

INTERIM STUDY CHARGES
TEXAS HOUSE OF REPRESENTATIVES
80th Legislature

Issued by

Tom Craddick
Speaker of the House of Representatives

November 30, 2007
Austin, TX

HOUSE COMMITTEE ON AGRICULTURE AND LIVESTOCK..... 3
HOUSE COMMITTEE ON COUNTY AFFAIRS 4
HOUSE COMMITTEE ON ENERGY RESOURCES 5
HOUSE COMMITTEE ON ENVIRONMENTAL REGULATION 6
HOUSE COMMITTEE ON HUMAN SERVICES 8
HOUSE COMMITTEE ON JUVENILE JUSTICE AND FAMILY ISSUES 9
HOUSE COMMITTEE ON LAND AND RESOURCE MANAGEMENT 11
HOUSE COMMITTEE ON LICENSING AND ADMINISTRATIVE PROCEDURES 12
HOUSE COMMITTEE ON LOCAL GOVERNMENT WAYS AND MEANS 13
HOUSE COMMITTEE ON NATURAL RESOURCES 14
HOUSE COMMITTEE ON PUBLIC HEALTH 15
HOUSE COMMITTEE ON REGULATED INDUSTRIES 17
HOUSE COMMITTEE ON TRANSPORTATION..... 18

**HOUSE COMMITTEE
ON
AGRICULTURE AND LIVESTOCK**

1. Monitor the development and implementation of the 2007 Farm Bill and determine the impact of the legislation on Texas agricultural producers.
2. Evaluate preparedness of relevant agriculture-related agencies to respond effectively to animal and plant disease threats.
3. Study and evaluate the feasibility and potential economic impact of biofuel production from alternative feedstocks such as biomass, waste oils, and processed animal fats.
4. Study the impact on the equine industry due to increased competition from other states as it relates to larger purses in equine competitions.
5. Examine the opportunities for increased economic development funding in rural Texas.
6. Monitor the agencies and programs under the committee's jurisdiction.

**HOUSE COMMITTEE
ON
COUNTY AFFAIRS**

1. Study the issues surrounding the sale, use, and regulation of fireworks in urbanized, unincorporated parts of the county.
2. Examine county procurement statutes to identify areas for increasing efficiency without sacrificing internal controls.
3. Study policies and procedures related to illegal immigration and border security of the Texas Department of Criminal Justice, county probation departments, and local and county jail facilities, and make recommendations to improve coordination with international, federal, state, and local authorities. (Joint Interim Charge with the House Committee on Corrections)
4. Examine recent attempts by municipalities to exert regulatory authority beyond city limits and extraterritorial jurisdiction. Evaluate the current relationship between and possible conflicts related to regulatory authority expressly given to state agencies by the legislature and regulatory authority delegated to home-rule municipalities. (Joint Interim Charge with the House Committee on Land and Resource Management)
5. Monitor the agencies and programs under the committee's jurisdiction.

**HOUSE COMMITTEE
ON
ENERGY RESOURCES**

1. Examine issues related to electrical lines and abandoned equipment on oil and gas leases.
2. Examine whether the Railroad Commission of Texas should regulate carbon capture.
3. Discuss further the issue of financial assurance in relation to oil and gas wells, and evaluate the current bonding structure.
4. Discuss alternative energy sources and how best to incorporate them into our traditional energy sector. Also study the potential benefits of biofuels in Texas, including Texas feedstocks best suited for biofuel production and synergies between that industry and traditional energy sectors. Develop recommendations for facilitating the growth of the biofuel industry in a manner that best positions Texas in the national market.
5. Research ways to maintain groundwater quality in relation to oil and gas exploration through economic incentives for innovative technology solutions.
6. Study the use of the Texas Economic Development Act since its enactment as HB 1200, 77th Legislature, Regular Session. Determine how the act may be enhanced to better attract significant capital investments by science and technology industries developing alternative energy sources. (Joint Interim Charge with the House Committee on Economic Development)
7. Monitor the agencies and programs under the committee's jurisdiction.

**HOUSE COMMITTEE
ON
ENVIRONMENTAL REGULATION**

1. Work to create and maintain a market-based approach to the application and implementation of Green Chemistry initiatives for the State of Texas.
2. Evaluate capabilities at public and private universities relating to the potential formation of dedicated Green Chemistry programs.
3. Collaborate with businesses to identify current Green Chemistry efforts that are already taking place, as well as what the incentives and disincentives are for businesses to make this shift. Examine and identify the environmental and economic benefits of promoting Green Chemistry initiatives.
4. Examine funding options for a statewide Green Chemistry initiative.
5. Work with the various state agencies such as the General Land Office, the Railroad Commission of Texas, and the Department of Agriculture in order to facilitate the promotion of Green Chemistry practices.
6. Examine the obstacles that must be overcome for Green Chemistry to be effective; identify solutions to such obstacles.
7. Study the Clean Air Act State Implementation Plan (SIP) to determine if:
 - Data is being collected adequately;
 - Recent changes to the SIP are bringing Texas closer to federal Environmental Protection Agency (EPA) requirements; and
 - There are any midcourse corrections necessary to achieve EPA requirements.As background, examine and document the trend in levels of air quality in Texas since 1980.
8. Examine the progress of the Texas Emissions Reduction Plan, the Low-Income Vehicle Repair Assistance, Retrofit, and Accelerated Vehicle Retirement Program and the Texas Environmental Research Consortium.
9. Study the air permitting process to examine, define, or interpret the following:
 - The role of public input in the standard air permitting process;
 - The requirements and interpretation of what constitutes Best Available Control Technology;
 - The requirements for monitoring ambient air in the beginning stages of the permitting process;
 - The requirements for modeling future air pollution in the event that the proposed plant is constructed;
 - The issue of the cumulative impact of different air pollution sources;

- The use of permits-by-rule and flexible permits in some cases; and
- The requirements for permit renewals and the process for granting or denying permit renewals.

10. Examine the penalties and sanctions imposed on vehicle inspection and emissions testing facilities.

11. Monitor the agencies and programs under the committee's jurisdiction.

**HOUSE COMMITTEE
ON
HUMAN SERVICES**

1. Research strategies to promote permanency and stability for children and families involved with Child Protective Services. Identify any priorities that would approve the adoption process.
2. Explore strategies to support the needs of aging Texans effectively and efficiently. This investigation should include best practices in delaying or avoiding the need for institutionalized care as well as promoting high-quality services for those who are best served in nursing homes.
3. Evaluate Prevention and Early Intervention programs at the Department of Family and Protective Services that have been funded by the Texas Legislature for the prevention of child abuse and neglect. Consider if higher priority for selection should be given to child or family mentoring or other support services, such as foster grandparents and efforts that assist mothers.
4. Evaluate existing and past efforts by the state for Youth Transitions in Independent Living. Recommend improvements to educational, occupational, health, and life skills components of preparation of foster children for adult living.
5. Investigate the need and potential of respite care programs to delay or avoid institutional placements, thereby resulting in cost savings for the state.
6. Examine compliance issues and concerns of hospices with certification surveys and ability to meet federal standards.
7. Monitor the agencies and programs under the committee's jurisdiction.

**HOUSE COMMITTEE
ON
JUVENILE JUSTICE AND FAMILY ISSUES**

1. Study the current Texas law governing suits by nonparents affecting the parent-child relationship, specifically including suits for possession of or access to a child by a grandparent under Family Code Sections 153.432-153.434 in light of *Troxel v. Granville* and other court rulings. Recommend any needed changes.
2. Evaluate child support guidelines and formulas, considering whether the current methods provide adequate support to a child. Also, study child support for the costs of college.
3. Review methods for determining equal access and visitation under the standard possession order, and ascertain whether or not the distance parents reside from each other should create the need for a distinct standard possession order.
4. Consider the law governing presumption of parentage, and examine the adequacy of relief available to presumed parents who are child support obligors and who assert a claim of paternity fraud.
5. Consider the law governing no-fault divorces and make recommendations for any possible changes.
6. Study the use of police diversion under Chapter 52 of the Family Code for youth who are referred to the juvenile justice system, including those there as a result of incidents in school.
7. Study victim-offender mediation and neighborhood restorative justice panels.
8. Determine whether current mental health practices followed by the Texas Youth Commission are adequate or appropriate, and make recommendations for any needed changes.
9. Study the organizational structure of the Texas Youth Commission and the Texas Juvenile Probation Commission to determine if the current system is effectively and efficiently addressing the needs of the juvenile justice system in conjunction with the sunset review of these agencies. (Joint Interim Charge with the House Committee on Corrections)
10. Study Disciplinary Alternative Education Programs and Juvenile Justice Alternative Education Programs, including referral rates, age of students, whether parents have sufficient recourse to challenge a placement, funding, and course requirements. (Joint Interim Charge with the House Committee on Corrections)

11. Monitor the agencies and programs under the committee's jurisdiction.

**HOUSE COMMITTEE
ON
LAND AND RESOURCE MANAGEMENT**

1. Examine the authority of the General Land Office, the School Land Board, and similar state agencies to engage in various types of real estate transactions, and determine the appropriateness of this authority.
2. Observe and study ongoing litigation and actions by condemning authorities in light of the *Kelo* decision and make recommendations for changes in eminent domain law needed to protect private property rights. Specifically, examine the body of law used to determine the amount of compensation property owners receive when their land is condemned, in whole or part, and determine the appropriateness of this scheme as compared to others.
3. Research annexation practices in the state to determine whether municipalities are abiding by both the spirit and the letter of the state's annexation laws, thereby maintaining a proper balance between municipal governments and individual residents.
4. Examine the effectiveness of the Private Real Property Rights Preservation Act (Chapter 2007, Government Code).
5. Study and evaluate policies held by other states in relation to how they treat wind resources as a property right.
6. Examine recent attempts by municipalities to exert regulatory authority beyond city limits and extraterritorial jurisdiction. Evaluate the current relationship between and possible conflicts related to regulatory authority expressly given to state agencies by the legislature and regulatory authority delegated to home-rule municipalities. (Joint Interim Charge with the House Committee on County Affairs)
7. Monitor the agencies and programs under the committee's jurisdiction.

**HOUSE COMMITTEE
ON
LICENSING AND ADMINISTRATIVE PROCEDURES**

1. Study ways to support and promote horse and greyhound racing and breeding programs in Texas by increasing revenues. Review the practices of other states with healthy racing industries and identify which practices might be applied in Texas. Study ways to strengthen and enforce Texas laws to reduce illegal gambling.
2. Identify alternative supplemental funding to increase incentives and purses for horse and greyhound trainers and owners.
3. Study current distance requirement provisions in the Alcoholic Beverage Code, and recommend any changes needed to promote clarity and uniformity.
4. Review the Bingo Enabling Act, and recommend needed changes to the licensing process, fee structure, and permitted forms of play. Study whether specific changes are needed to direct a greater share of bingo revenue toward the charities the act was intended to benefit.
5. Study the possible need for regulation of charitable raffles.
6. Examine the current practice of certain occupations, and determine whether these occupations pose any significant threat to the health, safety and welfare of the general public to the extent that increased regulation is needed.
7. Monitor the agencies and programs under the committee's jurisdiction.

**HOUSE COMMITTEE
ON
LOCAL GOVERNMENT WAYS AND MEANS**

1. Study whether Texas law should be amended on the methods used to determine the "place of business" of retail operations under Chapter 321, Tax Code, governing municipal sales taxes, and whether better-defined procedures and limitations should be enacted to assist the comptroller in determining reallocation of sales tax revenues from one municipality to another.
2. Review provisions for local government notices on potential tax rate increases and clarify potentially conflicting statutes. Look at requiring two (rather than one) public hearings on the tax rate increase.
3. Examine the addition of members to the board of directors of appraisal districts who are not appointed by the taxing jurisdictions of the district. Determine methods for appointing these additional directors.
4. Examine the system for appraising property for property tax purposes:
 - Study the implementation and effects of HB 1010, 80th Legislature, Regular Session.
 - Consider whether the statutory system for choosing the Central Appraisal District Board of Directors and governing the board's operation adequately protects the public interest.
 - Evaluate whether the authority of the chief appraiser should be limited.
 - Consider alternative methods and procedures for conducting the Comptroller's School Value Study to ensure both the equitable distribution of state school aid and a more stringent review of local appraisal practices.
 - Examine constitutional and statutory constraints on the enforcement of uniform appraisal standards across the state and the ability of the state to provide oversight of appraisal districts.
 - Consider ways to improve appraisal district efficiency, transparency and services, including, but not limited to, the reconfiguration of appraisal districts.
 - Evaluate changes in the property valuation appeal system that could expedite and reduce the cost of dispute resolution.
5. Research the policies and procedures by which local tax appraisers value rent-restricted affordable housing properties and authorize legislatively established tax exemptions. Evaluate application and interpretation of existing statutes by local appraisal districts to affordable housing properties throughout the life cycle of developments. Make recommendations for statutory changes. (Joint Interim Charge with the House Committee on Urban Affairs)
6. Monitor the agencies and programs under the committee's jurisdiction.

**HOUSE COMMITTEE
ON
NATURAL RESOURCES**

1. Monitor ongoing efforts related to joint planning in groundwater management areas, including progress toward setting desired future conditions for aquifers. Examine and evaluate the process relating to an appeal challenging the approval of desired future conditions.
2. Review and evaluate the regulatory model for investor-owned water and sewer utilities as provided in the Water Code, especially Chapter 13, and Article 1440a of the Public Utility Regulatory Act; rate case processes and timing, consultant fee recovery, and overall cost reductions; and, options for more effective customer participation. Consider consolidated tariffs for companies owning more than one system, and review and evaluate methods for financing expansion to new developments.
3. Monitor the implementation of HB 2876, 79th Legislature, Regular Session, relating to certificates of public convenience and necessity for water service and sewer service.
4. Monitor the implementation of legislation enacted by the 80th Legislature, including HB 3, HB 4 and SB 3; work in conjunction with legislatively created committees, such as the Environmental Flows Advisory Group, the Water Conservation Advisory Council, the Bexar Metropolitan Water District Oversight Committee, and the Joint Interim Committee on State Water Funding.
5. Evaluate creating a uniform template for the creation of Municipal Utility Districts or other special districts with addendums for special powers to expedite the creation of new districts.
6. Examine "resign to run" rules for soil and water conservation district members in comparison to groundwater district members.
7. Study issues related to the current efficacy of flood control devices in Texas, including the condition of aging infrastructure, liability issues, and the legal authority and financing needed to make repairs.
8. Review the Texas Commission on Environmental Quality fee structure for water programs and examine the scope of services being funded by such fees and the allocation of resources, including personnel to provide services on a timely basis.
9. Monitor the agencies and programs under the committee's jurisdiction.

**HOUSE COMMITTEE
ON
PUBLIC HEALTH**

1. Monitor and evaluate the full array of wellness initiatives undertaken by the State of Texas to include the newly adopted state employee wellness and prevention legislation (HB 1297, 80th Legislature, Regular Session) and a pilot program to encourage healthy lifestyles, such as smoking cessation within the Medicaid program (SB 10, 80th Legislature, Regular Session) and for state employees. Develop strategies for maximizing potential health benefits and optimizing the return on the State of Texas' investments in wellness. Include a review of other state and private sector programs for employee wellness that result in prevention cost savings.
2. Research issues relating to the Indigent Health Care and Treatment Act (Chapter 61, Health and Safety Code) and related local health care initiatives (Chapter 534, Government Code), and make recommendations to address any imbalance between counties for the provision of health care.
3. Review issues related to federal changes for tamper-resistant prescription pad requirements, and monitor the activity of the Texas Department of Public Safety Controlled Substances Advisory Committee in response to SB 1879, 80th Legislature, Regular Session.
4. Examine issues related to the Texas Anatomical Gift Act (Chapter 692, Health and Safety Code).
5. Examine the status of asthma in Texas, and make recommendations to prevent asthma and to assist children and adults with asthma to more effectively manage their disease. Develop strategies for decreasing the direct medical and indirect related costs associated with asthma.
6. Examine activities at the Texas Medical Board as they relate to the protection of public health and the practice of medicine, and the status of implementation requirements established by HB 1973, 80th Legislature, Regular Session. The committees should consider any findings by the Texas Sunset Commission. (Joint Interim Charge with the House Committee on Appropriations)
7. Examine the State of Texas' preparedness level to handle a public health emergency. (Joint Interim Charge with the House Committee on Defense Affairs and State-Federal Relations)
8. Review the effectiveness of the Driver Responsibility Program, and provide recommendations for increasing the collection rate of assessed penalties. Provide recommendations for amnesty and incentive programs established by the passage

- of SB 1723, 80th Legislature, Regular Session. Examine the status of Texas' current statewide trauma system infrastructure and how the system may be optimized to meet future trauma care needs in a rapidly growing state with overburdened emergency rooms. (Joint Interim Charge with the House Committee on Transportation)
9. Study the state's current and long-range need for physicians, dentists, nurses and other allied health and long-term care professionals. Make recommendations regarding strategies related to geographic distribution and barriers to recruitment of high-need professions, especially for primary care providers and long-term care professionals. (Joint Interim Charge with the House Committees on Border and International Affairs and Appropriations)
 10. Monitor the agencies and programs under the committee's jurisdiction.

**HOUSE COMMITTEE
ON
REGULATED INDUSTRIES**

1. Examine the impact of broadband Internet access on economic development, focusing on potential updates that would create incentives to help spur investment by network providers across a variety of platforms. Recommend changes to Texas law that would emphasize economic development through policy formulation.
2. Study and assess the ability of entities regulated by the Public Utility Commission of Texas to meet the communication needs of the Texas military forces during declared emergencies, including an assessment of current capabilities and technological compatibility among service providers throughout the state.
3. Research the effects of both wholesale and retail competition in the Texas electric market.
4. Study and review information on the Internet and other communications services, and how Texas can best prepare for potential changes to Internet and communications services, and infrastructure demands. Recommend policy changes to encourage greater infrastructure investment while ensuring the continued growth and development of the Internet. Study the current state and local communications tax structure, including an analysis of the tax burdens imposed on consumers and providers of communications services.
5. Study and examine whether Generally Accepted Accounting Principles (GAAP) should be adhered to under Chapter 66 of the Public Utility Regulatory Act (PURA), and review procedures for revenue audits.
6. Monitor agencies and programs under the committee's jurisdiction, including identifying possible ways to merge or streamline agency functions to produce long-term financial benefit to the state and better efficiency of the agencies.

**HOUSE COMMITTEE
ON
TRANSPORTATION**

1. Research and make recommendations to the legislature on programs to improve safety for teen drivers.
2. Study the concept of using corridor planning organizations to provide a mechanism for local involvement in the Trans-Texas Corridor.
3. Study and make recommendations for funding mechanisms for the Rail Relocation Fund.
4. Study and make recommendations regarding the feasibility of a motor bus-only lane program for state highways in Texas that focuses on the use of improved shoulders as a low-speed bypass of congested highway lanes. Examine comparable laws from other states that allow transit buses to operate on state highway shoulders.
5. Examine the role of metropolitan planning authorities in state law, as well as the creation of rural planning authorities to address the planning needs outside of metropolitan planning organizations but within council of government boundaries.
6. Study and make recommendations for changes to statutes regarding handicapped parking.
7. Review the effectiveness of the Driver Responsibility Program and provide recommendations for increasing the collection rate of assessed penalties. Provide recommendations for amnesty and incentive programs established by the passage of SB 1723, 80th Legislature, Regular Session. Examine the status of Texas' current statewide trauma system infrastructure and how the system may be optimized to meet future trauma care needs in a rapidly growing state with overburdened emergency rooms. (Joint Interim Charge with the House Committee on Public Health)
8. Review the current requirements for driver's license and identification card holders in Texas in order to recommend legislative measures to prevent these documents from being used to further criminal activities, and recommend ways to enhance homeland security. (Joint Interim Charge with House Committee on Defense Affairs and State-Federal Relations)

9. Monitor the continued implementation of the Texas Financial Responsibility Verification Program authorized by SB 1670, 79th Legislature, Regular Session, and determine whether any further statutory enhancements are needed to reduce the number of uninsured motorists in Texas. (Joint Interim Charge with the House Committee on Insurance)
10. Monitor the agencies and programs under the committee's jurisdiction.