



# MEMORANDUM

## LEAGUE OF WOMEN VOTERS OF TEXAS

1212 Guadalupe Suite 109 • Austin, Texas 78701 • Tel 512/472-1100

[REDACTED]

Thursday, April 23, 1981

Nancy -

Hope you saw to this for me on  
Monday at 2:30. I'm not sure where  
State Affairs will be meeting - Report  
will be on the board.

If they ask any questions of Davis  
& Sally Johnson will be there from EPA  
and said they would respond to questions  
of a technical nature for you - all  
you'll need to know is the LWVUS  
& LWV-T positions.

Just I could be there but  
I know you'll do a good job.

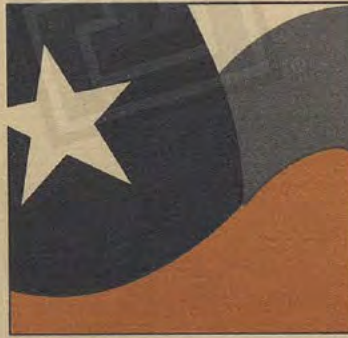
Thanks,  
Meg

2:30 P.M.  
Senate  
Chambers

Fran Smith (Houston)

[REDACTED]





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

STATEMENT BEFORE THE STATE AFFAIRS COMMITTEE OF THE TEXAS SENATE

Monday, April 27, 1981

I am Nancy Bene' presenting comments on S.B. 1042 for Meg Titus, Associate Director for Air Quality for the League of Women Voters of Texas, who was unable to attend this committee meeting today.

The League of Women Voters of Texas has had a long standing committment to improving the air quality in the urban areas of our state, and to preserving the clean air in areas of our state still having clean air. Our support for Senator Brooks' bill today stems from positions taken after study of air quality at both the state and national levels as well as from our concern for protecting the public health.

*Mrs. Titus* was in Washington in early March and, as a member of the LWVUS Environmental Quality Committee, present when the National Commission on Air Quality, chaired by Senator Hart, presented their findings and their recommendations to Congress regarding the Clean Air Act. We have done a careful and detailed examination of that voluminous document and can find no evidence that any of the Inspection and Maintenance programs now in place in various other states have any serious problems with implementation. The earliest of these programs, in New Jersey for example, still has wide public acceptance and has proven to be a cost effective way in which to reduce hydrocarbons, carbon monoxide and other automobile pollutants. This and other I/M programs such as those in Portland and Phoenix were part of the Commission study which found many benefits and few problems with the program as implemented to date.



Our organization and the National Clean Air Coalition of which we are members, could find nothing in the NCAQ report which would indicate that there are serious proposals to eliminate the sanctions which the EPA is mandated to impose in states not providing an I/M Plan for areas not able to meet the standards by 1982. Even though we found that the recommendations of the NCAQ are not necessarily justified by the findings, neither the findings nor the recommendations suggests that Congress do away with the sanction provisions of the Clean Air Act.

A ~~We believe now, as we did last session when we supported HB 726 dealing with I/M as a Houston pilot project,~~ that Texas must have an I/M plan in place for two reasons: 1) to make a start at improving the very real air quality problems in Houston and Harris County which can only be exacerbated by further industrial growth and population increases along the Gulf Coast, and 2) to avoid the sanctions mandated by the Clean Air Act Amendments of 1977 which could result in restrictions on further permits for sources and a cut-off of federal funding for such programs as highway construction and wastewater treatment plants as well as a loss of federal support for the Texas Air Control Board.

The League urges you to vote this bill out of committee favorably for full Senate debate. We believe it is in the best interest of all Texans to give the Department of Public Safety and the Texas Air Control Board the authority to develop an I/M programs in areas of our state requiring it.

Thank you for the opportunity to present the League's comments in support of this bill.



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APR 10 1981

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LC

LEAGUE OF WOMEN VOTERS BY PP  
[REDACTED]

THIS MAILGRAM IS A CONFIRMATION COPY OF THE FOLLOWING MESSAGE:

[REDACTED]  
ZIP  
SENATOR BILL MEIER  
[REDACTED]

REGARDING SENATE BILL NUMBER 546 OGG, TARRANT COUNTY LEAGUE OF WOMEN  
VOTERS URGES YOUR SUPPORT. EX-FELONS HAVE PAID FOR THEIR CRIMES.  
RETURN FULL CITIZENSHIP.  
MARTHA KISSINGER  
LWVIC  
[REDACTED]

1008 EST

MGMCOMP MGM



Joyce Robinson called - said she  
had sent a mailgram to Sen. Howard  
concerning SB 546 - Ex-Felons. His secretary  
called and told Joan he objects to  
546 because it automatically restores  
voting rights and he thinks every ex-felon  
should have to petition individually.

Q. Robinson president in Sherman.





LEAGUE OF WOMEN VOTERS OF TEXAS

# lobby law update



9/1  
Lutz  
Reid  
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State 1  
Office 2

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APR 6 1981

HARRY  
Meginnis  
in  
oggs  
some?  
App. 24 mts  
181 leg. Newsletter  
Best men!  
Ray

March 30, 1981

The Honorable John Leedom  
The Senate

Dear Senator Leedom:

Re: Ogg's SB 546 on restoring voting rights for ex-felons

Enclosed is your March 17 letter of support for SB 546 along with the March 29 Dallas Morning News' printing of selected record votes this past week.

I talked with Kay Copeland when I called your Dallas office this morning to double-check my information.

Texas has always represented the second chance, the "land of beginning again." When the law says an ex-felon has served his time, should he not be fully restored to his civic rights? At present, it is impractical for most ex-felons to have their voting rights restored.

Sincerely,

Kay Irvin  
Action Vice-President

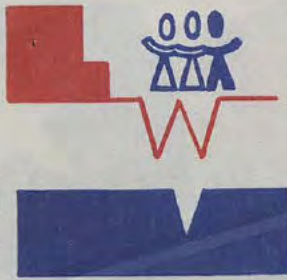
[Redacted]

Note to LWV readers: Joyce Lockley, calling as a constituent who has often worked with Leedom, talked with him Monday morn in a call to Austin. He says he's changed his mind because there are already provisions for restoring voting rights.

Kay Irvin  
3-31-81

This is known as political accountability, or as "calling his hand!"  
Ha! No!





APR 1 1981

DC  
LK  
3- LC  
✓ LO

## League of Women Voters of Lubbock

Lubbock, Texas

March 30, 1981

The Honorable E. L. Short  
The Senate, Capitol Station  
[REDACTED]

COPY

Dear Senator Short:

The League of Women Voters of Lubbock has received a copy of a letter which you wrote to Diana Clark, President of the League of Women Voters of Texas, on March 23, 1981. In that letter, you promised to support S.B. 546 (Senator Ogg's bill) concerning restoration of voting rights to ex-felons.

On March 11, you voted in favor of a rule suspension so that S.B. 546 could be considered for a second reading. It failed by a very narrow margin. When Senator Ogg moved again for suspension, you voted against his motion.

The League of Women Voters has worked for many years for automatic restoration of voting rights to felons upon completion of their sentence and/or probationary period. We urge you to follow your original convictions and vote for passage of this bill.

Sincerely yours,

Pat Nickell, President,  
League of Women Voters of Lubbock

C: League of Women Voters of Texas





# MEMORANDUM

## LEAGUE OF WOMEN VOTERS OF TEXAS

1212 Guadalupe Suite 109 • Austin, Texas 78701 • Tel 512/472-1100

SB 546

Sunday, March 30th

APR 2 1981

Dear Nancy -

I phoned Mc Knight's office first thing this morning but he was in committee. I asked that he phone me & told the secretary what I was concerned about.

Peggy Crawford returned my call about noon saying he didn't have time to phone me (typical!) but I expressed our concern in a firm fashion and she promised to discuss our position with him. I asked that he call if there were further questions or disagreement with nothing considered as supporting the bill - he probably won't! I'll try again if you want us to. Best to see you at Basement!

Meg Lotter,  
President  
LWV - Plano





LEAGUE OF WOMEN VOTERS  
of the San Antonio Area

APR 14 1981

April 13, 1981

The Honorable Glenn Kothman  
The Senate  
Austin, Tx 78711

Dear Senator Kothman:

The League of Women Voters of the San Antonio Area has for a long time supported voting rights for ex-felons, believing that after serving their time (both in prison and on parole), they deserve restoration of full citizenship.

We understand that you have consistently voted for SB 546. We want to thank you for your support for this bill, and to urge you to continue to work for its passage.

Very sincerely,

Jerry Ursin, President

JU/fs





LEAGUE OF WOMEN VOTERS  
of the San Antonio Area

APR 14 1981

April 13, 1981

The Honorable John Traeger  
The Senate  
Austin, Tx 78711

Dear Senator Traeger:

The League of Women Voters of the San Antonio Area has for a long time supported voting rights for ex-felons, believing that after serving their time (both in prison and on parole), they deserve restoration of full citizenship.

We understand that you have consistently voted for SB 546. We want to thank you for your support for this bill, and to urge you to continue to work for its passage.

Very sincerely,

*Jerry Ursin*  
Jerry Ursin, President

JU/fs





LEAGUE OF WOMEN VOTERS  
of the San Antonio Area

APR 14 1981

April 13, 1981

The Honorable Bob Vale  
The Senate  
Austin, Tx 78711

Dear Senator Vale:

The League of Women Voters of the San Antonio Area has for a long time supported voting rights for ex-felons, believing that after serving their time (both in prison and on parole), they deserve restoration of full citizenship.

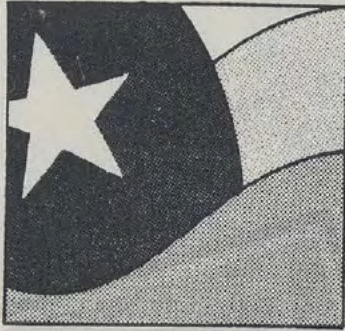
We understand that you have consistently voted for SB 546. We want to thank you for your support for this bill, and to urge you to continue to work for its passage.

Very Sincerely;

*Jerry Ursin*  
Jerry Ursin, President

JU/fs





APR 13 1981

## League of Women Voters of Richardson

4-9-81

To: Nancy Bene  
State Office

From: Mary Porter  
Legislative Director

We have contacted Senators Travis, Harris and McNight concerning S.B. 546. Senator Harris' secretary took the message of our support. Senator McNight's aide received our phone call but had no information about his position. Senator Travis' aide informed us that Travis is unalterably opposed to this particular bill but that he would support some "streamlining" of the system to restore voting rights to ex-felons. He said that Travis opposes making it an automatic restoration.

Please excuse the delay in notifying you. These phone calls were made the day after state convention ended. Announcement of the need for letters from members was made at our unit meetings yesterday. One note of explanation: part of the City of Richardson lies in Collin County and is represented by McNight. Hence, our contacting him. Unless otherwise instructed to do so, we will continue to lobby with him. This has been discussed with the Plano League.

*MP*



*I suggest that this statement be made  
by someone to Von Dahlen's Committee  
on or before April 20. I can make  
it to Ogg's Committee in Houston on 4-24-81*

*L/O ✓  
D/C  
L/K*

STATEMENT ON REDISTRICTING PLANS BY

LAVORA SPRADLIN ARIZAGA

*any comments?*

DIRECTOR FOR REAPPORTIONMENT, LEAGUE OF WOMEN VOTERS OF TEXAS

APRIL , 1981

*APR 10 1981*

The principal goal of the League of Women Voters of Texas in the redistricting process is to ensure that the redistricting plans are fair, that, under the new plans, the vote of each citizen of Texas counts as much as the vote of every other Texas citizen. Necessary components of action to achieve this goal are 1) that the plans drawn up shall be, in all instances, in strict compliance with the laws of the United States and Texas, constitutional and statutory, and 2) that the plans also be perceived to be in strict compliance with all the laws and be perceived to be fair to all so that costly, time-and money-wasting law suits may be avoided.

Therefore, let us consider the requisites of the law. We must all understand them clearly in order to evaluate proposed plans.

Districts must be of as nearly equal population as is practicable. The Supreme Court has directly disapproved plans for congressional districts that deviated as little as 4% from the ideal population distribution numbers. Less rigid numerical standards are set for legislative districts but any deviation from an absolute numerical equality of representation must be justified by a strong, legitimate state interest. The greater the deviation, the more compelling the state interest must be.

Districts must be single member districts.

Each district must be made up of contiguous territory and be reasonably compact.

The plans must be submitted to the Attorney General of the United States for approval (or to the federal district court of the District of Columbia for a declaratory judgement that they are not illegal) before taking effect.

To be approved the the U.S. Attorney General, or the D.C. court, the redistricting plans must not have the intent nor the effect of denying representation to voters on account of race, color or language. No plan will be cleared that will make it harder than before for minorities to elect representatives. Plans will be scrutinized closely for evidence of fragmentation or packing to dilute voting strength of racial or language minorities.

If the redistricting plans are not fairly and properly drawn, or, are not perceived to be so, the Attorney General will not approve them, and/or legal actions may be brought



in the courts. If the plans are disapproved or otherwise found to be invalid, a special session of the legislature will have to be called by the governor to draw up a new plan for the congressional districts. The Legislative Redistricting Board will have to draw up new plans for the legislative districts and all the new plans will have to be resubmitted to the Justice Department. This procedure would take a minimum of six months. It is certainly not in the interest of the people of Texas that the state should be in turmoil for months with vital governmental functions being neglected, elections being delayed or cancelled, because of a need to do over the work that should have already been done. Therefore, let's get on with the job and do it right, right now.



APR 10 1981

April 8, 1981

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

Dear Nancy:

House Bill 1229 - Litter Abatement and Recycling Support Act would create a Texas Litter Abatement and Recycling Support Division to implement a statewide, community-based litter control and recycling support program.

The division would coordinate government and private efforts to decrease littering and assist charitable organizations and governmental units to adopt and revise litter ordinances, upgrade community sanitation, generate law enforcement practices, devise public education programs and conduct research and development in litter control, source separation, recycling, litter abatement and recycling cost-benefit analysis and reporting.

An executive director of the division, appointed by the governor, would study methods to implement research in the field of litter control; coordinate state agencies, and organizations seeking to aid in anti-litter and recycling efforts; work with Texas Department of Highways, Texas Department of Health, Parks and Wildlife to develop and implement a statewide system for decreasing litter.

An advisory commission would be created consisting of representatives of interested industries, i.e., bottling, recycling, manufacturing, etc.; would serve a two year term to conduct litter control and recycling support activities.

The number and placement of litter receptables required are spelled out and enforcement provisions and penalties are detailed.

Opinion: The penalty is no greater (\$200.00) and enforcement is very difficult.

*No action recommended*

House Bill 2209 by Madla - "Municipal Solid Waste Management Siting Act" provides that a county commissioner's court has authority for land use decisions when site is within county



Ms. Nancy Bene  
League of Women Voters of Texas  
April 8, 1981  
Page 2

jurisdiction, and city council has authority for land use determinations when site is located within city jurisdiction. Any solid waste site which was in existence prior to the enactment of this bill and operated in compliance with state and county regulations may continue to operate.

A permit application received by the TDH will be forwarded to the appropriate local government for review. The local government shall have 60 calendar days to review the application. A public hearing shall be held (the public being given 30 days notice). The local government should adopt a resolution approving or disapproving the location of the site. The factors that should be considered in land use determination are: area zoning, comprehensive area-wide plan, character of the established land use, density of population, major growth trends, economic and social impact, traffic patterns, and solid waste management needs. A local government disapproving a proposed location must document its reasons based of the above criteria.

Opinion: Strengthens power and responsibility of TDH ~~is~~ siting. Does not provide for increased public participation.

*No action recommended*

Thanks for offering to follow this legislation for me.

Sincerely,

*Dolores R Hayter*

Dolores R. Hayter

DRH:dd



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

TESTIMONY BEFORE THE SENATE FINANCE COMMITTEE RE: COMMISSION ON JAIL STANDARDS  
January 29, 1981

Mr. Chairman and members of the Senate Finance Committee. We appreciate the opportunity to be here.

The League of Women Voters of Texas supported the creation of the Texas Commission on Jail Standards 6 years ago because our members had observed the deplorable state of our county jails. We decided that the best way to acquire and maintain safe, sanitary county jails in all parts of the state was to establish a state agency to set and enforce jail standards. Since that time we have regularly pleaded the cause of adequate funding for the Jail Commission before the legislature's appropriative bodies.

It does not appear to us that the commission's budget, as requested, is out of line with the work expected of them. Certainly they need adequate funds for such items as their audit, supplies, postage, and telephone costs. It must sometimes seem to each of us that travel expenses are some kind of penance we must pay to live in this huge state, but, obviously the jail commission cannot inspect jails and enforce standards without adequate travel funds.

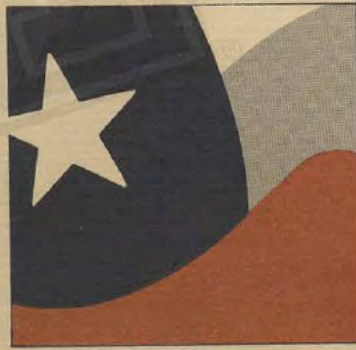
A very important part of the commission's work now and in the coming biennium is its technical assistance, especially to the small county jails that have no other source for this professional help. In this regard the Legislative Budget Board has recommended that the position of Planning Assistant be funded from federal funds. If that money were available, the Commission could happily apply for it. But it is our understanding that there will be no federal (LEAA) funds available except for some juvenile programs.

We feel that the rapid progress achieved this year in certifying jails in compliance with standards is excellent testimony to the commission's accomplishments. We were also pleased to note that in its decision in Taylor v. Sterrett the Fifth Circuit Court of Appeals recognized the commission and its work and stated, "The establishment of this body indicates a strong state commitment to improving conditions in these jails..."

We urge you to recommend state funding for the position of Planning Assistant, possibly through the Criminal Justice Planning Fund. We ask that you reconsider the figures before you and approve a budget nearer that requested by the commission. Your doing so would be in the best interest of the cause of justice in Texas. The Commission on Jail Standards must have adequate funding for enforcement of those standards.

Thank you for your consideration.





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

December 12, 1980

The League of Women Voters of Texas endorses the Municipal Solid Waste Management Plan for Texas agreeing with the purposes, scope and goals set forth in the plan. However, we encourage the establishment of additional incentives for resource recovery. We approve the objectives of the plan to raise citizen awareness of the need for proper management of solid waste and to foster public participation in solid waste matters. We strongly urge that all climatic, geological, hydrological and geographical factors affecting siting be comprehensively reviewed before permitting and additional emphasis be placed on monitoring sites in the future to better protect the environment and promote public health.

Dolores R. Hayter, Associate Director  
Solid Waste Management, LWV-Texas



Bene

STATEMENT MADE TO GOV. CLEMENTS BY MEG TITUS, LWT AIR QUALITY DIRECTOR,

February 2, 1979

Because our organization shares your conviction that [REDACTED] should be fiscally reasonable, we urge you to consider our recommendation that this session Legislation must pass--this session--various bills required to make the Texas State Implementation Plan for meeting National Ambient Air Quality Standards (NAAQS) by 1987 (or 1987 if an extension is granted) acceptable to the Environmental Protection Agency by the deadline of [REDACTED] 1979. We believe passage of these laws is necessary not just because the [REDACTED] of 1977 mandates them, but because we are convinced they are in the best interest of Texas citizens.

Senator Chet Brooks  
State Capitol  
Austin, Texas 78711

The mandates [REDACTED] have been drafted by Rep. Von Dohlen's Select Committee on Offset Emissions Standards and deal with: auto-obile inspection/maintenance (I/M), new motor vehicle standards, [REDACTED] and the composition of the Texas Air Control Board. Our local newspaper carried an AP news story on the Legislative Budget Board yesterday, and I was pleased to read of your motion to accept the recommendation for more parole officers.

Dear Senator Brooks:

The League is very concerned about our badly overcrowded prison system. We are among those who do support an increase in the number of parolees as one way to reduce the overcrowding. We do not, however, think parole officers' caseloads should be enlarged. First, if [REDACTED] the passage of [REDACTED] attainment [REDACTED] support of the Houston Chapter of [REDACTED] and they so testified.

At least if this funding proposal can be retained, we will be in a better position to urge an increased use of parole. Your support is appreciated.

Second, we [REDACTED] of dollars can be saved each year through saving millions of gallons of gasoline--a factor of grave importance given the current situation in fuel. A gasoline conservation study was done in 1977 [REDACTED] Corporation) in 34 Texas counties which demonstrated that 25 million gallons of gas could be saved annually in just those 34 counties if I/M programs were implemented. There should soon be more recent data even from a similar study done in Portland, Oregon.

Sincerely,

Lois Carpenter  
Director, Administration of Justice

Our TACB is now in the process of developing [REDACTED] engine function rather than a test of tailpipe emissions which has been used in many states. I believe two of your staff joined a "field trip" to look at the Phoenix Arizona I/M program. Some of the participants came back convinced I/M can work. It seems probable that the EPA will accept the TACB's approach when the data is in. This would mean that it is imperative that I/M enabling legislation pass this session.

Third, but not third in importance, a State Implementation Plan (SIP) to meet the air quality standards could provide a great savings in costs of public health. A survey of 22 studies published between 1967 and 1977 found that the estimated nationwide health costs of air pollution range from a few hundred million to over ten billion dollars per year.



STATEMENT MADE TO GOV. CLEMENTS BY MEG TITUS, LWV-T AIR QUALITY DIRECTOR,

February 2, 1979

Because our organization shares your conviction that environmental programs should be fiscally responsible, we urge you to consider our reasons for believing that this 66th Legislature must pass--this session--various bills required to make the Texas State Implementation Plan for meeting National Ambient Air Quality Standards (NAAQS) by 1982 (or 1987 if an extension is granted) acceptable to the Environmental Protection Agency by the deadline date of July 1, 1979. We believe passage of these laws is necessary not just because the Clean Air Act Amendments of 1977 mandates them, but because we are convinced they are in the best economic interest of Texas citizens.

The mandated bills I refer to have been drafted by Rep. Von Dohlen's Select Committee on Offset Emissions Standards and deal with: automobile inspection/maintenance (I/M), new motor vehicle standards, radioactive air contaminants, and the composition of the Texas Air Control Board (TACB), permit and variance fees, alternative plant siting, and noncompliance penalties.

The reasons we believe these bills would be beneficial to our state are several:

First, if a growing state such as Texas wants to provide for further industrial growth, the passage of the I/M bill in particular will provide an ozone emission reduction on non-attainment areas to accommodate new industrial growth. An I/M program for Texas has the support of the Houston Chamber of Commerce and a number of forward-looking Texas industries, and they so testified at a November TACA hearing.

Second, we believe millions of dollars can be saved each year through saving millions of gallons of gasoline--a factor of grave importance given the current situation in Iran. A gasoline conservation study was done in 1975 (Radian Corporation) in 34 Texas counties which demonstrated that 25 million gallons of gas could be saved annually in just these 34 counties if I/M programs were implemented. There should soon be more recent data available on a similar study done in Portland, Oregon.

Our TACB is now in the process of developing an I/M program using a test of engine function rather than a test of tailpipe emissions which has been used in many states. I believe two of your staff joined a "field trip" to look at the Phoenix Arizona I/M program. Some of the participants came back convinced I/M can work. It seems probable that the EPA will accept the TACB's approach when the data is in. This would mean that it is imperative that I/M enabling legislation pass this session.

Third, but not third in importance, a State Implementation Plan (SIP) to meet the air quality standards could provide a great savings in costs of public health. A survey of 23 studies published between 1967 and 1977 found that the estimated nationwide health costs of air pollution range from a few hundred million to over ten billion dollars per year.

(over)



TITUS STATEMENT ON AIR (cont.)

A comprehensive estimate for the health costs of air pollution in the U. S. could reasonably range above \$10 billion per year. (Health Costs of Air Pollution, American Lung Association, December 1977)

Fourth and last, but a very important reason for urging you and your staff to work toward passage of these bills, relates to certain sanctions mandated in the Clean Air Act Amendments of 1977. These MUST be imposed if a state does not prepare an approvable SIP by July 1, 1979 or demonstrate a "good faith" effort toward developing one. Specifically, the federal government must withhold \$390 million in highway funds, the 75% federal participation in sewage treatment plant construction grants, the \$2 million federal contribution toward the TACB annual budget of \$8 million, and most serious of all, further industrial construction must be halted.

Because a large segment of Texas' industry supports an I/M program to accommodate future industrial growth--

Because I/M programs have been proven workable, valuable and successful in a number of other cities and states--

Because millions of gallons of gasoline can be saved through an I/M program--

Because of great savings in health costs--

Because no one wants Texas to make the mistakes made in past years by many Eastern states, rather we should benefit and make better plans for our state-- and

Because it does not seem fiscally responsible to replace at least some of the lost federal funds out of the "pared down" state budget--

The League of Women Voters urges you to actively support passage of those laws required to enable the TACB to prepare a workable, acceptable and beneficial SIP for our state by July 1, 1979.

For TACB is now in the process of developing an I/M program using a test of engine families rather than a test of engine emissions which has been used in many states. I believe two of your staff termed a "field test" to look at the engine families I/M program. Some of the participants have been contacted by our staff. It seems probable that the EPA will accept the TACB's approach when the data is in. This would mean that it is imperative that I/M testing legislation pass this session.

While not cited in the report, a study by the EPA (EPA-440/3-77) in March 1977 found that the estimated nationwide health costs of air pollution range from a few hundred million to over a billion dollars per year. The study also found that a 10% reduction in air pollution would result in a 10% reduction in health costs. A survey of 25 states found that a 10% reduction in air pollution would result in a 10% reduction in health costs.



Land Use

NEWS RELEASE

Sent to press on letterhead

FOR IMMEDIATE RELEASE

JANUARY 16, 1979

AUSTIN, TEXAS

Betty Anderson, President of the League of Women Voters of Texas, today expressed extreme disappointment that the reasonable and sensible Texas Coastal Management Program has been summarily dismissed by former Governor Briscoe in such an outrageous manner.

His action to withhold preliminary approval of the program, necessary if federal planning funds are to continue, could halt the carefully-prepared program under the capable leadership of Land Commissioner Bob Armstrong.

President Anderson stated, "The League is asking Texas citizens to strongly urge Governor Clements to grant preliminary approval of the Texas Coastal Management Program. This program is vital if our coastal resources are to serve the best needs of most Texans."



Anderson  
Wilbur  
Albers ✓  
Perrine

February 28, 1979

To the Senate Natural Resources Committee: SB 444 by Senator Schwartz

The League of Women Voters of Texas urges your favorable consideration of SB 44, concerning the prevention and clean-up of spills and discharges of oil, hazardous substances, and other pollutants into the waters of the state. This bill would extend to all of the state existing regulations that are now applicable only in coastal counties.

The statewide program would enable Texas to comply with provisions of the 1977 federal Clean Water Act, and to continue to qualify for federal grant funds for clean-up operations. This program, administered by the Texas Department of Water Resources, is a necessary part of the state's effort to maintain and improve the quality of our water resources.

#444  
passed  
Senate  
Jues. March 6.



March 7, 1979

TO THE SENATE NATURAL RESOURCES COMMITTEE:

SB 499 by Schwartz

The League of Women Voters of Texas wishes to express support of SB 499, which would establish a perpetual care fund for industrial wastes, administered by the Texas Department of Water Resources.

This bill would enable the Water Resources Department to protect Texas citizens from hazards like those at the Love Canal site in New York, where toxic pesticide wastes buried in the 1940s and 1950s have been linked to recent birth defects and cancers. Several waste sites in Texas, used prior to the enactment of the Texas Solid Waste Disposal Act in 1969, are known to present health hazards, and others may be identified in the future.

The fund established by SB 499 would be used to investigate and correct adverse impacts to public health, welfare, and physical property resulting from non-nuclear industrial waste facilities. The bill authorizes the Department of Water Resources to establish a schedule of fees, ranging from zero to fifty cents per ton, to be collected from those who generate, transport, or dispose of these wastes. The fees would be set after public hearings and would be related to the hazards resulting from various categories of wastes. The fund would also receive forfeited bonds and deposits and half of the settlements and judgments in suits filed by the State under the Solid Waste Act. Any federal grants available under the Resource Conservation and Recovery Act of 1976 could be added to the fund, and appropriations could be made by the Legislature. The fund would maintain a balance not to exceed \$5 million.

SB 499 implements recommendations made by the Texas Coastal and Marine Council in its study of possible means of funding long-term care of industrial wastes. We believe that such care is needed and that the proposed methods of funding are reasonable. We urge your favorable consideration of this legislation.



BA  
SW  
JA  
SO  
CP

March 7, 1979

TO THE SENATE NATURAL RESOURCES COMMITTEE:

SB 521 by Santiesteban

The League of Women Voters of Texas opposes SB 521, which would exempt various levees from jurisdiction of the Texas Water Commission. At present, the Commission permits levees in accordance with rules of the Texas Department of Water Resources, which regulate levee locations so as to protect adjacent property from increased flood hazards.

Section 1 (d) (2) would exempt from the Commission's jurisdiction levees within a city or town that are subject to approval by the city or town. However, levees within one city frequently affect property outside its limits--which may be within another city. The city where the levees are proposed may wish to reclaim maximum acreage from the flood plain and may not give full consideration to consequent increases in flood heights on other property. The Texas Water Commission can provide an impartial judgment as to potential effects of the proposed levee and should, we believe, retain its present authority to permit such levees.

Section 1 (d) (3) would exempt various other levee projects from the Commission's jurisdiction, provided that they comply with standards that are substantially the same as standards of the Texas Department of Water Resources. However, no mechanism is provided by which the department can review the projects and assure that they are in compliance with the standards.

We believe that existing requirements for issuance of permits by the Texas Water Commission provide needed protection for property owners and should not be weakened by the amendments proposed in SB 521.



January 22, 1979

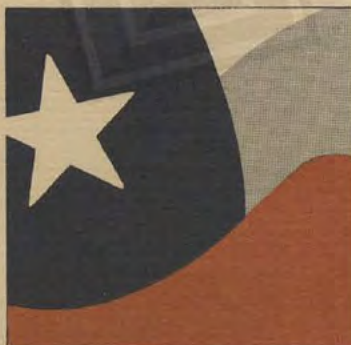
*House*  
*Security and Sanctions subcom on app matters*  
TO: Members of the Senate Finance Committee

Because the return to society by an offender often begins with a stay in a city or county jail, such local facilities must be upgraded to meet minimum state standards. To allow prisoners to be held in unsafe, unsanitary, and overcrowded surroundings while awaiting trial or serving a misdemeanor sentence is contrary to Texans' concept of fair justice. It may also be counterproductive because it fosters deep-seated anger against the society to which the offender will someday return.

While state standards for jail facilities are a high priority, they will be next to useless without the mechanism for enforcing them. The League of Women Voters of Texas believes the Commission on Jail Standards must continue to exist and its funding must be adequate.

We recognize that it may be necessary to restructure the Commission in order to alleviate certain concerns that have been expressed about its operations. But in any case, the state needs to make a commitment to enforcement of jail standards during its budget-making process.





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

February 27, 1979

To: The Human Services S/C on Appropriative Affairs

The League of Women Voters of Texas supports bringing AFDC payments to 100% of what was established in 1969 needs level. The average income of a Texas family receiving both AFDC and food stamps is only one-half of the official poverty level of \$5,500 for a non-farm family of four.

We urge adoption of an average increase of \$8.89 in the basic payment; this would bring the payment to \$41.39 from the current \$32.58 per recipient. To many, \$9 means little. To an AFDC parent, it may help provide a month's supply of milk, or buy children's shoes. Increased AFDC payments will also benefit the State financially; for by law, if the State pays recipients at least 90% of need, not only are other costs to the State reduced, such as foster care, but millions of dollars of new federal funding for AFDC will be awarded to Texas.

The goal of AFDC should be to offer positive assistance to increase opportunities to be productive citizens of Texas. The current grant falls far short of that goal.

Thank you.

*File  
Not given in time now  
out*



Alters ✓

BA

JW

SO

CP

February 21, 1979

HB 745 - by Don Cartwright

TO MEMBERS OF THE HOUSE NATURAL RESOURCES COMMITTEE:

The League of Women Voters of Texas urges your favorable consideration of HB 745, which provides for financial support of the Edwards Underground Water District by those who sell water from the Edwards Aquifer for use outside the district.

As you know, the Edwards District was created by the Legislature in 1959 for the purpose of "conserving, protecting and recharging" the Edwards Aquifer and "for the prevention of waste and pollution" of its water. The district has participated with the U.S. Geological Survey and with State water agencies in studies of the aquifer, has disseminated information about the aquifer, and has been instrumental in the construction of small dams that have increased recharge of the aquifer. Since its formation twenty years ago, the district has supported its activities by a tax of 2 cents per \$100 valuation on property within the district--a five-county area overlying the aquifer.

In recent years, increasing quantities of water have been pumped from the aquifer for sale outside the district--chiefly to new subdivisions. These users benefit from the district's activities as do users within the district. Yet they do not now contribute to the support of the district. We believe that HB 745 will provide a more equitable allocation of the costs of the district's operations.



Albers ✓  
BA  
JW  
So  
CP

February 21, 1979

HB 746 - by Don Cartwright

TO MEMBERS OF THE HOUSE NATURAL RESOURCES COMMITTEE:

The Edwards Aquifer is the source of water for more than a million people in five Texas counties. Because of the relatively rapid movement of water through its porous limestone and underground channels, it is much more vulnerable to pollution than other Texas aquifers. If wells drilled in the aquifer are not properly constructed, contaminants seeping down the well bores can spread rapidly through the aquifer. Though no widespread pollution of the aquifer has yet occurred, gasoline, septic tank effluents, and mercury have entered the aquifer in localized areas through wells that were not properly cased and cemented.

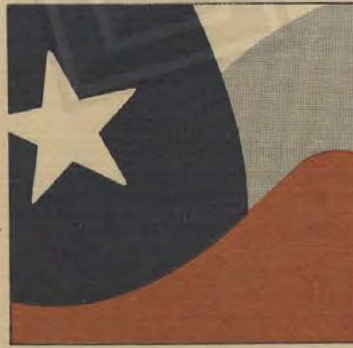
HB 746 would give the Edwards Underground Water District, which is charged by law with preventing pollution of the aquifer, specific powers to carry out this duty by regulating "the method of drilling and completion of water wells." Though most wells are drilled by competent and responsible drillers, regulation is needed to protect this important water supply from damage by those drillers who are careless or unscrupulous.

The bill also gives the district authority to require the capping of wells that are not in use, to receive copies of water well drillers' logs, and to adopt and enforce rules necessary to carry out its functions.

Powers similar to those granted in HB 746 are available to other ground water districts in the state, and we believe that they should be extended to the Edwards District.

The League of Women Voters of Texas urges your favorable consideration of this bill.





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

February 13, 1979

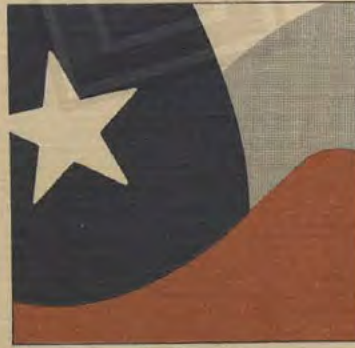
TO: THE APPROPRIATIVE MATTERS SUBCOMMITTEE OF THE HUMAN SERVICES COMMITTEE

The League of Women Voters of Texas urges you to appropriate funds to the successful Displaced Homemakers Program funded two years ago.

The homemaker we are concerned about today is over forty years of age, is left alone for the first time with few or out-of-date skills to face an uncertain future. She has doubts about herself and her ability to get back into the job market, go to school, or make the decisions which will take her out of her former role of dependency and into self-sufficiency. Both the rural and urban centers have assisted women in dealing with grief, anger, fear, and lack of ability to make decisions, and have helped smooth the transition to a new life. The centers have also provided information on community resources, training programs, and assisted in job placement.

Certainly \$120,000 is not a large amount of funding to help these women get back into the economic mainstream of society in Texas. The Displaced Homemaker Program brings both economic and social rewards to these women.





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

February 12, 1979

To: The House Elections Committee

The League of Women Voters of Texas favors changing the time of the primary election and making it closer to the general election. We first concluded that steps should be taken to shorten the campaign period during a study undertaken during the late 1960's. That position was reaffirmed in a related study in 1973.

We believe there are several advantages to a shorter campaign period--the most obvious one being the probability of less costly election campaigns. It is imperative in a democracy that people from all walks of life have a chance to compete for elective office. It would be an undesirable situation if those seeking office had to be wealthy or, lacking such wealth, had to rely on wealthy individuals or groups to bankroll their campaign.

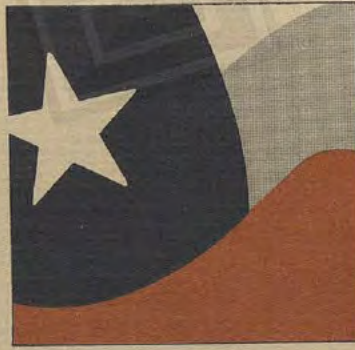
Another concern the League has is that long campaigns have become an endurance test for both the candidate and the voter. And as the campaigns wear on, the campaigns often become bogged down in tedium and trivia. We of course feel campaigns should be long enough for the issues to be fully explored, but we think July or August primaries would still permit this.

While we have not been able to find comprehensive studies of the relationship of the length of the campaign period to voter turnout, we do think it is significant that several states with high voter turnout have shorter periods between the primary and general election. Examples are Michigan and Kansas with August primaries, and Minnesota, Wisconsin, and Washington with September primaries. However, it should be noted that in these latter states, candidates may be elected by a plurality. In Texas, where an majority is required, an additional month might be required to allow for run-off elections.

While the League of Women Voters of Texas does not have a position on presidential primaries or whether presidential and regular primaries should be combined or split, we do have a long-standing concern about voter turnout. We urge the committee to carefully consider all options with a view toward increasing the voter turnout in Texas.

Thank you for your consideration.





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

February 12, 1979

To: The House Security and Sanctions Committee

The League of Women Voters of Texas supports the concepts contained in HB 39 and HB 40, establishing a statewide juvenile probation system and minimum standards for juvenile probation officers. The League's overall goal is a unified juvenile justice program for the state which ultimately would include the services provided by the Texas Youth Council. However, the present legislation is an excellent beginning toward this goal. The League supported the creation of an Adult Probation System in the last session. We believe this system is working very well, but some problems have been created in those districts with dual probation departments. The bill before you would alleviate such problems.

Local League surveys of juvenile probations departments in Texas show a hodge-podge of problems, ideals, inadequacies, confusion, dependent solely upon county funds for their existence. State funding and minimum standards for personnel and programs as outlined in these bills still leave room for additional local funding and local input and control, a concept the League of Women Voters strongly endorses.

Thank you very much.



file

January 24, 1979

TO MEMBERS OF THE SENATE NATURAL RESOURCES COMMITTEE:

The League of Women Voters of Texas supports SB 41 by Sen. Traeger because it gives additional powers to the Edwards Underground Water District. It grants power to regulate the method of drilling and completing water wells which is important in order to prevent pollution. The Edwards is a valuable reservoir which is the source of drinking water for San Antonio and dozens of other cities, towns, and rural residences. By requiring proper casing and cementing of wells, the district can avoid the seepage of contaminants into the groundwater and thus fulfill one of the major purposes for creating the district.

An additional power to receive water well drillers' logs, which are now available only in Austin at the Texas Department of Water Resources, seems a logical role for the district.

Lastly, SB 41 requires proper maintenance of uncovered wells which will enable the district to do away with safety hazards.

Powers similar to those granted in SB 41 are available to other ground water districts in the state, and we believe they should be extended to the Edwards District.

Thank you for your consideration.



*Identical testimony given  
on Madala's House bill*



## LEAGUE OF WOMEN VOTERS OF TEXAS

SUITE 109

• 1212 GUADALUPE

• AUSTIN, TEXAS 78701

May 3, 1977

### STATEMENT TO THE SENATE JURISPRUDENCE COMMITTEE

#### IN SUPPORT OF SB 933

Mr. Chairman and members of the Committee on Jurisprudence:

The League of Women Voters of Texas--with over 4,000 members around the state--have been studying various aspects of the criminal justice system for two years. Along with measures to make this system more uniform in its treatment for those accused and convicted of various criminal acts, we investigated the uses of restitution and of aid to victims of violent crime. We are distressed to discover that although there are measures available to impose restitution, most victims of violent crime do not benefit from such procedures. And there is no other avenue available to relieve the effects of violent acts upon innocent victims.

Therefore, the League supports SB 933 by Sen. Clower. We believe this bill deserves support for several reasons:

1. There is no present system, either public or private, for compensation to needy victims of violent criminal actions, nor do existing public welfare programs necessarily cover assistance to these individuals or their families.
2. Compensation to innocent victims redresses, albeit in a very small way, the imbalance of public money spent on the perpetrators of violent crimes.
3. A person injured or killed while attempting to aid a peace officer deserves concrete assistance--not just a handshake and a plaque to hang on the wall.
4. Although restitution is sometimes required and collected, all too often the person guilty of the crime, violent or not, has no resources to pay restitution.



5. Therefore, compensation to the innocent victim should not depend on the ability of the accused to make such restitution. We believe the state has that responsibility.

6. With the collection of the \$5.00 fine called for in this bill, the state will be able to draw on a fund for the compensation.

7. This bill has adequate safeguards to prevent abuse or fraud in victim compensation. It does not provide for compensation in excess of benefits received elsewhere or for stolen property which we believe is not the state's responsibility.

8. State assistance is intended only for those with real financial need.

9. The role and compensation of the attorney is carefully spelled out.

10. This bill uses a state agency already in existence with experience in procedures for similar investigations and award recommendations rather than creating a new agency.

11. The inclusion of specific ways to inform victims of the existence of state aid and the ways in which to apply is extremely important.

We urgently request you report this bill out of committee with a favorable recommendation.

Thank you for this consideration.



Jan. 2. This too strong?

To be poor in Texas is difficult enough. To be a poor child on a single parent family is even more so. One out of five children in Texas are poor. Everyone child on AFDC is poor.

The League of Women Voters of Texas wishes to go on record today and join thousands of other citizens in Texas in urging the state to increase the paltry <sup>payments</sup> to AFDC children presently awarded in this state.

"Paltry" is perhaps a strong word but so is our belief that \$32 a month to raise a child is too little. The state has not raised the grant level since 1969 despite a recent \$5 a month bonus apyment. A Mayor of a big city in this country, <sup>in</sup> urging increases in payments in his state said it was almost scroogelike not to have raised their <sup>state</sup> payments since 1974 due to the incredible inflation in this country. If not raising them since 1974 is scroogelike, how can we define the action of our state not to <sup>have</sup> raise them since 1969?

We are perfectly aware that raising these payments is not the most popular thing to do politically back home. But we are also aware that it is your responsibility to make decisions which are right and not necessarily politically popular.

Lets face the facts. Texas now ranks 49 out of 50 in level of payments to these children. The payments average \$32 a month and this is considered "75% of need" as defined in 1969. What are we asking for? A small increase of about \$9 a month to bring the standards up to "100% of need" as defined in 1969.

Will this bring a new flocking of clients on AFDC? Hardly. AFDC clients now average 3 years on welfare. 37% of these people have children under 6 years of age.. ~~Only 12% of these families are unemployed.~~

Our figures indicate that \$75 million will be need to fund ~~the total expenditures for~~ the increase on AFDC, a figure which includes Medicaid expenses, one of the most valuable parts of the AFDC program. ~~And~~ this will leverage an additional \$31 million into the state for meeting 100% of "need" as quoted in the guidelines.

Why ~~is~~ it is necessary to do anything at all? Why not just save the money for tax relief? The answer is simple and makes sense in terms of dollars and cents. Disadvantaged AFDC children are deprived of financial and social resources which are necessary for normal development. The purpose of the program is allow these



children and their single parent a better chance at inegration into society in order to be productive sitiens of Texas in the future.

\* AFDC requires that mothers without small children at home must register or work. They must get themselves into a training program. When these mothers get into the "employable" market, their own economic situation improves and so does the portential well being of their children.

It is our belief, along with other organizations in this stae working to convince you, the legislators of this state, that the increase is important, that the cost of not helping these deprived hildren now will come back to haunt us in the future, when additional resources will be needed to provide for them as growing adults.



*not used  
in this  
form*

Needs opening paragraph.

Permanently legislating non-taxation is not the proper remedy for tax relief, and, in all candor, must be labelled a sham. The people of Texas do want tax relief. But they want it in the form of equity, fairness, and less tax burden. They do not want a promise that non-taxation will continue through the years. We are sure you would agree that it is impossible to see into the future and predict what the needs of the state may be in years to come. It would be most unwise to tie the hands of future lawmakers by imposing regulations on a form of tax not now in use. There may come a time, in the not-too-distant future, when a Legislature will find it necessary to seek additional sources of revenue, and it will be most difficult, if not impossible, to undo what is attempted with this Constitutional Amendment.

We are very much aware that the Texas oil and gas industry now pays a large share of the state's taxes, and as production declines this sort of revenue will decrease. Instead of playing on the emotionalism generated by talk of a state income tax, we urge you to gather together the best minds and other resources from business, government, and education to develop an orderly, systematic, and sophisticated study of ways to replace declining revenue.





**Project Safewater** League of Women Voters of Texas, 1212 Guadalupe, Austin, Texas 78701.  
Funded by a grant from the office of Water Supply of the EPA to the League of Women Voters Education Fund.



Testimony

AFDC File

Another draft 9/21/78 Advocacy paper Coggeshall

Not many of us have lived on an income which hasn't changed since 1969. Despite a 74% inflation rate gnawing at the value of our dollar in the past ten years, there has been no increase in a program called Aid to Families of Dependent Children. The Texas plan to help needy children now ranks 48th out of 50 states in the nation in grant level payments.

It is terrible to be poor in this country but it is worse to be poor in Texas, a state where it is now estimated that one out of every five persons lives in poverty.

The grant payment per recipient in this programs continues to average only \$32 a month, or a dollar a day or less than enough to live on. (One former Dept. Human Resources commissioner put it more harshly when he noted that our support of AFDC children in this state is less than the daily cost of boarding a cat!)

Citizens groups across the state are urging the legislature to grant an immediate increase in payments averaging \$9 a month.

Needless to say, the AFDC program is on sound financial footing in Texas and raising the payments only \$9 a month will not change this fiscal responsibility.

Some people in Texas still hold on to that old theory that keeping AFDC payments low will get or keep people off welfare. There is absolutely no scientific evidence that this is true. In fact, study after study shows that the reason most people get off welfare is because there has been a change in the family situation or the caretaker or mother has obtained a job.

Keeping payments low makes grinding poverty a deep frustration for those unable to provide basic necessities for their families.

The AFDC program is not for all poor people in Texas. In ~~fact~~ Texas it is only for poor families in which one parent has died, has abandoned the family, or is disabled leaving children without adequate resources to develop a normal life. Its purpose is to provide these disadvantaged children, a reasonable subsistence compatible with decency and health to facilitate their integration into society and increase their chances of being productive citizens of Texas.

Picture your own family budget and start with a total of \$140 a month for yourself and three children. Budget your rent, then your utilities, some food money, clothes and then your bus fare for four weeks. Was \$140 enough? You left out school supplies? Soap?

The federal government pays 73% of the Texas AFDC program and the state pays 27%. Local property taxes do not contribute anything.

The Dept. Labor estimates that the average AFDC family in Texas after receiving support still lives at only 65% of the poverty level.



What about those rumors that AFDC mothers have babies to get \$32 a month more? No, that's not true either. The nationwide trend to having smaller families also applies to AFDC. The average Texas family last year consisted of only a caretaker and 2 children dispelling the myth of the huge AFDC family.

Fraud and error rates in the AFDC program in Texas continue to remain at the bottom of the 10 largest states administering the program, a track record to be proud of. The charges of gross mismanagement in the AFDC program simply do not hold true for Texas.

Instead the biggest criticism is aimed at the Texas low level of payments. In the past, the state has never reached the \$80 million constitutional ceiling for welfare expenditures and yet poor families continue to surround us.

Why bother with a \$9 a month increase? It certainly isn't much money. But to many an AFDC caretaker, it means a gas bill paid, a pair of sneakers purchased or a month's supply of milk obtained.

In a state where 76% of our AFDC mothers have never finished high school, it is critical that these parents get into a job training program through the AFDC-Work Incentive program (WIN). The WIN program registration is mandatory for anyone on AFDC without a child at home under the age of 6.

AFDC recipients also receive Medicaid, an important component of the program. The dependent babies and young children have access to a screening and early detection program which will ferret out disease and disabilities which can impair ~~their~~ their normal development, and future learning abilities.

As the costs for medical care continue to increase, it is important for these vulnerable children to be subjected to a program of preventive medicine. The Governor's Task force on Medicaid has said "Failure to screen the poor can only have two consequences over the long run... increased cost to taxpayers for higher welfare requirements and wasted human resources."

Texas is no welfare state.. The entire AFDC program is only 2% of the state budget and yet these funds <sup>will</sup> directly affect 330,000 ~~xxxxxxx~~ persons if the increase is approved.



The legislative appropriations for the last biennium amounted to \$16.8 billion..Citizens Groups, including the Texas Citizens for Welfare Reform, are urging the legislature to appropriate an additional \$36.7 million for FY 1980, the amount requested by the Dept. Human Resources Board. This investment will leverage an additional \$31 million from the federal government for the Texas program.

One AFDC mother has stated "I don't want luxuries for my children. I just want basic necessities." This particular AFDC mother has a husband confined to a nursing home with muscular dystrophy and the needs of her children are still unmet by the state of Texas.

Will they continue to be unmet after the next legislative session?



copy  
for LHV-Tx

LEAGUE OF WOMEN VOTERS  
of  
MARSHALL-HARRISON COUNTY  
P.O. BOX 520  
Marshall, Texas 75670

APR 5 1979

April 1, 1979

To: House Natural Resources Committee  
Honorable Tom Chaddick, Chairman

Subject: Senate Bill 675 The Caddo Lake Compact

We respectfully request that the following remarks be received  
at the House Public Hearing on the Caddo Lake Compact on  
Wednesday April 4, 1979 7:30PM and be made part of the records  
of said Public Hearing.

Speaking on behalf of the League of Women Voters of Marshall-  
Harrison County, I am Sallie Gullion. We would like to commend  
this committee for making this public hearing possible.

Caddo Lake is a shallow, naturally-formed lake which at 168.5 feet  
above sea level has a surface area of approximately 26,500 acres.  
The unique environment of this lake includes Bald Cypress trees  
and wildlife, as well as flora features found nowhere else in the  
state of Texas. Caddo Lake's level is altered artificially by the  
operation of Ferrell's Dam on Lake 'O the Pines and by a dam on  
the east end of Caddo Lake near Mooringsport, Louisiana. This  
earthen dam on Caddo Lake was built in 1911 and reworked in 1971  
by the Corps of Engineers to maintain a spillway level of 168.5  
feet above sea level. This Caddo dam was originally built to  
reestablish the natural water level which had been lowered when the  
Red River log jam was removed in the late 1800's.



In an effort to resolve the conflicts concerning Caddo Lake with regard to the Red River Compact, the governors of Louisiana and Texas appointed representatives to negotiate a Compact on Caddo Lake. The product of their two month deliberation is the proposed legislation titled Caddo Lake Compact before this committee tonight.

As we read it, the Caddo Lake Compact has several serious flaws:

- 1) Section 8A specifies unequal indemnification for Texas and Louisiana land.
- 2) Section 8C allows the Caddo Lake dam to be raised without the prior obtainment of flowage easements.
- 3) The Caddo Lake Compact does not require the obtainment of land and flowage easements prior to the raising of the dam.
- 4) The Caddo Lake Compact assumes that raising the dam two feet will not adversely affect the ecology of the lake.
- 5) The Caddo Lake Compact does not specify the requirement of an Environmental Impact Study of the effects of raising the dam by two feet.
- 6) The Caddo Lake Compact invests autonomous control of the regulation, dispersement and containment of the Caddo Lake waters with the Caddo Lake Commission.



7) The Caddo Lake Compact does not specify that the Caddo Lake Commission is subject, in any way, to the Texas Water Rights Commission or any Texas agency; nor does it specify that the Caddo Lake Commission is subject to any federal agency or regulation such as the Rivers and Harbors Appropriation Act of 1899 or the Enviromental Protection Act of 1969 which presently apply to Caddo Lake.

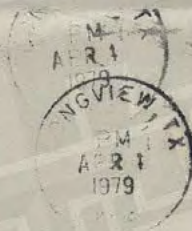
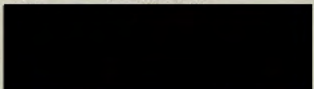
In Summary the League of Women Voters of Marshall-Harrison County respectfully requests that this committee report unfavorably on Senate Bill 675, the Caddo Lake Compact; or amend it to rectify the inequalities and omissions listed above.

*Sallie Gullion*

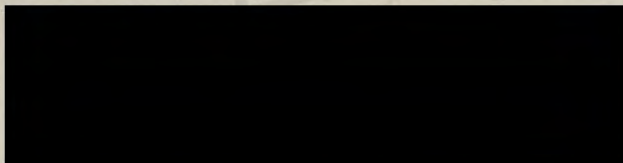
Sallie Gullion, President



Sallie Dalton



Jan Albers  
L W V - Texas





MAR 27 1979

Statement to the House Committee on Business and Industry, March 12, 1979, in Austin, Texas.

Mr. Semos, and members of the Business and Industry Committee:

I am Edwina Adams, a member of and speaking for the League of Women Voters of Dallas. I appreciate this opportunity to speak to you concerning the need for landlord-tenant legislation for the State of Texas.

The League of Women Voters of Dallas supports legislation that would list the obligations of landlords and tenants, and which would include a warranty of habitability. Also included in the legislation should be a statement of remedies available to either party should one or the other fail to uphold his obligations. Among the remedies we support are self-help measures such as repair and deduct.

We also support prohibitions against retaliatory eviction when the tenant

----has made a complaint to the appropriate city or county department about conditions in the apartment or rental unit which might not be in compliance with the health, housing or fire codes, and which conditions materially affect the health and safety of the tenant, and the condition was not caused by the tenant.

----makes a general complaint to the landlord about a violation of his tenant rights.

----joins, organizes or participates in a tenants' association.

The Dallas League feels that H.B.215 effectively covers two problem areas of landlord-tenant law, the right of habitability and protection against retaliatory eviction. The League believes that Section 4 of H.B.215 is particularly important. This section prohibits the contractual waiver of the warranty of habitability. We feel it is the vital section of the bill. If H.B.215 were incorporated into a balanced, comprehensive piece of legislation, setting out fully the obligations and remedies for both tenant and landlord, the League would support H.B.215.

It is the League position that lack of effective landlord-tenant legislation is contributing to urban housing deterioration. The situation in Dallas is as it is in other major urban areas of Texas--there has been a change in recent years toward the construction of more multi-family dwelling units. Renters comprise more than 50% of the population of Dallas. Currently, 80% of the new residential units being constructed in Dallas are multi-family units. This points to an even higher percentage of residential renters for Dallas in the future. City code enforcement records estimate that about 25 % of all occupied rental units may not have met the minimum housing standards set forth in the City of Dallas Urban Rehabilitation Ordinance. This high percentage of substandard conditions in rental units can, at least in part, be attributed to the difficulty in achieving minimum housing code compliance from the non-resident landlord.



Absentee landlords in certain geographical areas of the city have been a problem for some time, but the recent sharp increase of out-of-state landlords throughout the city has changed the apartmental rental picture. Out-of-state corporations are increasingly purchasing apartment property as a tax write-off. Because Texas lacks a landlord-tenant law which defines the rights and obligations of tenants and landlords, as well as workable remedies for settling disputes, investors from as far away as Canada, California, New York and Chicago are finding Texas a profitable place to buy apartments. While there may be advantages in having this outside capital invested here, it is also true that these corporations do not have the same interest in the well-being of Texans that local developers and builders often display. It is from these complexes owned by outside corporations and frequently managed by large management services that most of the serious tenant complaints arise. Tenants in these complexes have been without hot water, heat, air conditioning and other essential services for weeks and even months. They have found that their only recourse is to move. Also tenants in these complexes are often treated in an impersonal and dehumanizing manner.

Some of the things that happen to renters after the apartment complexes are purchased include receiving sudden notices to either vacate or to purchase the apartment as a condominium, or rental and utility increases of up to 50% more than they have been paying. If tenants protest against lack of maintenance and repairs, they are evicted in retaliation, and then often blacklisted which makes it difficult to rent elsewhere. If the tenants fight the evictions or the lack of repairs in court, they often incur expensive attorney fees.

In conclusion, the League of Women Voters of Dallas seeks comprehensive, effective landlord-tenant legislation for Texans. Although H.B.215 speaks to only a small portion of landlord-tenant relations, it addresses two of the problems that are now particularly troublesome in the City of Dallas. We believe it would effectively help to assure safe, sanitary, livable rental housing for people of all incomes in Texas and preserve sound housing stock. For these reasons the LWV-Dallas believes H.B.215 to be a worthy bill.



Take 11th St. to Lawton.  
Right on Lawton to 13th.  
Right on 13th to just past Overstar Bar.  
Turn right again and into underground  
parking at State Bar Bldg.

GOVERNOR  
LAWSON

11th - 15th  
252. E. 11th

To the House Committee on Elections

March 13, 1979

The League of Women Voters of Texas enthusiastically supports HB 444 relating to classes of persons not qualified to vote. We are particularly anxious to see the removal of the part of the law pertaining to persons convicted of a felony. We agree with the sponsor of the bill, Rep. Smothers, that Part 4 of Section 33 stating "all persons convicted of any felony, except those restored to full citizenship and right of suffrage or pardoned" should be deleted.

For several years, the League of Women Voters of Texas has taken every opportunity to add its voice to the plea by many individuals and groups for the automatic restoration of voting rights to felons upon completion of their sentences and/or probationary period. Our state should not continue to deny full citizenship rights to persons who have paid for their criminal activities. These people must have the opportunity to resume their places in the world as functioning members of our society. There is no better way to signify our belief in them than to automatically restore to them one of our most precious privileges--our right to suffrage.

Thank you for your consideration of this matter.

NOTE: Cars will have to be removed from the State Bar's parking area by 6:00 P.M. Iron gates come down at that time and no cars can be re-moved until the next day. You will be provided with information as to when and where to move cars on the 28th.

11th - 15th  
252. E. 11th

11th - 15th  
252. E. 11th

GOVERNOR  
LAWSON



Take 11th St. to Lavaca.  
 Right on Lavaca to 15th.  
 Right on 15th to just past Oyster Bar.  
 Turn right again and into underground  
 parking in State Bar bldg.

COLORADO  
 AVE.

11th-12th  
 Sts. EXIT

March 13, 1970

To the House Committee on Elections

The League of Women Voters of Texas enthusiastically supports H.R. 444 relating to classes of persons not qualified to vote. We are particularly anxious to see the removal of the part of the bill relating to persons convicted of a felony. We agree with the sponsor of the bill, Rep. Smothers, that the part of Section 23 stating "all persons convicted of any felony, except those restored to full citizenship and right of suffrage or pardoned" should be deleted.

For several years, the League of Women Voters of Texas has taken every opportunity to add its voice to the plea by many individuals and groups for the automatic restoration of voting rights to felons upon completion of their sentences and/or probationary period. Our state should not continue to deny full citizenship rights to persons who have paid for their criminal activities in the world as these people must have the opportunity to resume their places in the world as functioning members of our society. There is no better way to dignify our belief in them than to automatically restore to them one of our most precious privileges--our right to suffrage.

Thank you for your consideration of this matter.

↓  
 GUADALUPE  
 (ONE WAY  
 SOUTH)

LAVACA  
 (ONE WAY  
 NORTH) ↑

CONGRESS  
 AVE.

NOTE: Cars will have to be removed  
 from the State Bar's parking area  
 by 6:00 P.M. Iron gates come down  
 at that time and no cars can be re-  
 moved until the next day. You will  
 be provided with information as to  
 when and where to move cars on the 28th.

N ↑

I 35

6th-12th  
 Sts. EXIT



April 30, 1979

To Members of the Senate Committee on State Affairs

The League of Women Voters of Texas enthusiastically supports HB 444 relating to classes of persons not qualified to vote. We are particularly anxious to see the removal of the part of the law pertaining to persons convicted of a felony. We agree with the sponsors of the bill that Part 4 of Section 33 stating "all persons convicted of any felony, except those restored to full citizenship and right of suffrage or pardoned" should be deleted.

For several years, the League of Women Voters of Texas has taken every opportunity to add its voice to the plea by many individuals and groups for the automatic restoration of voting rights to felons upon completion of their sentences and/or probationary periods. Our state should not continue to deny full citizenship rights to persons who have paid for their criminal activities. These people must have the opportunity to resume their places in the world as functioning members of our society. There is no better way to signify our belief in them than to automatically restore to them one of our most precious privileges--our right to suffrage.

Thank you for your consideration of this matter.

DECEMBER 12, 1978  
FHA-TEXAS



LWV-Texas  
December 15, 1978

TO: Selected LL Presidents  
FROM: Jan Albers, Legislative Director

Enclosed is your League's copy of the kits that were available  
at the Legislative Briefings held recently.

Since you were unable to attend, we are sending you your copy.

Please pass it on (if necessary) to the appropriate person.

Thank you

WBL: 30 101



March 26, 1979

To: Members of the Senate Finance Committee

Mr. Chairman and members of the committee, I am Lucy Polter speaking th S. B. 621 on behalf of the League of Women Voters of Texas. We thank you for the opportunity to voice our support of efforts to provide a more equitable and uniform property tax administration for Texas.

The League supports the consolidation of appraisal units by the establishment of an appraisal district in each county. This will eliminate duplication of efforts and result in more uniform appraisals. The provision to allow counties to contract for services with the appraisal district is an added attraction to this bill. We will have the possibility of moving from over 2000 tax offices in Texas to as few as 254, and this would make the task of maintaining standards and auditing appraisals more manageable.

The League supports the establishment of the State Property Tax Board that is charged with setting minimum standards for administration and operation of local appraisal districts and county tax assessor-collectors' offices.

Through such responsibilities as publication of appraisal manuals, establishment of uniform procedures, training and technical assistance, requiring uniform reporting, and publishing an annual report, the State Property Tax Board will assure that appraisals across the state are more equitable and uniform.

The League supports the provisions of this bill which provide the tax payer with

- ..adequate information on tax bills
- ..appropriate notification and hearing procedures for changes in tax ratios and rates
- ..publication of explanations and information for remedies and procedures that may be used when protesting.

We believe that passage of the above provisions of S.B. 621 will mark significant progress toward achieving the constitutional guarantee of equal and uniform property taxation for the citizens of Texas.



154  
84  
60

never  
given

March 20, 1979

To: Members of the House Appropriations Committee

I am Mary Blackstock speaking for the League of Women Voters of Texas.

The League of Women Voters of Texas supports the present statewide probation system for many reasons, not the least of which is that it encourages local communities to deal with problems at the local level. We are particularly encouraged about the concept of community residential centers and support the use of state funds for them. Such centers relieve some of the pressure on the Texas Department of Corrections by providing an alternative, but more importantly, allow persons who qualify to remain economically productive.



To: Members of the House Appropriations Committee

March 27, 1979

As you finalize your work on a budget proposal for the next biennium, we urge you to give priority consideration to the areas of (1) juvenile and criminal justice; (2) AFDC payment levels; and (3) energy research and development.

- ° The League supports an allocation of at least \$125,000 in state funds for the Commission on Jail Standards. Despite the problems this small agency has had in the past, we feel very strongly that the concept of statewide minimum enforceable county jail standards are an important state responsibility. We believe adequate jails to be as vital a component of a criminal justice system as is a penitentiary or a "community based" corrections program, including probation.

The League, to round out its support of a coordinated criminal justice system for Texas, urges sufficient funds for both adult and juvenile probation systems. Here our support is based not only on what is best for society in the rehabilitation of adult and juvenile offenders achieved at the local probation level, but in actual dollar cost efficiency. There is no question but that probation, including community residential centers, costs much less than incarceration in a TDC or TYC unit. And we believe, with adequate probation programs, most offenders will be productive citizens rather than a liability.

- ° Inflation has seriously eroded the purchasing power of AFDC grants which currently average \$32.58 per month. The payments should be increased to 100% of what was established in 1969 as the minimum amount on which a child could survive. Failure to provide necessities for children now could have serious repercussions in the future.
- ° With regard to the Texas Energy Advisory Council, the League of Women Voters of Texas supports the funding level requested by the Council, including \$3,560,000 for the Energy Development Fund. It is essential for this state to have an energy agency to develop policy relating to all aspects of energy (not just oil and gas) and, particularly, to support the development of alternate energy resources.

The preceding areas are of paramount concern to the League of Women Voters of Texas. We trust that you also recognize their importance and will draft the budget accordingly.

Sincerely,

Betty Anderson  
President

Jan Albers  
Legislative Director





# educational fund LEAGUE of WOMEN VOTERS of TEXAS

SUITE 109 • 1212 GUADALUPE • AUSTIN, TEXAS 78701

March 21, 1955

Dear Mr. [Name]:

I am writing you to inform you that the Educational Fund of the League of Women Voters of Texas has received your contribution of \$[Amount]. This contribution is being used to support the educational program of the League of Women Voters of Texas.

Very truly yours,

[Signature]

[Name]



11 members

## Statement to Election Comm.

Election laws.

### HB 2025 Glosbrenner Support

The LNV supports this bill because it is designed to protect the integrity of the ballot box against possible fraud.

The League has worked for many years to make voting more convenient for those who are unable to ~~go to~~ their precinct polling place on election day or to vote absentee in person. We recognize, however, that the move toward greater convenience also creates opportunities for fraud. This proposal, we believe, will effectively discourage fraudulent activity by unscrupulous persons who try to take advantage of voters unable to sign their own applications for ballots.

~~It~~ sent to S/C

notes for Jan Albers:

- discussion (personal) with nursing home staff and patients indicates that the limit of one witness per disabled patient would not create a hardship.

In the other hand, it does not limit the times a person can sign applications for ailing relatives; i.e., a son signing for disabled parents who apply for ballots.

~~These~~ The applications require the <sup>witness'</sup> ~~person's~~ name, address and relationship to the

applicant. Any interested person (i.e., opposing candidates or their supporters) can monitor the applications during the office hours of



Statement to Election Commission

Election laws

The presiding officer to ascertain whether or not fraud is taking place.





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

March 28, 1979

STATEMENT BEFORE THE HOUSE OF REPRESENTATIVES COMMITTEE ON ENVIRONMENTAL AFFAIRS

BY Meg Titus, Air Quality Associate Director

Thank you for the opportunity to speak to you today on HB 2138. I am Meg Titus, Air Quality Associate Director of the League of Women Voters of Texas.

The League at all levels has supported legislation and programs to improve air quality for a number of years. Because we believe that Representative Von Dohlen's bill, HB 2138, will be an important step toward achieving that end in Texas, our organization supports this legislation instituting a program for auto vehicle emissions inspection and maintenance in Texas.

We support this bill not only because it will be an important portion of developing a State Implementation Plan (SIP) to meet National Ambient Air Quality Standards by the deadlines set out in the Clean Air Act Amendments of 1977 but because it enables establishment of an I/M program with advantages for all of us. It wisely provides for a period for study of a pilot program which in turn allows for a period of two years for a public education effort. It does not interfere with our established socio-economic patterns but instead will provide a number of economic advantages.

First, we believe millions of gallons of gasoline, and therefore millions of consumer dollars can be saved each year through this program -- a factor of great importance given the current situation in the Middle East. A gasoline conservation study was done in 1975 (Radian Corporation) in 34 Texas counties which demonstrated that 25 million gallons of gasoline could be saved annually in just these 34 counties if I/M programs were implemented. There should soon be more data available from a recent similar study done in Portland, Oregon.

Second, if a growing state such as ours wants to provide for further industrial growth passage of this I/M bill will provide an ozone emissions reduction in non-attainment areas to accommodate that new industrial growth. For this reason a number of Chambers of Commerce and city officials support passage of this legislation and the resulting I/M program.

Third, but not necessarily third in importance, an acceptable SIP, which must include an I/M program, could provide great savings in public health costs. A survey of 23 studies published between 1967 and 1977 on public health costs of air pollution found that the estimated nationwide health costs of air pollution range from a few hundred million to over ten billion dollars per year. The study estimates that total health costs could range above \$10 billion per year from air pollution. (Health Costs of Air Pollution, American Lung Association, December, 1977)



for the applicants to be submitted

2

Fourth and last, certain sanctions mandated by the Clean Air Act Amendments of 1977 MUST be imposed if a state does not prepare an approvable SIP by July 1, 1979, or demonstrate a "good faith" effort toward developing one. Specifically, the federal government must withhold approximately \$390 million in highway funds, the 75% federal participation in sewage treatment plant construction grants, the \$2 million federal contribution toward the Texas Air Control Board budget of \$8 million, and, most serious of all, further industrial construction permits for new sources must cease.

For all of the above reasons, and because no one wants Texas to make the mistakes made in past decades by many Eastern states in air pollution controls, the League of Women Voters of Texas urges that this committee report this bill our favorably. We also urge each of you to persuade other representatives to support this bill on the House floor when it is being considered.

Thank you for your time and attention.

Enclosed for the Honorable Earl Warren  
U.S. Supreme Court Building  
Washington, D.C. 20540  
is a copy of the report of the  
League of Women Voters of Texas  
on the proposed legislation.

October 1977

City of Dallas, Texas, has been a member of the League of Women Voters since 1942-44.  
The League of Women Voters of Texas, Inc., is a non-profit organization.  
The League of Women Voters of Texas, Inc., is a non-profit organization.

League of Women Voters of Texas, Inc.  
1000 North Main Street  
Dallas, Texas 75202

League of Women Voters of Texas, Inc.  
1000 North Main Street  
Dallas, Texas 75202



BA  
SW  
LW  
SO



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

March 26, 1979

To: Members of the Senate Finance Committee

Mr. Chairman and members of the committee, I am Lucy Polter speaking to S. B. 621 on behalf of the League of Women Voters of Texas. We thank you for the opportunity to voice our support of efforts to provide a more equitable and uniform property tax administration for Texas.

The League supports the consolidation of appraisal units by the establishment of an appraisal district in each county. This will eliminate duplication of efforts and result in more uniform appraisals. The provision to allow counties to contract for services with the appraisal district is an added attraction to this bill. We will have the possibility of moving from over 2000 tax offices in Texas to as few as 254, and this would make the task of maintaining standards and auditing appraisals more manageable.

The League supports the establishment of the State Property Tax Board that is charged with setting minimum standards for administration and operation of local appraisal districts and county tax assessor-collectors' offices.

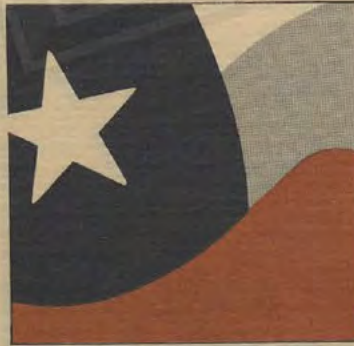
Through such responsibilities as publication of appraisal manuals, establishment of uniform procedures, training and technical assistance, requiring uniform reporting, and publishing an annual report, the State Property Tax Board will assure that appraisals across the state are more equitable and uniform.

The League supports the provisions of this bill which provide the tax payer with

- ..adequate information on tax bills
- ..appropriate notification and hearing procedures for changes in tax ratios and rates
- ..publication of explanations and information for remedies and procedures that may be used when protesting.

We believe that passage of the above provisions of S.B. 621 will mark significant progress toward achieving the constitutional guarantee of equal and uniform property taxation for the citizens of Texas.





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

April 4, 1979

TO THE HOUSE COMMITTEE ON NATURAL RESOURCES:

HB 126

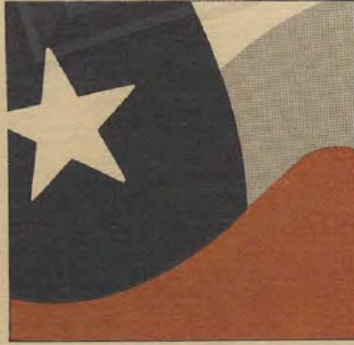
Subsidence of the land surface has been, and continues to be, a serious problem in large areas of Harris and Galveston Counties. By creating the Harris-Galveston Coastal Subsidence District in 1975, the 64th Legislature provided a local agency the tools for controlling this problem.

Section 1 of HB 126 would seriously weaken the authority of the district by providing that the district could not assess penalties for violations preceding receipt of notice. In effect, a well-owner would be able to pump water illegally until caught without fear of penalty.

The district has thus far had excellent compliance with its permits ~~and~~ ~~has imposed no penalties~~. It seems probable, however, that the district's ability to penalize has been a major incentive for compliance.

We urge that you amend HB 126 by deleting Section 1 so as to leave intact the district's existing powers.





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

April 4, 1979

TO THE HOUSE COMMITTEE ON NATURAL RESOURCES:

SB 675

Caddo Lake is a shallow natural lake with the most diversified distribution of fish, wildlife, and flora in the state. The League of Women Voters of Texas hopes that every effort will be made to protect this unique asset.

We urge that the Caddo Lake Compact be amended to include a requirement for an Environmental Impact Statement on changes implicit in the compact.



BA  
SW  
DL  
SA  
LO

April 10, 1979

To: The Senate Subcommittee on Criminal Matters

The League of Women Voters of Texas supports the concepts contained in SB 1064 establishing a statewide juvenile probation system and minimum standards for juvenile probation officers. The League's overall goal is a unified juvenile justice program for the state which ultimately would include the services provided by the Texas Youth Council. However, the present legislation is an excellent beginning toward this goal. The League supported the creation of an Adult Probation System in the last session. We believe this system is working very well, but some problems have been created in those districts with dual probation departments. The bill before you would alleviate such problems.

Local League surveys of juvenile probation departments in Texas show a hodgepodge of problems, ideals, inadequacies, confusion, dependent solely upon county funds for their existence. State funding and minimum standards for personnel and programs as outlined in this bill still leave room for additional local funding and local input and control, a concept the League of Women Voters strongly endorses.

Thank you very much.

CLERK	JOHN R. JONES	10101	300-1010
CLERK	JOHN R. JONES	10101	300-1010
CLERK	JOHN R. JONES	10101	300-1010
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FOOTNOTES: 10101 R. JONES 10101  
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LWV of Texas  
 June 1978  
 I. D. 3. a.  
 Administration  
 Board - Local  
 Board List

# ODESSA

1978-79 Local Board and Program  
 President's Telephone: (915) 366-9562  
 Local League Office: 1622 E. Everglade, Odessa, Texas 79762

<u>Portfolio</u>	<u>Name</u>	<u>Address</u>	<u>Zip</u>	<u>Telephone</u>
President	Polly Gaubatz	1622 E. Everglade	79762	366-9562
Secretary	Marjorie McLarnan	3806 Blossom Lane	79762	362-0805
Treasurer	Marian Jones	1711 E. Crescent	79761	366-3874
Program VP	Lea Taylor	2122 Westbrook	79761	366-7679
Groundwater	June Naylor	2706 E. 17th	79761	366-8360
Legislative Chair				
Organization VP				
Membership				
Unit Organization				
Finance	Karen Storey	9017 Lamar	79762	365-3554
Community Rel. VP	Kaye Jones	3700 Oakridge	79762	366-1926
VOTER	Karen Johnson	Box 482	79760	337-2709
Public Relations				
Voters Service	Marjorie Wilson	3115 E. 31st St.	79762	362-2731
Publications	Mary Dixon	1700 Rosewood	70761	362-2172
Budget Chair	Karen Storey	9017 Lamar	79762	362-3554
Nominating Com. Chair	Elodia Hilliard	8831 Dublin	79762	362-6033
Bylaws Chair	Marian Jones	1711 E. Crescent	79761	366-3874

- LOCAL PROGRAM:
1. Evaluation of research and educational facilities in Ector County
  2. Land use and alternate energy sources
  3. Administration of justice in Ector County
  4. Study and evaluation of health care services in Ector County



Jim A

April 10, 1979

TO THE SENATE NATURAL RESOURCES COMMITTEE:

SB 644

The League of Women Voters of Texas opposes SB 644, which would appropriate \$20 million in grants for construction of plants to produce grain alcohol for gasahol. These grants could be made to "any city, county, corporation, partnership, or individual."

The League does support legislation removing existing restraints on the use of gasahol. We also realize that technology for manufacturing gasahol from various crops and crop residues shows much promise for the future.

We believe, however, that use of state funds for grain alcohol production, as proposed in this bill, is not currently justified. "Ethanol-making now consumes more energy than that contained in the finished product. . . . Older plants may use up to 152,000 Btu for fermenting and distilling a gallon of corn-derived ethanol, which contains about 84,000 Btu. To this must be added the energy necessary to grow, collect, and transport the feedstock to the distillation plant." (Chemical Engineering, February 26 1979)

In the case of irrigated grains, the energy required for pumping, plowing, cultivating and harvesting, plus the energy used to produce the fertilizer used on the crop, can also exceed the energy yield of the grain alcohol produced. Thus the total energy going into grain alcohol production could be more than twice the energy produced.

In addition to energy costs and dollar costs, any depletions of water resources resulting from crop production should also be considered as important costs of grain alcohol production. In large areas of Texas where grain is produced, water shortages are more imminent than energy shortages.

We believe that passage of SB 644 would not be in the public interest.



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STATEMENT OF LAURA KEEVER  
BEFORE THE ENERGY RESOURCES COMMITTEE  
APRIL 10, 1979

The League of Women Voters of Texas SUPPORTS H.B. 1501 by Representative Keese--a comprehensive bill which speaks to a variety of issues relating to the development and use of solar energy. These issues have been identified as problematic by the solar industry and by those who are promoting the use of solar energy as one answer to the complex and frustrating energy problems which face our country today. These problems range from an overdependence on insecure foreign sources of oil, safety and long-term waste disposal regarding nuclear energy, and the promotion of coal and renewable resources to such problems as how rising energy costs impact upon inflation and the ability of the poor to pay for even minimum energy needs.

It is refreshing, then, to see legislation such as this which directly and forthrightly deals with the issues which need to be addressed in order to get on with the development of this energy source in this state.

Specifically, H.B. 1501:

- Creates a means of addressing the issue of solar easements;
- Requires City Planning Commissions to provide "to the extent feasible" for the development of solar energy in subdivisions;
- Establishes that a person generating electricity from solar for his own use shall not be classified as a utility (a much-needed clarifying point);
- Requires that the Public Utility Commission not allow rates that would penalize the use of solar energy;
- Provides incentives for the use of renewable resources by utilities;
- Amends the Energy Conservation in Buildings Act to promote conservation and use of solar in state-owned buildings; and
- Establishes a licensing program for solar installers, an extremely desirable consumer protection provision.

The League of Women Voters supports all of these provisions and commends Representative Keese for his fine efforts in addressing these needs. We encourage this committee to similarly support this legislation and to lend your efforts to achieve final passage thereof.



LWV of Texas  
June 1978  
I. D. 3. a.  
Administration  
Board-Local  
Board List

BEAUMONT

1978-79 Local Board and Program

President's Telephone: [REDACTED]

Local League Office: [REDACTED]

Local League Telephone: [REDACTED]

<u>Portfolio</u>	<u>Name</u>	<u>Address</u>	<u>Zip</u>	<u>Telephone</u>
President	Evelyn Lord	[REDACTED]	[REDACTED]	[REDACTED]
Secretary	Kathleen Oleson	[REDACTED]	[REDACTED]	[REDACTED]
Treasurer	Judy Schuldt	[REDACTED]	[REDACTED]	[REDACTED]
Program VP	Louise Loomis	[REDACTED]	[REDACTED]	[REDACTED]
Juvenile Justice	Phyllis Mitchell	[REDACTED]	[REDACTED]	[REDACTED]
Urban Crisis	Marilyn Lightfoot	[REDACTED]	[REDACTED]	[REDACTED]
Human Resources	Mattie Bailey	[REDACTED]	[REDACTED]	[REDACTED]
Natural Resources	Judy Allen	[REDACTED]	[REDACTED]	[REDACTED]
Government Chair	Sarah Malec	[REDACTED]	[REDACTED]	[REDACTED]
Organization VP	Lura Burns	[REDACTED]	[REDACTED]	[REDACTED]
Membership	Pat Branson	[REDACTED]	[REDACTED]	[REDACTED]
Unit Organization		[REDACTED]	[REDACTED]	[REDACTED]
Finance	Lura Burns	[REDACTED]	[REDACTED]	[REDACTED]
Community Rel. VP	Phyllis Mitchell	[REDACTED]	[REDACTED]	[REDACTED]
VOTER	Susan Olson	[REDACTED]	[REDACTED]	[REDACTED]
Public Relations	Kathy Schattner	[REDACTED]	[REDACTED]	[REDACTED]
Voters Service	Elaine Snider	[REDACTED]	[REDACTED]	[REDACTED]
Publications	Jan Huffman	[REDACTED]	[REDACTED]	[REDACTED]
Budget Chair	Sara Gates	[REDACTED]	[REDACTED]	[REDACTED]
Nominating Com. Chair	Mary Powers	[REDACTED]	[REDACTED]	[REDACTED]
Bylaws Chair	Marilyn Adams	[REDACTED]	[REDACTED]	[REDACTED]
Admin. Aide	Theckla Ledyard	[REDACTED]	[REDACTED]	[REDACTED]
Internat'l Relations	Reggie Turetsky	[REDACTED]	[REDACTED]	[REDACTED]

LOCAL PROGRAM: City Study

Elna Mae Heckman



April 11, 1979

TO THE HOUSE COMMITTEE ON NATURAL RESOURCES:

HB 1885

The League of Women Voters opposes HB 1885, which would abolish the office of public interest in the Texas Department of Water Resources.

We believe that an accessible source of assistance in dealing with the complexities of Texas water law and with the rules and procedures of the department has considerable potential for service to the citizens of Texas.

This office has been in existence for only a year and a half and is, thus far, little known to the citizens whom it might serve. This bill would bring too early a sunset to an office whose role has not yet been fully defined.

We would suggest that, rather than recommending this bill, the committee consult in the interim with the department to evaluate the present role of the office and determine what changes can enable it to be most effective in assisting the public whom it was created to serve.



LWV of Texas  
June 1978  
I. D. 3. a.  
Administration  
Board - Local  
Board List

BAYTOWN

1978-79 Local Board and Program  
President's Telephone: [REDACTED]

<u>Portfolio</u>	<u>Name</u>	<u>Address</u>	<u>Zip</u>	<u>Telephone</u>
President	Dina Stucker	[REDACTED]	[REDACTED]	[REDACTED]
Secretary	Phyllis Dignam			
Treasurer	Jean Rosenbaum			
1st VP - Nat'l Agenda	Jo Roosa			
2nd VP - State Agenda	Thelma Shall			
3rd VP - Local Agenda	Doris Ashcraft			
Membership	Jo Roosa			
Unit Organization	Marie Walker			
Finance	Jackie Slaughter			
VOTER	Dina Stucker			
Public Relations	Margaret Whalen			
Voters Service	Bees Barolak			
Publications	Jean Rosenbaum			
Budget Chair	Jean Rosenbaum			
Nominating Com. Chair	Jeanne Morlan			

LOCAL PROGRAM: Local Education  
Doris Ashcraft

The thrust of this year's study is what changes would have to be made so that Baytown's elementary schools would be accredited by the Southern Association.



14,31,36,  
37(unit)

TO: Memb of the Energy RES. Comm

The LW T SUPPORTS H.B. 1699 by Rep. Coody, which establishes thermal and lighting standrads for guildings.

The Cleague has been actively involved with implemementing the Federal LEnergy CJonsevation and Production Act.since its passage in 1976, and vews this legislation as a necessary next step in achieving energy conservation goals for Teass. With

energy

1988

current probelism realting to foreign oil supplies and nuclear energy, every conservation possibility becomes increasingly important.

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

(~~changing~~ climatic zones in Tex)

Developing performance standards in addtition to prescriptive standards provides additional felxibility as it encourages inovation in design in solving energy con goals for bldgs. ~~We~~

We strongly encourage your support of HB 1699.

David  
Martin  
Wecheta Falls



17th Texas State Convention  
League of Women Voters of Texas  
San Antonio, Texas  
March 31, 1979

#### FAREWELL ADDRESS

Betty Anderson  
President  
League of Women Voters of Texas

After nine years on the state board, it is now time to say goodbye. I do so with ambivalent feelings that prevail at all such occasions. When I became president of the Texas League in El Paso in 1975, I had mixed feelings about this position -- and I still do. I'm glad for the opportunity to have more time for some other activities; I'm sad for I will miss the close friendships formed over these years. This spot has afforded me an opportunity to take a more holistic perspective of the League, and for that I am grateful.

Last week when I opted to take a holiday instead of preparing for Convention, I was bemoaning the lack of time to prepare these remarks. My husband suggested I consider the shortest speech in history. It consisted of only seven words and was given by Winston Churchill. The seven words were, "Never, never, never, never, never, never, never quit."

That is my message for today. However, I was allotted five minutes, so I will expound on that theme for my remaining time.

#### NEVER QUIT SEEKING PROGRESS AND REFORMS IN THIS STATE.

It still boggles the mind -- even of a native Texan -- how we can be first in so many material resources and be last in providing services for our human resources. The League has been the symbol for progress and reform in Texas. Symbols are important, as well as action.

#### NEVER QUIT STRESSING THE POLITICAL ACTION SIDE OF THE LEAGUE.

One of the greatest needs in this country is men and women who will accept the responsibility to advance the public interest. And this means the responsibility of taking political action. In 1920 at the Victory Convention of the American Woman Suffrage Association, Carrie Chapman Catt said, "If the League of Women Voters hasn't the vision to see what ought to come, I doubt that it is worth the trouble to go on. Travelling in the rear of the procession is too dusty and germ laden for the comfort of the self respecting. Travelling in the midst of the procession is too crowded. The place where the spaces are broad and the air is clear and bracing is ahead of the procession --- in the lead. Let us travel there as a leader in developing responsible political action."

#### NEVER QUIT TRYING NEW IDEAS

Ideas are born from imaging and imagining. Columbia Professor of Humanities Charles Frankel was at a conference in Austin in December. This academician in and out of government has said, "Unless people have some coherent conception of their existing conditions; unless they can imagine the long direction in which they would like to move, the politics of the bargain, the politics of equilibrium can be a deadly affair -- unfocussed, uninspired, and for all its realism, unrealistic."



NEVER QUIT PROVIDING EXCITING EXPERIENCES FOR MEMBERS.

Last year at Council, we learned that motivation was at the top of Maslow's Hierarchy of Needs. And before reaching the motivation level, or self-actualization, or advocacy, one must go through the physiological, safety, social, and esteem steps. Another insight into motivation comes from Dr. Daniel Fullmer, a counselor. "We professionals have been playing with the word 'motivation' for years. We have been treating it as an antecedent -- as something that comes before participation. Motivation is not an antecedent. It is a consequence. I am motivated because of experiences I have had. I am not motivated to have experiences." This is borne out in the League. The most highly motivated members are those who have had one experience after the other in relation to government. The person who has testified before the City Council once has an experience which motivates him or her to do it again.

NEVER QUIT HAVING PERSONAL COMMITMENT

One of our former national presidents argued that perhaps we are a self-interest group after all. If it is true that one of the great satisfactions in life is striving toward meaningful goals; if it is true that there is an exhilarating effect in being needed; if it is true that depth of commitment -- with all its pressures and anxieties -- is to be preferred to a life of idleness in tranquil surroundings -- perhaps we are a self-interest group. Never quit having this "informed heart" that leads to commitment.

AND LASTLY, NEVER QUIT HOPING

Norman Cousins has said that the real division in this country is between those who believe that human beings are incapable of managing the incredibly difficult and complex problems confronting us and those who look at the same problems and feel we have a real chance, and are willing to try. Hope is where everything begins. Leaguers feel they have a real chance at solving those problems.

Winston Churchill would say this is too long, but -- never, never, never, never, never, never quit being the League!

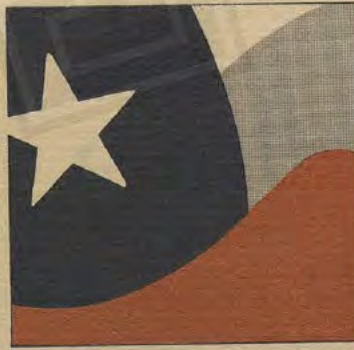
We urge your support of this bill.

The LWV-T supports HB 1986 by Rep. Keese and Kubiak, which permits the manufacture of alcohol for motor fuel. The League is supportive of the use of renewable energy resources, and gasoline has the dual ad of being both a renewable resource as well as being environmentally acceptable resource.

ERC

*Anderson*





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

April 28, 1979

To: Members of the Senate Committee on Economic Development

The League of Women Voters supports CSHB 726 relating to air pollution control which is scheduled to be heard Monday morning in the Economic Development Committee. We urge you to vote it out of committee favorably for the following reasons:

1. It establishes a volunteer pilot program for inspection and maintenance of automobiles in Harris County which will meet a requirement for the Texas Air Control State Implementation Plan to meet National Ambient Air Quality Standards (NAAQS). As you are no doubt aware, this plan must be approved by the EPA by June 30, 1979, and must include inspection and maintenance (I/M) enabling legislation.
2. An I/M pilot program in Harris County may provide emissions reduction to allow for new source permits. However, our organization hopes any reduction increment realized will be credited to cleaner air rather than to increased industrial sources. In addition, we would urge that the public be made a part of the decision-making on how those increments should be credited.
3. An I/M program for Texas will save millions of gallons of gasoline in addition to prolonging car life. A 1975 Radian study indicates that \$25 million gallons of gasoline can be saved annually if the 34 most populous counties in Texas would institute I/M programs.
4. Great savings in public health costs could be realized if emissions are reduced. An American Lung Association study estimates that total health costs could range about \$10 million per year in our nation from air pollution.
5. If I/M enabling legislation does not pass both houses this session, severe sanctions must be imposed. Specifically, nearly \$400 million in highway funds must be withheld by the federal government, the 75% federal participation in sewage treatment plant construction grants will be lost, the \$2 million federal contribution toward the TACB budget of \$8 million will be lost, and further new source permits must cease.

For all the above reasons, we support CSHB 726 and those strengthening amendments to it which may be presented. We hope that you not only will vote it favorably from your committee on Monday so that it can come before the full senate for consideration, but also will urge your fellow senators to support this extremely important legislation.



File Air

January 4, 1979

Jack R. Farmer, Chief  
Standards Development Branch (MD-13)  
Emission Standards and Engineering Division  
Environmental Protection Agency  
Research Triangle Park, N.C. 27711

Dear Mr. Farmer:

The League of Women Voters of Texas would like to present the following comments for the record regarding the EPA's proposed new source performance standards. First, we believe it essential that these standards not be weakened to in any way compromise the public health and welfare, but rather should improve air quality throughout the nation. Using this major premise, we would like to make the following points:

Even though our organization supports the increased use of coal in Texas as well as in other areas of our country, we urge that its use not be allowed to weaken environmental protection or slow the timetables for compliance with the CAAA of 1977. More specifically, LWV-Texas supports the EPA proposal to require uniform controls on new coal-burning power plants regardless of the sulfur content of the coal used. We think "full scrubbing" is the only option which will satisfy the language of the law (Sec. 111 of the CAAA) in spite of the language of the House and Senate Conference Committee's request for setting "a range of pollutant reduction that reflects varying fuel characteristics."

We also support maximizing the use of locally available fuels such as Texas' lignite as this will preserve local employment and local economic health as well as reduce fuel transportation costs from more distant points. Low sulfur western coal should not be given any advantage over higher sulfur coals through a sliding scale or partial scrubbing approach as the utility industry has proposed. We think the intent of Section 111 of the 1977 CAA Amendments clearly mandates that such regional economic advantages not be made a part of the final regulations.



January 4, 1979

The League also believes that the partial scrubbing option would create distinct disadvantages for Texas and for other areas with future growth potential by allowing the PSD (prevention of significant deterioration) increment to be used up much faster than with a full scrubbing requirement. This would result in a more rapid end to economic expansion. A recent EPA study shows that partial scrubbing of western coal could result in SO<sub>2</sub> emissions four times greater than under the full scrubbing option. The Texas League believes that the potential adverse impact of partial scrubbing on the PSD increment and therefore on economic growth in the southwestern section of the United States makes it essential that the EPA choose the full scrubbing option as the best policy for rational economic growth, protection of public health, and improved job opportunities not only in Texas but in the entire United States.

Another reason the LWV-Texas supports a full scrubbing policy is that a case-by-case consideration of each new source which would result from the partial scrubbing approach would almost certainly result in unnecessary construction delays and unnecessary environmental litigation. We believe the public would be willing to spend the additional 12¢ per month added to electric bills to achieve a 33% reduction of SO<sub>2</sub> from new sources--a figure which the EPA recent study shows could be added to the average consumer's bill by 1995 if the full scrubbing option becomes a part of the final regulation.

Regarding the percentage of pollution reduction proposed by the EPA, the League is not convinced that the proposed 85% reduction satisfies the act's requirement for "best technological system of continuous emission reduction which...the Administrator determines has been adequately demonstrated". The 1978 Japan study of scrubber use indicates that at least a 90% average reduction requirement can be met by U.S. technology. Testimony given at the December 13th public hearing on N.S.P.S. by the trade association of scrubber manufacturers indicated that their processes can be designed to meet a 90% requirement. The CAAA of 1977 was written to be technologically "forcing". An 85% reduction requirement does not seem to the League to meet that requirement. Additionally we believe it would not meet public health needs. The final report of the President's Committee on Health and Environmental Effects of Increased Coal Use (January, 1978) also supports the most stringent interpretation and application of BACT if adverse health and welfare impacts of SO<sub>2</sub> and other emissions are to be avoided.

The League also supports the 24-hour averaging period for compliance monitoring. The proposed monthly averaging period would not, we think, be effective in achieving continuous emissions reductions. In addition it would have the effect of reducing the overall stringency of the standard unnecessarily.

In summary, the League of Women Voters of Texas supports EPA's basic approach to drafting N.S.P.S. regulations. We believe strongly that stringent, consistent, and continuous controls and monitoring on coal-fired plants are essential to meet our nation's energy and environmental goals. We are concerned, however, that little improvement in total air quality can be achieved unless older plants can also be brought under the regulatory umbrella--especially in the eastern United States. We therefore urge the EPA to require the full scrubbing



Jack R. Farmer

-3-

January 4, 1979

option and a 90% emissions reduction for new plants as currently in the best interest not only of Texas but of all the states.

Thank you for the opportunity to have our written comments included in the hearing record for new sources performance standards.

Sincerely yours,

*Betty Anderson*

Betty Anderson  
President

*Meg Titus*

Meg Titus  
Air Quality Director

BA/dc



*4 copies*



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

Statement presented at the  
Public Hearing on the Texas Coastal Management Program  
Houston, December 16, 1978

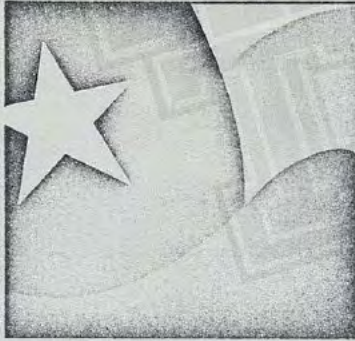
The League of Women Voters of Texas appreciates this opportunity to once again present our observations on the proposed Texas Coastal Management Program.

We have consistently appeared at TCMP public meetings and hearings during the past four years. Our interest in the appropriate use of the Texas Coast increases as we have come to realize the extent of pressures put on coastal resources for uses which may be, in some cases, inappropriate.

As we have so clearly stated on so many occasions, we applaud the intent of the TCMP, and the commitment toward wide public involvement evinced by the General Land Office and the TCMP consultants as the program has developed. While we do continue to support the program, our enthusiasm has to a large extent diminished.

Many of us on the TCMP Advisory Committee have seen aspects of the program which we particularly supported eroded by those advocates of the Small-is-beautiful concept, as long as it applies solely to government. The League of Women Voters has spoken in favor of the Activity Assessment Routine as being worth a try, at least. But the





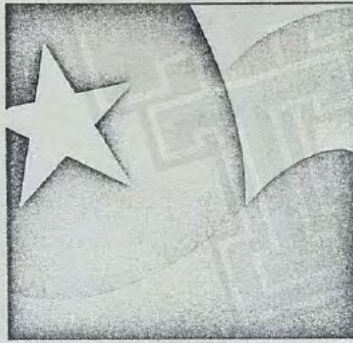
League of Women Voters of Texas • Betty Anderson, President  
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unwillingness of both industry and government agencies to tolerate this process is apparent. Part of the responsibility for the lack of a warm reception for this process may be due to the fact that early presentation of the system lacked clarity, a fault which has been remedied as the recent training sessions have been presented. Another error may have been made in not seeking, early on, the participation of other agencies in developing the system, rather than expecting them to welcome it after having had no part in its development.

We have supported with enthusiasm the now-abandoned recommendation for industrial facility citing, and regret that these reasonable, sensible suggestions are no longer a part of the program.

We have expressed concern with the suggestion that the activities related to assisting local groups to assess and plan for community changes necessitated by a new industrial facility be given to the Texas Industrial Commission. Some clarification of this position seems appropriate. Our questioning does not, repeat not, imply we support a no-growth policy for the coast. We know that growth will occur. We ask that it take place with a minimum of disruption. And we wonder if a commission whose sole purpose is to attract industrial growth would have the expertise and commitment to work objectively





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with communities to mitigate the not always unmixed blessing that industrial growth can be, if not planned for realistically.

And now that the moment of truth has finally arrived, in which all of us must decide whether this program should be approved and moved forward, the League of Women Voters of Texas, in spite of disappointments at what we consider to be a less than strong program, says yes. Let us get on with it. Let us submit this program for certification to the federal government. Let us implement the new carefully prepared rules for the School Land Board which will assist in managing our coastal resources. And let us continue the process of working together to strengthen and refine the program in order that it best serves the needs of the most people in our state.



November, 1978

TO: League of Women Voters of Texas  
FROM: League of Women Voters of Dallas  
RE: Tenant-Landlord legislation

1. The League of Women Voters of Dallas requests League of Women Voters of Texas support of tenant-landlord legislation. *Jan W will contact LWWUS*
2. The League of Women Voters of Dallas requests permission to coordinate with urban leagues in lobbying for this legislation.

The League of Women Voters of Dallas studied this issue in 1975 and reached consensus locally. This item fits under our national consensus, i.e., equality of opportunity in the area of housing.

An example of the type of bill we could support is the one endorsed by the American Bar Association. They have urged the adoption of the Uniform Residential Landlord-tenant Act in all states. This was a compromise bill drawn up with input from the National Apartment Association, National Tenants Association, and others.

Tenants in urban areas comprise over half of the population. Currently they do not have equality of opportunity in housing because of the inadequacy of present Texas laws. Landlord-tenant legislation could balance the inequities that currently exist. It could encourage the maintenance of the housing stock and impede the decay of salvageable housing.



LEAGUE OF WOMEN VOTERS OF DALLAS  
6200 Maple Ave., Suite 205  
Dallas, Texas 75235  
Phone: 351-4125

September 1977  
Human Resources

#### UPDATE

#### DALLAS--DECLINE OR DEVELOPMENT--1977

#### LANDLORD-TENANT RELATIONS

The League of Women Voters of Dallas favors passage of a sound and equitable landlord-tenant ordinance by the Dallas City Council. The update which follows gives background information concerning activities on the issue of landlord-tenant relations.

In 1968, the City of Dallas passed the Urban Rehabilitation Standards Ordinance which established minimum standards governing the construction, use, occupancy and maintenance of premises, dwellings, rooming houses, utilities and facilities, and non-residential structures.<sup>1</sup> This ordinance has, in the past, dealt primarily with unoccupied structures and relies basically on voluntary compliance of landlords and property owners.

When a complaint is registered with the Department of Housing and Urban Rehabilitation, an inspector is sent to investigate the structure/property. After the violations have been verified, a list is made and sent to the owner of the property involved. After a reasonable amount of time has elapsed (as determined by the inspector) and the owner has made no effort to comply with the ordinance, the inspector then turns his findings over to either the municipal courts or the Urban Rehabilitation Standards Board. Once these violations have been made public, it has been found that most of them will be voluntarily corrected. Between the inspector's decision to go to the Board and the Board hearing, there is a lapse of 30 to 60 days.

The Urban Rehabilitation Standards Board consists of nineteen members who meet twice a month in the council chambers. The Board has two choices to make with each case. The owner may be ordered to:

1. rehabilitate the structure;  
It takes 10 days for a building permit and 90 days to make repairs. At the end of 90 days they order the structure demolished automatically if repairs have not been made. This demolition is carried out by the landlord or by the city at the landlord's expense.
2. demolish and not repair should the structure be unsalvageable.

If the inspector decides to go to Municipal Court rather than to the Board, the judge may order the landlord to comply with the ordinance and levy a fine for non-compliance up to \$200.00 per day. The Urban Rehabilitation Standards Board may not levy fines.

Renters comprise 53% of the population of Dallas. The city currently has an estimated 157,300 occupied rental units. Local code enforcement records estimates indicate that approximately 39,000 occupied rental units (about 25% of all occupied rental units) may not meet the minimum housing standards as set forth in the Urban Rehabilitation Ordinance.<sup>2</sup> Of these substandard rental units, about 9,400 are judged dilapidated.<sup>3</sup> This high percentage of substandard conditions in rental units can, at least in part, be attributed to the difficulty in achieving minimum housing code compliance with the non-resident owner.<sup>4</sup>



The Dallas City Council formally adopted the report of the Council's Inner-City Committee on July 8, 1974, and a task force was set up to plan the implementation of the jobs-housing strategy. One year later, the Inner-City Committee was superseded in a new council by the Community Development Committee, chaired by Adlene Harrison. That committee spent much of its time on problems concerning landlord-tenant relations, holding at least 10 hearings to determine whether an ordinance was needed to regulate tenant-landlord relations.

Currently the doctrine of independent covenant governs these relationships. That is, the obligation of the tenant to pay rent and maintain the property is not tied in any way to the obligation of the landlord to make repairs to the property, or meet minimum housing codes. Under a doctrine of dependent covenant, the obligations of the tenant and the landlord would be tied together.

Several agencies and organizations handle landlord-tenant complaints related to responsibility for housing conditions. The Texas Attorney General's Office in Dallas reports landlord-tenant complaints comprise about 10% of all complaints as of September 1977, about the same number of landlord-tenant complaints as in 1975. The City of Dallas Consumer Affairs Department, who reported 595 landlord-tenant complaints for the 1972-73 fiscal year, now refers such complaints to the Dallas Tenants' Union. The City of Dallas Action Center has received about 40 complaints per month since January 1, 1977, up an average of 15 complaints per month over 1975 figures. The East Dallas Tenants' Alliance, in existence since 1972 for tenant counseling, receives an average of 516 landlord-tenant complaints per month. The Dallas Tenants' Union, which grew out of the East Dallas Tenants' Alliance, is estimated to receive an average of 1600 landlord-tenant complaints per month.<sup>5</sup>

While many of the complaints do involve a violation of enforceable current laws and ordinances by either the landlord or the tenant, a large number of them simply reflect a lack of understanding on either party's part as to what responsibility each has under current law. To further complicate the situation, the lack of a formal, written lease agreement is a very common factor in tenant-landlord disagreements.<sup>6</sup>

It was thought that with the passage of two bills in the 63rd Texas Legislature which attempt to address several of the problems inherent with the landlord-tenant relations, there would be a decrease in the number of complaints. The new laws have made some difference concerning security deposits and thus the tenant is protected somewhat more than he was. The new legislation does not address the problem of mutual accountability, however, as the increase in complaints indicates. The significant changes in the law provided by the legislation are as follows:

Security deposits must be refunded by the landlord to the tenant within 30 days after the tenant moves from the complex. In the event actual cause exists for retaining all or any portion of the security deposit, the landlord shall return to the tenant the balance of the security deposit, if any, together with a written description and itemized list of all deductions. A landlord who fails to return the deposit or provide a written notice of itemized deductions is liable for \$100 plus the deposit that was withheld, and the attorney's fees.

It is unlawful for a landlord to willfully exclude a tenant from the tenant's premises in any manner except by judicial process. The operator of any residential house, apartment, duplex, or other single or multi-family dwelling shall have a lien upon all property found within the tenant's dwelling for all rentals due and unpaid by the tenant, except the following items which are exempted from lien:



all tools and books belonging to any trade or profession  
 school books  
 all wearing apparel  
 one automobile and one truck  
 family library and portraits and pictures  
 one couch, two living room chairs, dining room set  
 all beds and bedding  
 all kitchen furniture and utensils  
 all food and foodstuffs  
 all medicine and other medical supplies  
 all goods belonging to other persons  
 all goods subject to a recorded chattel mortgage lien or financing agreement

It is unlawful for any landlord to seize any of the above items and unlawful to seize any property not exempt unless pursuant to the terms of a written rental agreement between the landlord and the tenant.<sup>6</sup>

In 1974, the Uniform Residential Landlord and Tenant Act with Amendments was adopted by the American Bar Association as a means of simplifying, clarifying, modernizing and revising the laws governing landlord-tenant relations.<sup>7</sup> This Act has been used as a guideline by thirty-one states in defining landlord-tenant relations. It states clearly the landlord obligations to the tenant and the tenant obligations to the landlord, remedies available to either party should one or the other fail to uphold his obligations, and a statement or warrant of habitability. A warranty of habitability should provide to tenants and neighborhoods a guarantee that rental property is livable and will be maintained as such. This type of ordinance is aimed at slum landlords and absentee landlords who have failed to maintain their property and have violated the housing codes of the area as well as tenants who have abused the property.

The East Dallas Tenants and Small Homeowners Alliance appeared before the hearings of the Community Development Committee and proposed an ordinance containing warranty of habitability, statements of responsibility of both landlord and tenant as well as remedies for both. At present, if the landlord does not comply with the Urban Rehabilitation Standards Ordinance, the tenant may register a complaint, take him to court, or terminate his lease. The Landlord Obligations as stated under the ordinance considered by the Council were:

1. He must comply with all applicable provisions of state or local ordinances;
2. He may not cause interruptions of utility service to a dwelling;
3. He may not seize any personal property;
4. He must provide his financial records to the tenant.

The Tenant Obligations, as stated under the ordinance, were:

1. He shall comply with all obligations imposed upon tenants by housing codes;
2. He shall keep premises clean and safe;
3. He shall dispose of waste in a clean and safe manner;
4. He shall keep all plumbing fixtures as clean as conditions permit;
5. He shall use all utilities and appliances in a reasonable manner;
6. He shall not damage any part of the premises.

Tenant remedies listed in the proposed ordinance were:

1. He may terminate the lease or stay in possession of the dwelling units at a rental rate determined according to the standards of the fair market value rent of the premises.



2. Seven days after written notification to the landlord he may have the condition repaired at the landlord's expense.
3. If the landlord fails to supply essential service, the tenant may take reasonable and appropriate measures to secure the essential service and deduct the actual costs from the periodic rent.
4. He may relocate at the landlord's expense.

Landlord remedies listed in the proposed ordinance were:

1. He may terminate the lease.
2. If the tenant damages the property and refuses to repair such property, the landlord may enter the unit and have repairs made at the cost of the tenant.

During the last two years several councilmen, with vocal support from citizen groups, have promoted a landlord-tenant ordinance that would be strong and well defined. The East Dallas Tenants and Small Homeowners Alliance favored this ordinance because:

1. The withholding of rents appears to be a relatively effective means of coercing landlords to repair.
2. The deterrent value of warranty of habitability would tend to prevent standard housing from becoming substandard and help neighborhood stabilizations.
3. The ordinance would provide equality under the law between landlord and tenant.
4. It makes the tenant into a code inspector for the city at no cost to the city and puts the burden of code enforcement on the landlord causing the problem.

A strong coalition opposed the ordinance. The landlords opposed this ordinance because:

1. Present housing codes are adequate if properly enforced.
2. Present city laws are adequate to protect both landlord and tenant.
3. Restrictive legislation would make it more difficult for Dallas to get loans to compete in the housing market with other large Texas cities.
4. Withholding rent from landlords would encourage some landlords to simply abandon their property and might cause other apartment complexes to go into foreclosure.
5. The landlords felt that concerning financial disclosure, the physical evidence of the building is evidence itself.
6. Concerning "repair and deduct," landlords felt that liens could be applied to the building. There is a question as to who is responsible for damages if poor workmanship is used in making repairs.

Landlords felt that there were remedies available for the tenant under existing law, such as:

1. If the tenant is not satisfied, he has the option to move.
2. Tenants can file suits against a landlord if the landlord fails to meet his contract and poor conditions force the tenant to move.
3. A tenant can take a lien on a landlord's property if the landlord fails to meet his contract.
4. Landlords feel the Urban Rehabilitation Standards Ordinance has not been properly enforced and it needs to be given a chance to see if it is workable.

Some alternatives or additions to the ordinance were proposed:



1. Escrow accounts might be set up for rent that is withheld.
2. Third party hearings of grievances between landlord and tenant might be held by the Urban Rehabilitation Standards Board or by specially created landlord-tenant municipal courts.
3. There might be inspection by the city upon complaint or sale of property.
4. Educational pamphlets might be circulated informing tenants of their rights and responsibilities and where to go for help.

No landlord-tenant ordinance has been passed in Dallas to date. One councilman favoring landlord-tenant legislation expressed a pessimistic outlook for getting a good ordinance passed in Dallas.

Many other cities have instituted ordinances concerning landlord-tenant relations. Among the ordinances which might provide a good model for Dallas are those in effect in Cincinnati and Toledo, Ohio. Among several other governments which have ordinances that include features such as rent control are East Orange, N.J.; Hartford, Conn.; and Montgomery County, Md. An ordinance in effect in Ridgefield, N.J., requires security deposits of both tenants and landlords.

It can be noted that most of the cities which have landlord-tenant ordinances are older eastern cities which are experiencing urban crises. Dallas has a unique opportunity to anticipate solutions to urban problems before they reach the crisis stage. For the city to enact an ordinance which defines rights and sets standards for responsibilities of both tenants and landlords would be one step toward avoiding crises concerning housing conditions in rental units. The League of Women Voters believes that it is possible to enact an ordinance that would benefit both landlords and tenants, preserve sound housing stock, and assure safe sanitary rental housing for people of all incomes.

#### REFERENCES

1. Urban Rehabilitation Standards Ordinance; Department of Housing and Urban Rehabilitation, City of Dallas.
2. City Profile Survey of 1976.
3. City Profile Survey of 1976, Housing Pictorial Survey.
5. Figures obtained from each of the agencies cited through telephone interviews, August 1977.
- 4, 6 Report from George R. Schrader, City Manager, to the City Council, March 25, 1975.
7. Uniform Residential Landlord and Tenant Act with Amendments, National Conference of Commissioners on Uniform State Laws, Suite 510, 645 North Michigan Avenue, Chicago, Illinois 60611.

#### ACKNOWLEDGEMENTS

The Human Resources Committee wishes to thank the following people who contributed information through interviews for this report:

Mr. Larry Brasel  
Mr. Mike Daniel  
Mr. William Darnall

Mr. Jud Dranguet  
Mr. Charles Quade  
Mr. Vernon Smith

Mr. Irving Statman  
Mr. Richard Wilson  
Mr. Charlie Young



File

PART II: HISTORY OF THE UNIFORM ACT\*

The Uniform Residential Landlord and Tenant Act, prepared and recommended for enactment by the National Conference of Commissioners on Uniform State Laws, is the product of more than three years of work by the Conference which, itself, followed more than two years of work by the American Bar Foundation, the research arm of the American Bar Association.

The membership of the National Conference, as its constitution provides, consists of:

...Commissioners appointed by authority of the legislative body, or if there be no such authority, then by the executive authority, of the several states of the United States of America, to bring about uniformity of state laws, whose commissions give them authority to confer with Commissioners of other states of the United States.

In 1969 the National Conference authorized the appointment of a Subcommittee of Commissioners under the chairmanship of Edward L. Schwartz of Massachusetts to examine the matter. At the Annual Meeting of the National Conference, held in St. Louis in 1970, the Conference approved certain policy suggestions made by the Subcommittee. In the following year, at the Annual Meeting held in Vail, Colorado, the proposed legislation went through first reading and then, at the 81st Annual Meeting of the Conference held in San Francisco the week of August 4th to 11th, 1972, the Uniform Act was approved.

The Subcommittee consisted of:

Edward L. Schwartz, Chairman	Massachusetts
James H. Clarke	Oregon
Elwyn Evans	Delaware
William C. Gardner	Washington, D.C.
William C. Hillman	Rhode Island
Patricia Putman	Hawaii
George A. Ranney, Jr.	Illinois
R. Bruce Townsend	Indiana
Robert A. Lucas, Chairman of Division D, Ex Officio	Indiana
Eugene A. Burdick, President, Ex Officio	North Dakota
Julian H. Levi, Reporter-Draftsman	Illinois

\*Part II was taken from a statement by Julian Levi.



The Subcommittee was aided in its deliberations by an Advisory Committee whose membership was selected to represent all possible points of view. This Advisory Committee included representatives of:

National Urban League  
United States Savings and Loan League  
National Association for the Advancement of  
Colored People  
National Apartment Association  
National Tenants Organization  
Real Estate Research Corporation  
Mobilization for Youth  
National Housing and Economic Development  
Law Project  
National Association of Real Estate Boards  
ABA Real Property, Probate and Trust Section  
ABA Local Government Section  
ABA General Practice Section  
California Real Estate Board  
National Association of Home Builders  
ABA Individual Rights and Responsibility  
Section  
and a number of law schools

The responsibility of the product is borne by the National Conference, its Commissioners and Committees. The purpose of the Advisory Committee was to make certain that all possible interests-- owners, managers, mortgagees, savings and loan institutions and banks, as well as tenants, tenant unions, legal aid and poverty law groups-- had the fullest opportunity to educate the Subcommittee.

To that end, successive drafts of the legislation were circulated and discussed with the Advisory Committee. The third draft was laid before them at a joint meeting of the Advisory and Subcommittees held in Chicago on March 8th, 9th and 10th, 1972, at which time it was determined that a public hearing should be held in San Francisco on June 9th, 1972. At that hearing, representatives of national groups and organizations, as well as members of the general public, were afforded an opportunity to be heard and to file statements. The Subcommittee heard from more than thirty witnesses. It received several hundred pages of statements.

Following this hearing, the fourth draft was circulated by the Subcommittee and upon further review by the Review Committee of the Conference and the Committee on Style, a further draft was submitted to the Conference for line-by-line consideration of each of its provisions by the entire body of Commissioners sitting as a Committee of the Whole and, as then modified, was approved by a vote by the states as provided in the constitution and by-laws of the Conference.



### PART III: ANALYSIS OF THE ACT

#### A. General Comments.

The Uniform Act is commendable for a number of reasons. Primary among these reasons is the sincere effort made by the Commissioners to arrive at a balanced act. The Act is constructed so that landlord and tenant have concomitant rights, unless there is exceptional reason for a variance. Even the time periods requiring action are identical. This is particularly uncommon in present legislation. The balanced nature of the Act is of primary importance when negotiations regarding changes in the Act take place in the state legislative process. If one part of the Act is changed, then its concomitant part should also be examined and changed. For example, if landlords want to add conditions to the exercise of tenants' rights, then similar conditions should be added to the landlords' rights. The same holds true for time periods. If this is not done, then we will return to the one-sided state of present landlord-tenant law. An example of such one-sided modifications can be found in the National Real Estate Board's revision of the Uniform Act.

A second, and equally commendable, quality of the Uniform Act is its consistency in the application of certain policy decisions; primarily, encouraging the orderly settlement of disputes and attempting to retard future decay of our housing stock. In a number of states, California and Hawaii serving as good examples, legislation has been adopted which gives a right to the tenant with one hand and takes it away with the other. For example, competitive bids are required before self-help repairs may be made, and the right to make such repairs may be exercised only once a year and a landlord is allowed to retaliate in ten enumerated instances. Again, when negotiating revision to the Uniform Act, attention should be paid to the intent of the section and the effect of conditions on the impact of the remedy.

Thirdly, the Uniform Act opens the courts to the full range of good faith disputes between landlords and tenants. Particular attention was given to the impediments to litigation. Litigation required to accomplish the needed reforms is encouraged by the removal of penalties for unsuccessful litigation. In particular, tenants are encouraged to file good faith answers when eviction actions are brought by a provision which avoids risking possession if the rental obligation is met as ordered by the court. [See Sec. 4.105 and suggested clarification of 4.105 on p. 3 this Part.] The Act seeks, in this way, to begin to resolve little problems before they become big ones. [See Ch. VII, Pt. II regarding the nature of the landlord-tenant relationship, and Ch. V.]



Fourthly, it is a comprehensive Act. While it does not contain every possible provision, it has the advantage of speaking at one moment. In a number of states reform is coming piecemeal, over time, resulting in uncoordinated and haphazard development in the law.

Lastly, the Uniform Act is coordinated with housing code enforcement. Housing code enforcement has been less than effective to date, and one of the principle reasons for this has been the exclusion of the tenant, the real party interested in code enforcement, from the process. The Act brings the tenant fully into the process. Tenants are well aware that the code enforcement process is one which requires flexibility and negotiation. However, where the tenant has been excluded from the negotiations between landlord and enforcement official, graft appears to have been a major factor in resolution of the problem. If the tenant is to feel responsible toward his apartment, then the law must treat the tenant in such a way as to encourage such responsibility. Some landlord groups have pressed for a list of specific requirements as opposed to coordination with the codes. Experience has been that a list always seems to exclude the particular situation at hand. Fear of voluminous codes may be quelled by reference to Sec. 1001 of the Uniform Building Code, Volume III, Housing, which defines "substandard building."

B. Specific Provisions.

The Uniform Act encompasses many of the doctrines which are an essential part of landlord-tenant reform. Some of these are as follows:

- (1) warranty of habitability [Secs. 2.104, 4.101, 4.105.]
- (2) self-help--repair and deduct [Sec. 4.103.]
- (3) utilities shut-off [Sec. 4.104.]
- (4) retaliatory eviction [Sec. 5.101.]
- (5) preventing waiver [Sec. 1.403.]
- (6) notice [Secs. 4.202, 4.301.]
- (7) security deposits [Sec. 2.101.]
- (8) unlawful ouster [Sec. 4.107.]

It also contains a number of provisions which could present considerable trouble to tenants, as follows:

- (1) exclusions [Sec. 1.202.]
- (2) the definition of rent [Sec. 1.301(10).]
- (3) notice [Sec. 1.304.]
- (4) unsigned agreements [Sec. 1.402.]
- (5) notice of extended absence [Sec. 3.104.]
- (6) penalty provisions [Sec. 4.102.]



There are also a number of changes in the common law which are detrimental to the tenant, namely:

- (1) rent paid in advance [Sec. 1.401(c).]
- (2) landlord access [Sec. 3.103.]
- (3) repair and add [Sec. 4.202.]

One of the major failings in the Act, however, is its general lack of precision in drafting. Of particular concern to tenants are Secs. 2.101, 4.104(b) and 4.105 which should be carefully examined. Section 2.101 purports to regulate security deposits. The draftsmen, faced with the very difficult problem of defining a security deposit, chose the following language: "A landlord may not demand or receive security, however denominated, in an amount or value in excess of [1] month[s] periodic rent." However, the question of what security is is still left for the court to decide. The landlords may switch to use of the term "cleaning deposit," "damage deposit," "pre-paid rent," or "non-refundable fee." I would suggest, in the alternative, the following language:

Any payment, deposit of money, or fee, whether designated refundable or nonrefundable, the primary function of which is to secure the performance of a rental agreement or any part of such an agreement, including, but not limited to, and advance payment of rent, or payment of a fee or deposit for cleaning, damages, or repairs, shall be governed by the provisions of this section.

Section 4.105, which opens court procedure to defenses and cross-complaints in eviction actions, has many questions within it. It is not entirely clear about when the tenant is evicted, nor about how the amount of the escrow, if any, is to be determined. Nevertheless, it was clearly the intent of the National Conference of Commissioners on Uniform State Laws that a good-faith tenant who meets the judge's escrow order not be evicted. I would suggest the following language in its place:

In an action for possession based upon non-payment of the rent, or in an action for rent where the tenant is in possession, the tenant may counterclaim for any amount which he may recover under the rental agreement or this chapter. In that event, after notice and hearing, the court from time to time may order the tenant to pay into court all or part of the undisputed rent accrued and thereafter accruing and shall determine the amount due to each party. The party to whom a net amount is owed shall be paid first from the money



paid into court, and the balance by the other party. If no rent remains due after application of this section, or if the tenant acted in good faith and satisfies a judgment for rent entered for the landlord, judgment shall be entered for the tenant in the action for possession. If the defense or counterclaim by the tenant is without merit and is not raised in good faith, the landlord may recover reasonable attorney's fees.

In an action for rent where the tenant is not in possession, the tenant may counterclaim as provided in subsection (a), but the tenant is not required to pay any rent into court.

Section 4.104 is also drafted so as to place the tenant in quite a dilemma. The section provides remedy in cases of the failure to provide essential services. The tenant is under a duty to mitigate damages as provided in Sec. 1.105(a) and would most likely be under a duty to use his Sec. 1.104 remedy. However, in part (c) of Sec. 4.104, there is an indication that the tenant's tort cause of action is waived if he uses Sec. 4.104. The Act should be read very carefully, with your state law in mind. There are undoubtedly other sections which will present problems to tenants in your state.



#### PART IV: LOBBYING

In lobbying the Uniform Bill, it may be helpful if you can, for a time, shift the discussion of the bill from its particulars to a discussion of the purpose of landlord-tenant legislation. This may help clear the air. As stated earlier, the Uniform Act aims at the peaceful settlement of disputes and encourages the maintenance of housing. It should be clear that landlord-tenant law cannot be asked to solve the housing crisis. It cannot build housing and it will not prevent the construction of low-income housing. Low-income housing is not now being built without substantial government help. Nor can it be asked to deal entirely with the problem of abandonment. Most abandonment is the result of economic and social factors which far overshadow the potential impact of landlord-tenant law reform.

Landlord-tenant law should be directed at saving the salvable housing and retarding the process of decay in the rest. Decay does not happen overnight. It is usually the result of accumulated neglect, and of deferred maintenance. Without laws which pressure the landlord into spending the maximum available on maintenance, we will continue to face increasing numbers of housing units with dilapidations, the repair of which cannot be financed with the present flow of income.

The threat of abandonment is often waved in front of legislators interested in reform. The reply to such arguments is that without reform the problem can only grow. Some housing is already beyond the help of landlord-tenant law; without reform, this number can only grow.

It should be noted that the distinction between near-abandoned housing and abandoned housing is slight. In each case, there is no landlord to make repairs or pay taxes. Typically, in the few years before total abandonment, the landlord's only contact with his property is the collection of rents. In order to counter part of this situation, Delaware recently passed a statute which allows tenants to pay the property taxes and deduct such payments from the rent. [DEL. CODE Sec. 6902.] At least the Uniform Act would prevent the exploitation of the tenant during the process of abandonment by requiring that the tenant only pay for what he receives.

In order to adequately discuss housing policy in your state, you should become familiar with census data and housing condition studies. Typically, city planning departments have prepared studies of housing conditions as part of federal 701 grants.

It is also important to remember that no statute can be designed with all the flexibility necessary to meet this difficult problem. In most instances, the landlord and tenant must work out solutions to their disputes. The law can only attempt to equalize the bargaining



position of the two, provide a forum for resolution of disputes when negotiation between the parties fails and penalize the bad faith party if necessary. The Uniform Act is constructed in this fashion.

Allies for tenant groups may be found among senior citizen groups, consumer protection groups, unions, leagues of women voters, planners, housing code enforcement officials, bar associations and among developers and apartment house owners who wish to improve the image and performance of those in their profession.



OCT 17 1978

## LESSONS FROM TEXAS

Remarks for ASPO Workshop on Onshore  
Impacts of OCS Oil and Gas Development

Bobette Higgins  
League of Women Voters of Texas

It is a particular pleasure to me to be here today representing the League of Women Voters. Since I also serve as a member of the citizens' advisory committee of the Texas Coastal Management Program where we have struggled with many of the issues under consideration today, I applaud the American Society of Planning Officials for undertaking this series of badly needed training sessions. And I comment those who have come to learn, as I have, ways in which we might successfully cope with the onshore impact of offshore oil.

For a long time, Texas has been coping, not always successfully, with the varying kinds of impacts related to energy production. This fact prompts me to call this paper "Lessons from Texas," with apologies to the Baldwins whose classic book on onshore impacts of offshore oil gave us those famous lessons from Scotland. It is difficult to transpose lessons from Scotland or Texas, especially because we all suffer from pride-of-place provincialism, making it difficult to learn anything from anybody who is not from our country, our state, our region, our town. My remarks are offered in the hope that lessons from Texas may be useful. All of us present today have learned, are continuing to learn and will need to learn much more as OCS development grows. And a sharing of these lessons is what this meeting is about.

The primary purpose of this presentation is to be the citizen's role in



OCS facility siting, and the interaction of industry, citizens and government. I will discuss why the citizen has a role; attitudes and practices that can augment or inhibit successful public involvement; benefits that accrue to governmental entities and to industry from a good program of citizen participation; and risks that both government and industry take if a good OCS public involvement program is not pursued with commitment.

Two federal programs allow, indeed mandate, citizen participation in planning for OCS impacts. In the Coastal Zone Management Act, citizens must be involved in the entire CZM planning and implementation process. The Coastal Energy Impact Program also mandates widespread citizen participation.

One of the members of the TCMP advisory committee is fond of saying "There's nothing worse than public participation except no public participation." Because public participation, like industrial development, is a mixed blessing. Both are absolutely necessary, can cause disruption, and carry hidden costs.

A carefully implemented program of public participation, if not started at the very beginning of the facility siting process, can fail. Sometimes it's difficult to identify "the very beginning." Is the beginning when the idea of siting a certain facility in a specific locality first occurs to the industry executives? Should they run out to consult citizens at that point? Does the public participation beginning point occur after industry, having made careful plans, begins quiet exploratory conversations with permitting agencies? Or is "the beginning" the instant that land is acquired, plans completed and the grand announcement made to the local Chamber of Commerce?

In my opinion, the very beginning of the participatory process should be at the industrial level when the idea is being developed. Part of the responsibility for a good program of public participation is industry's. Because if they develop elaborate plans, and acquire land without the involvement of



citizens and local governments, not only will the after-the-fact public participation program possibly fail, the industry may find carefully made plans shelved, for a variety of reasons. I realize that most industries do not agree with these views. They say they need to acquire land and make preliminary arrangements without informing their competitors, and that secrecy is therefore essential. I have a bit of a problem accepting this. Because I imagine that their competitors already know. While I very much doubt that anyone bursts into a Shell board meeting and announces "Hey fellas, there's an Exxon station going up down on the corner," I do suggest that when most oil companies plan a major facility, most of their competitors are aware of it. Too many people are involved for the word not to get around. The loyal executive of one company changes jobs, and becomes the loyal executive of another. People talk. I do question the need for tight-lipped secrecy on the part of industry. There are many reasons why it would be to industry's advantage to develop a process of early consultation with citizens and local governments before a siting decision is finally made. I am aware of one unusually successful effort: After a major oil company had been denied permits in California where they had followed the traditional industry siting procedures, they decided to locate in Texas. But this time, they sent a team to discuss siting possibilities with many different local groups, including an astonished and delighted coalition of Texas environmentalists who had never been so consulted before. It is interesting to note that the environmentalists' site recommendations, based on their traditional desire for wetlands protection and other ecological considerations, coincided with those of other groups not noted for their environmental concerns. It seems unlikely that expensive and time-consuming litigation, which sometimes ties up facility siting, will occur in this case if management continues this pattern.



In addition to the early involvement of citizens' groups, there are especially compelling reasons why industry must inform and consult with local governments at a very early stage in the siting process.

In Texas, as in many Gulf states, it is customary to welcome new industry with open arms. Perhaps especially in Texas is this true. As a result, industry enjoys special considerations. In Texas, there is no state corporate or personal income tax. Texas' per capita tax burden is the lowest among southern states, industrial states, and all other states without an income tax. Texas has the lowest unemployment insurance tax rate in the country. State and local property taxes are now \$50 below the national average, and may go lower. While these incentives to industry are by no means the entire reason, it is worth noting that state aid to dependent children is among the lowest in the nation, as are other welfare programs. With the exception of the Governor's salary which is the second highest in the nation, Texas' law-makers-and-keepers are not well paid.

With these facts in mind, it seems more than appropriate, it seems imperative that industry, which enjoys so many benefits, does all in its power to ease economic impacts of OCS development on local communities in the following ways: 1) full and early disclosure of plans to local officials; 2) complete cooperation with local governments in their attempts to assess and plan mitigation for impacts such as more schools, more roads, more utilities, more of everything; 3) assistance to localities who must realistically deal with what to do after construction ceases, and even after the facility closes down.

Do-gooders like me cannot resist remarks like the following from Stanley Brubaker's book To Live on Earth. "A new set of values is needed in which the commitment to environmental quality is wedded to personal values and life styles that do not negate our progress but seek rather to make it serve a new vision."

It's possible--just possible--that this new set of values and new vision



can be accomplished through the productive interaction of industry, government and the people they both serve as hard decisions are made during the development of the Outer Continental Shelf.



TO: LL Presidents, 2 copies (please  
forward 2nd copy to Air or N.R. chair)  
FROM: LWV-Texas

LWV-Texas  
LL Pres. Mailing (2)  
May, 1978  
II.A.1.a.  
Program - Air

April 26, 1978

House Select Committee on Offset Emissions Standards  
Representative Tim Von Dohlen, Chairman  
House of Representatives  
Box 2910  
Austin, Texas 78767

Gentlemen:

The League of Women Voters of Texas wishes to have the following comments added to the official hearing record of the Select Committee on Offset Emissions Standards before it is sent to federal Environmental Protection Agency officials. Our organization regrets that we did not have an opportunity to speak to the issue of non-attainment designations at any of the hearings which your committee held around the state. Local League members have attended, however, in order that we can be informed regarding the content of the hearings in Victoria, San Antonio and Corpus Christi.

In addition to attending your hearings, League members attended a number of the 24 public hearings held throughout the state by the Texas Air Control Board last November on the same issue. As a result of information gathered at these and other meetings, the Texas League has the following positions on designations for each of the five air pollutants for which we have National Ambient Air Quality Standards (NAAQS):

Nitrogen Dioxide. League agrees with the TACB recommendation that the entire state should be classified "E" or attainment for this pollutant. However, with the possibility of increased coal burning resulting from fuel conversion in the near future we would like to recommend that the Select Committee urge the TACB to increase their monitoring efforts not only in urban areas but in non-urban portions of the state where utilities and chemical plants which emit nitrogen dioxide in large quantities are likely to locate.

Sulfur Dioxide. We agree with the TACB designation of "D" or attainment for all areas of our state. Again we recommend increased monitoring in such areas as Houston which has experienced some excursions into high levels of SO<sub>2</sub> in recent months. Coal conversion will increase levels of SO<sub>2</sub> in non-urban areas in the near future and, in order to implement the Prevention of Significant Deterioration (PSD) requirement of the amendments to the Clean Air Act, we think the TACB should make plans relative to development of a State Implementation Plan (SIP) for Texas to increase monitoring of this pollutant.

Carbon Monoxide. League agrees with the TACB proposal to designate the entire state, with the exception of portions of El Paso, as attainment, or "E" for information unavailable. We have indicated to both the TACB and the EPA that our organization disagrees with the size of the area designated non-attainment. We believe that, taking into consideration both the matter of public health and the issue of economic health, the designated non-attainment area should have encompassed an area approximately double the recommended size in order that the health of persons living in that congested part of the city be protected.



Photochemical Oxidants. League believes, because transport from other areas has been recognized as a factor in many of the high readings in all areas of the state where the TACB has been monitoring for ozone, that the entire state urbanized area which we would define as cities which have a population of over 200,000 be designated "A" or non-attainment. We have also requested that all areas within an 85-mile radius of these population centers be included in this non-attainment designation. We consider this proposal to be realistic and necessary to protect the public health. We do not believe that non-attainment designation for such areas means "no-growth" as some industrial and commercial spokesmen are charging. Neither do we believe that, given the requirements of the CAA amendments that offset be utilized in non-attainment designations and that PSD be implemented, attainment as a designation can assure economic growth in an unfettered manner. We believe that such alternatives as the "California" waiver to control automobile emissions offer Texas a good alternative to "no-growth." We believe that reasonable progress toward attainment of NAAQS can occur without drastically affecting economic growth in our state.

We continue to believe that "effect" gives source owners in AQCRs not meeting NAAQS a stake in formulating plans which will reflect a balance between economic growth and health considerations. This "market mechanism" has worked effectively in other states -- we believe it can work toward the best interests of ALL Texans.

In closing, League would like to suggest that the Select Committee make every attempt to gather data on the health implications in addition to information on economic impacts which might result from non-attainment designations before forwarding a hearing report to the federal EPA officials.

Thank you for the opportunity to express the concerns of Leaguers throughout the state on the issue of non-attainment designations and the resulting implementation of the offset policy.

Sincerely yours,

Betty Anderson, President

Meg Titus, Director, Air Quality



TO: LL Presidents, 2 copies (please forward  
2nd copy to Air or NR Chair)  
RE: Proposed Changes to Rule 131.08.00.010,  
Public Notification and Comment Procedures,  
sent to Texas Air Control Board Hearings Examiner,  
8520 Shoal Creek Boulevard, Austin, Texas,  
April 13, 1978

LWV-Texas  
May, 1978  
LL Pres. Mailing (2)  
II.A.1.a.  
Program - Air

The League of Women Voters of Texas wishes to enter the following comments into the record on the proposed changes to the TACB rule on public notification and comments procedures as shown in its revised version on Volume 3, Number 19, March 14, 1978 Texas Register:

.010 Public Notification and Comment Procedures, Section 2

The League believes that the public interest would be better served if applicants for a permit were required to place the public notice in all not just one of the urban newspapers in the county where the proposed facility is to be located. We also would like to suggest that these public notices be placed in any large-circulation suburban newspaper in any such county, especially ones which are located in the same suburban area as the proposed facility.

Section 3

The League suggests that the other required notice (7.5 x 12.5 centimeters) also be required to be published in all major urban newspapers and major suburban papers, not only in the public notice sections but in the primary local news section as well.

Section 5

The League cannot support the proposed change which would allow the Executive Director to exempt the relocation of a facility already having a permit from obtaining a revised permit for the new location. It would, we think, be unfair to citizens living in the relocation area to deprive them of any public notice that a facility was being proposed in their area even if the Executive Director 1) finds no indication that operation of the facility at the proposed new location will significantly affect ambient air quality, and 2) finds no indication that operation of the facility at the proposed new location will create a nuisance.

Comment procedures, Section 1 through 5:

Our group finds these sections of the proposed regulation well drawn and workable regarding the public interest. We would, however, like to suggest that the TACB provide the complete date (Sec.01,b,3) for the construction permit application to all regional offices rather than just to the affected regional office and state office. We believe there are organizations and industries which would find this information very valuable.

Section 6

The League of Women Voters disagrees completely with your proposal to waive a comment period of 30 days if no request to be notified of the proposed agency action is received in the specified period of 30 days. The burden of informing the public is the responsibility of the TACB, therefore the public should not be expected to be required to submit a request in order to be able to comment. Many concerned persons could well miss the opportunity to respond if a request in writing were a requirement in obtaining a period of 30 days in which to comment.



Statement to TACB, April 13, 1978  
Continued

-2-

We also disagree strongly with the TACB's proposal to delete the requirement for posting signs on the property where a new or modified source is to be located. To delete this requirement would greatly decrease the possibility that persons living near the proposed facility could learn of its application for a permit in time to respond. League believes that applying facilities should be required to have these signs in place for 30 days prior to consideration of the application for a permit to insure the public's knowledge of the proposed action.

In the same vein, we disagree with your proposal to delete the requirement for specific notification of all businesses and residences within a five-mile radius of the proposed facility. Because the facility proposed will no doubt affect them, we believe these persons have the right to be informed by the TACB of a proposed action of theirs.

League urges the TACB not to abandon their responsibilities to the public sector which may be impacted by any granting of a permit to a proposed facility without easy and complete availability of relevant information relating to that facility. We urge you not to delete the two above-mentioned sections which are so important to having an effective and open public notification and comment period for each proposed facility.

Sincerely yours,

Betty Anderson, President

Meg Titus, Director, Air Quality





# LEAGUE OF WOMEN VOTERS OF TEXAS

SUITE 109

• 1212 GUADALUPE •

AUSTIN, TEXAS 78701

May 17, 1977

Senate Education Committee  
Capitol Building  
Austin, Texas

Dear Committee Members:

This morning we reviewed the working draft of the school finance proposal that has been sent to the Senate Education Committee. We think the proposal is moving in the right direction by significantly increasing the opportunity of those districts of low property wealth to provide a better educational program. We believe that the proportion of the total package going into equalization aid would show a real commitment on the part of Texas to help those districts most in need of help. In order to increase the quality of the Foundation School Program with the limited state dollars available this session, we think it necessary that the statewide Local Fund Assignment be set at the level recommended by the subcommittee. Another strength of the proposal is the increase in the compensatory education funding.

Since estimates indicate that the total cost of the package is below that originally anticipated, we encourage you to consider further improvements to the quality of the educational program such as increasing funding for drivers education and offering local districts the option of providing full-day, full-year kindergarten under the Foundation School Program.

Sincerely,

Betty Anderson  
President

Jan Wilbur  
School Finance Director



## STATEMENT OF

May 3, 1977

STATEMENT TO THE SENATE JURISPRUDENCE COMMITTEE  
IN SUPPORT OF SB 933

Mr. Chairman and members of the Committee on Jurisprudence:

The League of Women Voters of Texas--with over 4,000 members around the state--have been studying various aspects of the criminal justice system for two years. Along with measures to make this system more uniform in its treatment for those accused and convicted of various criminal acts, we investigated the uses of restitution and of aid to victims of violent crime. We are distressed to discover that although there are measures available to impose restitution, most victims of violent crime do not benefit from such procedures. And there is no other avenue available to relieve the effects of violent acts upon innocent victims.

Therefore, the League supports SB 933 by Sen. Clower. We believe this bill deserves support for several reasons:

1. There is no present system, either public or private, for compensation to needy victims of violent criminal actions, nor do existing public welfare programs necessarily cover assistance to these individuals or their families.
2. Compensation to innocent victims redresses, albeit in a very small way, the imbalance of public money spent on the perpetrators of violent crimes.
3. A person injured or killed while attempting to aid a peace officer deserves concrete assistance--not just a handshake and a plaque to hang on the wall.
4. Although restitution is sometimes required and collected, all too often the person guilty of the crime, violent or not, has no resources to pay restitution.



5. Therefore, compensation to the innocent victim should not depend on the ability of the accused to make such restitution. We believe the state has that responsibility.

6. With the collection of the \$5.00 fine called for in this bill, the state will be able to draw on a fund for the compensation.

7. This bill has adequate safeguards to prevent abuse or fraud in victim compensation. It does not provide for compensation in excess of benefits received elsewhere or for stolen property which we believe is not the state's responsibility.

8. State assistance is intended only for those with real financial need.

9. The role and compensation of the attorney is carefully spelled out.

10. This bill uses a state agency already in existence with experience in procedures for similar investigations and award recommendations rather than creating a new agency.

11. The inclusion of specific ways to inform victims of the existence of state aid and the ways in which to apply is extremely important.

We urgently request you report this bill out of committee with a favorable recommendation.

Thank you for this consideration.



April 18, 1977

Statement To

94

Mr. Chairman and members of the Committee on Health and Welfare

The League of Women Voters of Texas--with over 4000 members around the state have been studying various aspects of the criminal justice system for two years. Along with measures to make this system more uniform in its treatment for those accused and convicted of various criminal acts, we investigated the uses of restitution and ~~of~~ aid to victims of violent crime. We are distressed to discover that although there are measures available to impose restitution, most victims of violent crime do not benefit from such procedures. And there is no other avenue available to relieve the effects of violent acts upon innocent victims.

Therefore, the League supports HB-276 by Representative Madla.

We believe this bill deserves support for several reasons:

1. There is no present system, either public or private, for compensation to victims of violent criminal actions, nor do existing public welfare programs necessarily cover assistance to these individuals or their families.

2. Compensation to innocent victims redresses, albeit in a very small way, the imbalance of public money <sup>necessarily</sup> spent on the perpetrators of violent crimes.

3. A person injured or killed while attempting to aid a peace officer deserves concrete assistance--not just a handshake and a plaque to hang on the wall

4. The provision in this bill allowing a court to assess a fine commensurate with the defendant's ability to pay certainly aids the state in its efforts to provide restitution and to fund state aid to victims.

However, in all too many instances, the person guilty of any crime, violent or not, has no resources to pay fines or restitution. AND

5. Compensation to the innocent victim should not depend on the ability of the accused to pay the fine or make restitution. We believe the state <sup>should assume</sup> ~~has~~ this responsibility

6. This bill has adequate safeguards to prevent abuse or fraud in victim compensation. It does not provide for compensation for stolen property which <sup>we</sup> ~~we believe is not~~ the state's responsibility.

7. State assistance is intended only for those with real financial need.

8. The role and compensation of the attorney is carefully spelled out.

~~9. Rather than create another state agency, this bill provides that~~

referred to subcom. to combine with Hudson bill stipulated must be reported back to full com. within one week of date subcom is named



9. This bill uses a state agency already in existence with experience in procedures for similar investigations and award recommendations rather than creating a new agency.

10. The inclusion of specific ways to inform victims of the existence of state aid and the ways in which to apply is extremely important.

The League only questions the top award limit of \$10,000. We can foresee occasions (hopefully very few) when a young person might become totally ~~inx~~ disabled for life, in which case, \$10,000 would not provide adequate care.

We urgently request you report this bill out of committee with a favorable recommendation.

Thank you for this consideration.



Nobles - L.O

April 15, 1977

Representative Frank Madla  
House of Representatives  
P.O. Box 2910  
Austin, Texas 78767

Dear Mr. Madla:

I am very pleased that your House Bill 276-Victims of Violent Crime Assistance--will be heard by the Health and Welfare Committee next Week.

However, the hearing date comes at a time when I will be involved with our state convention in Ft. Worth. I have prepared testimony which will be read to the committee by Mrs. Mary Blackstock, a member of the league in Austin who has been following legislation dealing with criminal justice during this session of the legislature.

Mrs. Blackstock will be in touch with your office on Monday, April 18 to review our proposed remarks with you so that our efforts will be coordinated with yours.

If you should need to contact Mrs. Blackstock before she visits you she may be reached at 459-6595.

Anything further we can do in support of your bill would be appreciated.

Sincerely,

Diana Clark  
Administration of Justice Director  
League of Women Voters  
3504 Harvard Avenue  
Dallas, Texas 75205

C: Mrs. Mary Blackstock



file

April 19, 1977

STATEMENT TO THE HOUSE WAYS AND MEANS SUBCOMMITTEE  
IN SUPPORT OF HB 2100

My name is Joyce Klein, and I am a member of the League of Women Voters of Austin. I am speaking for Lucinda Headrick, director for solid waste for the League of Women Voters of Texas, an organization with over 4,000 members. Mrs. Headrick is unable to be here this morning because of her attendance at the League's state convention in Ft. Worth.

We wish to testify in support of HB 2100 because we believe it is a beginning in addressing a concept whose time has arrived for Texas citizens. HB 2100 is not a revolutionary bill advocating drastic price increases for consumers of beverages and would not cause economic dislocation of the bottling industry. It is, however, a sign that speaks to the consumer and the bottling industry, saying loud and clear, eventually we must cut down on consumption of our limited natural resources, limited disposal sites, and limited energy reserves. It is also a beginning, an initial step, in addressing the litter problem on our streets and highways. The League believes Texans are ready to assume the responsibility for source reduction in their state.

We hope this committee will concur and favorably consider HB 2100.

Thank you.



AS

NL #4

April 18, 1977

STATEMENT TO THE HOUSE COMMITTEE ON HEALTH & WELFARE  
IN SUPPORT OF HB 276

The League of Women Voters of Texas--with over 4,000 members around the state--has been studying various aspects of the criminal justice system for two years. Along with measures to make this system more uniform in its treatment for those accused and convicted of various criminal acts, we investigated the uses of restitution and aid to victims of violent crime. We are distressed to discover that although there are measures available to impose restitution, most victims of violent crime do not benefit from such procedures. And there is no other avenue available to relieve the effects of violent acts upon innocent victims.

Therefore, the League supports HB 276 by Rep. Madla. We believe this bill deserves support for several reasons:

1. There is no present system, either public or private, for compensation to victims of violent criminal actions, nor do existing public welfare programs necessarily cover assistance to these individuals or their families.
2. Compensation to innocent victims redresses, albeit in a very small way, the imbalance of public money necessarily spent on the perpetrators of violent crimes.
3. A person injured or killed while attempting to aid a peace officer deserves concrete assistance--not just a handshake and a plaque to hang on the wall.
4. The provision in this bill allowing a court to assess a fine comensurate with the defendant's ability to pay certainly aids the state in its efforts to provide restitution and to fund state aid to victims.

However, in all too many instances, the person guilty of any crime, violent or not, has no resources to pay fines or restitution.



5. Compensation to the innocent victims should not depend on the ability of the accused to pay the fine or make restitution. We believe the state should assume this responsibility.

6. This bill has adequate safeguards to prevent abuse or fraud in victim compensation. It does not provide for compensation for stolen property which should not be the state's responsibility.

7. State assistance is intended only for those with real financial need.

8. The role and compensation of the attorney is carefully spelled out.

9. This bill uses a state agency already in existence with experience in procedures for similar investigations and award recommendations rather than creating a new agency.

10. The inclusion of specific ways to inform victims of the existence of state aid and the ways in which to apply is extremely important.

The League only questions the top award limitation of \$10,000. We can foresee occasions (hopefully very few) when a young person might become totally disabled for life, in which case, \$10,000 would not provide adequate care.

We urgently request you report this bill out of committee with a favorable recommendation.

Thank you for your consideration.



APR 21 1977

*State*

April 13, 1977

The Honorable Frank Lombardino  
P.O. Box 2910  
Austin, Texas 78767

Dear Senator Lombardino:

We urge your support of SB 764, since we consider state management of solid waste to be much more effective if the state complies as nearly as possible with the new federal Resource Conservation Recovery Act of 1976.

In particular, we support the enlarging of the definition of solid waste to fit the federal legislation; including the processing of solid waste; and stipulating that "hazardous waste's" definition must conform to the new federal definition. Especially, we hope you will favor the permitting of on-site industrial disposal of hazardous waste.

Sincerely yours,

Rowena Rodgers, President

RR:mb



*state*

APR 21 1977

April 13, 1977

The Honorable Albert D. Brown, Jr.  
P.O. Box 2910  
Austin, Texas 78767

Dear Mr. Brown:

We understand that the unregulated on-site disposal of industrial waste is and has the potential for being a problem in Texas.

Representative Adams in his bill HB 1697 completely closes the on-site dumping of industrial solid waste loopholes in Section 4 (f) of the state's solid waste act. We urge you to support this legislation.

Sincerely yours,

Rowena Rodgers, President

RR:mb



*state*

APR 21 1977

April 13, 1977

The Honorable Frank Lombardino  
P.O. Box 2910  
Austin, Texas 78767

Dear Senator Lombardino:

The League of Women Voters of the San Antonio Area has supported the necessity of assuring safe drinking water for all, as addresssd by the federal Safe Drinking Water Act of 1974.

In order for the new federal drinking water standards to be effective and to be enforced by the state, the Texas Department of Health Resources needs certain rule-making authority and injunctive authority. Therefore, we urge you to support SB 762, granting this power.

We hope you will find the enclosed League publication useful. More information was sent to you last winter from the League of Women Voters of Texas in the form of a packet entitled PROJECT SAFEWATER.

Sincerely yours,

Rowena Rodgers, President

RR:mb

*copies also to  
Senators Treager & Rothmann*





# LEAGUE of WOMEN VOTERS of TEXAS

SUITE 109

• 1212 GUADALUPE •

AUSTIN, TEXAS 78701

## STATEMENT TO THE HOUSE CRIMINAL JURISPRUDENCE COMMITTEE

April 5, 1977

HB 1654 by Hubenak

Members of the League of Women Voters of Texas, as a result of their studies of the criminal justice system in our state, are supporting a number of issues seeking to make the system more equitable and more uniform in all parts of Texas. We are supporting HB 1654 by Mr. Hubenak--the speedy trial bill--as it relates to one part of this system. We believe this measure will enhance the strong court administration system already passed by both houses of this legislature. HB 1654 should eliminate unwarranted delays in criminal trials without sacrificing legitimate postponements by either the prosecution or the defense. Although some jurisdictions have made great strides in reducing the time between arrest and trial, in all too many instances a person can either wait, either in jail or out on bond, up to 18 months or longer before his case is heard.

The Conference on Criminal Justice, Standards and Goals, appointed by the Governor and chaired by Mr. Leroy Jeffers, recommends a maximum of 90 days rather than the 120 days in the bill before you. We too would have preferred a 90 day limit, but perhaps we must begin with a longer period in order that sufficient time be allowed for the new court administration system to begin to function well statewide in tandem with this "speedy trial" measure.

We are sure the framers of our constitution never intended this length of time when they granted to all citizens the right to a speedy trial in the 6th amendment. We believe that passage of this bill will provide additional impetus for a



- 2 -

modernization of the courts and trial system, paper-work flow, and the equalization of docket loads.

We urge this committee to report out HB 1654 with a favorable endorsement. Thank you for your consideration.



*state*

APR 21 1977

April 4, 1977

The Honorable Frank Tejeda  
P.O. Box 2910A  
Austin, Texas 78767

Dear Mr. Tejeda:

We would like to comment on HB 1906 which is presently in the Natural Resources Committee. We support the section raising the amount per meeting for board members of the Edwards Underground Water District and the section dealing with wells.

However, we certainly do question Section 11 allowing the District to purchase surface water, since this region has yet to make any serious effort to develop ground and surface water regional planning. We would not want this legislation to be the vehicle for allowing purchase of Canyon Lake water through the same type of contract being negotiated by the City Water Board with the Guadalupe-Blanco River Authority. There have been enough doubts about this contract, that the city has not yet taken action on it.

Therefore, we would like to suggest that an interim study committee could prepare legislation on the District's power to purchase surface water, with a method for sharing the costs (which is not in the current Section 11) and other power which might prove to be necessary. These powers should be an outgrowth of this region's effort to plan for its water needs and not given beforehand.

Sincerely,

Rowena Rodgers, President

RR:mb

*copies to all state  
senators & rep. from Bexar county*



20.  
STATEMENT TO THE HOUSE STATE AFFAIRS COMMITTEE BY THE  
LEAGUE OF WOMEN VOTERS IN SUPPORT OF H.B. 1977 by FRED ORR  
House Floor - April 4, 1977 - 9 a.m.

My name is Chris Brasher of San Marcos, and I am representing the League of Women Voters of Texas. We are pleased to be able to address the merits of House Bill 1977 by Rep. Fred Orr which would create the Administrative Reorganization Act of 1977.

The League undertook a study of the Executive Department in 1968 which resulted in several positions, two of which are relevant to this proposed legislation. (1) We support reorganization of state boards and commissions along functional lines by grouping into areas of responsibility, and (2) we support a cabinet-type executive department with the governor having the power to appoint and remove the non-elective officers. House Bill 1977 addresses both the reorganization by grouping and by setting up a cabinet-type executive department.

As far back as 1931---forty-six years ago---efforts have been made to reorganize state administration. A bill to create 19 administrative departments was introduced in the 1933 Legislature, was passed in the House but was defeated in the Senate. Since then, many efforts have been made to try to restructure or reorganize the administrative agencies, boards, and commissions so that there could be some control over bureaucratic proliferation and so that more efficient and economical procedures could be instituted whereby the taxpayers of the state would be the recipients of better services for their tax dollars. If this need was evident in 1931, or earlier, how much more expedient it has become NOW to do something to alleviate growing administrative problems and escalating costs caused not only by inflation but also by duplication and overlapping functions.

In theory, all state administration is the governor's responsibility. The Texas Constitution, however, makes no provisions for the concept of authority and responsibility of the chief executive. Cooperation and coordination between



the various departments of the Executive Branch are determined by <sup>those</sup> the men who fill these offices. The many attempts to reorganize state administration indicates that this system leaves much to be desired.

The State boards and commissions have the responsibility of administering most of the laws of Texas. They have had haphazard growth with little long-range or comprehensive planning. Therefore, they present an amazing picture of disintegration and inefficiency in the functioning of the administrative branch. Some are created under the Constitution -- some by statute. Some agencies overlap and duplicate services.

It has been often stated that no one knows for sure how many different boards and commissions there actually are in the state. It is extremely difficult for a Texas citizen to know where to go to get information on a particular subject because of the fragmented structure that is encountered.

It must be extremely difficult for the Governor, who is responsible for the actions of all of these bodies, to know whether the laws of the state are being properly implemented, or to monitor and assess activities, or to even evaluate whether an agency is functioning efficiently and economically.

[ It would seem that having a departmental head who would function as a business manager and would be directly responsible to the governor, as is outlined in this bill, would be a much more efficient and responsible way to run the state's business.

Further, the appointive power of the governor is the most important power the Governor of Texas possesses. Through this power he tries to establish some control over administrative agencies. However, under the present structure, commissioners as heads of agencies are responsible for policy and administration. These agencies hire executive directors, who hire all employees, which makes them independent of the governor. The governor subsequently has little control over them. One exception to this usual procedure is the Department of Community



Affairs, which was created by the 62nd Legislature in 1971. The director is appointed by the governor and serves at the pleasure of the governor. This in reality is an approach to a cabinet-type government. The major effort in executive reorganization has been the creation of the Division of Planning Coordination in the Office of the Governor.

We would hope that the chief executive would be given the power to make changes in administrative structure or in assignment of functions as he feels necessary for efficient administration. In Texas, instead of assigning functions as necessary, we have created new agencies.

In nearly all studies of state government, the major weakness emphasized has been fragmentation of authority through allocation of activities among the many separate agencies. Nowhere is the problem more pronounced than in Texas.

The Model State Constitution recommended by the National Municipal League calls for administrative departments not to exceed twenty in number. H.B. 1977 is well within this limitation, with 14 departments outlined. These department heads and the governor would form a unit for coordination and planning of state policy. The governor would have control over his department heads and the work of the departments. The cabinet system gives the governor much more real power to carry out his own program. It provides a clear line of responsibility, thus strengthens the governor's authority and allows direct access, greater visibility, and more definite responsibility to the people of the state.

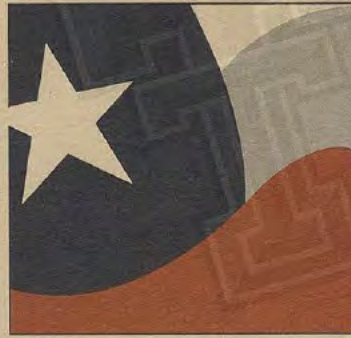
Texas has changed from a rural to an urban exonomy, and our state government has grown more complex. Since good administration has always been essential to good government, there is a need for a strong executive department to meet the needs of Texas state government today. There is also a need for continual evaluation of the organizations and functions of the administrative departments.



In spite of attempts at reorganization in Texas for many years, nothing substantive has ever been accomplished. We know there are numerous obstacles to major administrative reform. We recognize that individual decisions of grouping and reorganizing into various departments will be a monumental task for the legislature. However, the League of Women Voters firmly believes that the state boards and commissions, and state agencies, should be reorganized, according to functions, by grouping them into departments under one person in each department directly responsible to the governor. We approve of this approach to handling administrative functions. We think that H.B. 1977 exemplifies this concept, and we hope that such a measure will be considered in this session of the legislature. It would be a giant step toward better government.]

Thank you.





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

March 24, 1977

STATEMENT OF THE LEAGUE OF WOMEN VOTERS OF TEXAS  
BEFORE THE SENATE FINANCE COMMITTEE

The League of Women Voters of Texas has been concerned with the problems of energy for a number of years. We are persuaded that energy must be addressed in a comprehensive manner; thus, we are supportive of the Governor's Energy Advisory Council.

The budget of the Governor's Energy Advisory Council as proposed by the Legislative Budget Board is remiss in one essential area, however--the area of energy conservation. We draw your attention specifically to the designation of "Special Projects" on page 3 of the LBB budget. You will note that the amount recommended for FY '78 and FY '79 is zero; whereas the amount requested by GEAC was \$226,858 and \$230,258, respectively. These funds were those which GEAC had dedicated essentially for conservation efforts. Specifically, they were used in the areas of conservation in industrial, commercial and residential energy use as well as educational program efforts.

While the League thinks that energy should be approached in a comprehensive manner, we are insistent that energy conservation be a part of any solution to our energy problems. We are particularly persuaded that increasing energy efficiency--or reducing waste--is not only a practical, but essential element in reducing energy demand for this state and this country. To appropriate no funds for energy conservation would be, in our opinion, an unrealistic and unresponsive course of action.



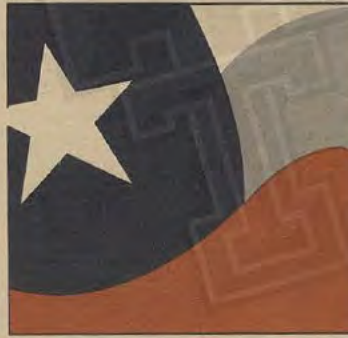
We have two recommendations:

(1) Increase the funding by the state of Texas to conservation efforts by the Governor's Energy Advisory Council to at least \$500,000 to \$1,000,000 per year.

(2) In addition, include in either the Governor's Office or the GEAC budget (or both) federal funds available under the Energy Policy and Conservation Act and the Energy Conservation and Production Act. These funds are to implement the state energy conservation plan we are now developing, as well as a supplemental energy conservation plan pertaining primarily to public awareness. Funds for weatherization programs are also available.

Texas is the leading producer as well as the leading consumer of energy in the United States. We should also be a leader in energy conservation efforts--an objective which will require a financial commitment on our part. We encourage you to make that commitment.





League of Women Voters of Texas • Betty Anderson, President  
1212 Guadalupe Suite 109 • Austin, Texas 78701 • Tel. 512/472-1100  
March 21, 1977

TO: Representative Massey and House Education Committee  
FROM: Jan Wilbur, League of Women Voters of Texas  
RE: CSHB 750

League members across the state want a public school finance bill that will provide every child in Texas access to a good education. A bill that will allow children in a poor district that access, as well as a child in a wealthy district. A bill that will provide poor children, wherever they live, such access.

As we indicated to your office this morning, CSHB 750 does not, in our opinion, provide this access adequately. We recognize the strong pressure for tax relief, but too little attention is being given in this bill to the other side--adequate funding of a good educational program for all children in Texas.

By legislative fiat, this bill would mandate taxpayer relief regardless of the effect on financing education in the local district. This could be detrimental to the educational programs in some districts--particularly those presently in the poorest financial position.

We urge you to look closely at this aspect and to modify the bill accordingly. We suggest the following changes:

1. removing or making permissive the mandatory tax relief provision;
2. lifting the cap on the equalization fund;
3. raising the local fund assignment to compensate for the increased funding required to lift the cap from the equalization fund. We would prefer that the LFA be no lower than \$400 million, so that education can be more nearly adequately funded with no increase in state taxes.

We support the committee's recommendations to:

1. increase the M & O to \$110;
2. put compensatory education funding in the formula and to allow local districts to determine how best to use that money to provide compensatory education;
3. increase transportation funding by 15% rather than 10%.

We thank you for all your hard work and for your thoughtful consideration of all points of view of this most important and necessary legislation.



TO: State Board & selected LL Presidents and NR or  
Land Use chairs (please forward 2nd copy)  
LLs: Houston, San Antonio, Galveston, Beaumont,  
Corpus Christi, Victoria

LWV of Texas  
April 12, 1977  
II. A. 1. d.  
Program - Land Use

FROM: Bobette Higgins, LWV-T Land Use

TESTIMONY BEFORE HOUSE STATE AFFAIRS COMMITTEE

March 14, 1977

My name is Bobette Higgins. I am Public Relations Vice-president and Land Use Chair for the League of Women Voters of Texas, representing over 4,000 local League members in the state, and I'm also a member of the Citizens' Advisory Committee. While it is true that Texas has had the good fortune to have obtained much fine legislation for the protection and management of our coast, it is also true that there have been urgent needs long unmet. The League of Women Voters of Texas, in evaluating the legislative package under consideration tonight, believes that these unmet needs can be filled through the proposed legislation you are now considering. Although there are no bills in this package which we oppose, there are some which seem especially worthwhile, and it is in support of these that my remarks will be addressed. Included are the following bills: H.B. 993 creating a Natural Resources Council and H.B. 994, the Coastal Coordination Act, and of special concern to the League--the Coastal Wetlands Acquisition Act. Of the resolutions, we especially support Number 62, Number 63, and Number 67 concerning the activity-assessment routine, the request for certification by the Texas Coastal Management Program, and the direction to the Natural Resources Council to study and make recommendations to the governor for legislation addressing specific coastal problems.

We feel the creation of the Natural Resources Council, a proposal to restructure and regroup existing institutional arrangements, reflects the careful efforts made to avoid new agencies, new funding, and an elaborate new orchestration of bureaucratic superstructure. Instead, we find in this bill evidence of a thorough, systematic evaluation of existing programs, resulting in more efficient use of these mechanisms. This is, in a manner of speaking, "recycled government." We find this a refreshing attempt to conserve the public purse without decreasing or diminishing effective governmental processes. We further suggest that while not everyone here would subscribe to the idea that limiting growth on the coast is a desirable goal, almost everyone present might be expected to agree that limits to a growing governmental bureaucracy would be a good thing. The proposals in the bill, which are the heart of the Texas Coastal Management Program recommendations, contain one aspect which we feel asks for special support. This is the inclusion of an advisory committee to the NRC which can serve as a vital link between the public and government which is now missing and sorely needed. We find especially commendable the proposal to include the chairman of this group as a nonvoting member of the NRC. We like the fact that the committee will be staffed and funded and most importantly we applaud the provision empowering the advisory committee to call and conduct public hearings. The League strongly endorses the Coastal Wetlands Acquisition Act and feels that it protects both the rights of property owners and the rights of the general public. We believe that the various methods of the acquiring agency to obtain coastal wetlands are entirely appropriate and necessary. The duties of the certifying agency are clearly defined, including the criteria for selecting coastal wetlands most essential to the public interest.

During the process of developing this program, never have we seen more effective and open use of the practice of citizen participation in governmental decision-making. The development of this program has been finely tuned to the wishes of the people. As never before, the people of this state have been listened to. Their desires are reflected throughout this program. This may assure the enforcement of this program as no law could.

(over, please)



State Board & selected 11 representatives and 12 or  
Land Use Chair (please forward to)  
-2-  
San Antonio, California, Sacramento

Finally, I would like to say a kind word about everybody's favorite whipping boy, the federal government, because it is the federal government, through the permissive nature of the Coastal Zone Management Act of 1972, which has given us that which we say we want--an opportunity to manage our own coast ourselves. This federal Act allows our state, and all coastal states, to find their own solutions to their own problems. They have encouraged us to work out our own best way to manage our coast, given our individual needs and political situations. We in Texas have done exactly that. As a result, we have a program that can work, that can be responsive to changing needs, that can be adjusted to meet the desires of a changing populace. We urge your adoption of this package and your commitment to its successful implementation. Thank you.

Time that Texas has had the good fortune to have delayed much the legislation for the protection and management of our coast. It is also true that there have been urgent needs long unmet. The League of Women Voters of Texas, in evaluating the legislative package under consideration tonight, believes that these needs can be filled through the proposed legislation you are now considering. Although there are no bills in this package which we oppose, there are some which seem especially worthwhile, and it is in support of these that my remarks will be addressed. Included are the following bills: H.B. 293 creating a Natural Resources Council and H.B. 294, the Coastal Coordination Act, and of special concern to the League--the Coastal Wetlands Acquisition Act. Of the legislation, we especially support Number 23, Number 63, and Number 67 concerning the wetlands assessment program, the request for certification by the Texas Coastal Management Program, and the direction to the Natural Resources Council to study and make recommendations to the governor for legislation addressing specific coastal problems.

We feel the creation of the Natural Resources Council, a proposal to restructure and regroup existing institutional arrangements, reflects the careful effort made to avoid new agencies, new funding, and an elaborate new reorganization of departments, super-agencies. Instead, we find in this bill evidence of a thorough, systematic evaluation of existing programs, resulting in more efficient use of these mechanisms. This is a manner of speaking, "revised government." We find this a refreshing attempt to conserve the public purse without denigrating or dismantling effective governmental processes. We further suggest that within not everyone here would subscribe to the idea that limiting growth on the coast is a desirable goal. Almost everyone present might be expected to agree that limits to a growing governmental bureaucracy could be a good thing. The proposals in this bill, which are the heart of the Texas Coastal Management Program recommendations, contain one aspect which we feel asks for special support. This is the inclusion of an advisory committee to the NRC which can serve as a vital link between the public and government which is now missing and sorely needed. We find especially commendable the proposal to include the chairman of this group as a nonvoting member of the NRC. We like the fact that the committee will be staffed and funded and most importantly we applaud the provision empowering the advisory committee to call and conduct public hearings. The League strongly endorses the Coastal Wetlands Acquisition Act and feels that it protects both the rights of property owners and the rights of the general public. We believe that the various methods of the acquiring agency to obtain coastal wetlands are extremely appropriate and necessary. The duties of the acquiring agency are clearly defined, including the criteria for selecting coastal wetlands most essential to the public interest.

During the process of developing this program, never have we seen more effective and open use of the practice of citizen participation in governmental decision-making. The development of this program has been limited to the wishes of the people. As never before, the people of this state have been listened to. Their desires are reflected throughout this program. This way assured the involvement of this program as no law could.





## LEAGUE OF WOMEN VOTERS OF TEXAS

SUITE 109

• 1212 GUADALUPE •

AUSTIN, TEXAS 78701

March 4, 1977

Herman Adams, Jr.  
House of Representatives  
Capitol Station  
Austin, Texas 78711

Dear Mr. Adams:

I appreciated meeting you last week concerning legislation to amend the state Solid Waste Act. I am enclosing the copy of the "Big Thicket Bulletin" January/February 1977 you requested.

The League of Women Voters believes that Texas has a fairly good set of state regulations concerning industrial solid waste and state Solid Waste Act with the exception of this "loophole" we discussed. In essence the following points are those which we believe would provide Texans with a higher degree of safety concerning hazardous wastes.

1. There should be conditional restraints on all hazardous waste disposal--namely a permit must be applied for and secured from the Texas Water Quality Board which in turn would require public hearing and citizen comment provisions. We agree with you in that it is proper to push only for permits for hazardous waste disposal at this time.

2. We believe the haulers of hazardous wastes should be licensed and bonded. There is simply too much of a chance for spillage and accidents without some form of monetary check on the haulers.

3. We suggest at the beginning of the permitting process for a hazardous waste site, it would be extremely beneficial for the law to require an "educational hearing." Too often a misinformed public can cause a halt to a potentially well operated and "safe" hazardous disposal site.

4. Finally we would like considered stronger emphasis on the final closing of hazardous waste sites such as requiring the applicant to have bonding capacity to cover any and all adverse effects the operation may have in the future. Another suggestion along these lines would be to require the applicant to set aside a certain amount of money at the time of each disposal that cannot be touched for use of perpetual care--in lieu of bonding. A system could be worked out that a certain percentage could be refunded after a period of time has elapsed after final closing if all regulations have been followed and all safety checks are in place.



Please do not hesitate to contact me at any time if I can be of further help. In case you should need immediate League response my counterpart in Austin is:

Nan Clayton  
[REDACTED]

or you may leave a message for her at the League Legislative Office-[REDACTED]

I would also recommend contacting Richard Shannon, an attorney who is active with the Texas Environmental Coalition. He is very interested and knowledgeable on this subject.

Richard A. Shannon  
[REDACTED]

Again we appreciate the opportunity to make these suggestions to you and offer our services in any way to help you in your endeavor to pass the appropriate legislation.

Sincerely,

*Lucinda Headrick*

Lucinda Headrick  
Director of Water and Solid Waste

mailing address: [REDACTED]

cc: Nan Clayton  
Richard A. Shannon





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

We are here to address three specific school finance issues: property tax administration, Equalization Aid and the Local Fund Assignment. It will be the responsibility of the Legislature in the special session to deal with these issues.

In the Rodriguez decision the U.S. Supreme Court stated that the "inequities alleged by the plaintiffs exist but the development of solutions is a task for state legislatures and the constituencies which they represent--not the federal court system". It has not been easy, but since that decision in March 1973, the state of Texas has begun the process of removing inequities from our school finance system. Probably the most important feature that has been added to our system is Equalization Aid--although the level of funding has not been sufficient to significantly improve the quality of resources available for each child. Nevertheless, the Legislature has shown by its actions that it knows what steps must be taken in order to develop a system that will compensate for the wide disparities in wealth among local school districts. The Legislatures task now is to decide what additional steps must be taken during the special session to further remove inequities.

The League of Women Voters believes that the most fundamental improvement needed is in the area of property tax administration. The Legislature simply must end the biennial dispute over which property tax figures are to be used in calculating the Local Fund Assignment. One of the Legislature's top priorities



should be providing for the establishment of guidelines for school tax offices to use in valuing property. It has been well-documented that there is presently little uniformity in the valuation methods used by the various tax offices. This is not fair to those districts who are doing a good job of property tax administration and results in an inequitable distribution of state funds. We are of course pleased that both of the pre-filed bills attempt to correct this situation.

One of our other major concerns is the level at which Equalization Aid is funded. We think it would be reasonable to put at least one-third of the new state money going into school finance in the Equalization Aid component. The quality of a child's education should not depend on the wealth of the child's local district. Significantly increasing Equalization Aid will begin to eliminate this relationship and will be a step forward in providing each child in Texas an equal opportunity for a quality education.

Finally, we still believe as we indicated in the 65th session that the net statewide Local Fund Assignment can not be less than \$400 million. Since it is a school finance bill that is being considered, certainly the objectives should include enhancing educational programs and channeling enough money into property poor districts to equalize the resources available. Achieving these objectives will take at least \$400 million plus the \$959 million in state money.

Although others may be introduced, the only bill pre-filed thus far that addresses the major concerns of the League of Women Voters of Texas is H.B. 3. The children of Texas need an advocate. The Legislature should assume that responsibility by adopting H.B. 3.



February 28, 1977

I am Jan Wilbur from Houston, Director of Property Tax Reform and Public School Finance for the League of Women Voters of Texas. The League supports the proposed Property Tax Code, HB 846. We especially urge you to keep the following things in the bill:

1. Consolidation of appraisal units.
2. Creation of the State Property Tax Board to promulgate standard and special appraisal manuals, and procedures for appraising property.
3. Creation of the Council of Appraisal Examiners to promulgate rules, courses of training, and examinations for registration and certification of appraisers.
4. Establishing the Tax Appeals Commission to hear appeals from taxpayers and taxing units, and to publish and publicize brochures to assist the taxpayer in making the appeal.
5. Disclosure of real estate selling price to the tax office.
6. Standardizing state assessment ratio at 16%.
7. Sec. 26.05 (b).

Our interest in the property tax stemmed initially from our concern for an equitable system of public school financing in Texas. The property valuation



for a school district is the measure of the ability of the district to pay for its schools. Passage of HB 1126 last session made the local fund assignment of a school district directly proportional to the total district property valuation. This made the inequities in the property tax system assume an even greater importance as a disequalizing factor in our system of financing public schools in Texas.

If school finance were our only concern, we could easily go with the Governor's proposed School Tax Assessment Practices Board. But, equally important to us are the criterion that a tax should be easily administered, fair, and efficient; and the Constitutional mandate for equal and uniform taxation. To apply the uniform assessment practices mandated in the Governor's proposal to school districts only is grossly unfair to the taxpayers. We still have to pay state tax, county tax, city tax, and some of us are in special districts which would still be basing their taxation on the unequal assessment practices presently in effect. In other words, it would answer the property tax inequities for the school districts and leave untouched the inequities in taxation for other taxing units. This is not acceptable to us. It is neither fair nor efficient.

We fully recognize that this bill will not solve all the problems in the property tax system in Texas. Some of the problems that are untouched are those for which there is not a readily visible solution. Other problems should, at least for the time being, be left to local appraisal offices to deal with. They should be dealt with at that level rather than at the state level, because there is such a wide diversity among counties that it would be difficult to arrive at a statewide solution which would be best for all counties. The whole question of property tax burden is not dealt with except



in a very general (but basic) way by this bill.

Nevertheless, this bill represents very great strides toward reforming the system in Texas. It will give us more valid and accurate data on tax practices and problems. It will give the taxpayer information to judge the accuracy of his or her own taxes and of the overall system. Armed with this information from the State Property Tax Board, citizens, legislators, and tax appraisers and assessors can work together more intelligently and more effectively toward taking the next step.

We urge you to vote for the proposed Property Tax Board, HB 846.

Thank you for your time and consideration. Are there any questions?



*Barbara Nobles  
Energy File*

STATEMENT OF ELSIE COLWELL  
ENERGY COMMITTEE OF THE LEAGUE OF WOMEN VOTERS OF TEXAS  
BEFORE THE  
STATE AFFAIRS COMMITTEE OF THE TEXAS SENATE  
FEBRUARY 28, 1977

---

On behalf of the League of Women Voters of Texas, I thank you for the opportunity to comment on S.B. 199 relating to temporary speed limits. It is our understanding that this bill would repeal the present 55 mph maximum speed limit on Texas highways and again allow a maximum speed limit of 70 mph.

We hope to show by the presentation of various facts and figures that this proposal would promote inefficient and wasteful energy usage, and on the basis of current energy problems faced by our country we must oppose it.

In the United States we use about one fourth of our energy for transportation and, of this, the automobile accounts for two thirds. Thus automobile transportation utilizes about 16% of this country's total energy. In 1975, the latest year for which statistics were available, Texans paid taxes on 7.38 billion gallons of gasoline.

\* According to Exxon Corporation figures, most automobiles get about 21% better mileage at 55 mph than at 70 mph. Utilizing weighted percentages as calculated by the National Petroleum Council this means that statewide gasoline usage could increase by about 10% if the maximum speed limit were raised to 70 mph. Thus in 1975 we would have used 738 million gallons more gasoline (57.3 thousand barrels/day more oil) had the limit been 70 mph. Considering current population trends, the conservation potential could be even more significant in Texas this year.

As noted by many public officials including President Carter, the energy crisis is a real and continuing problem faced by our nation. The state of Texas, as both the largest producer and consumer of energy in the country, has an opportunity to demonstrate a responsible and reasonable response to the needs generated by this crisis. We therefore urge that you oppose the passage of S.B. 199.



FEB 28 1977

February 26, 1977

C  
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P  
Y

The Honorable William Braecklein  
The Senate  
Austin, Texas 78711

Dear Senator Braecklein:

It is our understanding that S. B. 199 relating to repeal of the 55 miles per hour speed limit will be considered by the State Affairs Committee on Monday. It has been clearly shown that driving 55 MPH instead of 70 MPH is an energy conservation measure. Exxon recently advertised in Newsweek, for example, that driving 65 MPH instead of 55 MPH used 11% more energy. Because of the serious energy problems this country faces, the League cannot support any measure which would promote inefficient and wasteful energy consumption. For this reason, we encourage you to OPPOSE S. B. 199.

Sincerely,

Laura Keever,  
Energy Chairperson

[REDACTED]



Barbara Nobles

FEB 28 1977

February 26, 1977

The Honorable Jack Ogg  
Texas Senate  
Austin, Texas 78711

Dear Senator Ogg,

On behalf of the League of Women Voters of Houston I am writing to request your opposition to SB 199 relating to the maximum speed limit in Texas.

Statistics show that the gasoline combustion engine is significantly less efficient at 70 mph than at 55 mph. Also Texas motorists consumed in excess of 7 billion gallons of gasoline in 1975, the latest year for which figures are available. Therefore there is the potential for a meaningful energy conservation effect in maintaining the maximum speed limit at 55 mph.

In view of the grave consequences of ignoring the need for energy conservation, I therefore suggest that raising the maximum speed limit above the federally recommended level of 55 mph would be an irresponsible action. For these reasons then, we urge that you vigorously oppose the passage of the above mentioned bill.

Very truly yours,

*Elsie D. Colwell*

Elsie D. Colwell  
Energy Committee Chairperson  
LWV Houston



bcc: Titus, SO (Nobles)

*See  
encl*

*Joann -  
Add to  
list if not already on -  
Environment mailing  
L.K.*

February 23, 1977

Kay Fitch  
[REDACTED]

Dear Kay,

Thank you for your letter of February 14. I hope you receive this before February 25--I didn't realize I was pushing your deadline so closely.

The energy information in the last ENVIRONOTES and last post-board report should be helpful to you. Please ask June for her copy if you do not receive one. In fact, if you do not receive ENVIRONOTES, please drop a line to the State Office in Austin so that they can add your name to the mailing list.

There are several pieces of legislation we are watching (other than conservation funding and reestablishment of the Governor's Energy Advisory Council). At this moment, however, we have spoken out on only one: S. B. 407 by Clower, which requires individual gas and electric meters for apartments. I expect this piece of legislation to be passed out of the Human Resources Committee tomorrow afternoon (February 24), and if that happens, I would encourage your members to write to your senators encouraging passage by the Senate. Other bills that I expect we will be supporting include:

- S. B. 176 - Clower - Provides sales tax exemption for wind energy devices and insulation.
- S.C.R. 15 - Clower - Provides for studies by the Public Utility Commission on alternate rate structures.
- H.C.R. 27 - Thompson - Provides for studies by the Public Utility Commission on alternate rate structures.
- H. B. 581 - Evans - Provides for state-local cooperative purchasing through the Board of Control.

I have recommended that the League oppose any efforts to increase the 55 MPH speed limit.

I hope this has been helpful. Watch your Legislative Newsletter!

Sincerely,

Laura Kever  
Energy Chairperson

C  
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Y



file  
energy

February 22, 1977

The Honorable Ron Clower  
The Senate  
Austin, Texas 78711

Dear Senator Clower:

The following letter was sent to the members of the Human Resources Committee:

"The League of Women Voters of Texas encourages your support of S. B. 407, which relates to individual metering of apartment houses. Studies have shown that individuals tend to conserve much more energy when they are aware of how much energy they are using as well as how much they are actually paying for the energy they use.

We therefore encourage you to vote FOR S. B. 407."

We are certainly delighted to support this bill, and are most appreciative of your leadership in this matter.

Sincerely,

Laura Kever,  
Energy Chairperson

**[REDACTED]**  
CC: Mike Thomasson

bcc: Anderson, Titus, Nobles





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

February 5, 1977

I am Jan Wilbur, School Finance Director of the League of Women Voters of Texas. We thank you for the opportunity of speaking to this committee about school finance. The crucial issue still facing Texas today is how to finance a public school system to provide equal access to education for all children of the state of Texas. Children in poor districts as well as children in wealthy districts deserve access to a good education. Children in inner city districts as well as children in sparsely populated areas deserve access to a good education.

HB 1126 revolutionized Texas' school finance system in 1975 just as the Gilmer-Aikin Act had 26 years earlier. Just as the Gilmer-Aikin Act did not solve all the problems in school finance, so, also, HB 1126 was not the final answer. What HB 1126 did, though, was set the state, however tentatively, on the path toward equalization--toward reducing the tremendous wealth disparities, toward reducing the per pupil expenditure, toward reducing taxpayer inequities.



Sadly, HB 750 clouds the bright hope of equalization so tantalizingly held out before us in HB 1126. It is a reactionary response to a revolutionary concept.

Let us look at the effect of this bill (using TEA figures):

Major elements of the public school <u>finance system</u>	Additional state money for the next <u>biennium (in millions)</u>
Pay raises	\$ 0
transportation	25
operations/maintenance	52
compensatory education	-50.8
accountability	10
local share reduction	620
equalization aid	130
other	<u>40</u>
TOTAL	826.2

This bill, HB 750, proposes spending almost 8 times as much disequalizing the system as it does equalizing. Compensatory education funding and the equalization fund taken together propose a net gain of \$80 million dollars for equalizing. The bill proposes spending \$620 million disequalizing.

Obviously the \$620 million increase in state funding serves another function. That function--taxpayer relief. Just who is being relieved, though?



TEA figures show that: HB 750 would affect the districts of varying taxable wealth in the following manner:

<u>Relative wealth</u> <u>of the district</u>	<u>Additional state</u> <u>aid per ADA</u>
wealthy	\$ 0
above average	314
average	147
below average	138
poor	141

It is imperative that the index rate for calculating the LFA be set at no lower than \$ .23/per \$100 valuation (if GOER taxable value figures are used). We arrived at the \$ .23 figure by taking the inverse ratio of the statewide GOER figures to the statewide MSA figures and multiplying that by the current index rate. This would allow more money to be put into equalization (and perhaps into compensatory education) and relieving the taxpayers in districts at the other end of the wealth scale.

Our other major concern with this bill is the creation of the School Tax Assessment Practices Board. The tasks assigned this board to do for school districts-- require training of assessors, set minimum standards, require annual reporting-- should be done for all taxing units in the state. We understand another bill has been filed which will do just that. We would encourage this committee to delete this section creating the School Tax Assessment Practices Board from this bill-- and individually to support HB 846.



bcc: Anderson, Titus, Nobles

February 7, 1977

C  
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The Honorable Ed Mayes  
House of Representatives  
Austin, Texas 78711

Dear Representative Mayes:

Thank you for the opportunity of appearing before the Appropriative Matters Subcommittee of the House Energy Resources Committee with regard to the budget of the Governor's Energy Advisory Council. I would like to restate some of the concerns of the League of Women Voters of Texas with regard to the appropriations recommended by the Legislative Budget Board.

As you know, the LBB completely did away with any funding for conservation programs. The League would like to see this funding restored and, in addition, the federal funds available under both the Energy Policy and Conservation Act and the Energy Conservation and Production Act included. All of these programs differ as to emphasis, and each of them is important. For example, the programs currently funded under the GEAC budget relate to energy conservation in industry, business, residences, and education programs for schools. The programs under the Energy Policy and Conservation Act relate to implementing the state energy conservation plan, which is now being developed, and include energy conservation as it relates to thermal standards for buildings; lighting standards for buildings; carpools, vanpools, and public transportation; and government procurement practices. The funding available under the Energy Conservation and Production Act relates to utility rate design demonstration projects, weatherization programs, and public information programs.

While the status of the GEAC is presently uncertain, if the agency is continued, we think that energy conservation programs should be a major function.

If I may be of help to you in estimating more precisely the funding available to Texas under these programs (which differ according to formula), I shall be happy to be of assistance.

Sincerely,

LK

Laura Keever,  
Energy Chairperson

cc: Jeff Browning



bcc: Nobles  
LWV-Tarrant County

February 7, 1977

C  
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The Honorable Tom Schieffer  
House of Representatives  
Austin, Texas 78711

Dear Representative Schieffer:

I am most appreciative of the opportunity to appear before the Appropriative Matters Subcommittee of the House Energy Resources Committee with regard to the budget of the Governor's Energy Advisory Council. I would like to restate some of the concerns of the League of Women Voters of Texas with regard to the appropriations recommended by the Legislative Budget Board.

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While the status of the GEAC is presently uncertain, if the agency is continued, we think that energy conservation programs should be a major function.

I look forward to hearing your views in this regard.

Sincerely,

Laura Keever,  
Energy Chairperson

10515 Laneview  
Houston, Texas 77070



February 7, 1977

I am Jan Wilbur, School Finance Director of the League of Women Voters of Texas. We thank you for the opportunity of speaking to this committee about school finance. The crucial issue still facing Texas today is how to finance a public school system to provide equal access to education for a public school system to provide equal access to education for all children of the state of Texas. Children in poor districts as well as children in wealthy districts deserve access to a good education. Children in inner city districts as well as children in sparsely populated areas deserve access to a good education.

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Our other major concern with this bill is the creation of the School Tax Assessment Practices Board. The tasks assigned this board to do for school districts--require training of assessors, set minimum standards, require annual reporting--should be done for all taxing units in the state. We understand another bill has been filed which will do just that. We would encourage this committee to delete this section creating the School Tax Assessment Practices Board from this bill--and to support HB 846.



LWV of Texas  
September 17, 1976  
LL Presidents & NR/Land Use Chair  
Program--Vertical  
NR--Land Use

TO: Local League Presidents and Land Use/NR Chairs  
FROM: Bobette Higgins, Land Use, LWV-T Chair  
RE: Statement on the Texas Coastal Management Program

STATEMENT TO THE GENERAL LAND OFFICE ON THE  
RECOMMENDATIONS FOR THE TEXAS COASTAL MANAGEMENT PROGRAM

BY THE

LEAGUE OF WOMEN VOTERS OF TEXAS

September 1, 1976  
Austin, Texas

The League of Women Voters of Texas has long been interested in the well-being of the Texas coast--both of the people who live in the region, and the fragile but economically and aesthetically important natural systems there. League members who live on the coast might be expected to have coastal concern uppermost in their minds, but other members from all over the state share these concerns. They have frequently voiced these during this series of public hearings.

Because of this interest, it is a particular pleasure to say that League members are able to enthusiastically endorse the recommendations of the Texas Coastal Management Program.

Those parts of the program we wish to single out for strong endorsement are those involved with the institutional arrangements for the implementation of the process. We strongly support the recommendation restructuring the ICNRE. We are pleased that at last the ICNRE will be able to function in fact, and not only in theory. In some of the comments directed toward this most significant recommendation, we have heard expressed doubts that the replacement of the executive directors of the agencies by the members of their respective boards and commissions would work. It has been said that the ICNRE should be staffed with "professionals." We disagree. We believe that the involvement of the members of the boards will make the ICNRE more accountable to the public. We further believe that rather than DECREASING the participation of the executive directors of these agencies, it is more likely that their participation will be increased, since their policy-making board members will need their assistance and expertise, and will likely see to it that these persons attend ICNRE meetings, which is now all too frequently not the case. We also commend the suggestion that the ICNRE be staffed, which is not now the policy. We also approve the recommendation that representatives from the Governor's Energy Advisory Council, the Attorney General, and the Legislative Budget Board serve in an advisory capacity. We strongly urge that the GEAC become voting members, if this is permissible under the law. We find refreshingly meritorious the suggestion that the restructured ICNRE be designed to self-destruct at the end of a four year trial period unless continued by the legislature, thus assuring that the automatic continuation of an ineffective agency is unlikely.

We urge all of the affected agencies to support the restructuring of the ICNRE as recommended, and to work for its successful implementation. Not to do so would seem to bespeak a self-serving desire on the part of the agencies to protect their own turf at all costs.



The League of Women Voters supports the establishment of an organized data management system, seeing this as a long overdue need, and one which is of benefit not only to coastal matters, but to the entire state.

The League full supports the activity assessment routine, believing that without it, any sensible management program would be an impossibility.

We support the contention that the proposed process would improve state-federal coordination, and urge the adoption of this recommendation.

We favor the establishment of uniform saltwater fishing regulations.

Some local Leagues have expressed reservations concerning the recommendation that the state assume the Corps of Engineers jurisdiction over dredge and fill activities in salt water; this same concern has been voiced by others at the public hearings I have attended, and may need to be reexamined.

As most people in the room are aware, the league has long been advocating public participation in the decision making process. We therefore support, even more than we support the program, the process through which it was developed. We have been more than pleased with the extraordinary efforts made by the TCMP staff to involve the public in this process. We appreciate the extra effort, time and expense involved in the process of including the public as conscientiously as you have done. We appreciate the patience and courtesy of the staff who answer the same questions over and over, and seem to consider this neither an imposition, nor an inquisition, as has sometimes been the case when League members have attempted to participate on other appropriate occasions, before other agencies.

As a member of the citizens advisory committee, I have witnessed the remarkable results that can be achieved when an agency is committed to the principle of openly and wholeheartedly involving diverse members of the public in their decision making. The members of this committee have come to know each other, to respect differing opinions, to listen with an open mind, and to work out extremely difficult problems. Public participation CAN work. It has worked. And this committee is living proof of this.

I think some mention needs to be made of the objections raised by some people to this proposed program. It has been called weak and lacking in real control. At the other extreme, it has been called a dire threat to private property rights. It is neither of these, and yet is at the same time, both of these. This program is not rigid dogma, not a plan at all. It establishes a process, it facilitates planning. And it is no more a threat to private property rights than person's neighbor is a threat to his rights. All of our rights are subject to the needs and rights of others. This program sets in place a process which can protect and assure the maintenance of private property rights with a minimum of governmental interference.

By League standards, this program is not ideal. It offers little wetlands protection. Many aspects which are now voluntary should, in our opinion, be mandatory. It is a minimal program. But it is infinitely better than the chaotic state which now exists. It can be made to work. It is politically feasible. It MUST be made to work, if the state is to continue to have this responsibility rather than abdicating in favor of the federal government.

Those of us on the advisory committee have seen two examples of what happens to states who do too little, too late, in managing their coasts. The heads of the Coastal Management programs in California and New Jersey met with us and described their state programs. Despite the fact that our coast and their coasts are not identical, it became clear that we have many elements in common. And it became obvious that while



Texas does not yet have the intense coastal problems caused by unmanaged growth that both these states have, and therefore perhaps do not need such restrictive CM programs, IF we will act now, we can avoid both the monumental problems, and the stringent controls necessary to abate them.

We live in an age in which it is deemed commendable to manage everything on God's green earth, except God's green earth. And for many years we in Texas were able to live comfortably in this manner, because people were few and the land was seemingly endless and bountifully supplied with natural resources; but like the Indians whose land this once was, and the settlers in covered wagons who brought with them our lingering pioneer ethic, those times are gone. It is now time to protect as well as use our coastal resources. We therefore suggest that, in the best pioneer tradition, it is time again to circle the wagons.





# League of Women Voters of the San Antonio Area

1017 NORTH MAIN, SUITE 223 • SAN ANTONIO, TEXAS 78212 • 512-226-3612

State MAR 21 1977

STATEMENT BEFORE THE HOUSE EDUCATION SUBCOMMITTEE - June 4, 1976

RE: School Finance

I am Charlotte Travis, Chairman, Education Committee, League of Women Voters of the San Antonio Area.

*"The League may take action on governmental measures and policies in the public interest. It shall not support or oppose any political party or any candidate."*

The League of Women Voters of the San Antonio Area has long supported the right of every person to have access to free public education which provides equal opportunity for all. We feel we still need to progress toward this goal in Texas. H.B. 1126 does not completely answer the challenge that the judge for the Rodriguez Case gave to the state legislature. The State Aid to each school district is still based on the assessed value of the property within that school district, not the taxable value of property in the state as a whole.

First I want to remind you of some of the additional points the Texas League of Women Voters would like to be included in an education bill. We feel that the level of state support to public schools should be increased. The local enrichment funding provided by each district should be limited to 10% of the state assignment. This would reduce the percentage of the local share of a school district's budget that the taxpayer would have to support. If the funds to each school district were allocated on the basis of weighted pupil needs then the educational needs of each student should more effectively be met and that kind of assignment by the state should provide a more equal education for all. We also feel that the local district's capital outlay should be supplemented by the state to equalize physical facilities in each district.

This brings us to the old problem of where shall the money to increase the level of state support to the local school district come from? The state League of Women Voters has several alternatives for this question:

1) A State Supervised Property Tax - Our State Constitution provides for an "equal and uniform" taxation of all citizens. The state must be responsible for equalizing the ability of school districts to raise tax revenue. All taxable property should be assessed at full market value. This would enable the distribution of tax wealth from the rich districts to the poorer districts. We would need state supervision to insure an equitable and uniform assessment and taxing procedures. Professional training should be given all tax assessor collectors. The system that was used this past school year in which the self reported market values of property in each county were run



- 2 -

through a complex formula did not result in an accurate picture of the ability of each district to provide its share of funds. A county that has an accurate assessment of land was penalized and an alert county that discovered if it had a low assessed valuation it would receive more funds, also penalized other areas of Texas by getting more than its share of state funds.

Also H.B. 1126 did not state an upper or lower limit to the amount of local tax revenue that a district may raise. Consequently we can expect that the current disparities in the local tax effort, ranging from \$.02 to \$1.50 per \$100 market value of property, to continue. Property-rich districts will still be able to raise sufficient local revenues for education with little effort, while property poor districts will find it necessary to make a comparatively high effort to raise less local revenue. The kinds of property is not spelled out in H.B. 1126 either. Therefore the state used additional intangible property values that do not appear on the local tax rolls and that distorts the amount of monies a district can raise by using only the ad valorem tax. It is estimated that the values of intangibles represent more than half of all property value in the state, and yet hardly any of this appears on local tax rolls.

A state supervised property tax system, where all land is assessed at full market value, where all districts use the same tax rate and with all tax assessors receiving the same training should correct the inequities in the present property taxation system, and provide additional funds.

2) We also support the less popular cases of a state income tax, a state corporate profits tax, or any combination of the two, if needed. The Texas Research League estimates that a personal income tax at the average per capital yield achieved by the 45 states which have such a tax would raise about \$500 million annually. A corporate profits tax with an average per capital yield would raise about \$350 million a year.

The final answer to equal education for all children supported by the wealth of the state as a whole will lie with the next session of the legislature. It is the hope of the League of Women Voters of the San Antonio Area that your committee will introduce a bill that will continue the educational reforms began by the last legislature.

# # # # #



*xeroxed for Committee Hearing Mar. 19, 1975 on  
HB 656 (Simple)*

## *League of Women Voters of Texas*



DICKINSON PLAZA SHOPPING CENTER • DICKINSON, TEXAS 77539 • PH. 713-337-1722

MRS. DARVIN M. WINICK, PRESIDENT

Statement in Support of S. B. 66  
presented before the  
Natural Resources Committee, Texas Senate  
by the

League of Women Voters of Texas

March 5, 1975

I am Mrs. Wilfred Higgins, Chairman for Land Use and Solid Waste of the League of Women Voters of Texas, representing the over 4000 women and men who are members of the League in Texas.

It is a particular pleasure to speak in behalf of S. B. 66 since this is a bill we enthusiastically support. The League, with strong positions in favor of wise use of our natural resources, finds this bill especially commendable because of its emphasis on the reclamation of strip-mined land. We believe that part of the responsibility inherent in using land wisely lies in restoring land after the mining process to a usable condition. We believe this bill will assure that kind of stewardship.

It is surely evident that Texas needs strip-mining reclamation legislation. Our state is now sixth in the nation in the amount of land currently being strip-mined for sand and gravel. A significant amount of uranium is also being strip-mined in Texas. Knowing of the intense search for energy resources, there can be little doubt that Texas lignite will be strip-mined extensively. And this probability makes obvious the need for adequate safeguards to assure that Texas land is not overly abused in the process.



According to a report by the Bureau of Economic Geology at the University of Texas (Texas Lignite: Near Surface and Deep Basin Resources) "Lignite strip-mining in Texas is in its infancy but as more lignite fueled steam plants are built, many thousands of acres of land will be disturbed. ...Most unreclaimed mine areas are impenetrable and essentially useless for any purpose. In areas of high to moderate rainfall (East and Central Texas) revegetation occurs rather easily and naturally. In dry areas (South Texas) reclamation will be more difficult. Revegetation may occur on a time scale that is unacceptable to society (decades or even centuries). It may be impossible because of insufficient rainfall and alkali soils, to establish any kind of vegetation on some mined land; for example, fifty-year-old mine dumps in the Laredo area are totally devoid of vegetation. Revegetation in South Texas can probably be achieved only with major sustained inputs of water, fertilizer, and management."

We in Texas are fortunate that the terrain where lignite is found does not generally impose the grave reclamation problems associated with land in the Appalachian areas of the country. Again, according to the report (Texas Lignite), "In Texas the lignite occurs in flat to moderately rolling country, a topography easily reproduced by the redistribution and remolding of parallel rows of unconsolidated spoil." Some of the objections to this strip-mining reclamation bill concern the ability of mining companies to sustain the economic expense of reclaiming land. Given the type of terrain involved as reported by experts, and the lack of specific figures substantiating the claims of economic hardship, the League of Women Voters questions the validity of these objections.



Another impetus toward adoption of this bill is that a federal strip mining bill, establishing minimum environmental standards for strip-mining and requiring states to develop regulating programs providing for mine reclamation has been, according to Land Use Planning Reports, virtually assured of passage. It would seem wise to anticipate this event by approving the bill before you, since it will satisfy these requirements.

We feel the choice of the administering agency as set forth in this bill is extremely important, and very appropriate. The General Land Office has demonstrated both expertise and commitment in caring for land, and is, we believe, a logical choice.

Being strong advocates of citizen participation in the governmental process, the League of Women Voters is pleased to note that provisions for such participation are included in S.B.66.

We urge the members of this committee to give this bill their serious consideration, and to support it, thus assuring the people of Texas that in acquiring a much-needed resource -- energy -- we do not destroy another much needed resource -- land.



# *League of Women Voters of Texas*



DICKINSON PLAZA • DICKINSON, TEXAS 77539 • PH. 713-337-1722

MRS. DARVIN M. WINICK, PRESIDENT

## STATEMENT ON THE EQUAL RIGHTS AMENDMENT

to the  
House State Affairs Committee  
by  
Mrs. Darvin M. Winick, President  
League of Women Voters of Texas  
February 26, 1975

I am Mrs. Darvin M. Winick, president of the League of Women Voters of Texas. Throughout our history in the state of Texas, League members have worked hard in support of equal rights legislation. We have consistently been for equal rights for men regardless of any other qualifications, just as we have been for equal rights for any other group of citizens. We are committed to passage of the 27th Amendment to the U.S. Constitution.

It will take only a few minutes to summarize our views--views that recently were affirmed by more than two million Texas voters.

In 1972, The Texas Legislature exercised its constitutional right and ratified the 27th Amendment to the U.S. Constitution, and proposed the Equal Rights Amendment to the Texas Constitution. The elementary proposition that "Equality under the law shall not be abridged because of sex, race, color, creed, or national origin," was affirmed by four out of five Texas voters in a major election year ballot. More Texans voted on this issue than on the proposition that changed the term of office for the governor of our state.

The voters spoke clearly, and all of us who believe in equality, fairness and good government were heartened by the overwhelming approval of the amendment.

Members of the legislature are now being asked to reconsider two basic issues--all other emotional commentary to the contrary. You are being asked to reconsider whether you are in favor of equal rights for men and for women, and you are being asked to reconsider your ratification of the Equal Rights Amendment to the U.S. Constitution.

(continued)



The League opposes the possible rescission of positions taken two and one half years ago.

Even though a small, but vocal and well organized group would attempt to show that you and other Texans should rethink the issue of equality under the law, we do not think that the will of the people nor the prudent use of funds and energy suggest a repeat affirmation. Constitutionally, there are some serious questions--some legal and some moral--about the merits or effect on an anti-equality vote even if one was obtained.

Many of you are being subjected to an organized, almost hysterical letter-writing campaign from citizens who have been frightened by an incredible amount of misinformation. You are being pressured by a planned program to force you to take a stand against equality, even though a careful, objective review of the anti-equality propaganda will not sustain the suggestion that the legislature was wrong in its earlier action. Some citizens are scared by the carefully planned emotional appeal.

Have you considered the possibility that many more citizens who approve the equal rights position have not written because they feel secure that the established governmental processes protect their earlier vote?

There is no provision in the U.S. Constitution for recinding ratification. There is no question about the position of a majority of Texas voters given a full, free, and large voter turnout.

We in the League are aware of the strategic difference between presenting an issue to the voters in a non-election year referendum rather than during a major election year vote. We are displeased with the prospect of subjecting an issue such as equality under the law, to any shrewd maneuvering based upon an anticipated small voter turnout. We would not feel so strongly if the issue had not been so decisively passed before.

(continued)



We respectfully submit that a last ditch argument against equality under the law, already passed by the legislature and affirmed by the voters, is neither a wise nor a productive use of legislative time, nor taxpayer money.

There are serious issues facing our state and nation that require your attention, and best efforts.

We all have other unresolved issues that should be given our present attention.

Thank you.



Route 2, Box 234  
Greenville, Texas 75401  
February 19, 1975

The Honorable Tom Uher  
House of Representatives  
Austin, Texas 78711

Dear Mr. Uher:

As Human Resources Chairwoman for the League of Women Voters of Texas, which has over 4000 members, I wish to state several objections to HB 666.

1. ERA has already been ratified by the Texas Legislature and cannot be rescinded.
2. The legislature, not the people, is charged by the Constitution of the United States with the responsibility of ratifying Constitutional Amendments, so even if the Legislature had not already ratified, a vote by the people would have no effect insofar as ratification is concerned.
3. The Supreme Court of Montana enjoined a similar proposal from being placed on the ballot in the November 1974 election in Montana.
4. In the November 1974 election less than 45% of the eligible voters voted despite the fact that there were Congressional seats at stake. In an off election year like 1975, the voting percentage will be much smaller and would in no way give a true picture of the feeling of the people of Texas on ERA. On the other hand, the Equal Rights Amendment to the Texas Constitution was ratified by a 4 to 1 majority in 1972, a Presidential election year when there was a large turnout, an indication of how Texans feel about Equal Rights.
5. To place a Constitutional Amendment on the ballot is costly to the people of Texas, among other reasons, because it must be advertised in various newspapers by the State of Texas prior to the election. Therefore, the Legislature would be wasting the taxpayers' money since they have already ratified the Amendment and cannot rescind; and since, even if this were not true, the results of the election would not be binding on the Legislature.

Why not save the State all of this expense and hope the savings can go toward a pay raise for the Legislators. The League of Women Voters has always supported the pay raise amendment.



As every member of the Legislature knows, statewide campaigns are extremely expensive and even though the result of the balloting on ERA would not be binding on the Legislature, the proponents would be forced to the expense of a statewide campaign for which we have no source of funds.

I'm afraid if this bill passes you will find the referendum process happening time and again. Think how costly and time consuming it would be to do this with many bills.

The League of Women Voters was well aware of the ERA Amendment when it was passed two years ago. Where were the opponents? It seems if they were as well informed as they claim to be, they should have let it be known before the amendment passed, not now. Their inefficiency should not hinder progress.

A vote for HB 666 is actually a vote against ERA. We feel that you, as Chairman of the State Affairs Committee, could lend considerable influence to see that HB 666 gets defeated in the committee so that the House of Representatives does not have to waste their valuable time voting on HB 666.

I thank you for your time and any consideration will be greatly appreciated.

Sincerely yours,

Mrs. E. Lester Farmer  
Human Resources Chairwoman  
League of Women Voters  
of Texas

bcc: SO, Leg. Office, Anderson, Brasher  
Higgins, Wilbur

A letter identical to this with exception of next to last para. will go to each of the committee members.



LWV of Texas  
July 16, 1974  
( copy direct to  
LL pres.  
1 copy direct EQ)

To: Local League Presidents & EQ Chairmen  
From: Bobette Higgins, Land Use & Solid Waste Chm.  
Re: TEXAS WATER QUALITY BOARD INDUSTRIAL WASTE  
DISPOSAL HEARINGS

Enclosed you will find testimony presented at the TWQB hearing in Dallas. This memo will contain additional information, and a review of how it went.

The hearing in Dallas was attended by Meg (Air'n Water) Titus, Pearl Wincorn (Dallas EQ chairman, who also presented a statement), and Eleanor Sutherland also of the Dallas League. We all agreed this was the most productive TWQB hearing we had ever attended. The TWQB staff who were conducting the hearing made this an educational experience for participants by presenting a careful overview of the problem and the purpose of the hearings. They also had prepared a most interesting slide show.

Statements presented by other speakers (mostly from the business sector) were the most thoughtful I have ever heard, although they mainly dealt with practical suggestions for coping with the immediate problems, rather than the long-range changes (mainly legislative) we emphasized.

In developing this testimony, I interviewed Mr. Crowe at the EPA in Dallas (if you like, write to him--1600 Patterson Street), and several legislators who are knowledgeable about the TWQB and Texas' industrial waste problems (talk to your own legislators, if you have time). I also studied the Water Quality Act, the Disposal Well Act, and the Solid Waste Disposal Act (probably available in your library in Vernon's). League material most useful was the LWVUS publication Recycle.

But by far the most valuable material I used came from Pauline Clarke (EQ, Corpus Christi) who sent me about 50 newspaper clippings and statements concerning the disposal site fracas in that area.

(Aside: You cannot imagine how grateful both Meg and I are for clippings on EQ issues in your area. Texas is VAST, and a huge issue in one section is frequently not reported at all in another. The Corpus Christi clippings were particularly useful, because they were so voluminous, and told the whole story--thank you, Pauline.)

*MORAL: Send clippings!*

At the hearing, the TWQB distributed copies of the regulations for handling industrial waste. You may want to have this before you prepare your testimony. Write to TWQB, P.O. Box 13246, Capitol Station, Austin, 78711.

If you cannot present a statement, go to the hearings anyway and ask questions and let them know the League is THERE. (Hearing schedules were included in the Enviro-Notes.) But present a statement if you can, using the state statement as a guide. Remember you will be representing your local League, so your statement should reflect your local situation and concerns. Be careful not to expand this statement (notice, for instance, that we do not say the LEAGUE supports a public utility approach for industrial waste management--we ask that the legislature CONSIDER this).

This is a complex subject, and the statement is also complex. If you need some clarification, write or call me.

Please send me a copy of your statement, and let me know how it goes in your area. This is an extremely important series of hearings, and we'd like to have reports from all of the various locations. (Ft. Worth: I had planned to attend the hearing there on the 11th as an observer, but spent that day honing my remarks instead. I would very much appreciate a copy of any remarks you made, and a description of the proceedings.)

Wade in!



Statement before the Texas Water Quality Board on  
Plans to Improve the Regulatory System for Industrial Solid Waste  
by the League of Women Voters of Texas  
July, 12, 1974 Dallas, Texas

I am Bobette Higgins, chairman of Land Use and Solid Waste for the League of Women Voters of Texas. We appreciate the opportunity of presenting today some suggestions concerning the Texas Water Quality Board's plans for improving the state regulatory system for industrial solid wastes.

The recent controversies over industrial waste disposal sites in Texas have focused attention on a problem which has been growing here, as it has over the rest of the country, for some years. The League of Women Voters realizes that this problem is complex, and not easily or quickly solved. It is compounded by the fact that while we all want safe and convenient disposal of waste material, none of us wants a disposal site located nearby. But the increase in population, plus a high standard of living and wasteful use of resources, coupled with lack of successful programs for recycling this waste, have resulted in increased mountains of waste that must be dealt with. The problem of managing industrial waste is particularly troublesome, due to the toxicity of much of this material, and the very real threat to our water supply which it poses.

After examination of the Texas Water Quality Act, the Disposal Well Act, and the Solid Waste Disposal Act, we are of the opinion that many of the changes needed are legislative in scope. We are, therefore, sending copies of this statement to the appropriate legislative committees.

Among our positions on the disposition of solid wastes, the League of Women Voters strongly supports the recycling of post-industrial wastes. It seems feasible to us that this is best accomplished at the source. Therefore, we urge the TWQB to encourage industries to re-use as much of their in-plant waste as possible. One handicap to reuse of industrial wastes is that some companies do not know how much or what kind of wastes they generate. We understand the Water Quality Board is attempting to gather data on how much industrial waste is generated, and where it is going. We wish to encourage this effort.

We would suggest that the Water Quality Board take this one step further by beginning an active educational program for industries and the general public to increase their awareness of the need for such resource recovery and of the possibility of increased financial gain to be made in the secondary materials market. We suggest emphasis on the following aspects:

- 1) Information concerning the likelihood that the federal government will greatly increase purchase of products made of reclaimed waste.
- 2) Information concerning the half dozen or so proposed bills at the federal level which would equalize taxes and freight rates for secondary materials.
- 3) Dissemination of information on technical advances in resource and energy recovery.

We feel this educational process would provide encouragement for industry to invest private capital in construction and operation of recycling facilities.

The League of Women Voters, with strong commitment in favor of a system of state land use management in Texas, directs the Water Quality Board's attention to the study which the Environmental Protection Agency has begun concerning the development of guidelines for improving waste disposal site acquisition through state land use planning activities, with the expectation that these guidelines will be worth careful examination by the Water Quality Board.

Further, we urge the careful and complete logging of industrial waste sites, and the continued care of disposal sites after they have been filled and covered. We favor the requirement of a processing facility at each site to detoxify hazardous wastes.



The League of Women Voters advocates a change in the public hearing policy of the TWQB by requiring public hearings on the siting of industrial waste disposal operations, rather than leaving these to the discretion of the Water Quality Board. We ask that these include specific measures to assure that public participation in such hearings is welcomed and considered. We further support inclusion of a method of appeal to a higher authority if citizens feel that the Water Quality Board fails to abide by the public hearing procedure.

We request that changes in the composition of the members of the Texas Water Quality Board be instituted, requiring that citizen members of the Board have recognized environmental concerns. We ask that the other state agency heads who also sit as members of the Water Quality Board be required to attend board meetings, rather than designating substitute representatives as is presently the practice.

We commend the TWQB for seeking new approaches to solving the problem of industrial waste management by commissioning the University of Texas study on chemical reaction in disposal pits. We also commend the Executive Director for his suggestion that perhaps it is time to make the management of industrial wastes a governmental responsibility, to be handled as a public utility. We think this proposal merits careful legislative consideration.

We would urge the WQB to reevaluate the criteria it uses in granting permits for industrial waste disposal operations, taking into greater consideration the health and welfare of the public. We have heard representatives from the TWQB declare repeatedly that the Board has a mandate from the legislature to balance economic factors with public good in making their decisions. In examining the Texas Water Quality Act, now where does it state or imply that this is the intent of the act. While the economic development of the state is a factor to be considered, anywhere in this act, or in any of the others governing the WQB, is a BALANCE of this factor with public good stated or inferred. The act declares, specifically, that "It is the policy of this state and the purpose of this chapter to maintain the quality of water in the state consistent with the public health and enjoyment, the propagation and protection of terrestrial and aquatic life, the operation of existing industries, and the economic development of the state; to encourage and promote the development and use of regional and area-wide waste collection, treatment, and disposal systems to serve the waste disposal needs of the citizens of the state; and to require the use of all reasonable methods to implement this policy." We think this clearly emphasizes that the protection of public health comes before any other consideration, and that the WQB need not feel obliged to grant permits in an attempt to balance public need with the economic goals of individuals. The over-riding responsibility of the WQB is the protection of the public.

Recognizing that plans on paper, no matter how grand, will not assure safe and sensible management of industrial waste, the League of Women Voters urges the diligent and conscientious enforcement of the new regulations which will presumably be developed following these hearings. We suggest that consideration be given to the inclusion of criminal penalties as well as civil penalties as an added enforcement tool, to be used in cases of serious and repeated violations.

The League of Women Voters realizes that accomplishing many of these goals will cost money--certainly more money than the state is now allocating for this purpose. To those who would protest such expenditures, we would point out that short-term economic savings are not always the benefits they seem to be. Postponement of sufficient funding to deal effectively with our industrial waste disposal problems could prove to be economically disastrous in the long run.

Thank you for your attention.