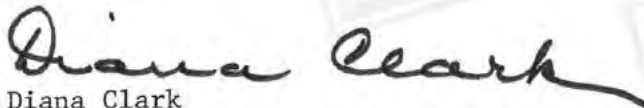
This is the second legislative session that members of the League of Women Voters of Texas have supported Senator Washington's attempt to bring municipal jails under the jurisdiction of the Texas Commission on Jail Standards.

We believe firmly that it is no less wrong for municipal jail prisoners to be held in unsafe, unsanitary, overcrowded, and perhaps unconstitutional municipal jails than it was for county jail prisoners in the past.

We have vigorously supported the initial creation of the Texas Commission on Jail Standards, its funding by the State of Texas, and its continued existence as a state agency. We think the commission has been successful in enforcement of its standards for county jails and that if SB 929 is ultimately passed by this legislature, it will be successful in bringing municipal jails up to state minimum standards.

We urge this committee to favorably recommend this bill to the full Senate.

Sincerely,



Diana Clark
Director, Administration of Justice



League of Women Voters of Texas
1212 Guadalupe, #107 • Austin, Texas 78701 • Tel.512/472-1100

May 14, 1985

TO: Senate Criminal Justice Committee
RE: SB 929, Washington

This is the second legislative session that members of the League of Women Voters of Texas have supported Senator Washington's attempt to bring municipal jails under the jurisdiction of the Texas Commission on Jail Standards.

We believe firmly that it is no less wrong for municipal jail prisoners to be held in unsafe, unsanitary, overcrowded, and perhaps unconstitutional municipal jails than it was for county jail prisoners in the past.

We have vigorously supported the initial creation of the Texas Commission on Jail Standards, its funding by the State of Texas, and its continued existence as a state agency. We think the commission has been successful in enforcement of its standards for county jails and that if SB 929 is ultimately passed by this legislature, it will be successful in bringing municipal jails up to state minimum standards.

We urge this committee to favorably recommend this bill to the full Senate.

Sincerely,

Diana Clark
Director, Administration of Justice

May 13, 1985

To: House State Affairs Committee
Re: HJR 63, S. Thompson

For most Americans taxation without representation ended 200 years ago. But residents of our nation's capital pay more in federal taxes than residents of ten other states. On a per capita basis they pay more than any other state except Alaska! Yet, unlike residents of the national capital of any other free world country, District of Columbia citizens are denied representation.

According to the 1980 census the District of Columbia has more inhabitants than four other states--Alaska, Delaware, Vermont, and Wyoming. Would anyone dare to suggest that with such small populations these states should not have a congressional representative and two senators? Of course not.

The amendment to provide full voting rights for the District of Columbia does not create a new state nor does it limit the extent of Congress' present jurisdiction over D.C. affairs.

Our arguments in favor of this amendment are based on the principle of fairness and democratic representation. Arguments against it appear to be based on superficial, partisan, and parochial concerns.

We have heard that D.C. citizens should not be represented in Congress because they "all" work for the federal government. Actually, only 30 per cent of the D.C. work force is federally employed. That constitutes only three per cent of all federally employed persons. Remember, many federal employees who work in the District actually live in Virginia or Maryland--where they do have Congressional representation. This argument also implies that a federal employee is not entitled to Congressional representation. If that were true, we would have to disenfranchise the other 97 per cent of federally employed persons who do not live in D.C.!

We have also heard that the District is "too black and too liberal." This kind of racial and narrow argument cannot be tolerated in the America of 1985. Congressional voting rights simply cannot be denied a group of citizens on the basis of their racial makeup or political tendency. Furthermore, anyone considering this issue should note that the elected local leadership of the District is bi-racial and bi-partisan. The District Council is also equally divided between men and women.

On the basis of simple justice we urge you to bring this amendment out of committee with a favorable report.

Thank you for your consideration of this matter.

Evelyn Bonavita
Legislative Director



League of Women Voters of Texas
1212 Guadalupe, #107 • Austin, Texas 78701 • Tel. 512/472-1100

May 13, 1985

To: House State Affairs Committee
Re: HJR 63, S. Thompson

For most Americans taxation without representation ended 200 years ago. But residents of our nation's capital pay more in federal taxes than residents of ten other states. On a per capita basis they pay more than any other state except Alaska! Yet, unlike residents of the national capital of any other free world country, District of Columbia citizens are denied representation.

According to the 1980 census the District of Columbia has more inhabitants than four other states--Alaska, Delaware, Vermont, and Wyoming. Would anyone dare to suggest that with such small populations these states should not have a congressional representative and two senators? Of course not.

The amendment to provide full voting rights for the District of Columbia does not create a new state nor does it limit the extent of Congress' present jurisdiction over D.C. affairs.

Our arguments in favor of this amendment are based on the principle of fairness and democratic representation. Arguments against it appear to be based on superficial, partisan, and parochial concerns.

We have heard that D.C. citizens should not be represented in Congress because they "all" work for the federal government. Actually, only 30 per cent of the D.C. work force is federally employed. That constitutes only three per cent of all federally employed persons. Remember, many federal employees who work in the District actually live in Virginia or Maryland--where they do have Congressional representation. This argument also implies that a federal employee is not entitled to Congressional representation. If that were true, we would have to disenfranchise the other 97 per cent of federally employed persons who do not live in D.C.!

We have also heard that the District is "too black and too liberal." This kind of racial and narrow argument cannot be tolerated in the America of 1985. Congressional voting rights simply cannot be denied a group of citizens on the basis of their racial makeup or political tendency. Furthermore, anyone considering this issue should note that the elected local leadership of the District is bi-racial and bi-partisan. The District Council is also equally divided between men and women.

On the basis of simple justice we urge you to bring this amendment out of committee with a favorable report.

Thank you for your consideration of this matter.

Evelyn Bonavita
Legislative Director



Testimony

League of Women Voters of Texas
1212 Guadalupe, #107 • Austin, Texas 78701 • Tel. 512/472-1100

May 1, 1985

TO THE SENATE NATURAL RESOURCES COMMITTEE:

HB 494

CSSR 249

I am Catherine Perrine, Water Director for the League of Women Voters of Texas. The League strongly supports several provisions of ^{House} Senate Bill ~~249~~ ⁴⁹⁴ that would encourage the Texas Department of Water Resources to be more responsive to citizen concerns and that would enable the Department to protect water quality more effectively.

Citizen Participation

Specifically, we believe that the earlier notice of permit applications (page 16, line 16, to page 17, line 1) will enable citizens to participate more effectively in permit hearings and should also shorten the time required for completion of these hearings.

We also support the provision directing the Water Commission to adopt rules as to who is eligible to participate in permit hearings (page 17, lines 5-13). We urge that you expand this section of the bill to assure that citizens having an interest in the use and enjoyment of the state's waters, as well as those owning affected property or water rights, be eligible to participate.

Another improvement included in the bill is a provision requiring systematic response by the Department to citizen complaints (page 8, lines 15-23).

Because the Water Code and Department procedures are complex and not well understood by most Texans, we believe that the Public Interest Office, established in 1977 when the Department of Water Resources was created, has an important responsibility in assisting citizen influence on Department decisions. We urge that you amend the section dealing with this Office (page 26, lines 6-19) to give the public interest advocate greater independence by providing for gubernatorial appointment and for a budget separate from that of the Department.

Water Quality Protection

In the area of water quality protection, we strongly support the proposed increases in civil penalties for violations of wastewater discharge permits (page 176, line 9 to page 180, line 18). However, it appears that exceptions for permits issued prior to EPA delegation of NPDES permit authority to the state are inconsistent with the intent of these increases (page 177, line 25 to page 178, line 10 and page 179, lines 4-16). We believe that these exceptions should be deleted.

Provisions for administrative penalties for violations of wastewater discharge permits, injection well permits, and solid waste permits are also important additions to the Department's powers to protect water quality (page 183, line 1, to page 190, line 2, and page 191, line 18, to page 195, line 7). In the committee substitute, the maximum amount of these administrative penalties is reduced from \$25,000 per day to \$10,000 per day. We believe that this reduction is appropriate; however, we do not support the additional reduction to \$5,000 maximum penalties for violations that are not committed "knowingly."

We also support the provisions included in the committee substitute for mandatory enforcement hearings for noncompliance with permits issued by the Water Commission. In particular, we believe that reduction of the period of noncompliance to four months is appropriate (page 17, line 14, to page 18, line 20).

In addition, we support the
The committee substitute retains a provision that the Texas Water Commission, in considering applications for water rights permits, assess the effects of these permits on water quality (page 124, lines 8-13). This provision is important to the achievement of water quality standards in some of the state's rivers and streams.

HB 494
The League also supports sections of ~~CSSB 249~~ that would authorize the Texas Department of Health to enforce provisions of the water code that affect the health or safety of the public (page 174, lines 2-17) and the Department of Water Resources to enforce water quality provisions of permits issued by the Railroad Commission (page 175, line 25, to page 176, line 8).

We also agree with the provision calling for comments by the Department of Water Resources on applications to the Railroad Commission for use of fresh water in connection with injection wells for enhanced recovery of oil (page 181, lines 5-20).

WATER DISTRICT AND AUTHORITY STUDY

HB 494
~~SB 249~~, as introduced, provided for an interim study of "the various types of water districts and authorities that may be created under the constitution to determine if their powers and duties are appropriate for management of the state's water resources and to determine if the state's role relative to the creation and operation of these districts and authorities should be changed."

The League supports this study.
The committee substitute limits the scope of this study to river authorities only (page 119, line 3, to page 120, line 20). We believe that the broader study originally proposed would be more useful. Concerns about the proliferation of water districts and enlargement of their powers were strongly expressed by local Leagues of Women Voters at our state convention last month.

WATER RELEASES TO BAYS AND ESTUARIES

bill
The committee substitute would add a new section to the water code dealing with payments for reservoir releases to bays and estuaries (page 173, lines 13-27). We hope that this controversial provision will be deleted from the sunset bill and that all issues pertaining to bays and estuaries will be dealt with by the conference committee now considering HB 2.

ORGANIZATION OF THE DEPARTMENT

The League has several concerns and questions pertaining to the committee substitute's proposed changes in the organization and administration of the Department of Water Resources, which constitute Part 1 of the bill (page 1, line 11, to page 119, line 1).

Will too much power and too many responsibilities be given to the three commissioners?

Should the checks and balances provided by the existing separation between "legislative" functions of the board and "judicial" functions of the commission be abandoned?

Will a three-member commission, composed of employees of the state who live in Austin, be as responsive to public concerns as a six-member (or nine-member) board living in various parts of the state?

Will the process of reorganizing the department disrupt important new and ongoing responsibilities for management of the state's water resources?

We recognize the imperfections of the present department organization. However, we doubt that a perfect organization chart for a state water department can be drawn. We hope that you will carefully consider such questions as those we have raised before approving the drastic reshuffling of department responsibilities that are proposed in CSSB 249.

April 29, 1985

Dear Representative:

THE LEAGUE OF WOMEN VOTERS OF TEXAS SEEKS YOUR SUPPORT FOR CSHB 2358, THE OMNIBUS HAZARDOUS WASTE BILL. HOWEVER, WE URGE YOU TO SUPPORT A STRENGTHENED VERSION OF CSHB 2359, THE HAZARDOUS WASTE FEE BILL.

CSHB 2358, the Hazardous Waste Omnibus Bill

CSHB 2358 is the product of environmental, industry, public interest, and citizen group compromise. It effectively addresses Texas' hazardous waste management needs in four critical areas: clean-up of dangerous sites, enhanced enforcement, use of preferred technologies, and the need for new sites. This omnibus bill provides the balance necessary to improve protection of public health and the environment without hindering economic development. This is Texas' first major effort to bring together diverse interests to examine all aspects of hazardous waste management and develop a comprehensive, balanced program to meet the state's needs. We urge your support of CSHB 2358.

CSHB 2359, the Hazardous Waste Fee Bill

A hazardous waste fee bill must have dual goals: it must not only generate revenue, but must also provide economic incentives for waste reduction and use of a hierarchy of waste management technologies that make disposal the option of last resort. CSHB 2359 does not adequately meet these goals. Therefore, we urge you to strengthen this bill before passing it.

We urge you to support a hazardous waste disposal fee to clean up dangerous sites, including the following:

- * \$14.5 million for the state Superfund match based on a Texas Department of Water Resources estimate for the biennium minus 25% we are projecting can be recovered from responsible parties during the biennium, a very optimistic forecast;
- * \$2 million to clean up sites for which there are no private party clean-up options and which don't make the federal national priority list, based on TDWR estimates;
- * \$2 million contingency fund to permit the state to clean up especially dangerous sites while Potentially Responsible Parties are litigating; costs will eventually be recovered but probably not in this biennium;

- * \$5 to \$10 million for fund administration because states with waste-end taxes that didn't provide sufficient program resources during start-up suffered revenue shortfalls in their early years according to a 1984 survey;
- * This \$19 million total for clean-up is a bargain compared to New York and New Jersey whose governors desire \$850 million and \$450 million respectively to handle approximately the same number of potential sites needing clean-up as we have in Texas.

The method of assessing this fee does not encourage waste reduction because the fee is assessed on dry weight, a significant issue when 78% of the waste disposed in Texas in 1983 went into deep wells. We prefer a range of fees as presented in the original bill, including reduced fees rather than waivers for incineration. We do not object to a cap on the fund as long as it recognizes that income will not necessarily be expended in the quarter in which it is raised.

We urge you to support a hazardous waste generation and facility fee to generate income for enhanced enforcement and for other activities mandated in CSHB 2358.

The cap on CSHB 2359's generation and facility fee fund does not provide adequate revenue. We believe \$5 million must be raised to allow CSHB 2358 to be funded adequately and to permit annual inspections of waste management facilities, re-inspections as needed, and significantly more frequent inspections of generators. (Forty-five out of 3200 generators were inspected last year, yet generators often cause the worst problems because they know the least about proper management.)

Conclusion

Please support CSHB 2358, the omnibus bill, as is. Please support raising a total of \$24 million in fees in CSHB 2359. The League's figures are not pie in the sky; we really think that greater amounts can be justified. Our figures are realistic assessments of what is needed to provide safe management of hazardous waste.

Sincerely,



Diane Sheridan
Hazardous Waste Director



League of Women Voters of Texas
1212 Guadalupe, #107 • Austin, Texas 78701 • Tel. 512/472-1100

April 29, 1985

Dear Representative:

THE LEAGUE OF WOMEN VOTERS OF TEXAS SEEKS YOUR SUPPORT FOR CSHB 2358, THE OMNIBUS HAZARDOUS WASTE BILL. HOWEVER, WE URGE YOU TO SUPPORT A STRENGTHENED VERSION OF CSHB 2359, THE HAZARDOUS WASTE FEE BILL.

CSHB 2358, the Hazardous Waste Omnibus Bill

CSHB 2358 is the product of environmental, industry, public interest, and citizen group compromise. It effectively addresses Texas' hazardous waste management needs in four critical areas: clean-up of dangerous sites; enhanced enforcement, use of preferred technologies, and the need for new sites. This omnibus bill provides the balance necessary to improve protection of public health and the environment without hindering economic development. This is Texas' first major effort to bring together diverse interests to examine all aspects of hazardous waste management and develop a comprehensive, balanced program to meet the state's needs. We urge your support of CSHB 2358.

CSHB 2359, the Hazardous Waste Fee Bill

A hazardous waste fee bill must have dual goals: it must not only generate revenue, but must also provide economic incentives for waste reduction and use of a hierarchy of waste management technologies that make disposal the option of last resort. CSHB 2359 does not adequately meet these goals. Therefore, we urge you to strengthen this bill before passing it.

We urge you to support a hazardous waste disposal fee to clean up dangerous sites, including the following:

- * \$14.5 million for the state Superfund match based on a Texas Department of Water Resources estimate for the biennium minus 25% we are projecting can be recovered from responsible parties during the biennium, a very optimistic forecast;
- * \$2 million to clean up sites for which there are no private party clean-up options and which don't make the federal national priority list, based on TDWR estimates;
- * \$2 million contingency fund to permit the state to clean up especially dangerous sites while Potentially Responsible Parties are litigating; costs will eventually be recovered but probably not in this biennium;

- * \$5 to \$10 million for fund administration because states with waste-end taxes that didn't provide sufficient program resources during start-up suffered revenue shortfalls in their early years according to a 1984 survey;
- * This \$19 million total for clean-up is a bargain compared to New York and New Jersey whose governors desire \$850 million and \$450 million respectively to handle approximately the same number of potential sites needing clean-up as we have in Texas.

The method of assessing this fee does not encourage waste reduction because the fee is assessed on dry weight, a significant issue when 78% of the waste disposed in Texas in 1983 went into deep wells. We prefer a range of fees as presented in the original bill, including reduced fees rather than waivers for incineration. We do not object to a cap on the fund as long as it recognizes that income will not necessarily be expended in the quarter in which it is raised.

We urge you to support a hazardous waste generation and facility fee to generate income for enhanced enforcement and for other activities mandated in CSHB 2358.

The cap on CSHB 2359's generation and facility fee fund does not provide adequate revenue. We believe \$5 million must be raised to allow CSHB 2358 to be funded adequately and to permit annual inspections of waste management facilities, re-inspections as needed, and significantly more frequent inspections of generators. (Forty-five out of 3200 generators were inspected last year, yet generators often cause the worst problems because they know the least about proper management.)

Conclusion

Please support CSHB 2358, the omnibus bill, as is. Please support raising a total of \$24 million in fees in CSHB 2359. The League's figures are not pie in the sky; we really think that greater amounts can be justified. Our figures are realistic assessments of what is needed to provide safe management of hazardous waste.

Sincerely,



Diane Sheridan
Hazardous Waste Director

April 29, 1985

HB 1507, Glossbrenner
House State Affairs Committee

The League of Women Voters of Texas supports the concept of comparable worth/ pay equity as a means of eliminating sex-based wage discrimination and helping to alleviate the ever-growing feminization of poverty.

Therefore, the League supports the provisions contained in HB 1507 by Representative Glossbrenner that would establish a comparable worth study committee that would examine state job classifications to establish an evaluation of these jobs on the basis of comparable worth. The League supports job evaluation studies that measure jobs in specific work places on the basis of skill, effort, training, responsibility, and working conditions necessary for the performance of the state employees' jobs.

The "feminization of poverty" is an issue that affects every spectrum of our economy and society. More women and their children are becoming poorer. Nationwide, the number of poor people in families headed by women jumped by 25% in the past two years.

Leaders in state government are studying and attacking the problem of wage discrimination in the traditional female jobs that go beyond the Equal Pay Act of 1963. Twenty states have either completed or are conducting comparable worth studies investigating the possibility of discriminatory wage practices.

The federal General Accounting Office (GAO) is preparing a report on how the comparable worth study of the federal civilian work force should be conducted and would establish criteria for job measurement/comparison and other specifications.

The federal study, as well as other state studies, could serve as an excellent model for our own state study.

This is a critical issue for working women and their children.

Thank you.

Sincerely,

Barbara McCormick

Barbara McCormick
Human Resources Director



League of Women Voters of Texas
1212 Guadalupe, #107 • Austin, Texas 78701 • Tel. 512/472-1100

April 29, 1985

HB 1507, Glossbrenner
House State Affairs Committee

The League of Women Voters of Texas supports the concept of comparable worth/ pay equity as a means of eliminating sex-based wage discrimination and helping to alleviate the ever-growing feminization of poverty.

Therefore, the League supports the provisions contained in HB 1507 by Representative Glossbrenner that would establish a comparable worth study committee that would examine state job classifications to establish an evaluation of these jobs on the basis of comparable worth. The League supports job evaluation studies that measure jobs in specific work places on the basis of skill, effort, training, responsibility, and working conditions necessary for the performance of the state employees' jobs.

The "feminization of poverty" is an issue that affects every spectrum of our economy and society. More women and their children are becoming poorer. Nationwide, the number of poor people in families headed by women jumped by 25% in the past two years.

Leaders in state government are studying and attacking the problem of wage discrimination in the traditional female jobs that go beyond the Equal Pay Act of 1963. Twenty states have either completed or are conducting comparable worth studies investigating the possibility of discriminatory wage practices.

The federal General Accounting Office (GAO) is preparing a report on how the comparable worth study of the federal civilian work force should be conducted and would establish criteria for job measurement/comparison and other specifications.

The federal study, as well as other state studies, could serve as an excellent model for our own state study.

This is a critical issue for working women and their children.

Thank you.

Sincerely,

Barbara McCormick

Barbara McCormick
Human Resources Director

April 29, 1985

HB 1648, Child Care
House State Affairs Committee

The League of Women Voters of Texas believes that the state of Texas should expand its role in child-care services by taking additional steps in seeing that quality, affordable child care is available to all working parents in this state. That is one of the League's legislative priorities.

Therefore, we urge your support for HB 1648 which would establish a task force and a pilot program to lease space to private tenants who would provide child-care services for pre-school children of state employees.

There have been several studies/surveys, including one from the Health and Human Services Coordinating Council, that show state employees need child care. These studies tie absenteeism to child care problems.

The number of children under six years of age is likely to climb to more than 23 million nationwide by 1990. Texas, with its growing population, will have a large share of these youngsters. One half, at least, of the mothers of these children will work to support their families.

Child care is obviously a growing concern for employers. In order to attract and retain workers, employers are becoming involved in child-care programs, and the number of employer programs has doubled since 1981.

The Bureau of National Affairs in its special 1984 report, Employers and Child Care: Development of a new Employee Benefit, describes several studies or surveys of corporations that provide various kinds of child care assistance. The findings of these studies clearly show the firms believed they were able to attract and keep talented employees and improve employee morale. Lower absentee rates, less turnover of employees and the ability to attract top people back to work were also shown to be very important results of child-care programs. Productivity, although more difficult to measure, certainly can be tied to reduced absenteeism.

Passage of HB 1648 will enable our state government to begin to realize these benefits. In this era of reduced budgets and the need for increased efficiency in state agencies, HB 1648 is a vital addition to the best possible employment strategy and plan.

The League of Women Voters applauds the intent and direction of this legislation. We urge your support for HB 1648.

Sincerely,

Barbara McCormick
Barbara McCormick, Human Resources Director



League of Women Voters of Texas
1212 Guadalupe, #107 • Austin, Texas 78701 • Tel. 512/472-1100

April 29, 1985

HB 1648, Child Care
House State Affairs Committee

The League of Women Voters of Texas believes that the state of Texas should expand its role in child-care services by taking additional steps in seeing that quality, affordable child care is available to all working parents in this state. That is one of the League's legislative priorities.

Therefore, we urge your support for HB 1648 which would establish a task force and a pilot program to lease space to private tenants who would provide child-care services for pre-school children of state employees.

There have been several studies/surveys, including one from the Health and Human Services Coordinating Council, that show state employees need child care. These studies tie absenteeism to child care problems.

The number of children under six years of age is likely to climb to more than 23 million nationwide by 1990. Texas, with its growing population, will have a large share of these youngsters. One half, at least, of the mothers of these children will work to support their families.

Child care is obviously a growing concern for employers. In order to attract and retain workers, employers are becoming involved in child-care programs, and the number of employer programs has doubled since 1981.

The Bureau of National Affairs in its special 1984 report, Employers and Child Care: Development of a new Employee Benefit, describes several studies or surveys of corporations that provide various kinds of child care assistance. The findings of these studies clearly show the firms believed they were able to attract and keep talented employees and improve employee morale. Lower absentee rates, less turnover of employees and the ability to attract top people back to work were also shown to be very important results of child-care programs. Productivity, although more difficult to measure, certainly can be tied to reduced absenteeism.

Passage of HB 1648 will enable our state government to begin to realize these benefits. In this era of reduced budgets and the need for increased efficiency in state agencies, HB 1648 is a vital addition to the best possible employment strategy and plan.

The League of Women Voters applauds the intent and direction of this legislation. We urge your support for HB 1648.

Sincerely,

Barbara McCormick
Barbara McCormick, Human Resources Director



League of Women Voters of Texas.
1212 Guadalupe, #107 • Austin, Texas 78701 • Tel. 512/472-1100

April 29, 1985

Dear Representative:

THE LEAGUE OF WOMEN VOTERS OF TEXAS SEEKS YOUR SUPPORT FOR CSHB 2358, THE OMNIBUS HAZARDOUS WASTE BILL. HOWEVER, WE URGE YOU TO SUPPORT A STRENGTHENED VERSION OF CSHB 2359, THE HAZARDOUS WASTE FEE BILL.

CSHB 2358, the Hazardous Waste Omnibus Bill

CSHB 2358 is the product of environmental, industry, public interest, and citizen group compromise. It effectively addresses Texas' hazardous waste management needs in four critical areas: clean-up of dangerous sites, enhanced enforcement, use of preferred technologies, and the need for new sites. This omnibus bill provides the balance necessary to improve protection of public health and the environment without hindering economic development. This is Texas' first major effort to bring together diverse interests to examine all aspects of hazardous waste management and develop a comprehensive, balanced program to meet the state's needs. We urge your support of CSHB 2358.

CSHB 2359, the Hazardous Waste Fee Bill

A hazardous waste fee bill must have dual goals: it must not only generate revenue, but must also provide economic incentives for waste reduction and use of a hierarchy of waste management technologies that make disposal the option of last resort. CSHB 2359 does not adequately meet these goals. Therefore, we urge you to strengthen this bill before passing it.

We urge you to support a hazardous waste disposal fee to clean up dangerous sites, including the following:

- * \$14.5 million for the state Superfund match based on a Texas Department of Water Resources estimate for the biennium minus 25% we are projecting can be recovered from responsible parties during the biennium, a very optimistic forecast;
- * \$2 million to clean up sites for which there are no private party clean-up options and which don't make the federal national priority list, based on TDWR estimates;
- * \$2 million contingency fund to permit the state to clean up especially dangerous sites while Potentially Responsible Parties are litigating; costs will eventually be recovered but probably not in this biennium;

- * \$5 to \$10 million for fund administration because states with waste-end taxes that didn't provide sufficient program resources during start-up suffered revenue shortfalls in their early years according to a 1984 survey;
- * This \$19 million total for clean-up is a bargain compared to New York and New Jersey whose governors desire \$850 million and \$450 million respectively to handle approximately the same number of potential sites needing clean-up as we have in Texas.

The method of assessing this fee does not encourage waste reduction because the fee is assessed on dry weight, a significant issue when 78% of the waste disposed in Texas in 1983 went into deep wells. We prefer a range of fees as presented in the original bill, including reduced fees rather than waivers for incineration. We do not object to a cap on the fund as long as it recognizes that income will not necessarily be expended in the quarter in which it is raised.

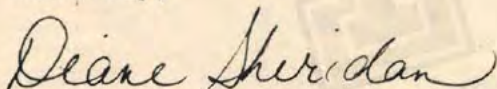
We urge you to support a hazardous waste generation and facility fee to generate income for enhanced enforcement and for other activities mandated in CSHB 2358.

The cap on CSHB 2359's generation and facility fee fund does not provide adequate revenue. We believe \$5 million must be raised to allow CSHB 2358 to be funded adequately and to permit annual inspections of waste management facilities, re-inspections as needed, and significantly more frequent inspections of generators. (Forty-five out of 3200 generators were inspected last year, yet generators often cause the worst problems because they know the least about proper management.)

Conclusion

Please support CSHB 2358, the omnibus bill, as is. Please support raising a total of \$24 million in fees in CSHB 2359. The League's figures are not pie in the sky; we really think that greater amounts can be justified. Our figures are realistic assessments of what is needed to provide safe management of hazardous waste.

Sincerely,



Diane Sheridan
Hazardous Waste Director

April 23, 1985

SB 1192, Caperton
Senate Criminal Justice Committee

Members of the League of Women Voters of Texas are very much opposed to the abolishment of the Commission on Jail Standards. The League has long been supportive of state-wide enforceable standards for county and municipal jails and was a strong advocate of the creation of the commission to carry out this mandate.

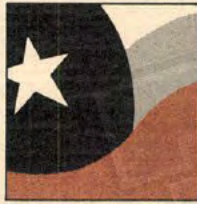
The League sees no logical reason for the demise of the commission now or in the foreseeable future. Thus, the League asks that you reject this bill.

Thank you.

Sincerely,

A handwritten signature in cursive script that reads "Diana Clark".

Diana Clark
Administration of Justice Director
League of Women Voters of Texas



League of Women Voters of Texas
1212 Guadalupe, #107 • Austin, Texas 78701 • Tel. 512/472-1100

April 23, 1985

SB 1192, Caperton
Senate Criminal Justice Committee

Members of the League of Women Voters of Texas are very much opposed to the abolishment of the Commission on Jail Standards. The League has long been supportive of state-wide enforceable standards for county and municipal jails and was a strong advocate of the creation of the commission to carry out this mandate.

The League sees no logical reason for the demise of the commission now or in the foreseeable future. Thus, the League asks that you reject this bill.

Thank you.

Sincerely,

Diana Clark
Administration of Justice Director
League of Women Voters of Texas

April 22, 1985

TO: Members of the Senate State Affairs Committee
RE: SJR 37, Senator Caperton

The League of Women Voters of Texas strongly supports efforts to improve the redistricting process, and we commend Senator Caperton for his attempt to address this problem.

Redistricting in Texas has been characterized by the courts as chaotic. In addition, it is costly, time-consuming and messy. The League has dubbed it "the decennial dilemma." SJR 37 addresses many of the current problems in a number of positive ways.

First, the bill establishes clear guidelines for drawing boundaries. Guidelines for redistricting are an important part of a good redistricting process. If criteria are well-developed and strictly adhered to, there is less opportunity for gerrymandering.

Second, the bill would establish an appointed reapportionment commission to do the initial work of drawing boundaries. But the legislature would retain the right of approval. SJR 37 would also place original jurisdiction in the Supreme Court of Texas to help bypass delays in litigation. It would also set up time limits for completing the process.

One suggestion we have for making this bill even stronger would be to allow the legislature to consider the redistricting plan in regular session if the work of the redistricting commission has been completed. Another suggestion would be for the commission to submit several plans initially to allow the legislators more options.

It is time to make some changes in the way the legislature redistricts itself, and the time to begin is now. SJR 37 is a positive way to address the needs of the redistricting problem.

Sincerely,



Louise Cummins
Redistricting Director



League of Women Voters of Texas
1212 Guadalupe, #107 • Austin, Texas 78701 • Tel. 512/472-1100

April 22, 1985

TO: Members of the Senate State Affairs Committee
RE: SJR 37, Senator Caperton

The League of Women Voters of Texas strongly supports efforts to improve the redistricting process, and we commend Senator Caperton for his attempt to address this problem.

Redistricting in Texas has been characterized by the courts as chaotic. In addition, it is costly, time-consuming and messy. The League has dubbed it "the decennial dilemma." SJR 37 addresses many of the current problems in a number of positive ways.

First, the bill establishes clear guidelines for drawing boundaries. Guidelines for redistricting are an important part of a good redistricting process. If criteria are well-developed and strictly adhered to, there is less opportunity for gerrymandering.

Second, the bill would establish an appointed reapportionment commission to do the initial work of drawing boundaries. But the legislature would retain the right of approval. SJR 37 would also place original jurisdiction in the Supreme Court of Texas to help bypass delays in litigation. It would also set up time limits for completing the process.

One suggestion we have for making this bill even stronger would be to allow the legislature to consider the redistricting plan in regular session if the work of the redistricting commission has been completed. Another suggestion would be for the commission to submit several plans initially to allow the legislators more options.

It is time to make some changes in the way the legislature redistricts itself, and the time to begin is now. SJR 37 is a positive way to address the needs of the redistricting problem.

Sincerely,

Louise Cummins
Redistricting Director

April 15, 1985

TO: Members of the House State Affairs Committee
RE: HB 486 (Kubiak)

The League of Women Voters of Texas opposes HB 486. We believe that public policy in a pluralistic society must affirm the individual's constitutional right of privacy to make reproductive choices.

In the Roe vs. Wade decision the U.S. Supreme Court declared that a woman has a first-trimester right to seek an abortion without state interference. This proposed bill would mandate that the state interfere with that right. Furthermore, the League opposes the attempts to set up limitations on equal access to abortion, such as parental notification, informed consent, and the efforts in this bill to remove abortion services from public hospitals and public funding. These efforts are discriminatory and unconstitutional.

The League makes no statement for or against abortion. We make no judgement on the morality of birth control measures or abortion. We speak only to the issue of the constitutional right of an individual to the privacy of choice. This bill would invade that right of privacy.

April 10, 1985

Senate Natural Resources Committee
RE: SB 725, TACB Re-authorization

The League of Women Voters of Texas supports the continuance of the TACB and the revisions made in SB 725.

More specifically I would like to address four main areas in the bill, public notification, permit renewals, grandfathered facilities, and auto inspections. The LWV has long believed that everyone benefits if the public is allowed to participate early in a permitting process. The newspaper notification and sign at the site provisions in this bill will get the issues in the open early and problems solved before rumors prevail or plans are too far along to permit accommodations. The whole issue of permit renewals and grandfathered facilities being allowed to pollute indefinitely needs to be addressed.

First the grandfathered or uncontrolled facilities. As Texas becomes more populated and it is more difficult to attain and/or maintain air quality standards, it is foolish to ignore facilities that are emitting thousands of tons of pollutants every hour. They could be a major contributor to a county's inability to reach attainment, not to mention its being unhealthy. A fair and equitable way needs to be found to control these unregulated polluters. Since TACB does not really know how many grandfathered facilities there are, nor their impact, provision is a good idea. The study committee is a good way to accomplish the fair controls.

Permits should have a time limit, as they have in SB 725, and compliance records and additional controls should be considered at the time of renewal. Pollution is often the result of an inefficient plant. Productivity and reduced pollution can be achieved simultaneously. A permit renewal may just be the catalyst to improve both.

Now for auto inspections. The Harris County parameter inspections should be statewide. The Harris County inspection consists of requiring the pollution controls to be on cars and a pluntismo paper test rubbed in the auto's tailpipe to check for misfueling of leaded gasoline. It is inexpensive to implement and affects only the polluter--the vehicle that has been misfueled or had its pollution control devices removed. The Department of Public Safety already has the authority to check for the presence of the pollution control equipment. They are only enforcing it statewide beginning this year though. The impact on pollution would be greater if they enforced it on autos made as long ago as 1980. What the DPS does not have authority to do except in non-attainment areas is check for auto misfueling via the pluntismo test.

The benefits of a statewide inspection to the non-attainment areas can be considerable without imposing a non-attainment status to adjacent counties with all its paper work and offset policies. Most counties are not monitored and may be exempt from all the

non-attainment regulation, not because they are clean, but because they are not monitored. These unclassified counties can also benefit then for health and growth reasons. If, for example, a major pollution emitter would want to locate in their county, other pollution emitters might be able to avoid putting on more pollution controls because the air would be generally cleaner.

EPA believes both a Harris County-type inspection and a tailpipe test is best. The LWV concurs and feels the provisions in this bill for its implementation in at least non-attainment areas are necessary, if not totally pragmatic.

The League also supports administrative penalties for permit violations, which might help the Air Control Board's poor enforcement record. In 1983 there were 10,000 inspections, 1,874 violations, 11 court cases and only 7 fines.

In closing, the LWV supports SB 725 with the inclusion of the Harris County-type vehicle inspection program to be expanded statewide.

Thank you.

Sincerely,

Kathy Jacob

Kathy Jacob

Air and Transportation Associate Director



League of Women Voters of Texas
1212 Guadalupe, #107 • Austin, Texas 78701 • Tel. 512/472-1100

April 10, 1985

Senate Natural Resources Committee
RE: SB 725, TACB Re-authorization

The League of Women Voters of Texas supports the continuance of the TACB and the revisions made in SB 725.

More specifically I would like to address four main areas in the bill, public notification, permit renewals, grandfathered facilities, and auto inspections. The LWV has long believed that everyone benefits if the public is allowed to participate early in a permitting process. The newspaper notification and sign at the site provisions in this bill will get the issues in the open early and problems solved before rumors prevail or plans are too far along to permit accommodations. The whole issue of permit renewals and grandfathered facilities being allowed to pollute indefinitely needs to be addressed.

First the grandfathered or uncontrolled facilities. As Texas becomes more populated and it is more difficult to attain and/or maintain air quality standards, it is foolish to ignore facilities that are emitting thousands of tons of pollutants every hour. They could be a major contributor to a county's inability to reach attainment, not to mention its being unhealthy. A fair and equitable way needs to be found to control these unregulated polluters. Since TACB does not really know how many grandfathered facilities there are, nor their impact, provision is a good idea. The study committee is a good way to accomplish the fair controls.

Permits should have a time limit, as they have in SB 725, and compliance records and additional controls should be considered at the time of renewal. Pollution is often the result of an inefficient plant. Productivity and reduced pollution can be achieved simultaneously. A permit renewal may just be the catalyst to improve both.

Now for auto inspections. The Harris County parameter inspections should be statewide. The Harris County inspection consists of requiring the pollution controls to be on cars and a plumbismo paper test rubbed in the auto's tailpipe to check for misfueling of leaded gasoline. It is inexpensive to implement and affects only the polluter--the vehicle that has been misfueled or had its pollution control devices removed. The Department of Public Safety already has the authority to check for the presence of the pollution control equipment. They are only enforcing it statewide beginning this year though. The impact on pollution would be greater if they enforced it on autos made as long ago as 1980. What the DPS does not have authority to do except in non-attainment areas is check for auto misfueling via the plumbismo test.

The benefits of a statewide inspection to the non-attainment areas can be considerable without imposing a non-attainment status to adjacent counties with all its paper work and offset policies. Most counties are not monitored and may be exempt from all the

non-attainment regulation, not because they are clean, but because they are not monitored. These unclassified counties can also benefit then for health and growth reasons. If, for example, a major pollution emitter would want to locate in their county, other pollution emitters might be able to avoid putting on more pollution controls because the air would be generally cleaner.

EPA believes both a Harris County-type inspection and a tailpipe test is best. The LWV concurs and feels the provisions in this bill for its implementation in at least non-attainment areas are necessary, if not totally pragmatic.

The League also supports administrative penalties for permit violations, which might help the Air Control Board's poor enforcement record. In 1983 there were 10,000 inspections, 1,874 violations, 11 court cases and only 7 fines.

In closing, the LWV supports SB 725 with the inclusion of the Harris County-type vehicle inspection program to be expanded statewide.

Thank you.

Sincerely,

Kathy Jacob

Kathy Jacob

Air and Transportation Associate Director

April 9, 1985

Testimony: HB 2358
House Environmental Affairs Committee

The League of Women Voters of Texas believes that wise management of hazardous waste is critical to environmental protection and necessary for economic development. Regulation of hazardous waste is still relatively new. Though good federal and state laws have been promulgated, changes are still needed. The work of the governor's Hazardous Waste Task Force, which complemented the work of the House-Senate Joint Committee on Hazardous Waste Siting, produced many excellent recommendations, some of which require legislative action.

HB 2358 is a comprehensive effort to implement those legislative recommendations as well as others. It has provided an excellent basis for discussion among those concerned about hazardous waste management issues including the League, the Texas Chemical Council, the Sierra Club, and others who served on the task force. In the last month, we have spent many hours refining the language of HB 2358 and considering additional issues, including some that have been the subject of other bills, especially those in HB 2099. We plan to present our recommendations to the subcommittee assigned to this bill, and we request your attention to our compromise efforts. We have made good progress, having resolved or tentatively resolved three-quarters of the issues under discussion. We expect to complete our deliberations April 16.

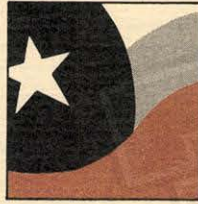
Our organizations know that hazardous waste issues are not simple to resolve. If they were, Texas would have cleaned up its abandoned sites; citizens would believe that those who violated laws would be caught; local governments would feel that site selection rules provided them adequate protection; and the public would believe it had sufficient access to the regulatory process. The League believes that the best solutions to difficult hazardous waste problems are achieved by working with the diverse parties interested in this controversial field. The omnibus bill that we hope will be returned to you for a vote will consist of items on which our diverse groups have come to agreement. The League is hopeful that the bill will address all of our members' concerns. Therefore, we urge you to make use of our deliberations in drafting a committee substitute that refines and expands HB 2358.

Thank you.

Sincerely,



Diane Sheridan
Hazardous Waste Director
472-1156



League of Women Voters of Texas
1212 Guadalupe, #107 • Austin, Texas 78701 • Tel. 512/472-1100

April 9, 1985

Testimony: HB 2358
House Environmental Affairs Committee

The League of Women Voters of Texas believes that wise management of hazardous waste is critical to environmental protection and necessary for economic development. Regulation of hazardous waste is still relatively new. Though good federal and state laws have been promulgated, changes are still needed. The work of the governor's Hazardous Waste Task Force, which complemented the work of the House-Senate Joint Committee on Hazardous Waste Siting, produced many excellent recommendations, some of which require legislative action.

HB 2358 is a comprehensive effort to implement those legislative recommendations as well as others. It has provided an excellent basis for discussion among those concerned about hazardous waste management issues including the League, the Texas Chemical Council, the Sierra Club, and others who served on the task force. In the last month, we have spent many hours refining the language of HB 2358 and considering additional issues, including some that have been the subject of other bills, especially those in HB 2099. We plan to present our recommendations to the subcommittee assigned to this bill, and we request your attention to our compromise efforts. We have made good progress, having resolved or tentatively resolved three-quarters of the issues under discussion. We expect to complete our deliberations April 16.

Our organizations know that hazardous waste issues are not simple to resolve. If they were, Texas would have cleaned up its abandoned sites; citizens would believe that those who violated laws would be caught; local governments would feel that site selection rules provided them adequate protection; and the public would believe it had sufficient access to the regulatory process. The League believes that the best solutions to difficult hazardous waste problems are achieved by working with the diverse parties interested in this controversial field. The omnibus bill that we hope will be returned to you for a vote will consist of items on which our diverse groups have come to agreement. The League is hopeful that the bill will address all of our members' concerns. Therefore, we urge you to make use of our deliberations in drafting a committee substitute that refines and expands HB 2358.

Thank you.

Sincerely,

Diane Sheridan

Diane Sheridan
Hazardous Waste Director
472-1156

*given before Senate Criminal
Justice Cmte 4/9/85*

April 8, 1985

Dear Senator:

The League of Women Voters of Texas supports SB 1167 because we believe restoration of good conduct time earned prior to parole revocation is a sensible incentive to promote positive behavior of those behind bars. It also gives the director needed flexibility in managing the inmate population.

The League of Women Voters of Texas supports SB 848 raising probation fees to \$25 a month as being a reasonable increase which would have a positive impact on the state Adult Probation Commission's ability to adequately support local departmental budgets. We understand that the House Appropriations Committee will recommend a fee as high as \$40 a month. We believe such a high fee may adversely affect the criminal justice system.

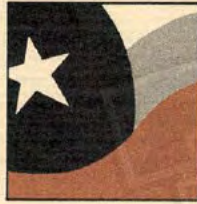
Sincerely,

Diana Clark

Diana Clark

Administration of Justice Associate Director

DC/mga



League of Women Voters of Texas
1212 Guadalupe, #107 • Austin, Texas 78701 • Tel. 512/472-1100

April 8, 1985

Dear Senator:

The League of Women Voters of Texas supports SB 1167 because we believe restoration of good conduct time earned prior to parole revocation is a sensible incentive to promote positive behavior of those behind bars. It also gives the director needed flexibility in managing the inmate population.

The League of Women Voters of Texas supports SB 848 raising probation fees to \$25 a month as being a reasonable increase which would have a positive impact on the state Adult Probation Commission's ability to adequately support local departmental budgets. We understand that the House Appropriations Committee will recommend a fee as high as \$40 a month. We believe such a high fee may adversely affect the criminal justice system.

Sincerely,

Diana Clark

Administration of Justice Associate Director

DC/mga

*distributed to
H. Human Services
4/3/85 - WED*

April 3, 1985

Dear

The League of Women Voters of Texas urges your support and vote for the Omnibus Hunger Bill of 1985. We have long worked for supportive programs and assistance for those in need and for uniform standards for eligibility and benefits.

League members recognize and support the need for state legislation to expand current programs like WIC, Food Stamps, and Home Delivered Meals for those incapable of preparing their own food.

We believe that the Senate Committee on Hunger and Nutrition has clearly and commendably documented the need for food assistance to low-income women, infants, children, elderly persons, and families needing emergency food. The committee has addressed the nutritional and health status of these groups in Texas, as well.

Further, we are very supportive of the Sections 4 through 8 that would expand and expedite the process for obtaining Food Stamps. We urge your attention and support for state agency materials that clearly and simply explain the process and eligibility for applying for Food Stamps. Assistance in filling out forms and completing the application process is also essential.

It seems a tragic and unnecessary step for a person with hungry children to have to go to Legal Services, community agencies, or United Way funded agencies to obtain assistance with the long, complicated Texas application forms that must be completed correctly before Food Stamp assistance can be considered.

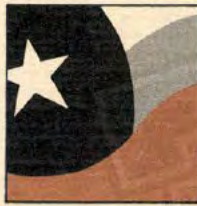
The League of Women Voters of Texas urges your support for the provisions in HB 1001 by Representative Hinojosa and for the authorization of state funds for this legislation.

Thank you.

Sincerely,

Barbara McCormick

Barbara McCormick
Human Resources Director



League of Women Voters of Texas
1212 Guadalupe, #107 • Austin, Texas 78701 • Tel. 512/472-1100

April 3, 1985

Dear

The League of Women Voters of Texas urges your support and vote for the Omnibus Hunger Bill of 1985. We have long worked for supportive programs and assistance for those in need and for uniform standards for eligibility and benefits.

League members recognize and support the need for state legislation to expand current programs like WIC, Food Stamps, and Home Delivered Meals for those incapable of preparing their own food.

We believe that the Senate Committee on Hunger and Nutrition has clearly and commendably documented the need for food assistance to low-income women, infants, children, elderly persons, and families needing emergency food. The committee has addressed the nutritional and health status of these groups in Texas, as well.

Further, we are very supportive of the Sections 4 through 8 that would expand and expedite the process for obtaining Food Stamps. We urge your attention and support for state agency materials that clearly and simply explain the process and eligibility for applying for Food Stamps. Assistance in filling out forms and completing the application process is also essential.

It seems a tragic and unnecessary step for a person with hungry children to have to go to Legal Services, community agencies, or United Way funded agencies to obtain assistance with the long, complicated Texas application forms that must be completed correctly before Food Stamp assistance can be considered.

The League of Women Voters of Texas urges your support for the provisions in HB 1001 by Representative Hinojosa and for the authorization of state funds for this legislation.

Thank you.

Sincerely,

Barbara McCormick

Barbara McCormick
Human Resources Director



Testimony

LC
EB ✓
30

League of Women Voters of Texas
1212 Guadalupe, #107 • Austin, Texas 78701 • Tel. 512/472-1100

April 3, 1985

TO THE CONFERENCE COMMITTEE ON H.B. 2:

Attached are three suggested amendments to DRAFT NO. 1. UNDERGROUND WATER CONSERVATION DISTRICTS, which you considered yesterday.

Before explaining our reasons for drafting these amendments, we would like to express our strong opposition to any change in DRAFT NO. 1 that would require districts to exempt additional existing wells. Such a requirement would weaken the present law and would severely limit the ability of new districts to solve problems (pollution, subsidence, depletion, etc.) that are caused by overpumping.

Local districts can now exempt existing wells, and they could do so under HB 2, as passed by both the House and the Senate. But they also have, and should continue to have, the power to permit and regulate these wells. State law should not be changed so as to prohibit locally desired solutions to local groundwater problems.

The attached amendments are suggested for the following reasons:

Sec. 52.156. This proposed amendment would, like the Senate version, limit a district's powers to purchase, sell, transport, and distribute water to recharge purposes. This is consistent with the purposes for which these districts are created: the conservation and protection of underground water. We see no need to expand these purposes to include water supply. More importantly, the power to buy and sell groundwater, as included in DRAFT NO. 1, could constitute a conflict with the district's function of regulating the spacing and production of wells.

Subsection (h) of Sec. 52.170. This language is suggested to express more clearly what we understood as the intent of the conferees: to assure the prompt permitting of wells in existing districts that were previously exempt from regulation, but that would require permits under the new requirements of HB 2--that is, wells producing 25,000 to 100,000 gallons per day.

Sec. 52.171. This section is rewritten to clarify a district's power to require fees for issuing permits in accordance with Sec. 52.166 and/or annual fees based on the size, capacity, or production of wells. Fees could be used either as a supplement to, or a substitute for, the property tax as a means of financing the district's operations. We urge that local boards be given the option of financing their district by annual fees where this is perceived by them to be preferable to the property tax. As you know, the Harris-Galveston district finances its operations entirely by fees. We anticipate that this method of financing would be chosen in other areas where a substantial portion of the water used is surface water and/or where the major water uses are municipal and industrial.

Catherine Perrine, Water Director

Sec. 52.156 [52-105]. PURCHASE, SALE, TRANSPORTATION, AND DISTRIBUTION OF WATER [PROHIBITED]. A [No] district may purchase, sell, transport, and [or] distribute surface water [~~or-underground-water~~] for the purpose of recharging an underground water reservoir or its subdivision. A district may not purchase, sell, or distribute underground water for any purpose.

SUBSTITUTE FOR page 21, lines 13-16. DRAFT NO. 1. UNDERGROUND WATER CONSERVATION DISTRICTS, considered by the conference committee on H.B. 2, April 2, 1985.

(h) This subsection applies to wells located within the boundaries of the following districts as they exist on the effective date of H.B. No. 2, Acts of the 69th Legislature, Regular Session, 1985:

- (1) the North Plains . . .
- (2) the Ground Water Conservation District No. 3 . . .
- (3) the Glasscock . . .
- (4) the Dallam . . .
- (5) the High Plains . . .
- (6) the Hickory . . .
- (7) the Hudspeth . . .

A well in any of these districts that was drilled, completed, and equipped prior to the effective date of H.B. No. 2, Acts of the 69th Legislature, Regular Session, 1985, so that it can produce 25,000 gallons or more per day, but less than 100,000 gallons per day, shall be granted a permit by the district immediately on receipt of a permit application. The board shall adopt rules providing for the filing of applications for and the issuance of these permits. On issuance of a permit for a well under this subsection, the well is subject to the jurisdiction of the district, but the permittee may not be required to change or alter the well as a condition for the issuance of this initial permit.

SUBSTITUTE FOR page 27, lines 20-27, and page 28, lines 1-6, DRAFT NO. 1.
UNDERGROUND WATER CONSERVATION DISTRICTS, considered by the conference committee
on H.B. 2, April 2, 1985.

Sec. 52.171. WATER WELL FEES. (a) A district may impose a permit fee for the drilling, equipping, or completing of wells, or for substantially altering the size of wells or well pumps, or for all of these operations. A district may also impose an annual fee based on the size of the column pipe used in the water well, on the production capacity of the well, or on the amount of water produced.

(b) The board shall adopt rules relating to the rates for any fees imposed by the district, the manner and form for filing reports of fees, and the manner for collection of fees.

(c) The money collected from fees may be used by the district to manage and operate the district and to pay all or part of the principal of and interest on district bonds.

SUBSTITUTE FOR page 28, lines 21-27, and page 29, lines 1-5, DRAFT NO. 1.
UNDERGROUND WATER CONSERVATION DISTRICTS, considered by the conference committee
on H.B. 2, April 2, 1985.

*Distributed to
members of H. Hum.
Services Cmt.
4/3/85*

April 3, 1985

Dear

The League of Women Voters of Texas urges your yes vote on HB 349 by Barton that relates to child care.

For the protection of Texas children, we firmly support the provisions which would allow fewer children in registered family homes during after-school or summer care as well as allow the Department of Human Resources to revoke the registration of a registered family home.

Another very important section of this legislation enables the county or district attorney of the county where the child-care facility is located to conduct a suit at the attorney general's request. More effective enforcement of child care standards and requirements means more protection for children in child day care facilities throughout the state.

Thank you.

Sincerely,

Barbara McCormick

Barbara McCormick
Human Resources Director

BMc/mga



League of Women Voters of Texas
1212 Guadalupe, #107 • Austin, Texas 78701 • Tel. 512/472-1100

April 3, 1985

Dear

The League of Women Voters of Texas urges your yes vote on HB 349 by Barton that relates to child care.

For the protection of Texas children, we firmly support the provisions which would allow fewer children in registered family homes during after-school or summer care as well as allow the Department of Human Resources to revoke the registration of a registered family home.

Another very important section of this legislation enables the county or district attorney of the county where the child-care facility is located to conduct a suit at the attorney general's request. More effective enforcement of child care standards and requirements means more protection for children in child day care facilities throughout the state.

Thank you.

Sincerely,

Barbara McCormick

Barbara McCormick
Human Resources Director

BMc/mga

March 27, 1985

Dear Senator

The League of Women Voters of Texas supports the concept of pay equity as a means of eliminating sex-based wage discrimination and helping to alleviate the ever-growing feminization of poverty.

Therefore, the League supports the provisions contained in SCR 50 by Senator Barrientos that would establish a Select Committee on Pay Equity that would evaluate the practices and job classifications that determine wages of the state employees of Texas. If it is found to be necessary, the League supports job evaluation studies that measure jobs in specific work places on the basis of skill, effort, training, responsibility, and working conditions necessary for the performance of the state employees' jobs.

The "feminization of poverty" is an issue that affects every spectrum of our economy and society. More women and their children are becoming poorer. Nationwide, the number of poor people in families headed by women jumped by 25% in the past two years.

Leaders in state government are studying and attacking the problem of wage discrimination in the traditional female jobs that go beyond the Equal Pay Act of 1963. Twenty states have either completed or are conducting comparable worth studies investigating the possibility of discriminatory wage practices.

The federal General Accounting Office (GAO) is preparing a report on how the comparable worth study of the federal civilian work force should be conducted and would establish criteria for job measurement/comparison and other specifications. That report is due this month.

SCR 50 would ensure that employment discrimination, if it exists, is eliminated from the state government.

This is a critical issue for working women and their children.

Thank you.

A handwritten signature in cursive script that reads "Barbara McCormick".

Barbara McCormick, Human Resources Director
League of Women Voters of Texas

BMc/mga

March 27, 1985

Dear Senator

The League of Women Voters of Texas supports the concept of pay equity as a means of eliminating sex-based wage discrimination and helping to alleviate the ever-growing feminization of poverty.

Therefore, the League supports the provisions contained in SCR 50 by Senator Barrientos that would establish a Select Committee on Pay Equity that would evaluate the practices and job classifications that determine wages of the state employees of Texas. If it is found to be necessary, the League supports job evaluation studies that measure jobs in specific work places on the basis of skill, effort, training, responsibility, and working conditions necessary for the performance of the state employees' jobs.

The "feminization of poverty" is an issue that affects every spectrum of our economy and society. More women and their children are becoming poorer. Nationwide, the number of poor people in families headed by women jumped by 25% in the past two years.

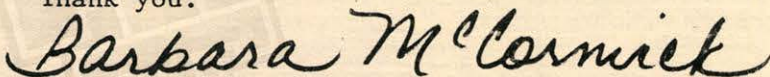
Leaders in state government are studying and attacking the problem of wage discrimination in the traditional female jobs that go beyond the Equal Pay Act of 1963. Twenty states have either completed or are conducting comparable worth studies investigating the possibility of discriminatory wage practices.

The federal General Accounting Office (GAO) is preparing a report on how the comparable worth study of the federal civilian work force should be conducted and would establish criteria for job measurement/comparison and other specifications. That report is due this month.

SCR 50 would ensure that employment discrimination, if it exists, is eliminated from the state government.

This is a critical issue for working women and their children.

Thank you.



Barbara McCormick, Human Resources Director
League of Women Voters of Texas

BMc/mga



League of Women Voters of Texas
1212 Guadalupe, #107 • Austin, Texas 78701 • Tel. 512/472-1100

April 9, 1985

Testimony: HB 2358
House Environmental Affairs Committee

The League of Women Voters of Texas believes that wise management of hazardous waste is critical to environmental protection and necessary for economic development. Regulation of hazardous waste is still relatively new. Though good federal and state laws have been promulgated, changes are still needed. The work of the governor's Hazardous Waste Task Force, which complemented the work of the House-Senate Joint Committee on Hazardous Waste Siting, produced many excellent recommendations, some of which require legislative action.

HB 2358 is a comprehensive effort to implement those legislative recommendations as well as others. It has provided an excellent basis for discussion among those concerned about hazardous waste management issues including the League, the Texas Chemical Council, the Sierra Club, and others who served on the task force. In the last month, we have spent many hours refining the language of HB 2358 and considering additional issues, including some that have been the subject of other bills, especially those in HB 2099. We plan to present our recommendations to the subcommittee assigned to this bill, and we request your attention to our compromise efforts. We have made good progress, having resolved or tentatively resolved three-quarters of the issues under discussion. We expect to complete our deliberations April 16.

Our organizations know that hazardous waste issues are not simple to resolve. If they were, Texas would have cleaned up its abandoned sites; citizens would believe that those who violated laws would be caught; local governments would feel that site selection rules provided them adequate protection; and the public would believe it had sufficient access to the regulatory process. The League believes that the best solutions to difficult hazardous waste problems are achieved by working with the diverse parties interested in this controversial field. The omnibus bill that we hope will be returned to you for a vote will consist of items on which our diverse groups have come to agreement. The League is hopeful that the bill will address all of our members' concerns. Therefore, we urge you to make use of our deliberations in drafting a committee substitute that refines and expands HB 2358.

Thank you.

Sincerely,

Diane Sheridan

Diane Sheridan
Hazardous Waste Director
472-1156

March 27, 1985

TO: Members of the Senate State Affairs Committee
RE: SB 616

For many years the League of Women Voters of Texas has taken a position in favor of recodification of the state's election laws to eliminate obsolete matter and clarify ambiguous provisions. We believe this bill (SB 616) achieves much toward the goal of clearly stated election laws in a more accurate, concise, and usable form than the current code. The proposed code is the result of a year-long effort of two broad based committees (Study Committee and Advisory Committee) whose members worked well together and unanimously agreed to submit their report to the legislature.

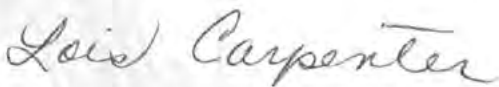
The League's principle of support of the right of every citizen to vote is addressed in many of the provisions of the code as is the right to a secret ballot (requirement of voting booths to be used at all polling places).

The League's position of "mandatory uniform training for all election personnel" is furthered in the proposed code's requirement of training programs to be conducted for election officers in primary and county elections and the requirement that election judges complete such training. The secretary of state is given the responsibility for providing training materials and other resources upon request of the county executive committee or county clerk or other political subdivisions.

The proposed code replaces the current five-year period of waiting to become registered voters with a two year period following discharge for felons or probationers and allows those who have been parolees or probationers to become registered voters as soon as they are released from supervision. This is a move toward the League's position of automatic restoration of voting rights to felons upon completion of their sentence and/or probationary period. The League supports this recodification effort.

Thank you.


Rowena Rodgers, Election Laws Director


Lois Carpenter, President



League of Women Voters of Texas
1212 Guadalupe, #107 • Austin, Texas 78701 • Tel. 512/472-1100

March 27, 1985

TO: Members of the Senate State Affairs Committee
RE: SB 616

For many years the League of Women Voters of Texas has taken a position in favor of recodification of the state's election laws to eliminate obsolete matter and clarify ambiguous provisions. We believe this bill (SB 616) achieves much toward the goal of clearly stated election laws in a more accurate, concise, and usable form than the current code. The proposed code is the result of a year-long effort of two broad based committees (Study Committee and Advisory Committee) whose members worked well together and unanimously agreed to submit their report to the legislature.

The League's principle of support of the right of every citizen to vote is addressed in many of the provisions of the code as is the right to a secret ballot (requirement of voting booths to be used at all polling places).

The League's position of "mandatory uniform training for all election personnel" is furthered in the proposed code's requirement of training programs to be conducted for election officers in primary and county elections and the requirement that election judges complete such training. The secretary of state is given the responsibility for providing training materials and other resources upon request of the county executive committee or county clerk or other political subdivisions.

The proposed code replaces the current five-year period of waiting to become registered voters with a two year period following discharge for felons or probationers and allows those who have been parolees or probationers to become registered voters as soon as they are released from supervision. This is a move toward the League's position of automatic restoration of voting rights to felons upon completion of their sentence and/or probationary period. The League supports this recodification effort.

Thank you.

Rowena Rodgers
Rowena Rodgers, Election Laws Director

Lois Carpenter
Lois Carpenter, President



League of Women Voters of Texas
1212 Guadalupe, #107 • Austin, Texas 78701 • Tel. 512/472-1100
February 18, 1986

TEXAS AIR CONTROL BOARD
ATTENTION: Regulation Development Division
RE: Proposed Rules Implementing HB 2358

The League of Women Voters of Texas commends the Texas Air Control Board and the Texas Water Commission for their proposed rules concerning control of air pollution from hazardous waste or solid waste management facilities. We feel the proposed rules represent an effort to comply with not only the intent but also the spirit of the law. The intent of this section of HB 2358, as enacted by the 69th Legislature in 1985, was to consolidate the permitting process without sacrificing environmental protection or public involvement. Single permitting can save time and money for the public, industry, and government alike--a worthy and necessary goal. It was recognized that the TACB would be the main agency affected by making the Texas Water Commission the lead agency. The intent was not to give up the board's expertise in air quality, but rather to find a way to incorporate that expertise into a single hazardous waste permit process.

The League believes the proposed rules meet the intent of the legislation, and often the spirit in which it was developed, in two areas in particular. First, we are pleased that the board and commission chose to implement this section of the law by rule rather than by memoranda of agreement, thus giving interested parties the opportunity to know what the proposals are, to comment on them, and ultimately to monitor their enforcement. Secondly, the League is pleased that the proposed rules are not restricted to being consistent only with the Resource Conservation and Recovery Act (RCRA) but also include general air emission requirements that require compliance with all relevant statutes. We believe this will help ensure that environmental protection is not lost by single permitting.

There are a few areas in which the League seeks clarification in the proposed rules. In Section 335.362, Applicability, there is no mention of the language in HB 2358 [Solid Waste Disposal Act; Section 4(e)(4)(A)(ii)] explaining when permit applications shall not be affected by this section of the law. That language was developed to avoid interference with specified permit applications for hazardous waste and solid waste management facilities for which contested evidentiary hearings have commenced at the TACB. The League urges the board and the commission to incorporate that language of the law directly into this section of the rules in order to make the applicability of the rules clear to those who read them. This same issue of applicability should be clarified in Section 335.367(a) referring to specific air emission requirements for facilities which have not operated prior to September 1, 1985.

The League has both questions and concerns about the last section of the proposed rules, Section 335.367, Specific Air Emission Requirements for New or Existing Hazardous or Solid Waste Management Facilities. Subsection (a) describes requirements for facilities which have operated prior to September 1, 1985. We assume that most such facilities are operating under RCRA interim status until action on their Part B permit applications. The League believes that RCRA Part B facilities affected by these rules should supply at least the information required in (b)(2) to the Texas Water Commission at the time their Part B is filed. [Subsection (b)(2) does not currently note when and to whom such information must be submitted.] The TACB could then review the information during its technical review of the application.

If the Part B has been filed but technical review not yet completed, the required information should be submitted as soon as possible for review before action on the permit. For facilities with final permits, the information can be submitted as described in the proposed rules.

The League believes the public will benefit by the increased environmental protection that will come from the ability to modify a facility or even deny a permit based on timely review of all relevant data, including air quality information. As presently proposed, the rules allow a Part B to be granted to a facility that may need air quality controls and allow that facility to operate without even monitoring emissions for almost six months. The League sees no reason to delay monitoring and action when time exists to correct problems during the permitting process.

A second issue that arises in Section 335.362 is how to handle compliance problems of facilities that have been in operation. First, Subsection (a)(4) does not clarify when and to whom monitoring data or dispersion modeling must be submitted. We assume such data must be submitted with the permit application since failure to submit may be grounds for permit denial. However, clarification is required on these items.

Secondly, the League believes failure to submit required information, which an operating facility should already have, should be grounds for permit denial.

Thirdly, the League believes review of compliance history is as important as review of design features in determining how to act on a permit application. Technical review determines whether a facility is able to operate to protect human health and the environment while doing the job for which it is intended. Compliance history indicates whether a company is willing to operate its facilities as required by the laws that protect human health and the environment. When a hazardous waste permit is being considered, both the ability and the willingness to manage waste wisely should be considered. Because of our concern about compliance, we believe air quality compliance data should be treated the same way that the Texas Water Commission now treats other compliance information under HB 2358.

The League appreciates having the opportunity to comment on these proposed rules. If we can clarify any of our comments we shall be glad to do so. Despite a few concerns, we again want to emphasize that we believe the board and the commission have proposed rules that aim to carry out the spirit as well as the intent of a law we consider a giant step forward in Texas' management of hazardous waste.

Diane Sheridan, Hazardous Waste Director

(713) 326-5253

February 18, 1986

TEXAS AIR CONTROL BOARD

ATTENTION: Regulation Development Division

RE: Proposed Rules Implementing HB 2358

The League of Women Voters of Texas commends the Texas Air Control Board and the Texas Water Commission for their proposed rules concerning control of air pollution from hazardous waste or solid waste management facilities. We feel the proposed rules represent an effort to comply with not only the intent but also the spirit of the law. The intent of this section of HB 2358, as enacted by the 69th Legislature in 1985, was to consolidate the permitting process without sacrificing environmental protection or public involvement. Single permitting can save time and money for the public, industry, and government alike--a worthy and necessary goal. It was recognized that the TACB would be the main agency affected by making the Texas Water Commission the lead agency. The intent was not to give up the board's expertise in air quality, but rather to find a way to incorporate that expertise into a single hazardous waste permit process.

The League believes the proposed rules meet the intent of the legislation, and often the spirit in which it was developed, in two areas in particular. First, we are pleased that the board and commission chose to implement this section of the law by rule rather than by memoranda of agreement, thus giving interested parties the opportunity to know what the proposals are, to comment on them, and ultimately to monitor their enforcement. Secondly, the League is pleased that the proposed rules are not restricted to being consistent only with the Resource Conservation and Recovery Act (RCRA) but also include general air emission requirements that require compliance with all relevant statutes. We believe this will help ensure that environmental protection is not lost by single permitting.

There are a few areas in which the League seeks clarification in the proposed rules. In Section 335.362, Applicability, there is no mention of the language in HB 2358 [Solid Waste Disposal Act, Section 4(e)(4)(A)(ii)] explaining when permit applications shall not be affected by this section of the law. That language was developed to avoid interference with specified permit applications for hazardous waste and solid waste management facilities for which contested evidentiary hearings have commenced at the TACB. The League urges the board and the commission to incorporate that language of the law directly into this section of the rules in order to make the applicability of the rules clear to those who read them. This same issue of applicability should be clarified in Section 335.367(a) referring to specific air emission requirements for facilities which have not operated prior to September 1, 1985.

The League has both questions and concerns about the last section of the proposed rules, Section 335.367, Specific Air Emission Requirements for New or Existing Hazardous or Solid Waste Management Facilities. Subsection (a) describes requirements for facilities which have operated prior to September 1, 1985. We assume that most such facilities are operating under RCRA interim status until action on their Part B permit applications. The League believes that RCRA Part B facilities affected by these rules should supply at least the information required in (b)(2) to the Texas Water Commission at the time their Part B is filed. [Subsection (b)(2) does not currently note when and to whom such information must be submitted.] The TACB could then review the information during its technical review of the application.

If the Part B has been filed but technical review not yet completed, the required information should be submitted as soon as possible for review before action on the permit. For facilities with final permits, the information can be submitted as described in the proposed rules.

The League believes the public will benefit by the increased environmental protection that will come from the ability to modify a facility or even deny a permit based on timely review of all relevant data, including air quality information. As presently proposed, the rules allow a Part B to be granted to a facility that may need air quality controls and allow that facility to operate without even monitoring emissions for almost six months. The League sees no reason to delay monitoring and action when time exists to correct problems during the permitting process.

A second issue that arises in Section 335.362 is how to handle compliance problems of facilities that have been in operation. First, Subsection (a)(4) does not clarify when and to whom monitoring data or dispersion modeling must be submitted. We assume such data must be submitted with the permit application since failure to submit may be grounds for permit denial. However, clarification is required on these items.

Secondly, the League believes failure to submit required information, which an operating facility should already have, should be grounds for permit denial.

Thirdly, the League believes review of compliance history is as important as review of design features in determining how to act on a permit application. Technical review determines whether a facility is able to operate to protect human health and the environment while doing the job for which it is intended. Compliance history indicates whether a company is willing to operate its facilities as required by the laws that protect human health and the environment. When a hazardous waste permit is being considered, both the ability and the willingness to manage waste wisely should be considered. Because of our concern about compliance, we believe air quality compliance data should be treated the same way that the Texas Water Commission now treats other compliance information under HB 2358.

The League appreciates having the opportunity to comment on these proposed rules. If we can clarify any of our comments we shall be glad to do so. Despite a few concerns, we again want to emphasize that we believe the board and the commission have proposed rules that aim to carry out the spirit as well as the intent of a law we consider a giant step forward in Texas' management of hazardous waste.

Diane Sheridan, Hazardous Waste Director

██████████



League of Women Voters of Texas
1212 Guadalupe, #107 • Austin, Texas 78701 • Tel. 512/472-1100

March 27, 1985

Dear Senator

The League of Women Voters of Texas supports the concept of pay equity as a means of eliminating sex-based wage discrimination and helping to alleviate the ever-growing feminization of poverty.

Therefore, the League supports the provisions contained in SCR 50 by Senator Barrientos that would establish a Select Committee on Pay Equity that would evaluate the practices and job classifications that determine wages of the state employees of Texas. If it is found to be necessary, the League supports job evaluation studies that measure jobs in specific work places on the basis of skill, effort, training, responsibility, and working conditions necessary for the performance of the state employees' jobs.

The "feminization of poverty" is an issue that affects every spectrum of our economy and society. More women and their children are becoming poorer. Nationwide, the number of poor people in families headed by women jumped by 25% in the past two years.

Leaders in state government are studying and attacking the problem of wage discrimination in the traditional female jobs that go beyond the Equal Pay Act of 1963. Twenty states have either completed or are conducting comparable worth studies investigating the possibility of discriminatory wage practices.

The federal General Accounting Office (GAO) is preparing a report on how the comparable worth study of the federal civilian work force should be conducted and would establish criteria for job measurement/comparison and other specifications. That report is due this month.

SCR 50 would ensure that employment discrimination, if it exists, is eliminated from the state government.

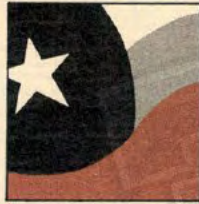
This is a critical issue for working women and their children.

Thank you.

Barbara McCormick

Barbara McCormick, Human Resources Director
League of Women Voters of Texas

BMc/mga



League of Women Voters of Texas
1212 Guadalupe, #107 • Austin, Texas 78701 • Tel. 512/472-1100

March 26, 1985

House Liquor Regulations Committee
RE: HB 869, Lena Guerrero

Over the past decade, the League of Women Voters of the United States has backed a variety of bottle bills in several states. Bottle bills are presently working in Oregon, Vermont, Michigan, Maine, Iowa, Connecticut, Delaware, and New York. A 1982 victory in the New York legislature culminated a seven-year effort on the part of the League of Women Voters to see a container deposit bill become law.

The League of Women Voters of Texas hopes that HB 869 will provide our state with a similar common sense approach to the wasteful practice of throwing away beverage containers. We support a return to the returnable container, with the attendant energy and natural resource savings, the reduction in litter, and the dollar savings to the beverage consumer.

Thank you for your time.

Dolores Hayter

Dolores Hayter, Solid Waste Associate Director
League of Women Voters of Texas

March 26, 1985

House Liquor Regulations Committee
RE: HB 869, Lena Guerrero

Over the past decade, the League of Women Voters of the United States has backed a variety of bottle bills in several states. Bottle bills are presently working in Oregon, Vermont, Michigan, Maine, Iowa, Connecticut, Delaware, and New York. A 1982 victory in the New York legislature culminated a seven-year effort on the part of the League of Women Voters to see a container deposit bill become law.

The League of Women Voters of Texas hopes that HB 869 will provide our state with a similar common sense approach to the wasteful practice of throwing away beverage containers. We support a return to the returnable container, with the attendant energy and natural resource savings, the reduction in litter, and the dollar savings to the beverage consumer.

Thank you for your time.

Dolores Hayter

Dolores Hayter, Solid Waste Associate Director
League of Women Voters of Texas

March 18, 1985

Testimony: Child Day Care
House Appropriations Committee

The League of Women Voters of Texas opposes the Legislative Budget Board's recommendation to remove state general revenue funds from the Child Day Care program in Family Self-Support Services.

Our organization has long recognized that subsidized child care programs are a key supportive service for poor families. We have advocated the use of state funds for supportive services that combat poverty and also help break the vicious and costly cycle of poverty.

In addition, League action has focused on equal access to employment opportunities for women. Subsidized child care is critical to ensure that low-income women with small children can finish high school, take advantage of job search or job training programs, or continue working toward self-sufficiency for their families.

We believe the state along with federal and local government has a strong role in providing information, funding, and regulation in child care programs. If the precarious budget climate in Washington allows the Social Services Block Grant to remain at the slightly increased level for population growth in Texas, these funds should be used to help that part of the additional population who need the services funded by Title XX. Also the Department of Human Resources has set program priorities for the Title XX funds and there is no guarantee that the additional Title XX would go to Family Self-Support Services.

We feel any reduction or even maintaining of 1985 levels closes the door of affordable child care to income-eligible families, many of whom are former AFDC recipients. The state dollars spent on sliding-fee child care are far less than state dollars required for AFDC and Medicaid.

One of the largest Title XX child day care providers in Houston recently said, "95% of our income-eligible parents could not afford conventional child care fees. For example, \$70-75 a week for an infant's care is unthinkable for a low-income family." Their choices are to seek child care at affordable rates which might mean seeking child care in an unlicensed or unregistered facility or for some a return to the AFDC program with the resultant increase in cost to the state. Both of these actions defeat the state's goal to promote the health, safety, and well-being of children in care outside their homes and the goal of getting low-income persons into or back into the work force.

Maintaining the funding levels of child day care does not meet the needs in our communities across the state for subsidized child care. For example, in Harris County the number of children served in December, 1984 in these child day care slots was 2261 with 518 children on the waiting lists. The need is evident in the waiting lists around the state, in the 147,000 AFDC children under 10, and in the 69,000 children with parents participating in DHR employment services.

Also maintaining funding levels doesn't allow much encouragement for the dire need to address the issue of before- and after-school care. Some Title XX slots have opened at centers because of programs initiated at local school buildings. But the same affordability problem remains and schools are not able to subsidize this care. Communities and schools need leadership, information, and funding to help address the problems of low-income "latch-key children."

The League of Women Voters of Texas believes the state of Texas has a responsibility to continue funding for supportive services such as child day care. Based on our members' interest and agreement we support as one of our legislative priorities expanded state services in child care.

We urge your support to continue state funding for child day care to help meet the needs of low-income families, to help keep these families together, and to help families retain their self-sufficiency--all of which are in the best fiscal interests of the state. Thank you.

Sincerely,

Barbara McCormick

Barbara McCormick
Human Resources Director
League of Women Voters of Texas

BMc/mga



League of Women Voters of Texas
1212 Guadalupe, #107 • Austin, Texas 78701 • Tel. 512/472-1100

March 18, 1985

TO: Members of the House State Affairs Committee
RE: HJR 39 (P. Hill)

The League of Women Voters of Texas strongly supports efforts to improve the redistricting process, and we commend Representative Hill for her attempt to address this problem.

Redistricting in Texas has been characterized by the courts as chaotic. In addition, it is costly, time-consuming and messy. The League has dubbed it "the decennial dilemma." HJR 39 addresses many of the current problems in a number of positive ways.

First, the bill establishes clear guidelines for drawing boundaries. Guidelines for redistricting are an important part of a good redistricting process. If criteria are well-developed and strictly adhered to, there is less opportunity for gerrymandering.

Second, the bill would establish an appointed reapportionment commission to do the initial work of drawing boundaries. But the legislature would retain the right of approval. HJR 39 would also place original jurisdiction in the Supreme Court of Texas to help bypass delays in litigation. It would also set up time limits for completing the process.

One suggestion we have for making this bill even stronger would be to allow the legislature to consider the redistricting plan in regular session if the work of the redistricting commission has been completed. Another suggestion would be for the commission to submit several plans initially to allow the legislators more options.

It is time to make some changes in the way the legislature redistricts itself, and the time to begin is now. HJR 39 is a positive way to address the needs of the redistricting problem.

March 18, 1985

TO: Members of the ~~House~~ State Affairs Committee
RE: HJR 39 (P. Hill)

The League of Women Voters of Texas strongly supports efforts to improve the redistricting process, and we commend Rep. Hill for her attempt to address this problem.

Redistricting in Texas has been characterized by the courts as chaotic. In addition, it is costly, time-consuming and messy. The League has dubbed it "the decennial dilemma." HJR 39 addresses many of the current problems in a number of positive ways.

First, the bill establishes clear guidelines for drawing boundaries. Guidelines for redistricting are an important part of a good redistricting process. If criteria are well-developed and strictly adhered to, there is less opportunity for gerrymandering.

Second, the bill would establish an appointed reapportionment commission to do the initial work of drawing boundaries. But the legislature would retain the right of approval. HJR 39 would also place original jurisdiction in the Supreme Court of Texas to help bypass delays in litigation. It would also set up time limits for completing the process.

One suggestion we have for making this bill even stronger would be to allow the legislature to consider the redistricting plan in regular session if the work of the redistricting commission has been completed. Another suggestion would be for the commission to submit several plans initially to allow the legislators more options.

It is time to make some changes in the way the legislature redistricts itself, and the time to begin is now. HJR 39 is a positive way to address the needs of the redistricting problem.



League of Women Voters of Texas
1212 Guadalupe, #107 • Austin, Texas 78701 • Tel. 512/472-1100

March 18, 1985

Testimony: Child Day Care
House Appropriations Committee

The League of Women Voters of Texas opposes the Legislative Budget Board's recommendation to remove state general revenue funds from the Child Day Care program in Family Self-Support Services.

Our organization has long recognized that subsidized child care programs are a key supportive service for poor families. We have advocated the use of state funds for supportive services that combat poverty and also help break the vicious and costly cycle of poverty.

In addition, League action has focused on equal access to employment opportunities for women. Subsidized child care is critical to ensure that low-income women with small children can finish high school, take advantage of job search or job training programs, or continue working toward self-sufficiency for their families.

We believe the state along with federal and local government has a strong role in providing information, funding, and regulation in child care programs. If the precarious budget climate in Washington allows the Social Services Block Grant to remain at the slightly increased level for population growth in Texas, these funds should be used to help that part of the additional population who need the services funded by Title XX. Also the Department of Human Resources has set program priorities for the Title XX funds and there is no guarantee that the additional Title XX would go to Family Self-Support Services.

We feel any reduction or even maintaining of 1985 levels closes the door of affordable child care to income-eligible families, many of whom are former AFDC recipients. The state dollars spent on sliding-fee child care are far less than state dollars required for AFDC and Medicaid.

One of the largest Title XX child day care providers in Houston recently said, "95% of our income-eligible parents could not afford conventional child care fees. For example, \$70-75 a week for an infant's care is unthinkable for a low-income family." Their choices are to seek child care at affordable rates which might mean seeking child care in an unlicensed or unregistered facility or for some a return to the AFDC program with the resultant increase in cost to the state. Both of these actions defeat the state's goal to promote the health, safety, and well-being of children in care outside their homes and the goal of getting low-income persons into or back into the work force.

Maintaining the funding levels of child day care does not meet the needs in our communities across the state for subsidized child care. For example, in Harris County the number of children served in December, 1984 in these child day care slots was 2261 with 518 children on the waiting lists. The need is evident in the waiting lists around the state, in the 147,000 AFDC children under 10, and in the 69,000 children with parents participating in DHR employment services.

Also maintaining funding levels doesn't allow much encouragement for the dire need to address the issue of before- and after-school care. Some Title XX slots have opened at centers because of programs initiated at local school buildings. But the same affordability problem remains and schools are not able to subsidize this care. Communities and schools need leadership, information, and funding to help address the problems of low-income "latch-key children."

The League of Women Voters of Texas believes the state of Texas has a responsibility to continue funding for supportive services such as child day care. Based on our members' interest and agreement we support as one of our legislative priorities expanded state services in child care.

We urge your support to continue state funding for child day care to help meet the needs of low-income families, to help keep these families together, and to help families retain their self-sufficiency--all of which are in the best fiscal interests of the state. Thank you.

Sincerely,

Barbara McCormick

Barbara McCormick

Human Resources Director

League of Women Voters of Texas

BMc/mga



League of Women Voters of Texas
1212 Guadalupe, #107 • Austin, Texas 78701 • Tel. 512/472-1100

March 14, 1986

TO: CLEAN AIR STUDY COMMITTEE ON RENEWABLE PERMITS

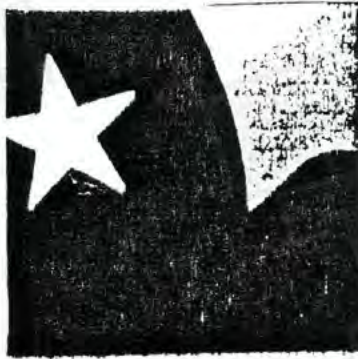
My name is Kathy Jacob, and I am the Air Program Director for the League of Women Voters of Texas, a non-partisan organization whose purpose is to promote informed citizen participation in government.

A permit renewal should do more than just update the files and collect revenue, although fees should cover the cost of the permit. Permit renewals should shut down those pollution sources that have abysmal compliance records, and require movement toward more stringent emission standards. An emissions table should be developed and RACT requirements employed. Ideally, BACT requirements would be best, but are not always realistic, due to retrofit feasibility and cost. The emission requirement policy should take into account costs to some extent, but the primary consideration should be the prevention of inadequate 1970's technologies being locked in through the 1990's. It prevents Texas from achieving clean air standards and inhibits growth of new industries.

The League of Women Voters of Texas supports a strong permit renewal program. It is the equivalent of no regulation to issue a permit for life and never inspect the facility again, or even require the facility to notify the TACB of closure. That is what Texas has been doing with approximately 50% of the permits issued. It means the TACB does not have adequate emission inventories, a data base to determine fee schedules, or a myriad of other basic regulatory functions. The TACB inspection of major source emitters is good and should continue, but a thorough inspection every 15 years of all permitted facilities for renewal will inspire industries to keep their equipment in good condition and strive for compliance.

Proper enforcement rules, including administrative penalties, need to be implemented similar to those for construction and operating permits. Permit renewals should also be included in the monthly reporting system.

In short, the League of Women Voters of Texas supports a strong permit renewal program that supports itself and includes inspections and emission improvements for all facilities.



LC BSA
✓ EB/80

MAY 7 1986

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

April 30, 1986

Ms. Suzanne Schwartz
Texas Water Development Board
P.O. Box 13231
Austin, TX 78711

Dear Ms. Schwartz:

Enclosed herewith are suggested revisions of various sections of the proposed rules for financial programs.

Some are very minor. I believe that I discussed most of the substantive changes in our phone conversation last week. If reasons for any of the changes are not clear, I will appreciate your calling me.

My apologies for the delay in getting these to you. (This week's excuse: visiting relatives)

Sincerely,

Catherine Perrine

cc - Mr. Reg Arnold
Dr. Herb Grubb

(214) 368-7889

SUGGESTED CHANGES IN TWDB RULES RELATING TO FINANCIAL PROGRAMS

Section 363.1. Scope of Rules. . . .

. . . Water Loan Assistance Program; Water Development Program; Water, Wastewater and Storage Facilities Acquisition Program; Water Quality Enhancement Program; and Flood Control Program . . .

Section 363.2. Definitions of Terms.

Flood Control Program . . .

Project - . . .

. . . Water Loan Assistance Program; Water Development Program; Water, Wastewater and Storage Facilities Acquisition Program; Water Quality Enhancement Program; or Flood Control Program, as may be appropriate:

. . . ;

- (G) conservation devices and systems, such as leak-detection equipment, that reduce the consumption of water, reduce the loss or waste of water, or improve efficiency in the use of water.

Water development bonds - Bonds authorized by the Texas Constitution, Article III, Sections 49-c, 49-d, 49-d-1, and 49-d-2.

Water Development Program - . . .
as authorized by the Texas Constitution, Article III, Sections 49-c and 49-d.

Section 363.31. General Policies.

- (a) In accordance with constitutional and statutory directives, the board will operate financial assistance programs to achieve the following goals: to further orderly development and management of the state's water resources; to maintain and enhance, where feasible, the quality of these resources; to reduce flood damages; and to encourage the conservation and efficient use of water.
- (b) The board will operate financial assistance programs to achieve timely implementation of the state water plan and the state water quality management plan.
- (c) The board will encourage political subdivisions to implement regional water supply and wastewater treatment facilities and regional flood management measures where such facilities and measures are cost-effective and environmentally sound.
- (d) It is the policy of the board to promote the conservation of water

Section 363.32. Eligible Facilities.

- (a) Water supply projects eligible for assistance include reservoirs, wells, water treatment plants, and wholesale storage and distribution systems. It is the policy of the board not to finance retail water distribution systems. Facilities serving substantially undeveloped areas will be financed only as components of a regional system.
- (b) Wastewater projects eligible for assistance include treatment facilities, intercepting sewers, and outfall sewers. It is the policy of the board not to finance retail sewer lines. Facilities serving substantially undeveloped areas will be financed only as components of a regional system.
- (c) Floodplain management plans and structural and nonstructural flood control measures are eligible for assistance. Flood control measures funded by the board will, wherever possible and appropriate, constitute elements of areawide floodplain management plans. It is the policy of the board not to finance routine internal drainage facilities or flood control projects protecting substantially undeveloped areas. Projects must be located within an area where National Flood Insurance is available at the time of the application and throughout the life of the board's financial assistance.
- (d) Only the following facilities are eligible for financial assistance through the Water, Wastewater and Storage Facilities Acquisition Program:
 - (1) Facilities necessary to achieve optimum development of proposed reservoir sites and associated systems for water filtration, treatment, and transmission; and
 - (2) Facilities necessary for optimum regional development of systems for the filtration, treatment, and transmission of water and wastewater.
- (e) In the absence of any legislative appropriation . . .

363.33. Methods of Financial Assistance.

- (a) The board will purchase bonds or other securities issued by a political subdivision to provide financial assistance through the Water Loan Assistance Program, Water Development Program, Water Quality Enhancement Program, or Flood Control Program.
- (b) The board will participate in the costs of a facility by acquiring an interest in the facility to provide financial assistance through the Water, Wastewater and Storage Acquisition Program.
- (c) It is the board's preference that, whenever possible, an application be filed under the appropriate bond-purchase program, rather than under the Water, Wastewater and Storage Acquisition Program.

363.34. Limitations on Financial Assistance.

- (a) Financial assistance for water supply projects will be limited to amounts that cannot be reasonably financed by the political subdivision from other sources. This limitation does not apply to regional facilities or to facilities for converting from groundwater supplies to surface water supplies where this change is in the public interest.
- (b) Financial assistance for wastewater projects will be limited to amounts that cannot be reasonably financed by the political subdivision from other sources. This limitation does not apply to regional facilities.
- (c) Financial assistance through the Water, Wastewater and Storage Facilities Acquisition Program is limited by the constitution to a maximum of 50 percent of the cost of any project. In addition, the legislature may limit the amount of money available for this program in each fiscal year.
- (d) In order to increase the number of projects receiving state financial assistance, the board will encourage all applicants to use other sources of funding to the maximum extent possible.
- (e) If there is insufficient money available to fund all applications under any of the financial assistance programs, the board will give preference to applications for projects that cannot reasonably be financed without state assistance.

363.35. Policies for Repayment.

- (a) The board will purchase bonds of a political subdivision only when it finds that the revenue or taxes pledged by the subdivision will be sufficient to meet all obligations assumed by the subdivision.
- (b) In order to minimize use of general revenues of the state for payments to retire water development bonds, the board will ordinarily require that maturity schedules for bonds purchased from political subdivisions be comparable to maturity schedules for outstanding water development bonds.
- (c) In order to minimize financial risks to the state and to assist the board in making the finding, required by law, that it is reasonable to expect that the state will recover its investment in a facility in which the state acquires an interest, the board will encourage each applicant for state participation through the Water, Wastewater and Storage Acquisition Program to provide a projected schedule for purchase of the state's interest in the facility.

363.36. Financing Requirements Beyond Current Board Capability.

.

363.37. Permits.363.38. Ancillary Recreational Facilities.

Section 363.52. Required General Information.

- (b) (11) Delete (C) and add:
- (12) evidence that the proposed project is consistent with the state water plan and/or the state water quality management plan as appropriate;
- (13) required general information . . . ;
- (14) a brief summary of the applicant's proposed conservation plan; or, if an exemption is requested under the Texas Water Code, Sections 15.106(c) or 17.135(c), information by which the board can determine whether:

Section 363.55. Required Engineering Feasibility Data for Water Supply Projects.

Section 363.57. Required Engineering Feasibility Data for Wastewater Projects.

Section 363.59

- (b) (2) Submission of a plan is not necessary if an applicant already has in place an ongoing water conservation program that meets the requirements of subsection (a) of this section and of section 363.85.



*Human Resources
Testimony*

League of Women Voters of Texas
1212 Guadalupe, #107 • Austin, Texas 78701 • Tel. 512/472-1100

February 28, 1985

The League of Women Voters of Texas opposes the Legislative Budget Board's recommendation to remove state general revenue funds from the Child Day Care program in Family Self-Support Services.

Our organization has long recognized that subsidized child care programs are a key supportive service for poor families. We have advocated the use of state funds for supportive services that combat poverty and also help break the vicious and costly cycle of poverty.

In addition, League action has focused on equal access to employment opportunities for women. Subsidized child care is critical to ensure that low-income women with small children can finish high school, take advantage of job search or job training programs, or continue working toward self-sufficiency for their families.

We believe the state along with federal and local government has a strong role in providing information, funding, and regulation in child care programs. If the precarious budget climate in Washington allows the Social Services Block Grant to remain at the slightly increased level for population growth in Texas, these funds should be used to help that part of the additional population who need the services funded by Title XX. Also the Department of Human Resources has set program priorities for the Title XX funds and there is no guarantee that the additional Title XX would go to Family Self-Support Services.

We feel any reduction or even maintaining of 1985 levels closes the door of affordable child care to income-eligible families, many of whom are former AFDC recipients. The state dollars spent on sliding-fee child care are far less than state dollars required for AFDC and Medicaid.

One of the largest Title XX child day care providers in Houston recently said, "95% of our income-eligible parents could not afford conventional child care fees. For example, \$70-75 a week for an infant's care is unthinkable for a low-income family." Their choices are to seek child care at affordable rates which might mean seeking child care in an unlicensed or unregistered facility or for some a return to the AFDC program with the resultant increase in cost to the state. Both of these actions defeat the state's goal to promote the health, safety, and well-being of children in care outside their homes and the goal of getting low-income persons into or back into the work force.

Maintaining the funding levels of child day care does not meet the needs in our communities across the state for subsidized child care. For example, in Harris County the number of children served in December, 1984 in these child day care slots was 2261 with 518 children on the waiting lists. The need is evident in the waiting lists around the state, in the 147,000 AFDC children under 10, and in the 69,000 children with parents participating in DHR employment services.

Also maintaining funding levels doesn't allow much encouragement for the dire need to address the issue of before- and after-school care. Some Title XX slots have opened at centers because of programs initiated at local school buildings. But the same affordability problem remains and schools are not able to subsidize this care. Communities and schools need leadership, information, and funding to help address the problems of low-income "latch-key children."

The League of Women Voters of Texas believes the state of Texas has a responsibility to continue funding for supportive services such as child day care. Based on our members' interest and agreement we support as one of our legislative priorities expanded state services in child care.

We urge your support to continue state funding for child day care to help meet the needs of low-income families, to help keep these families together, and to help families retain their self-sufficiency--all of which are in the best fiscal interests of the state. Thank you.

Sincerely,

Barbara McCormick

Barbara McCormick

Human Resources Director

League of Women Voters of Texas

BMc/mga

March 18, 1985

Testimony: HB 1112--Hazard Communication bill
House Public Health Committee

The League of Women Voters of Texas urges your support of HB 1112, the Hazard Communication bill. We believe HB 1112 offers a fair and sensible approach to providing workers and communities with information about the hazardous chemicals to which they may be exposed.

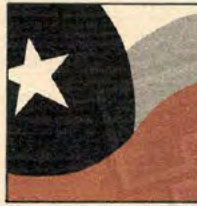
The League believes a good hazard communication bill must address the needs of both workers and communities, as HB 1112 does. This bill strengthens the protection provided to workers by federal hazard communication standards because it increases the types of businesses to which it is applicable. It aids communities by requiring companies to provide information to emergency service organizations, like local fire departments, which is critical to good response capability. In addition, this bill provides businesses with adequate trade secret protection while it institutes mechanisms by which information on chemicals will be available to workers and communities.

Since the Bhopal tragedy, there is widespread awareness that improved hazard communication is necessary to protect public health and safety. The League of Women Voters of Texas urges the Public Health Committee to recognize this concern and support HB 1112.

Thank you.



Diane Sheridan
Hazardous Waste Director
[REDACTED]



League of Women Voters of Texas
1212 Guadalupe, #107 • Austin, Texas 78701 • Tel. 512/472-1100

March 18, 1985

Testimony: HB 1112--Hazard Communication bill
House Public Health Committee

The League of Women Voters of Texas urges your support of HB 1112, the Hazard Communication bill. We believe HB 1112 offers a fair and sensible approach to providing workers and communities with information about the hazardous chemicals to which they may be exposed.

The League believes a good hazard communication bill must address the needs of both workers and communities, as HB 1112 does. This bill strengthens the protection provided to workers by federal hazard communication standards because it increases the types of businesses to which it is applicable. It aids communities by requiring companies to provide information to emergency service organizations, like local fire departments, which is critical to good response capability. In addition, this bill provides businesses with adequate trade secret protection while it institutes mechanisms by which information on chemicals will be available to workers and communities.

Since the Bhopal tragedy, there is widespread awareness that improved hazard communication is necessary to protect public health and safety. The League of Women Voters of Texas urges the Public Health Committee to recognize this concern and support HB 1112.

Thank you.

Diane Sheridan
Hazardous Waste Director

March 18, 1985

April 15, 1985

House
TO: Members of the Senate State Affairs Committee
RE: HJR 39 (P. Hill)

The League of Women Voters of Texas strongly supports efforts to improve the redistricting process, and we commend Representative Hill for her attempt to address this problem.

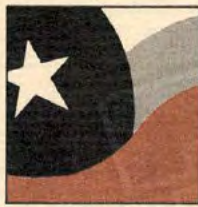
Redistricting in Texas has been characterized by the courts as chaotic. In addition, it is costly, time-consuming and messy. The League has dubbed it "the decennial dilemma." HJR 39 addresses many of the current problems in a number of positive ways.

First, the bill establishes clear guidelines for drawing boundaries. Guidelines for redistricting are an important part of a good redistricting process. If criteria are well-developed and strictly adhered to, there is less opportunity for gerrymandering.

Second, the bill would establish an appointed reapportionment commission to do the initial work of drawing boundaries. But the legislature would retain the right of approval. HJR 39 would also place original jurisdiction in the Supreme Court of Texas to help bypass delays in litigation. It would also set up time limits for completing the process.

One suggestion we have for making this bill even stronger would be to allow the legislature to consider the redistricting plan in regular session if the work of the redistricting commission has been completed. Another suggestion would be for the commission to submit several plans initially to allow the legislators more options.

It is time to make some changes in the way the legislature redistricts itself, and the time to begin is now. HJR 39 is a positive way to address the needs of the redistricting problem.



League of Women Voters of Texas
1212 Guadalupe, #107 • Austin, Texas 78701 • Tel. 512/472-1100

April 15, 1985

TO: Members of the Senate State Affairs Committee
RE: HJR 39 (P. Hill)

The League of Women Voters of Texas strongly supports efforts to improve the redistricting process, and we commend Representative Hill for her attempt to address this problem.

Redistricting in Texas has been characterized by the courts as chaotic. In addition, it is costly, time-consuming and messy. The League has dubbed it "the decennial dilemma." HJR 39 addresses many of the current problems in a number of positive ways.

First, the bill establishes clear guidelines for drawing boundaries. Guidelines for redistricting are an important part of a good redistricting process. If criteria are well-developed and strictly adhered to, there is less opportunity for gerrymandering.

Second, the bill would establish an appointed reapportionment commission to do the initial work of drawing boundaries. But the legislature would retain the right of approval. HJR 39 would also place original jurisdiction in the Supreme Court of Texas to help bypass delays in litigation. It would also set up time limits for completing the process.

One suggestion we have for making this bill even stronger would be to allow the legislature to consider the redistricting plan in regular session if the work of the redistricting commission has been completed. Another suggestion would be for the commission to submit several plans initially to allow the legislators more options.

It is time to make some changes in the way the legislature redistricts itself, and the time to begin is now. HJR 39 is a positive way to address the needs of the redistricting problem.



Testimony

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

February 25, 1985

TO THE TEXAS SENATE:

RE: HB 2

Because the League's most recent study of Texas water resources dealt with the conservation and protection of groundwater, League members recognize the importance of Article 5 of HB 2, which addresses this issue.

More than 60% of the water used in Texas is groundwater. This valuable resource is threatened by serious problems: the intrusion of saline water caused by overpumping; contamination by waste disposal sites, oil field brines, and septic tanks; depletion of supplies; loss of important springs; and increased costs of pumping as water levels decline.

The Texas Department of Water Resources has undertaken extensive investigations of groundwater resources and has published reports describing the locations and yields of aquifers in most of the state. It maintains extensive monitoring records for both well levels and groundwater quality and protects groundwater quality through regulation of waste disposal and through recommendations to the Railroad Commission as to the casing of oil and gas wells that penetrate groundwater supplies. The department does not, however, have regulatory powers over the use of groundwater, as it does over the use of surface water.

Powers to conserve and protect groundwater have been given by the legislature to local districts. Twelve such districts currently exist—some created under Chapter 52 of the Water Code and others created by special legislation. Most have powers both to control pollution and to regulate the spacing of wells and the pumping of groundwater. However, half of these districts are inactive; and no districts have been created in some areas where significant problems exist.

To address these problems, the Senate version of HB 2 authorizes the Department of Water Resources to conduct regional groundwater planning studies, with the assistance of local advisory committees, and to recommend to the Texas Water Commission the designation of critical areas where groundwater problems exist and where there is no local district.

testimony 1985
FEB 20 1985 *EB-*
CP

League of Women Voters of the Austin Area

1011 WEST 31ST STREET

AUSTIN, TEXAS 78705

512-451-6710

February 15, 1985

Mr. Chairman, members of the Governor's Select Committee, observers:

I am Karen Haschke, Program Vice-President of the League of Women Voters of the Austin Area. The League has long been concerned with protecting our water resources by maintaining water quality standards. If high quality water standards are to be maintained it is necessary for citizens to understand (1) water supply (2) water and wastewater treatment systems (3) pollution sources (4) the dangers of water pollution (5) what citizens and government can do to prevent pollution of our water resources.

Last year the League of Women Voters of the Austin Area adopted a local water study which resulted in a publication, "The Effect of Urbanization on Austin's Water resources". These water resources are the Colorado River and the Edwards Aquifer which we share with other cities and communities. Copies of the publication are included in the packet I have brought for each of you today.

This year we are in the process of looking at the city's wastewater treatment facilities and the effect of Municipal Utility Districts on the city's water supply, wastewater treatment, and finances. I also want to draw your attention to the paper on Advanced Wastewater Treatment in the packet.

There are two things I would like you as a committee to consider: First, you will be hearing, no doubt, from several sources about the problems concerning Austin's wastewater treatment facilities, however, another aspect of urban, suburban, and even rural living is that of run-off. Rainfall on roads, parking lots, lawns, construction sites, feedlots, etc., flows into streams, carrying with it organic matter (BOD), suspended solids, fertilizers, pesticides. I would like for you to consider whether run-off, or non-point source pollution, is a factor along the Colorado River.

Secondly, the Austin City Council has responded to a request by the League of Women Voters of the Austin Area to do a cumulative regional assessment of effluent discharge on water quality in the area. This analysis will consider BOD, nutrients, phosphorus, and coliform bacteria as indicators. Since this study is to be completed in 120 days, it might be helpful for the committee to incorporate this study into your considerations. Seventy-five days is a short time to assimilate so much information and reach conclusions, even with expert help. I sympathize with the task you have accepted.

Thank you.

Delivered before Gov.'s Select Cmte. on Colorado River, Feb. 15, 1985, by LNV-Austin Area

February 13, 1985

TO: House Human Services Committee
RE: HB 330, Barton

The League of Women Voters of Texas supports the Legislative Studies Committee recommendations to the 69th Legislature to continue the Temporary Emergency Relief Program. We support the same funding as in 1984-1985, or \$750,000 per year totaling \$1.5 million for the 1986-1987 biennium.

Because other emergency funds are inadequate to care for the needs of poor Texans for food, housing, utility bills, etc, TERP has proved to be a life-line for many. LWV-T believes this to be a very effective program.

Therefore, to continue helping local governments and voluntary sector organizations deal cooperatively with life sustaining needs of the poor, we strongly urge you to vote yes on HB 330.

Barbara McCormick
Human Resources Director

February 13, 1985

TO THE SENATE NATURAL RESOURCES COMMITTEE:

CSSJR 7, CSSB 138

I am Catherine Perrine, Water Director for the League of Women Voters of Texas. First, I would like to express the League's appreciation for the significant improvements made by the proposed Committee Substitute for SB 138 in several provisions that we consider important:

the enumeration of elements of water conservation programs

the comprehensive state assistance program for agricultural water conservation

the inclusion of effects on water quality as a consideration by the Water Commission in issuing permits for water storage and diversion

authority for the state to exercise the powers and duties of an underground water conservation district in critical areas where residents have voted down the creation of a local district

provisions that boundaries for underground water conservation districts be drawn with consideration of appropriate management areas and that districts manage all groundwater within their boundaries

more flexible provisions for the selection of boards for these districts and for the financing of their operations

We urge your support for these provisions as the bill is considered by this committee, on the Senate floor, and in conference committee.

We suggest an additional change in the conservation article to require, rather than allow, water supply entities to adopt and publish reasonable rules relating to water conservation. (page 7, line 15, change may to shall)

We urge that you consider an additional change to the groundwater article to implement the recommendation of the Texas Water Plan that: "The Texas Water Development Board should be given the authority to set minimum standards for operation and management of local groundwater districts." We believe that state oversight is essential--especially in view of the proposed new powers allowing these districts to purchase and distribute groundwater.

The Committee Substitute for SJR 7 makes several significant changes in the proposed constitutional amendment. We believe that the proposed authorization of \$400 million of bonds for "state participation in the acquisition and development of facilities for the storage, transmission, transportation, and treatment of water and wastewater" entails some serious problems.

This proposal would almost certainly lead to large future draws on the General Revenue Fund for payments of principal and interest on Water Development Fund bonds used for these purposes. We believe that past calls on General Revenue for this purpose have been a major obstacle to public approval of state

assistance programs for water development. By comparison, these were relatively small: a total of approximately \$63 million from 1967 through 1980.

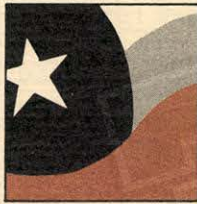
The League agrees with the recommendation of the Governor's Water Task Force, in 1982, that the Water Development Fund be managed so as to be self-sustaining and that appropriated funds, such as the Water Assistance Fund, be used for such programs as storage acquisition. Use of appropriations, rather than bonds, for state participation in costs of reservoirs and facilities, would have the additional advantage of cutting the total state cost approximately in half by eliminating interest costs.

We recognize the difficulty of providing appropriated state funds for these purposes in the current biennium; however, we are reluctant to see the long-term commitment to bond-financing of state cost-sharing proposed by the allocation of \$400 million for this purpose.

We strongly support the inclusion of regional water and wastewater facilities as projects that are eligible for state financial assistance, without the necessity of meeting the "hardship" requirement for use of the Water Development Fund. However, we question the merit of state participation in the ownership of these facilities. Water and wastewater plants have a much shorter useful life than reservoirs and have frequent needs for repairs and improvements that would be complicated by partial state ownership.

As an alternative, the Water Development Board could give further assistance to regional facilities, where necessary, by preferential debt-repayment schedules under the loan programs. While these schedules would entail future draws on the General Revenue Fund, they would avoid the complications of partial state ownership.

We would suggest, therefore, that the state cost-sharing program for the Water Development Fund be limited to \$200 million, and that any additional bond authorization be allocated to water development and water quality enhancement loan programs.



League of Women Voters of Texas

House Human Services Budget and Oversight Committee, February 12, 1985
1212 Guadalupe, #107 • Austin, Texas 78701 • Tel 512/472-1100

Testimony: AFDC Increases

*House Human Services Budget and Oversight Subcommittee
Tuesday, Feb. 12, 1985*

The League of Women Voters supports an AFDC grant level of at least \$60 per child per month. Our statewide membership has been concerned about Texas AFDC benefit levels since 1969 when the League studied this issue. Then as now, we believe the state's grants are pitifully small and do not reach the substantial numbers of dependent child who need help. We are not proud of the past foot-dragging that has ranked Texas 46th the in level of AFDC grants and we know you are not.

The current grant of \$53 which is less than \$2.00 a day for rent, clothing, and additional food for an AFDC child is a hard reality and should be considered beyond the welfare myths and current financial constraints. \$2.00 a day can not bring an acceptable level of safety, decency, or health to these children.

Yet the past three years have seen the beginning of some very positive action in the Texas AFDC program with the successful ballot measure and the grant increases. We believe that you have the responsibility to help continue this course of action.

The Board of Human Resources has displayed great understanding and commitment in working toward a more humane and adequate level of human services in Texas. The Board needs your support of these Department of Human Resources programs to continue this momentum.

We agree with Chairman Kosberg in his comments before this committee recently that a strategic plan is needed to address the growth of population, poverty, and human needs in Texas. It is this committee's responsibility and all the state legislators' responsibility to weigh the difficult financial situation today against the greatly increasing financial demands for future programs and begin to support the kind of plan envisioned by the Board of Human Resources. If the state continues with the pattern of inadequate funding, with denial of AFDC and medical care to half of those who apply and if the trends of increased incidences of abuse and neglect of children, school drop-outs, teenage pregnancies, teen runaways, and increased prison populations continue, the cost down the road will be astronomical. Is that in the best fiscal interests of the state? Or are some preventive measures in the best fiscal interests of the state?

We believe it is the state's responsibility to fund reasonable but adequate programs today. The present average grant for an AFDC child is not reasonable nor is it adequate. Also, AFDC assistance for only 25% of our poorest children is totally inadequate, and we believe, unacceptable to many people of Texas. Our state must allow more dependent children assistance and health care.

The League of Women Voters of Texas strongly urges your support for increased AFDC benefits of \$60 for FY 1986 and of \$64 for FY 1987 for Texas children and believes these benefits should have a priority status for state funds this coming biennium.

Thank you.

Barbara McCormick, Human Resources Director



AID TO FAMILIES WITH DEPENDENT CHILDREN

CONTINUE AFDC INCREASES FOR CHILDREN!

The past two years have seen some of the most positive action in the history of the Aid to Families with Dependent Children (AFDC) program in Texas. In 1983, the legislature approved a \$6 AFDC increase from \$42 to a \$48 benefit per child per month. The Texas Board of Human Resources was able to further increase the average benefit to \$53 per child in the fall of 1984 by shifting unused funds within the agency.

But the effort has just begun. Can Texans be proud of only \$53 per month for a dependent child? This is less than \$2 a day for rent, utilities, clothing, personal care, and transportation for these children. Texas ranks 45th in the amount of AFDC benefits compared to other states. The average national grant is \$106 per child per month.

The League of Women Voters of Texas strongly advocates the approval by the legislature of the Department of Human Resources' recommendation of an average payment per recipient of \$60 for FY 1986 and \$64 for FY 1987.

These amounts still represent only 34% of the basic standard of need as set by the state and only about 24% of the poverty level for a family of three.

Increasing the AFDC grant level allows more children to become eligible for aid, and many Texas children desperately need that help. There are about 500,000 children who live at or below the poverty level who are deprived of parental support. The AFDC program helps only 270,000 of those children at present; the Texas Department of Human Resources (DHR) has projected that about 276,500 children could receive assistance at the \$64 level. The need is dramatically illustrated by the number of applications for AFDC. Last summer there were about 18,000 families who applied per month; 48.9% of them were denied assistance.

During the 1984 Special Session, the state legislature passed a resolution which recognized that "the increasing population and demographic changes and economic changes in Texas have greatly increased the demand for public assistance under the aid for families with dependent children program. . ."

This action emphasizes the greatly increased understanding of the terrible toll of poverty in Texas — over a million children will live at or below the poverty level in 1987 — and of the AFDC program and of how few children it serves across the state. The following facts about the Texas AFDC program are also becoming more widely known:

- AFDC is the only cash assistance available for the poorest children deprived of the support of one or both parents
- AFDC families are small today (one parent or caretaker, two children)
- The children are very young, mostly preschool age
- Most AFDC families leave the program in about four years and usually do not return.



League of Women Voters of Texas • 1212 Guadalupe, #109 • Austin, Texas 78701

ADVOCACY PAPER

SAVE THROUGH PREVENTION

Along with growing awareness of these AFDC facts must come the recognition that increased funding today for a safe, decent, healthy life for these youngsters will help curb large expenditures in the future. For example, an investment in preventive health care starting with prenatal care for children in poor families results in long term savings. These children are statistically more likely to experience birth difficulties and acute illness and to require hospitalization than children in higher income families. Providing Medicaid benefits to poor youngsters gives them access to critical, cost-effective primary and preventive care services.

An increase in AFDC benefits allows an increase in the number of children eligible for and receiving Medicaid health care. Texas ranks 48th in the percentage of children below poverty-income who are covered by Medicaid (25%). Indigent health care is a major problem facing the 69th session of the legislature.

The money spent on poor children's medical and nutritional needs at an early age also enables them to take advantage of educational opportunities to come later. Experts believe that a child's potential develops by age three. Deficiencies in nutrition and medical care and the absence of a safe and stable environment can severely limit this potential. Ensuring that children, especially preschoolers, have access to these basic needs of life lowers the risk to the state's investment in education.

The reforms passed in the 1984 Special Session of the legislature provide for new pre-school programs for educationally deprived children. The state can protect its educational investment in these children by also investing in realistic levels of AFDC and Medicaid. As a noted urban educator commented recently, "The schools can't do it all."

It is the responsibility of the state to plan for short and long term human services for the people of Texas and to address the growth of poverty.

It is the state legislature's responsibility to fund reasonable and adequate programs. The present AFDC grant of \$53 a month is not reasonable nor adequate for a child. In addition, AFDC assistance for only 25% of our poorest children is totally inadequate, and, we believe, unacceptable to the people of Texas.

The League of Women Voters of Texas strongly supports increased AFDC benefits of \$60 for FY 1986 and \$64 for FY 1987 for Texas children, and believes these benefits should have priority status for state funds this coming biennium.



Published by the League of Women Voters of Texas
1212 Guadalupe #109 Austin, Texas 78701
(512) 472 1100
January 1985 10/\$1.50 (5-1/8% sales tax)

House Human Services Budget and Oversight Committee, February 12,
1985

Testimony: AFDC Increases

The League of Women Voters supports an AFDC grant level of at least \$60 per child per month. Our statewide membership has been concerned about Texas AFDC benefit levels since 1969 when the League studied this issue. Then as now, we believe the state's grants are pitifully small and do not reach the substantial numbers of dependent child who need help. We are not proud of the past foot-dragging that has ranked Texas 46th in level of AFDC grants and we know you are not.

The current grant of \$53 which is less than \$2.00 a day for rent, clothing, and additional food for an AFDC child is a hard reality and should be considered beyond the welfare myths and current financial constraints. \$2.00 a day can not bring an acceptable level of safety, decency, or health to these children.

Yet the past three years have seen the beginning of some very positive action in the Texas AFDC program with the successful ballot measure and the grant increases. We believe that you have the responsibility to help continue this course of action.

The Board of Human Resources has displayed great understanding and commitment in working toward a more humane and adequate level of human services in Texas. The Board needs your support of these Department of Human Resources programs to continue this momentum.

We agree with Chairman Kosberg in his comments before this committee recently that a strategic plan is needed to address the growth of population, poverty, and human needs in Texas. It is this committee's responsibility and all the state legislators' responsibility to weigh the difficult financial situation today against the greatly increasing financial demands for future programs and begin to support the kind of plan envisioned by the Board of Human Resources. If the state continues with the pattern of inadequate funding, with denial of AFDC and medical care to half of those who apply and if the trends of increased incidences of abuse and neglect of children, school drop-outs, teenage pregnancies, teen runaways, and increased prison populations continue, the cost down the road will be astronomical. Is that in the best fiscal interests of the state? Or are some preventive measures in the best fiscal interests of the state?

We believe it is the state's responsibility to fund reasonable but adequate programs today. The present average grant for an AFDC child is not reasonable nor is it adequate. Also, AFDC assistance for only 25% of our poorest children is totally inadequate, and we believe, unacceptable to many people of Texas. Our state must allow more dependent children assistance and health care.

The League of Women Voters of Texas strongly urges your support for increased AFDC benefits of \$60 for FY 1986 and of \$64 for FY 1987 for Texas children and believes these benefits should have a priority status for state funds this coming biennium.

Thank you.

Barbara McCormick, Human Resources Director

Given on Wed., Feb. 6, before
House Bd of subcommittee of
Human Services Comm.

League of Women Voters



League of Women Voters of Texas Testimony

House Human Services Committee: Budget and Oversight Committee

Child Day Care

The League of Women Voters of Texas opposes the Legislative Budget Board's recommendation to remove State General Revenue Funds from the Child Day Care program in Family Self-Support Services.

Our organization has long recognized that subsidized child care programs are a key supportive service for poor families. We have advocated the use of state funds for supportive services that combat poverty and also help break the vicious and costly cycle of poverty.

In addition, League action has focused on equal access to employment opportunities for women. Subsidized child care is critical to ensure that low-income women with small children can finish school, take advantage of job search or job training programs or continue working toward self-sufficiency for their families.

We believe the state along with federal and local government has a strong role in providing information, funding and regulation in child care programs. If the precarious budget climate in Washington allows the Social Services Block Grant to remain at the slightly increased level for population growth in Texas, these funds should be used to help that part of the population who need the services funded by Title XX.

Any reduction or even maintaining of 1985 levels closes the door of affordable child care to income-eligible families many of whom are former AFDC recipients. The state dollars spent on sliding-fee child care are far less than state dollars required for AFDC and Medicaid.

One of the largest Title XX child day care providers in Houston recently said, "95% of our income-eligible parents could not afford conventional child care fees. For example, \$70-75 a week for an infant's care is unthinkable for a low-income family." Their choices are to seek child care at affordable rates which might mean seeking child care in an unlicensed or registered facility or for some a return to the AFDC program with the resultant increase in cost to the state. Both of these actions defeat the state's goal to promote the health, safety, and well-being of children in care outside their homes and the goal of getting low-income persons into or back into the workforce.

Maintaining the funding levels of child day care does not meet the needs in our communities across the state for subsidized child care. For example in Harris County, the number of children served in December, 1984 in these child day care slots were 2261 with 518 children on the waiting lists. The need is evident in the waiting lists around the state, in the 147,000 AFDC children, and in the 69,000 children with parents participating in DHR employment services.

Also maintaining funding levels doesn't allow much encouragement for the dire need to address the issue of before-and after-school care. Some Title XX slots have opened at centers because of programs

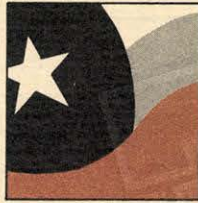
initiated at local school buildings. But the same affordability problem remains and schools are not able to subsidize this care. Communities and schools need leadership, information, and funding to help address the problems of low-income "latch-key children".

The League of Women Voters of Texas believes the state of Texas has a responsibility to continue funding for supportive services such as child day care. Based on our member's interest and agreement we support as one of our legislative priorities expanded state services in child care.

We urge your support to continue state funding for child day care to help meet the needs of low-income families, to help keep these families together, and to help families retain their self-sufficiency--all of which are in the best fiscal interests of the state. Thank you.

Barbara McCormick
Human Resources Director
League of Women Voters of Texas

February 6, 1985



League of Women Voters of Texas
1212 Guadalupe, #107 • Austin, Texas 78701 • Tel. 512/472-1100

January 30, 1985

TO: Senate Natural Resources Committee
RE: SB 225 (Sharp), Sunset Commission recommendations for Texas Coastal and Marine Council

The Texas Coastal and Marine Council advises the governor and legislature on coastal affairs and marine-related issues. The League of Women Voters of Texas supports its continuation as it has supported special attention to coastal issues through the years.

The Sunset Commission is recommending, and the League supports, that the Council:

- provide the public information on the Council's function
- make biennial reports to the governor and legislature to summarize current coastal issues and highlight those needing state attention
- list Council recommendations and resolutions of the past two years
- report on the status of continuing Council projects

The League believes that the Council, although a small agency, performs its duties well with a small staff and a small budget.

January 30, 1985

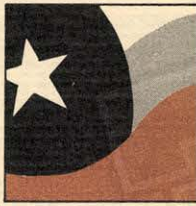
TO: Senate Natural Resources Committee
RE: SB 225 (Sharp), Sunset Commission recommendations for Texas Coastal and Marine Council

The Texas Coastal and Marine Council advises the governor and legislature on coastal affairs and marine-related issues. The League of Women Voters of Texas supports its continuation as it has supported special attention to coastal issues through the years.

The Sunset Commission is recommending, and the League supports, that the Council:

- provide the public information on the Council's function
- make biennial reports to the governor and legislature to summarize current coastal issues and highlight those needing state attention
- list Council recommendations and resolutions of the past two years
- report on the status of continuing Council projects

The League believes that the Council, although a small agency, performs its duties well with a small staff and a small budget.



League of Women Voters of Texas
1212 Guadalupe, #107 • Austin, Texas 78701 • Tel.512/472-1100

January 29, 1985

To: House Environmental Affairs Committee
Re: Budget for the Texas Air Control Board

The League of Women Voters is concerned about the reduction in the Texas Air Control Board's budget in the areas of enforcement and monitoring under the Central Regulatory Operations budget item. In the face of increasing sources of pollution, the TACB budget has remained the same since 1969. As of January, 1985, the agency has shut down half of its monitors and will operate them every other year in order to shift money to enforcement. Enforcement will be more difficult if the data collected are spotty.

These are areas that concern public health. Texas has thousands of sources that have the potential to emit many types of exotic chemicals, including the types that killed thousands of people in India. We cannot afford to be cost wise and pound foolish.

Also, in the research item, there should be more funds allotted to determining emission standards for many of these toxic chemicals. Currently research is being done on animals to determine if they can be used as a pollution indicator instead of or in addition to monitoring machines. We question whether this data collection method will stand up in court since there are so many variables that could cause reactions in animals. Therefore, it might be wiser to spend our money on toxic standards, which are desperately needed.

The League urges that the Air Control Board budget include monitoring and enforcement funds sufficient to assure that air contaminants will not threaten the health of the people of Texas.

Thank you.

Kathy Jacob
Air Director

January 29, 1985

To: House Environmental Affairs Committee
Re: Budget for the Texas Air Control Board

The League of Women Voters is concerned about the reduction in the Texas Air Control Board's budget in the areas of enforcement and monitoring under the Central Regulatory Operations budget item. In the face of increasing sources of pollution, the TACB budget has remained the same since 1969. As of January, 1985, the agency has shut down half of its monitors and will operate them every other year in order to shift money to enforcement. Enforcement will be more difficult if the data collected are spotty.

These are areas that concern public health. Texas has thousands of sources that have the potential to emit many types of exotic chemicals, including the types that killed thousands of people in India. We cannot afford to be cost wise and pound foolish.

Also, in the research item, there should be more funds allotted to determining emission standards for many of these toxic chemicals. Currently research is being done on animals to determine if they can be used as a pollution indicator instead of or in addition to monitoring machines. We question whether this data collection method will stand up in court since there are so many variables that could cause reactions in animals. Therefore, it might be wiser to spend our money on toxic standards, which are desperately needed.

The League urges that the Air Control Board budget include monitoring and enforcement funds sufficient to assure that air contaminants will not threaten the health of the people of Texas.

Thank you.

Kathy Jacob
Air Director

Evelyn House Environmental Affairs Cmte.
~~1986-87~~
Re: Budget for the Texas Air Control Board

My name is _____ and I represent the League of Women Voters of Texas. ~~The League of Women Voters is a nonpartisan organization whose purpose is to promote citizens' active participation in government.~~

The League of Women Voters is concerned about the reduction in the Texas Air Control Board's budget in the areas of enforcement and monitoring under the Central Regulatory Operations budget item. In the face of increasing sources of pollution, the TACB budget has remained the same since 1969. As of January, 1985, the agency has shut down half of its monitors and will operate them every other year in order to shift money to enforcement. Enforcement will be more difficult if the data collected ~~is~~ ^{are} spotty.

These are areas that concern public health. Texas has thousands of sources that have the potential to emit many types of exotic chemicals, including the types that killed thousands of people in India. We cannot afford to be cost wise and pound foolish.

Also, in the research item, there should be more funds allotted to determining emission standards for many of these toxic chemicals. Currently research is being done on animals to determine if they can be used as a pollution indicator instead of or in addition to monitoring machines. We question whether this data collection method will stand up in court since there are so many variables that could cause reactions in animals. Therefore, it might be wiser to spend our money on toxic standards, which ~~is~~ ^{are} desperately needed.

In closing, we do not feel it is in the public interest to put the TACB in the position of having to shut down monitors in order to have enforcement. We would like to think their funding adequate enough so they do not have to shut down monitoring in order to have enforcement.

Thank you.

Kathy did not know which body is holding the hearing, but thought it is to be at 1:00 on Tuesday. Kathy did not convey to Lois the fact that she was not sure which body is having a hearing. Lois sez if the above needs work, would you please?????

Kathy Jacob
Air Director

copies



League of Women Voters of Texas
1212 Guadalupe, #107 • Austin, Texas 78701 • Tel. 512/472-1100

March 26, 1985

House Government Organization Committee
RE: HB 21, TACB Sunset Review

My name is Kathy Jacob and I am here today representing the League of Women Voters of Texas. The League has 42 local chapters across the state of Texas. We are nonpartisan, and our purpose is to promote active citizen participation in government.

Overall the League of Women Voters supports the continuance of the TACB and the revisions made in HB 21.

More specifically I would like to address four main areas in the bill, public notification, permit renewals, grandfathered facilities, and auto inspections. The LWV has long believed that everyone benefits if the public is allowed to participate early in a permitting process. The newspaper notification and sign at the site provisions in this bill will get the issues in the open early and problems solved before rumors prevail or plans are too far along to permit accommodations. The whole issue of permit renewals and grandfathered facilities being allowed to pollute indefinitely need to be addressed.

First the grandfathered or uncontrolled facilities. As Texas becomes more populated and it is more difficult to attain and/or maintain air quality standards, it is foolish to ignore facilities that are emitting thousands of tons of pollutants every hour. They could be a major contributor to a county's inability to reach attainment, not to mention its being unhealthy. A fair and equitable way needs to be found to control these unregulated polluters. Since TACB does not really know how many grandfathered facilities there are, nor their impact, provision is a good idea. The study committee is a good way to accomplish the fair controls.

Permits should have a time limit, and compliance records and additional controls should be considered at the time of renewal. Pollution is often the result of an inefficient plant. Productivity and reduced pollution can be achieved simultaneously. A permit renewal may just be the catalyst to improve both.

Now for auto inspections. The Harris County parameter inspections should be statewide. The Harris County inspection consists of requiring the pollution controls to be on cars and a plumbismo paper test rubbed in the auto's tailpipe to check for misfueling of leaded gasoline. It is inexpensive to implement and affects only the polluter--the vehicle that has been misfueled or had its pollution control devices removed. The Department of Public Safety already has the authority to check for the presence of the pollution control equipment. They are only enforcing it statewide beginning this year though. The impact on pollution would be greater if they enforced it on autos made as long ago as 1980. What the DPS does not have authority to do except in non-attainment areas is check for auto misfueling via the plumbismo test.

The benefits of a statewide inspection to the non-attainment areas can be considerable without imposing a non-attainment status to adjacent counties with all its detestible paper work and offset policies. Most counties are not monitored and may be exempt from all the non-attainment regulation, not because they are clean, but because they are not monitored. These unclassified counties can also benefit then for health and growth reasons. If, for example, a major pollution emitter would want to locate in their county, other pollution emitters might be able to avoid putting on more pollution controls because the air would be generally cleaner.

EPA believes both a Harris County type inspection and a tailpipe test is best. The LWV concurs and feels the provisions in this bill for its implementation in at least non-attainment areas are necessary, if not totally pragmatic.

In closing, the LWV supports HB 21 with the inclusion of the Harris County-type vehicle inspection program to be expanded statewide.

Thank you.

Kathy Jacob

Kathy Jacob, Air and Transportation Associate Director
League of Women Voters of Texas

March 26, 1985

House Government Organization Committee

RE: HB 21, TACB Sunset Review *Re-authorization*
SB 725

My name is Kathy Jacob and I am here today representing the League of Women Voters of Texas. The League has 42 local chapters across the state of Texas. We are nonpartisan, and our purpose is to promote active citizen participation in government.

Overall the League of Women Voters *of Texas* supports the continuance of the TACB and the revisions made in HB 21.

SB 725
More specifically I would like to address four main areas in the bill, public notification, permit renewals, grandfathered facilities, and auto inspections. The LWV has long believed that everyone benefits if the public is allowed to participate early in a permitting process. The newspaper notification and sign at the site provisions in this bill will get the issues in the open early and problems solved before rumors prevail or plans are too far along to permit accommodations. The whole issue of permit renewals and grandfathered facilities being allowed to pollute indefinitely needs to be addressed.

First the grandfathered or uncontrolled facilities. As Texas becomes more populated and it is more difficult to attain and/or maintain air quality standards, it is foolish to ignore facilities that are emitting thousands of tons of pollutants every hour. They could be a major contributor to a county's inability to reach attainment, not to mention its being unhealthy. A fair and equitable way needs to be found to control these unregulated polluters. Since TACB does not really know how many grandfathered facilities there are, nor their impact, provision is a good idea. The study committee is a good way to accomplish the fair controls.

we also have in SB 725,
Permits should have a time limit, and compliance records and additional controls should be considered at the time of renewal. Pollution is often the result of an inefficient plant. Productivity and reduced pollution can be achieved simultaneously. A permit renewal may just be the catalyst to improve both.

Now for auto inspections. The Harris County parameter inspections should be statewide. The Harris County inspection consists of requiring the pollution controls to be on cars and a plumbismo paper test rubbed in the auto's tailpipe to check for misfueling of leaded gasoline. It is inexpensive to implement and affects only the polluter--the vehicle that has been misfueled or had its pollution control devices removed. The Department of Public Safety already has the authority to check for the presence of the pollution control equipment. They are only enforcing it statewide beginning this year though. The impact on pollution would be greater if they enforced it on autos made as long ago as 1980. What the DPS does not have authority to do except in non-attainment areas is check for auto misfueling via the plumbismo test.

The benefits of a statewide inspection to the non-attainment areas can be considerable without imposing a non-attainment status to adjacent counties with all its detestible paper work and offset policies. Most counties are not monitored and may be exempt from all the non-attainment regulation, not because they are clean, but because they are not monitored. These unclassified counties can also benefit then for health and growth reasons. If, for example, a major pollution emitter would want to locate in their county, other pollution emitters might be able to avoid putting on more pollution controls because the air would be generally cleaner.

EPA believes both a Harris County type inspection and a tailpipe test is best. The LWV concurs and feels the provisions in this bill for its implementation in at least non-attainment areas are necessary, if not totally pragmatic.

SB 725
In closing, the LWV supports HB-21 with the inclusion of the Harris County-type vehicle inspection program to be expanded statewide.

Thank you.

Kathy Jacob

Kathy Jacob, Air and Transportation Associate Director
League of Women Voters of Texas

March 19, 1985

Testimony: HB 2359
House Ways and Means Committee

Contact: Diane Sheridan, Hazardous Waste Director 472-1156

The League of Women Voters of Texas believes adequate funding of a state regulatory program is critical to safe management of hazardous waste, and we strongly support a fee system to generate income for this purpose. Therefore, we generally support HB 2359 despite concern about a few of its provisions.

The League's interest in hazardous waste has led us to communicate our recommendations to state agencies and to the House-Senate joint committee on hazardous waste siting, and to work with the governor's task force on hazardous waste management. While advocating legislative and regulatory change, we have simultaneously undertaken a two-year state-wide project to educate citizens about hazardous waste and the need for good facilities to manage it. In recognition of the public interest in hazardous waste, the multi-issue League of Women Voters of Texas chose hazardous waste as one of its six legislative priorities for this session. We chose to focus on two areas needing legislative attention: enhanced enforcement and adequate funding. Therefore, we appreciate this opportunity to urge your support for a waste-end fee.

Our goals for a waste-end fee are dual: it must not only generate revenue but must also provide economic incentives for waste reduction and employment of a hierarchy of waste management techniques that makes disposal the option of last resort. HB 2359 encourages the latter with a quarterly disposal fee structure that favors incineration. However, the bill does not levy fees on generators which would be the most direct means of encouraging the process changes necessary to eliminate or minimize waste at the source. Therefore, we encourage you to consider restructuring the fee to assess fees on generation as well as waste treatment, storage, and disposal.

Determining how to make effective use of the revenue generated from waste-end fees is easier than designing the fee structure. League priorities for a hazardous waste permit and disposal fee fund include clean-up of dangerous abandoned sites, enhanced enforcement, and, lastly, research and development. While we generally agree with the components listed in HB 2359, we cannot support using half the fund on research and development. (Please note that it's the cost of the proposed Hazardous Waste Alternatives Center that concerns us, not its location. As a state-wide organization, we have no position on location of such facilities.)

The League believes the first use of a hazardous waste permit and disposal fund must be clean-up of dangerous abandoned sites, including both those that qualify for the federal Superfund Program and those that don't. Texas currently has 25 sites on the federal National Priority list. None has experienced complete clean-up, yet the state's 10% matching fund is almost depleted. It is absolutely imperative that

Texas be able to provide the 10% match required to benefit from the federal Superfund. With remedial action, the most expensive phase of clean-up just beginning, we fear that the bill's \$14.4 million will not be enough for the 10% match this biennium.

The League is also concerned about the adequacy of funding to clean up sites that don't qualify for the federal Superfund and for which potentially responsible parties are not available. Texas is assessing almost 1,000 sites to determine which need clean-up. A December 1984 EPA study projects that only 1,800 sites nationwide will eventually be on the National Priority list; over 500 of those have already been designated. Out of the 1,000 sites Texas is assessing, some will make the federal list and potentially responsible parties will be found for others. However, using the EPA projections, it is obvious we will be left to clean up a number of sites ourselves. We applaud HB 2359 for setting up a mechanism to fund state clean-ups, but we fear it underestimates our needs. The EPA study estimates that an average federal clean-up costs \$8.1 million with private parties bearing half the cost. If we assume that a state clean-up might cost only half as much, we still face a potential need for \$2 million for state funds per site. We'd like to think that Texas will only need to clean up one or two sites per biennium, but such thinking is probably not realistic. Therefore, we suggest adding to the Texas Department of Water Resources component of the fund to increase the allotment available for sites for which Texas will be responsible for clean-up.

After clean-up of dangerous abandoned sites, the League's next priority is enhanced enforcement of hazardous waste laws and regulations. We cannot underestimate the importance of good monitoring and enforcement. Of the 896 facilities inspected in fiscal year 1983, 60% were non-compliant. Though only 10% of the non-compliance is considered serious, 89 threats to public health and the environment in a year are still too many. And there is no way to tell how many of the perhaps 1,000 facilities that were not inspected were also causing problems. We need to inspect all our generation, treatment, storage, and disposal facilities at least once a year. That means we have to have more inspectors and better support systems. Enhancing enforcement should therefore be a major priority for a waste-end fee fund. In addition to enforcement, TDWR also has many other needs that justify additional funding.

The League's last priority for use of a fee fund is research and development. The greatest need we see in this area is for a clearinghouse to collect and distribute research and development information which others have accumulated. A clearinghouse would especially help smaller companies to improve their waste management. While we are generally supportive of research and development, we cannot support the proportion of funding allotted it in HB 2359. We urge the committee to make research and development an important but not the dominant component of a fee fund.

Support for funding the state's hazardous waste program with fees assessed on generators and storage, treatment, and disposal facilities appears widespread in the legislature. League legislative interviews showed that 71% of those replying to a question on how to fund improvements in the state's management of hazardous waste favored a fee or tax on waste generators or handlers. Legislators are obviously aware of the importance of wise waste management to the public. Virtually every section of the state has seen controversy over siting new facilities or clean-up of problem sites in the last two years: the Metroplex, the Valley, east Texas, south Texas, west Texas, the Panhandle, the Golden-Triangle, and the Houston-Galveston area. Not all of these controversies involved hazardous waste, but the public does not discriminate among waste types when it feels threatened.

The League appreciates the attention the legislature is giving hazardous waste, especially the effort to address concerns in a comprehensive manner. We will follow the progress of HB 2359 and we offer our assistance to develop a waste-end fee that provides adequate financial support for a wise hazardous waste management program.

Thank you.

Diane Sheridan



League of Women Voters of Texas
1212 Guadalupe, #107 • Austin, Texas 78701 • Tel. 512/472-1100

March 19, 1985

Testimony: HB 2359

House Ways and Means Committee

Contact: Diane Sheridan, Hazardous Waste Director 472-1156

The League of Women Voters of Texas believes adequate funding of a state regulatory program is critical to safe management of hazardous waste, and we strongly support a fee system to generate income for this purpose. Therefore, we generally support HB 2359 despite concern about a few of its provisions.

The League's interest in hazardous waste has led us to communicate our recommendations to state agencies and to the House-Senate joint committee on hazardous waste siting, and to work with the governor's task force on hazardous waste management. While advocating legislative and regulatory change, we have simultaneously undertaken a two-year state-wide project to educate citizens about hazardous waste and the need for good facilities to manage it. In recognition of the public interest in hazardous waste, the multi-issue League of Women Voters of Texas chose hazardous waste as one of its six legislative priorities for this session. We chose to focus on two areas needing legislative attention: enhanced enforcement and adequate funding. Therefore, we appreciate this opportunity to urge your support for a waste-end fee.

Our goals for a waste-end fee are dual: it must not only generate revenue but must also provide economic incentives for waste reduction and employment of a hierarchy of waste management techniques that makes disposal the option of last resort. HB 2359 encourages the latter with a quarterly disposal fee structure that favors incineration. However, the bill does not levy fees on generators which would be the most direct means of encouraging the process changes necessary to eliminate or minimize waste at the source. Therefore, we encourage you to consider restructuring the fee to assess fees on generation as well as waste treatment, storage, and disposal.

Determining how to make effective use of the revenue generated from waste-end fees is easier than designing the fee structure. League priorities for a hazardous waste permit and disposal fee fund include clean-up of dangerous abandoned sites, enhanced enforcement, and, lastly, research and development. While we generally agree with the components listed in HB 2359, we cannot support using half the fund on research and development. (Please note that it's the cost of the proposed Hazardous Waste Alternatives Center that concerns us, not its location. As a state-wide organization, we have no position on location of such facilities.)

The League believes the first use of a hazardous waste permit and disposal fund must be clean-up of dangerous abandoned sites, including both those that qualify for the federal Superfund Program and those that don't. Texas currently has 25 sites on the federal National Priority list. None has experienced complete clean-up, yet the state's 10% matching fund is almost depleted. It is absolutely imperative that

Texas be able to provide the 10% match required to benefit from the federal Superfund. With remedial action, the most expensive phase of clean-up just beginning, we fear that the bill's \$14.4 million will not be enough for the 10% match this biennium.

The League is also concerned about the adequacy of funding to clean up sites that don't qualify for the federal Superfund and for which potentially responsible parties are not available. Texas is assessing almost 1,000 sites to determine which need clean-up. A December 1984 EPA study projects that only 1,800 sites nationwide will eventually be on the National Priority list; over 500 of those have already been designated. Out of the 1,000 sites Texas is assessing, some will make the federal list and potentially responsible parties will be found for others. However, using the EPA projections, it is obvious we will be left to clean up a number of sites ourselves. We applaud HB 2359 for setting up a mechanism to fund state clean-ups, but we fear it underestimates our needs. The EPA study estimates that an average federal clean-up costs \$8.1 million with private parties bearing half the cost. If we assume that a state clean-up might cost only half as much, we still face a potential need for \$2 million for state funds per site. We'd like to think that Texas will only need to clean up one or two sites per biennium, but such thinking is probably not realistic. Therefore, we suggest adding to the Texas Department of Water Resources component of the fund to increase the allotment available for sites for which Texas will be responsible for clean-up.

After clean-up of dangerous abandoned sites, the League's next priority is enhanced enforcement of hazardous waste laws and regulations. We cannot underestimate the importance of good monitoring and enforcement. Of the 896 facilities inspected in fiscal year 1983, 60% were non-compliant. Though only 10% of the non-compliance is considered serious, 89 threats to public health and the environment in a year are still too many. And there is no way to tell how many of the perhaps 1,000 facilities that were not inspected were also causing problems. We need to inspect all our generation, treatment, storage, and disposal facilities at least once a year. That means we have to have more inspectors and better support systems. Enhancing enforcement should therefore be a major priority for a waste-end fee fund. In addition to enforcement, TDWR also has many other needs that justify additional funding.

The League's last priority for use of a fee fund is research and development. The greatest need we see in this area is for a clearinghouse to collect and distribute research and development information which others have accumulated. A clearinghouse would especially help smaller companies to improve their waste management. While we are generally supportive of research and development, we cannot support the proportion of funding allotted it in HB 2359. We urge the committee to make research and development an important but not the dominant component of a fee fund.

Support for funding the state's hazardous waste program with fees assessed on generators and storage, treatment, and disposal facilities appears widespread in the legislature. League legislative interviews showed that 71% of those replying to a question on how to fund improvements in the state's management of hazardous waste favored a fee or tax on waste generators or handlers. Legislators are obviously aware of the importance of wise waste management to the public. Virtually every section of the state has seen controversy over siting new facilities or clean-up of problem sites in the last two years: the Metroplex, the Valley, east Texas, south Texas, west Texas, the Panhandle, the Golden-Triangle, and the Houston-Galveston area. Not all of these controversies involved hazardous waste, but the public does not discriminate among waste types when it feels threatened.

The League appreciates the attention the legislature is giving hazardous waste, especially the effort to address concerns in a comprehensive manner. We will follow the progress of HB 2359 and we offer our assistance to develop a waste-end fee that provides adequate financial support for a wise hazardous waste management program.

Thank you.

Diane Sheridan