

THE TYC and PRISON REFORM

The State of Texas was rocked in the early days of the 80th Legislature, as allegations of physical and sexual abuse, corruption, and financial mismanagement within Texas Youth Commission (TYC) facilities came to light. The Joint Select Committee on the Texas Youth Commission, comprised of House and Senate members, was quickly formed to look into the charges. Its recommendations, combined with those of the Legislative Audit Committee and the Governor's appointed conservator of the agency, formed the basis of Senate Bill 103.

S.B. 103 fully overhauls the management of the TYC by creating three new bodies to improve oversight. The Office of Independent Ombudsman will have the authority to evaluate and secure youths' rights, the Office of Inspector General will employ licensed peace officers to investigate criminal complaints against TYC personnel, and the Special Prosecution Unit will support attorneys prosecuting offenses committed against individuals in the custody of the TYC. The bill also improves the training of juvenile corrections officers, reduces staff-to-youth ratios to 1:12, and requires all TYC facilities to gain accreditation by the American Correctional Association.

In addition to the reforms at the Texas Youth Commission, changes were implemented to improve our penal system, lower incarceration rates, and decrease the spending of state dollars by lessening the need for expensive new prisons. Under the leadership of Chairmen Jerry Madden (Richardson) and John Whitmire (Houston), the 80th Legislature ratified a number of bills which will lead us toward a "smart on crime" approach, including the following: H.B. 1678, which makes positive adjustments to Community Supervision programs; H.B. 530, which expands the use of drug courts; and S.B. 909, which enacts the recommendations of the Sunset Advisory Commission's review of the Texas Department of Criminal Justice (TDCJ).

CHIP COVERAGE

The rate of uninsured children in the State of Texas - one in five - is currently the highest in the nation. This is due in part to cuts that were made in recent years to the Children's Health Insurance Program (CHIP), which provides health insurance to children in low-income households. In terms of fiscal responsibility, CHIP is an excellent value: Texas receives \$2.64 in federal matching funds for every state dollar invested in the program. Also, the early, preventive care that it provides helps keep uninsured children out of emergency rooms and lessens the financial strain on local taxpayers that absorb those costs. H.B. 109, which I coauthored, takes the steps to restore over 100,000 children to the CHIP rolls (about half the number that have been cut). Its measures include extending the enrollment period from 6 months to 12 months; eliminating the 90-day waiting period; determining eligibility using net, rather than gross, income; and implementing an outreach program to increase community awareness of CHIP.



Rep. Howard was pleased to welcome students from Lago Vista Elementary during their trip to the Capitol.

SUMMARY OF OTHER KEY ISSUES

H.B. 3 - Establishes a stakeholder-driven process to determine how much environmental flow is needed to protect the biological soundness of the state's rivers, lakes, bays, and estuaries, and instructs the Texas Commission on Environmental Quality to use these recommendations to draft and approve formal environmental flow standards for use in their review of applications for water rights.

H.B. 4 - Enhances statewide water conservation measures; creating a twenty-three member Water Conservation Advisory Council to monitor the development and implementation of water conservation strategies; requiring retail public water utilities to submit water conservation plans; and authorizing the Texas Water Development Board to award grants for water conservation from the Water Loan Assistance Fund.

S.B. 3 - Designates nineteen new reservoir sites around the state, none of which are located in Travis County. Questions arose about the immediate need for this legislation, and many of us advocated to revisit the issue once H.B. 3 and H.B. 4 were fully implemented. Reservoirs have their place, but they also have the potential to damage vital ecosystems and decrease biodiversity, which are contrary to the water planning goals established in the other two bills.

H.B. 1634 - Provides \$20 million in state incentives to film and television projects that provide jobs in Texas. Despite numerous choice filming locations, in the last four years 32 film project scouts have researched our state as a production location but instead chose other states that offer film incentives, costing Texas an estimated \$327 million in project spending and 4600 jobs.

H.B. 3430 - Directs the Comptroller to create a comprehensive, searchable, online database of state expenditures and contracts to improve public access to this information and increase transparency in government spending.

S.B. 1846 - Restores the Teacher Retirement System to actuarial soundness by increasing the state's contribution to the fund (from 6 percent to 6.58 percent) and authorizing an increase in the contribution of active teachers (from 6.4 percent up to 6.58 percent) if the state's increase is not sufficient to fully fund the liability. Once the fund is actuarially sound, our retired teachers will receive a much-deserved thirteenth check.

H.J.R. 90 and H.B. 14 - Proposes a constitutional amendment establishing the Cancer Prevention and Research Institute of Texas and authorizing the issuance of up to \$300 million in bonds to fund research and programs to learn more about the cause of cancer and possible cures. (This measure will appear on the November ballot for voter approval.)



Rep. Howard met with Tiger Cub Scouts from Den 7, Pack 66 to answer questions about her job as a legislator.



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**DONNA
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**Capitol Report
District 48**



Senior Property Tax Relief FAQ

Q: When will I see a reduction in my property taxes?

A: You should see a reduction in your 2007 tax bill which is due January 31, 2008.

Q: What portion of my property tax bill will be affected by the reduction?

A: You will only see a reduction in the taxes that you pay to the school district in which you live. This portion of your tax bill has been frozen at a dollar amount unlike the city or county taxes you pay that fluctuate with the changes in the value of your property.

Q: How was my frozen tax amount calculated?

A: The year you applied for the disabled/over 65 tax exemption, your total school tax rate - maintenance and operations (M&O) plus debt service - was multiplied by the appraised value of your property. This dollar amount is what you have remitted to the school district each year regardless of increases in your property value that are not the result of improvements like adding an extra bedroom or a new garage.

Q: How will the reduction be calculated?

A: First, you have to determine the difference between the total school tax rate that was in place before the property tax bill took effect and the rate that will be in effect for the '07-'08 school year.

Next you have to calculate the reduction in the rate as a percentage of the overall school tax rate that was in place in 2005 - before the property tax bill passed during the special session last spring took effect.

Then, apply this percentage to your frozen tax amount to figure out the amount of decrease in your school taxes.

EXAMPLE:

If your frozen school taxes = \$5,000
And, if the 2005 school tax rate = \$1.64
And, if the 2007 school tax rate = \$1.18

Then, the difference in tax rate is \$1.64 - \$1.18 = \$0.46

And, that means the percentage reduction in tax rate is 0.46/1.64 = 28%
And, \$5,000 x .28 = \$1,400
So, your new frozen tax amount will be \$3,600

Q: What if I didn't qualify for the disabled/over 65 exemption until 2006?

A: Frozen taxes are calculated using the total school tax rate in place the year you qualify for the exemption. Since the property tax cut was spread out over two school years, the 17 cent reduction approved for '06-'07 is already reflected in your frozen tax amount if you first qualified for the freeze in 2006.

Instead of using the total 2005 school tax rate in the example above you should substitute the total school tax rate from 2006.

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Rep. Howard honored the memory of Walter Caven, who represented House District 5 from 1949-1951, with a resolution she presented to his surviving family members who reside in HD 48.



After speaking to a government class at Austin Community College, Rep. Howard had the chance to visit with Student Government Officers Josh Whitcomb and Robert Daley.

YOU'RE INVITED!!

Please join me at one of my upcoming Town Hall meetings. These informal gatherings are designed to give you the opportunity to ask questions, voice your opinions, or simply listen to the concerns of your fellow HD 48 residents. I look forward to seeing you there!

Wednesday, October 3rd
6:00pm - 8:00pm
Cook Elementary
1511 Cripple Creek
Austin, TX 78758

Saturday, October 13th
10:00am - 12:00pm
Travis County Northwest Rural
Community Center
18649 FM 1431
Jonestown, TX 78645

Wednesday, October 10th
6:00pm - 8:00pm
Westbank Community Library
1309 Westbank Drive
Austin, TX 78746

Thursday, October 18th
6:00pm - 8:00pm
Howson Library
2500 Exposition Blvd.
Austin, TX 78703

Tuesday, October 23rd
6:00pm - 8:00pm
Old Quarry Library
7051 Village Center Drive
Austin, TX 78731

WHAT'S INSIDE...

★ Read about legislation Rep. Howard passed during the session.

★ Learn about efforts to protect our air quality.

★ Find out if our state parks will finally have the money to pay for badly needed repairs.

★ Get the facts about what the toll road "moratorium" really means for Central Texas.

LEGISLATIVE ACHIEVEMENTS

H.B. 604 - Ensures that properties designated by a county to fulfill its land management commitments as part of the federal Endangered Species Act are more likely to qualify for a lower tax appraisal; creating a more efficient way for local governments to encourage voluntary compliance with the Endangered Species Act. (Signed into law 6/16/07, Effective 1/1/08)

H.B. 1010 - Aligns appraisal district boundaries with county lines to eliminate overlapping jurisdictions. This reduces the duplicated efforts and wasted taxpayer money spent conducting multiple appraisals of a single property and saves property owners the aggravation of filing multiple protests to resolve discrepancies in assessed values. In HD 48, this will help residents of Leander ISD who currently receive appraisals from both Williamson and Travis County. (Signed into law 6/15/07, Effective 1/1/08)

H.B. 1141 - Allows retired peace officers and current or former employees of certain district attorneys to keep their address information contained in appraisal records confidential, upon request, in order to reduce the risk of retaliation and harassment from criminal defendants. (Signed into law 6/15/07, Effective immediately)

H.B. 1362 - Clarifies the Nursing Practice Act and the Nursing Safe Harbor Peer Review Law to make existing protections and remedies more transparent and help nurses better understand their rights so they can report patient safety concerns without fear of retaliation. I worked with Senator Jane Nelson (Lewisville) and Rep. Jim McReynolds (Lufkin), to amend this bill to S.B. 993, which dealt with similar issues. (Signed into law 6/15/07, Effective 9/1/07)

S.B. 11 - In cooperation with House Committee Chairmen Frank Corte (San Antonio), Carl Isert (Lubbock), and Chairwoman Dianne White Delisi (Temple), I amended this omnibus Homeland Security bill to allow the immunization records for First Responders and other adults to be stored and maintained in the state's immunization registry -- currently used for childhood vaccinations only -- to improve public health management activities during emergencies. Under threat of Avian flu, bioterrorist attacks, and increasing natural disasters, it is vital that Texas has disease management procedures that protect adults as well as children in times of emergency.

ADDRESSING THE NURSING SHORTAGE

As a former critical care nurse, I believe it's urgent to address the current and future nursing shortage our state faces. I was able to work on the issue with a diverse group of interests including the Texas Nurses Association, the Texas Hospital Association, the Texas Medical Association, and the Nursing Legislative Agenda Coalition (which includes 17 additional nursing organizations), as well as Governor Perry, whose wife is a nurse. Bringing together these stakeholders paid off, and I am proud to report that the Legislature passed both bills I filed on this topic.

H.B. 3443 - Grants additional rulemaking authority to the Texas Higher Education Coordinating Board (THECB) to create a new nursing program entitled the Texas Hospital-Based Nursing Education Partnership Grant Program. The program is designed to foster partnerships among academic



Public Education Committee Chairman Rob Eissler (The Woodlands) and Rep. Howard at the back mic.

institutions and hospitals with the goal of increasing the number of nursing graduates in Texas. The THECB will distribute grant funds directly to hospitals that partner with accredited nursing education programs. (Signed into law 6/15/07, Effective immediately)



Rep. Howard accepts the pen used by Gov. Perry to sign S.B. 992.

S.B. 992 - The companion to my H.B. 1894, this legislation extends the dedication of a portion of the state's tobacco settlement funds another four years to specifically support nursing education programs addressing the nursing shortage. Since legislative appropriators chose not to provide funding for the Texas Hospital-Based Nursing Education Partnership Grant Program, I have worked with the THECB and the Governor's office to secure approximately \$2 million of the \$4 million that will be appropriated as a result of S.B. 992 to jump start the new program. I have committed to help find additional non-state resources as well. (Signed into law 6/16/07, Effective immediately)

KEEPING OUR AIR CLEAN AND OUR REGION HEALTHY

Air Quality Caucus - Some might say the session convened under a figurative black cloud with nineteen air pollution permits for coal-fired power plants pending before the Texas Commission on Environmental Quality (TCEQ). Such plants are major sources of pollution that negatively impact the growth of children, as well as the health of the elderly and those who work or play outside. Elevated air pollution can also negatively impact a region's ability to promote economic development activities, build roads, and attract new businesses.

In response to the multiple coal plant proposals and other air quality concerns, I worked with Chairman Jerry Madden (Richardson) to form a Legislative Air Quality Caucus that grew to a membership of more than forty state representatives. We worked in a bi-partisan manner to educate other legislators and state officials involved in numerous air quality initiatives in an effort to provide the cleanest possible energy and the healthiest possible air in our state.

An area of common concern was the lack of a coordinated, statewide strategic energy plan, which we discussed along with members of the Texas Public Utility Commission, the Electric Reliability Council of Texas, and the TCEQ. Subsequently, Chairmen Kip Averitt (Waco) and Dennis Bonnen (Angleton) proposed H.B. 2713 to initiate such an effort, which both the House and the Senate passed unanimously. Unfortunately, Governor Perry chose to veto this worthwhile and critical bill.

In light of these failed legislative efforts, I asked the Air Quality Caucus Members to join me in requesting that Lieutenant Governor David Dewhurst and House Speaker Tom Craddick appoint the Interim Special Committee on Electric Energy Generation Capacity and Environmental Impact to address this important infrastructure and economic development issue during the interim.

Texas Utilities (TXU) Buyout/Oak Grove Permit - In February, a private-equity partnership called Texas Energy Future Holdings (TEF) proposed a billion-dollar buyout of TXU that could become effective later this year. Under the proposed buy-out provisions, TEF committed to withdraw eight of TXU's proposed eleven air permit applications for power plants **only if** the deal becomes final. Unfortunately, the three plants TEF committed to pursue will be among the biggest, dirtiest power plants in the country. I joined several elected officials from both the state and local level in opposing the air permit application for the Oak Grove facility. Although it will be located in Robertson County, UT scientists have concluded this plant will significantly impact the air quality in Travis County. Despite major opposition from local governments and citizen groups throughout the state, the TCEQ Commissioners voted 2-1 to approve this inefficient permit.

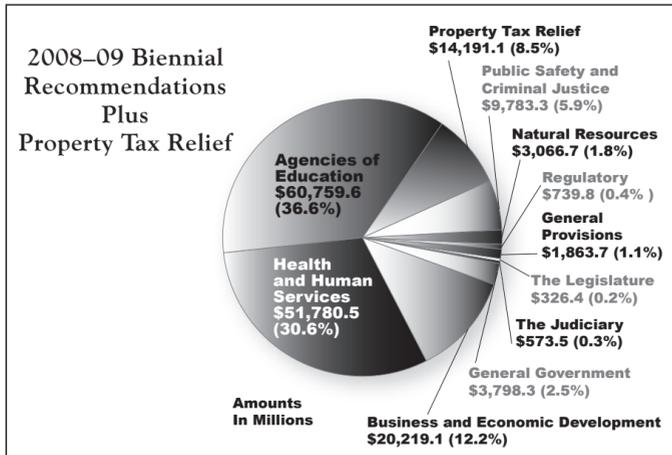
Coal Plant Permitting Revisions - At the request of a dozen Central Texas Mayors and County Commissioners, I introduced H.B. 3229, legislation to reform Texas' antiquated air permitting regulations. The bill would have required the state to review the cumulative impacts of the pending coal plant permits and to ensure the applicants considered the cleanest available pollution control technologies at each plant. However, Chairman Bonnen chose not to pass any air permitting legislation out of the Environmental Regulation Committee this session, so the bill died in committee despite strong support from District 48 residents and others throughout the state.

LEGISLATIVE HIGHLIGHTS

THE BUDGET

The session convened with an estimated \$14.3 billion in surplus revenue, \$6 billion of which had already been earmarked to pay for part of the property tax reduction passed during the special session last year. However, the only way to fulfill the state's increased obligation to public education funding without making cuts somewhere else was to vote to break the state's spending cap.

The vote on whether or not to bust the cap was taken in February - before the House version of the budget had even made it out of committee and without any discussion about whether or not we should address other needs, like fully funding the Employees Retirement System, in the resolution authorizing the expenditure of excess funds. There was also no discussion about how and where to allocate surplus funds. I would have preferred to include all of these issues in a robust debate of the full budget, but this was not the course chosen by the House Leadership. Therefore, I voted to support S.C.R. 20 and fulfill the promise I made to you when I supported the property tax relief package passed last spring.



STATE PARKS

As a member of the House Committee on Culture, Recreation and Tourism, one of my top priorities for the 80th Legislative Session was to provide significant new funding for our ailing state park system, which I am proud to say we accomplished. Following the enactment of H.B. 12 during the last days of the session, the state will provide approximately \$182 million in funding for state and local parks in the 2008-2009 biennium. These funds include:

- \$25.6 million to operate state parks, including 229 additional staff positions at the Texas Parks and Wildlife Department (TPWD);
- more than \$60 million for minor and major state park repairs (includes \$27.1 million as part of a new bond issue that must first be approved by voters this coming November), and new equipment;
- \$13.9 million in land acquisition funding (including \$9.6 million from the sale of the Eagle Mountain Lake State Park property near Fort Worth, and \$4.3 million earmarked for the acquisition of properties adjacent to existing state parks);
- \$36.3 million for full funding for local park grants to cities and counties (\$15.5 million per year), plus an additional \$16.7 million for specific park projects earmarked in the appropriations bill;
- up to an additional \$16 million if the TPWD can raise such an amount from sources like increased state park entrance and camping fees; and
- \$25 million in new bond authority to fund dry berthing and repairs for the Battleship TEXAS, bonds which must also first be approved by voters this coming November.

While I was pleased to see the legislature keep its commitment to revitalizing our parks, I am still concerned about future funding. In addition to the provisions listed above, H.B. 12 authorized the transfer of eighteen state historic park sites from TPWD to the Texas Historical Commission (THC), and the budget earmarked six percent of the state's sporting goods sales tax collection to the THC for maintenance costs associated with the transferred sites.

If executed improperly, these transfers could result in a less efficient state park system. That's why I worked with Chairman Harvey Hilderbran (Kerrville) to amend H.B. 12 to include the creation of a technical committee to oversee the site transfer process. The bill also creates a House/Senate committee to study the state's sporting goods tax and make recommendations for next session on how best to collect and distribute these funds. I intend to participate in, and provide feedback to, both task forces.



After losing a friendly wager on the outcome of the 5A High School Football Championship, Vicki Truitt (Keller) insisted that Rep. Howard wear a Southlake Carroll jersey on the House floor.

TOLL ROADS AND THE TRANS-TEXAS CORRIDOR

The Texas Department of Transportation's recent tolling policies generated a lot of legislative debate this session. In May, Governor Perry vetoed H.B. 1892, a bill that would have imposed a two-year moratorium on all privately developed toll projects. Instead, he chose to sign S.B. 792; a compromise bill that prohibits the state from entering into Comprehensive Development Agreements (CDAs) with private companies and bars private corporations from building or buying tolled highways. This "mini moratorium" is set to expire August 31, 2009, although provisions were included to exempt certain projects in regions like Dallas and Houston to ensure they can be completed on time.

What does this mean for our region? In Central Texas, the only current proposal involving a CDA is a study of Loop 360's viability as a private-sector toll project. The bill will have no effect on State Highway 130 because TxDOT had completed contract negotiations on the construction and operation of the southern section of the project - stretching from the Travis/Hays County line to Interstate 10 outside San Antonio - before S.B. 792 had been signed into law. The proposed Trans-Texas Corridor (TTC) generally follows the same route as SH 130, making it the Central Texas portion of the TTC. The SH 130 segments will be completed regardless of the TTC's ultimate fate.

Other TxDOT policy revisions incorporated into S.B. 792 to increase transparency and accountability in toll road planning and project implementation include:

- a requirement that TxDOT make public all possible information about the Trans-Texas Corridor via the internet, local media outlets, and other available resources;
- the establishment of a new "market valuation" or public concession process to provide for funding of additional transportation projects, including free roads, in connection with new toll road developments;
- a prohibition against using third parties with direct or indirect financial ties to a toll project to develop a market valuation for that project (fees accepted for performing the market valuation are excluded);
- a requirement that metropolitan planning organizations (MPOs) adopt bylaws establishing an ethics policy to prevent conflicts of interest between policy board members and business being conducted by the MPO.



Rep. Howard consults with fellow legislators Susan King (Abilene) and Diane Patrick (Arlington).



Rep. Howard puts her head together with her colleagues from the Travis County House delegation and Senator Kirk Watson.

END OF COURSE EXAMS

The Texas Assessment of Knowledge and Skills (TAKS) has been at the center of the debate surrounding our state's public school accountability system. The stakes are high under this system because success rides on a student's ability to pass a single test forcing teachers to spend the bulk of their classroom time on test preparation and robbing students of the chance to focus on content and learning skills that will improve their college readiness.

S.B. 1031 establishes twelve end of course exams in the four core subject areas of English/language arts, math, science, and social studies. Students would be required to achieve a cumulative score within each content area equal to earning 70 points on each test in order to graduate. Students must score at least 60 to count the score toward the cumulative number. Scores on these exams will count as fifteen percent of a student's overall course grade, allowing for teachers to take factors like class participation and student progress into account.

I consider the most important component of S.B. 1031 to be the creation of the Select Committee on Public School Accountability. This fifteen member group of legislators, educators, and community members will conduct a comprehensive review of the state's accountability system. Two areas that deserve the committee's utmost attention are how best to provide campuses deemed academically unacceptable with the time and resources they need to improve, and identifying appropriate methods to assess growth in academic achievement that guide appropriate interventions and ensure success.

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