

Interim Charges to the 81st Legislature

Texas Senate

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Administration

3. Review the Senate budget and identify ways to reduce costs over the next budget cycle.

Agriculture & Rural Affairs

2. Study current federal, state and local safeguards to protect our food supply. Identify gaps that may exist in Texas statute, agency roles, and authority for ensuring a safe food supply for Texas, including imported fruits and vegetables. Examine the impact of revised federal regulations on the State, and the potential impact of pending federal legislation. Examine the existing capabilities of the public health system on the border to accomplish public health surveillance of food.
4. Study and make recommendations on the impact of feral hogs and other predators that hamper development of Texas agriculture.

Business & Commerce

1. Study the implementation of H.B. 4409 enacted by the 81st Legislature pertaining to the financing of insured losses in excess of premium and other revenue of the Texas Windstorm Insurance Association (TWIA). Assess the coverage and affordability of TWIA policies. Review the claims and payments processes and make recommendations to improve the stability of TWIA while enhancing services to clients.
3. Study and make recommendations relating to the development and implementation of wind energy. Assess the total impact of wind energy, including additional costs to consumers, if any, buy-back provisions and pricing, the need for alternative energy sources at times when wind does not generate electricity, impact on the ERCOT grid, development of battery storage and other storage methods, and economic development impacts.
5. Study and make recommendations relating to the Texas Unemployment Compensation Insurance system, including, but not limited to, the following:
 - The capacity and efficiency of the claims filing and benefits delivery system as well as the ability of the agency to meet the needs of the clients it serves given the transition to call centers and web based filing;
 - The current financing scheme for the Unemployment Compensation Trust Fund, and any options to improve the long term financial health and stability of the Fund;
 - The use of debit cards for delivery of UI benefits, including ways to limit user fees to access payments; and
 - Improving public access to local and statewide data on current and historical UI claims.
6. Study and make recommendations regarding career-focused education and workforce training programs in Texas to insure that such programs meet business and worker needs. Specifically, study whether such programs: meet the current and future workforce needs of health care, skilled trades, construction, manufacturing, aerospace, information technology and green jobs; help retain workers in such trades and fields; retrain and update the skills and education of workers in such trades and fields; and foster and encourage collaboration between the State, education, labor and business to provide education and training.

Criminal Justice

1. Study the efficiency and fairness of the current sexual offender registry system and make recommendations to improve the system, if necessary. Study the issue of compliance with the Adam Walsh Act, focusing on the associated costs to the state and the punishment of juveniles. Examine the risk assessment tools used to measure the likelihood of recidivism of sexual predators.
2. Review statistics regarding the crime of driving while intoxicated, including accident statistics, alcohol-related deaths and injury, and other impacts on the community. Examine enforcement options used nationwide to deter driving under the influence and make recommendations to reduce the number of alcohol-related traffic fatalities and accidents in Texas.
3. Review the performance of the Fair Defense Act and the Task Force on Indigent Defense. Study key outcomes of the law, including: appointment rates in felony and misdemeanor cases; state and county indigent defense expenditures; attorney caseloads; attorney compensation; access to investigators and experts; and overall quality of counsel for the indigent. Examine the Task Force on Indigent Defense's effectiveness in monitoring and enforcing standards and design strategies to improve the delivery of services for indigent defense, including timing of the appointment of counsel, the use of the appointment wheel and the monitoring of workloads and performance of attorneys.
4. Study and make recommendations related to municipal jails and other detention facilities that operate without state agency oversight. Identify the number of such facilities and the population detained, as well as best practices for municipal jails. Make recommendations to improve services and consider options for oversight of facilities by the Texas Commission on Jail Standards.
5. Review the detention of juvenile offenders in local jails, state jails, and Texas Department of Criminal Justice prison units by examining conditions of confinement, including quality of education, mental health treatment and medical services, rehabilitative treatment, and equality of access to services for young female inmates. Review access to administrative and inspector general grievances in TDCJ facilities. Make recommendations for improving the system and reduce recidivism of juvenile offenders.
6. Study and make recommendations to ensure the accuracy and timeliness of testing done in Texas forensic laboratories, including DNA and blood/alcohol testing. Assess and make recommendations for improving the capacity of Texas

criminal laboratories to process evidence, identify ways to reduce the backlog of DNA evidence processing, identify ways to encourage qualified applicants for crime lab jobs, ensure adequate training for new crime lab technicians, ensure the availability of efficient crime lab processing to all regions of the state, and determine the impact of additional collection requirements on the capacity of Texas crime labs to process evidence. Consider the costs and benefits of creating a statewide crime lab.

7. Assess how the Commission on Jail Standards, the Department of Public Safety, the Department of Criminal Justice, and Department of State Health Services are working together to identify defendants with mental health issues, notify magistrates when defendants have been identified and, where appropriate, provide crisis stabilization services to defendants. Monitor legislation passed by the 81st Legislature for mental illness and make recommendations for any needed improvements to improve mental health services and reduce recidivism.
8. Study and evaluate the success of juvenile probation pilot programs aimed at community-based diversion of youth from Texas Youth Commission facilities. Make recommendations for needed legislative action and additional programs to increase the number of delinquent youth successfully rehabilitated in their home communities.
9. Consider the impact that secondary education school disciplinary laws and policies have on the juvenile justice system and the adult prison system. Recommend changes, if needed, to current law.
10. Evaluate the usage of current Texas practices for facilitating the fair and accurate courtroom testimony of children and reducing the trauma associated with testifying, particularly for children who are victims of sexual abuse. Specifically consider recent efforts and trends across the nation to develop best practices, including "court orientation" programs, and ensure that courtrooms are more child friendly and accommodating for young victims to reduce the trauma associated with testifying in court while ensuring that fair and accurate information is solicited from the child as a witness.
11. Monitor the implementation of legislation addressed by the Senate Committee on Criminal Justice, 81st Legislature, Regular and Called Sessions, and make recommendations for any legislation needed to improve, enhance, and/or complete implementation.

- Study the impact of certain provisions in the 2009 DPS Sunset bill on the timely processing of concealed handgun license applications and the issuance of licenses.
- Monitor and make recommendations, if needed, on actions by TDCJ to improve security and reduce contraband.

Economic Development

1. Assess the effectiveness of major economic development programs in Texas. The review should include but not be limited to such programs as the Enterprise Fund, Emerging Technology Fund, Skills Development, and Enterprise Zones. Review major tax policy issues that encourage or hinder business development, including options for reinstating a margins tax research and development tax credit. Examine economic development programs in other states that have been successful and recommend changes to existing state programs, new programs, or changes in tax policy incentives that could increase job creation in Texas.

Finance

1. Review and make recommendations regarding existing and future public debt at all levels of government in Texas, including independent school districts, cities, other local governments and the Texas Guaranteed Tuition Plan.
2. Study the impact of recent hurricanes for which a federal disaster declaration was issued on local economies. Examine the basis for the distribution of federal dollars for hurricane cleanup across the state. Review past methods of distribution, including those involving the Texas Department of Housing and Community Affairs and the Office of Rural Community Affairs. Develop policy and statutory recommendations to ensure that the system of distribution is effective to address needs of the various regions of the state in the event of future disasters. Provide effective budget oversight of state agencies that received appropriations as a result of hurricane damage. Examine the rebuilding of University of Texas Medical Branch at Galveston and the collection and proper deposit of federal reimbursements.
4. Identify and evaluate potential improvements to the property tax system. Consider and make recommendations relating to the following:
 - Methods to increase public participation in the tax rate-setting process and ensure fairness in appraisal protests and appeals;
 - Requirement that property appraisal values may not increase by more than inflation and/or population growth, or another amount to be determined by local taxing authorities, with a maximum cap of 10 percent;
 - Exemptions provided to community housing development organizations to determine if changes are needed to ensure that the public benefits outweigh the revenue loss;
 - Methods and procedures for determining a real property interest in oil or gas in place, as contained in Texas Tax Code Sec. 23.175, including how market-based data and market-based methodology could possibly be used to ensure fair, reliable, and equitable price forecasts of oil and gas interests. Analyze the need for the creation of an Oil and Gas Valuation Advisory Committee to assist in forecasting current calendar year statewide average prices for oil and gas; and
 - The constitutional constraints and fiscal implications of exempting real property, leased to a school, as defined by Section 1.21 of the Tax Code, from ad valorem taxation.

6. Study the impact of changing the constitutional and statutory spending limit based on the sum of the rate of population growth and the rate of inflation. Examine what past biennial spending limits would have been, and what the next biennium's limit might be, under a new definition. Consider the impact of exempting growth from federally mandated programs.
8. Review the capacity of rural hospitals, rural hospital infrastructure, and the statewide impact of services provided by rural hospitals. Make recommendations for funding options to help communities that do not have adequate resources to replace aging infrastructure and consider the creation of a rural hospital infrastructure support program similar to the courthouse preservations fund.
9. Examine transportation funding concepts contained in legislation considered during the 81st Legislature, Regular and Special Sessions. Analyze options and make recommendations relating to historical funding strategies, including prioritization of existing revenues, as well as alternative state and local transportation funding concepts. (Joint charge with Senate Transportation and Homeland Security Committee)
10. Monitor the implementation of legislation addressed by the Senate Committee on Finance, 81st Legislature, Regular and Called Sessions, and make recommendations for any legislation needed to improve, enhance, and/or complete implementation. Specifically, monitor the following:
 - The Legislative Budget Board effectiveness and efficiency review of Chapter 313, Tax Code. Consider whether tax provisions provide a net benefit to the state.
 - Monitor the use of Byrne Grant Border security funds, including whether additional funds need to be spent on communications interoperability.
 - Review the extent to which federal stimulus funds affected each agency's ability to meet or surpass its Performance Measure Targets. Consider the effect that delays in federal approvals have had on funding for public education and weatherization programs.

Government Organization

2. Study the online services provided by the state and compare those services to the services provided by other states. In coordination with the Department of Information Resources, determine how online services provided by the state can be improved.
3. Review opportunities for increasing the transparency of local government operations and make recommendations for enhancing public access to government.

Health & Human Services

1. Upon passage of federal legislation relating to reform of the health care industry and health insurance industry that the Texas Health and Human Services Commission estimates will cost the State of Texas \$2 to 2.5 billion per year in General Revenue beginning as early as 2013, study the implications of such legislation on Texas, the health care industry, and public and private insurance. Study and monitor the implementation of the insurance regulatory changes, changes to high risk pool, and any other insurance mandates. Study the health care policy changes and the impact to the Medicaid and CHIP programs and the state budget. Assess the impact to all state uninsured and uncompensated care programs and county programs for the uninsured, including county property tax programs to pay for the uninsured. Make recommendations for the efficient implementation of programs. (Joint charge with Senate State Affairs Committee)
2. Study the benefits, efficiencies and costs, and effectiveness of the social service related prevention and early intervention programs at the health and human services agencies, the juvenile and adult criminal justice agencies and other government agencies that have programs that address mental illness, substance abuse, child abuse and neglect, domestic violence, single-parent families, absentee fathers, early pregnancy, and unemployment. Study other states' prevention programs and efforts to administer these programs through a merged prevention department. Make recommendations to improve the efficiency and effectiveness of these programs.
4. Study and make recommendations on the state's role for facilitating the exchange of health care information in the future, including using the Medicaid exchange as a framework for the statewide exchange of health information between health care providers to improve quality of care; what information the state should provide; how to use this information to improve care management, prevent medical errors, and reduce unnecessary services; and policies and statutory changes needed to ensure that privacy is protected. Study the feasibility of developing multiple regional health information technology exchanges in Texas.
8. Study the state's ability to appropriately respond to the H1N1 influenza pandemic by examining issues related to vaccine distribution and capacity. Consider the benefit of providing the state's independent school districts and various health authorities with standardized protocols for issues including, but not limited to, vaccine administration, absenteeism and the cancellation of school and other school-related events. Assess the state's ability to track and record H1N1

vaccinations through the ImmTrac registry, and review statutes governing ImmTrac to increase the effectiveness and efficiency of immunization information systems.

9. Study current state health care quality improvement initiatives in Texas, including statewide health care-associated infection and adverse event reporting, reimbursement reductions in the Texas Medicaid program for preventable adverse events, potentially preventable readmissions identification, health information technology implementation, pay-for-performance programs, and other initiatives aimed at improving the efficiency, safety, and quality of health care in Texas. Identify statutory changes that may build upon efforts to improve quality of care and contain health care costs in Texas. Study policies that encourage and facilitate the use of best practices by health care providers including the best way to report and distribute information on quality of care and the use of best practices to the public and to promote health care provider and payment incentives that will encourage the use of best practices. The study/recommendations could also include assessing the best way to bring provider groups together to increase quality of care, the use of best practices, and reduce unnecessary services.

Intergovernmental Relations

2. Monitor the proliferation of municipal utility districts (MUDs) outside the corporate limits or extraterritorial jurisdiction of municipalities and whether increased oversight of these districts by other political subdivisions is needed. Review the process for the creation of municipal utility districts (MUDs) through the template developed during the 81st Legislative Session, including any changes needed to increase the efficiency and oversight over the creation of proposed districts. Review the process for creating special districts, including whether the creation of a template, similar to the one created for municipal utility districts (MUDS), is feasible and would enable the legislature to more effectively evaluate other proposed special districts during future Sessions.
3. Review the process and costs for local governments to make government information available online. Consider ways to encourage local governments to provide more transparency, including the Comptroller's experience with transparency and her offer to assist local governments, and consider penalties for entities that fail to comply with the online requirement.
5. Study the reasons for and the impacts of hospitals directly hiring physicians. Examine practices in other states. Make recommendations, if needed, to permit hospitals to directly hire physicians.
6. Review state and local policies related to development and growth in rural and unincorporated regions of the state with regard to annexation and zoning authority. Focus on impacts to private property rights. Determine the appropriateness of existing extraterritorial jurisdiction authority. Make recommendations regarding possible changes to this authority.
7. Review the types of support state government can provide to assist local government consolidations with county governments. Evaluate budget implications for city and county government consolidations. Research the appropriateness and cost savings of eliminating duplicity between city and county governments in different regions of the state.
8. Review the statutory authority granted to municipal management districts (MMDs) and to emergency service districts (ESDs), the authority of municipalities and counties to create public improvement districts (PIDs). Determine whether the authority granted for each entity is adequate to accomplish the goals of local governments. Assess whether the consolidation of

ESDs under one statute would improve uniformity and provision of fire and emergency services through these districts.

Subcommittee on Flooding & Evacuations

1. Study the benefit of legislation that would require coastal regions, when making routine improvements to drainage systems and other infrastructure, to take into account probability of future flooding and any upgrades necessary to prevent future flooding.
2. Study and make recommendations on methods of emergency notification during a natural disaster. Look into alternative systems and new technologies for rerouting 911 type calls to become more efficient and effective. Study and make recommendations to streamline the process of informing citizens impacted by an emergency or disaster prior to the event about re-entry and aid.
3. Study and make recommendations relating to cost effective options to either retrofit or require new building structures to be built as shelters for use during future evacuations.

International Relations and Trade

1. Review the effectiveness of the Coordination of Colonia Initiatives and related measures addressed by the Committee and develop recommendations to better address substandard communities across the state where no potable water or sewage services are provided. Review state and local laws and policies relating to development and growth in unincorporated regions of the state and develop recommendations aimed at providing local units of government the necessary local control tools to curtail the spread of colonia-like developments in their jurisdictions.
2. Examine effectiveness of state homeownership programs serving colonia residents. Study the need for contract for deed conversions in the colonias within 150 miles of the Texas/Mexico border. Examine existing statute regarding statewide distribution of the Texas Bootstrap Loan Program and recommend changes to increase the state's ability to expedite allocation of funds. Develop recommendations to address abusive lending practices in distressed areas and fair housing violations in the colonias.
3. Study and make recommendations for state actions to increase efficiencies and reduce wait times in crossing the Texas-Mexico border, while ensuring proper security. Review initiatives to maximize bridge-crossing revenue.
6. Review the state's efforts and policies aimed at addressing the workforce training needs of trade-displaced citizens. Report on the effectiveness of these programs and develop recommendations to better assist hard to reach populations in distressed areas, including Spanish-predominant speaking displaced citizens along the Texas-Mexico border region.

Jurisprudence

2. Study the guardianship program implemented by the Department of Aging and Disabilities and the Department of Adult Protective Services, including the efficiency and effectiveness of the program, the relationship between the two agencies, the appropriate rights for parents, and whether clients and their assets are adequately protected.
3. Study and make recommendations to promote and enable confidential information sharing among state agencies and courts serving at-risk children and youth to ensure that comprehensive and appropriate services are being provided. The study should focus on the technological, legal, and fiscal barriers that prevent information sharing among these entities regarding affected children and youth.
4. Evaluate the voluntary relative placement process in issues of guardianship and the ability of nonparent relatives to make decisions for children under their care. Monitor the progress and implementation of SB 1598 relating to an agreement authorizing a nonparent relative of a child to make certain decisions regarding the child.

Natural Resources

1. Analyze and compare the differences in cost between immediate implementation of the State Water Plan compared to staged development over time. When calculating the costs attributable to staged implementation, consider rising material costs, meeting the needs of a growing population with temporary solutions, and the costs related to potential failure of existing, aging infrastructure. Review the development of State Water Plan infrastructure projects that have been funded during the FY 08-09 and FY 10-11 biennia. Consider short-term and long-term dedicated sources of funding.
2. Review the joint planning process for management of groundwater resources and monitor the progress of groundwater conservation districts' efforts to establish, before the statutory deadline, desired future conditions for aquifers. Identify any additional resources or statutory changes necessary to promote sound groundwater management, including promotion of desalination of brackish groundwater, elimination of any exemptions, and coordination between groundwater conservation districts and activities regulated by the Texas Commission on Environmental Quality, the Railroad Commission of Texas, and the state and regional water planning processes administered by the Texas Water Development Board.
3. Monitor and review the implementation of the Environmental Protection Agency's rules on carbon dioxide and federal legislation on greenhouse gases. Review the participation of the Texas Commission on Environmental Quality, the Railroad Commission of Texas, the Department of Agriculture, and the Public Utility Commission in working collaboratively to comply with the federal mandates and in meeting federal clean air standards.
5. Determine whether the TCEQ should identify and evaluate cumulative effects on public health and the environment due to air toxics and ozone precursor emissions proposed in applications for new air permits, air permit amendments, and air permit renewals. Make recommendations, if needed.

State Affairs

1. Upon passage of federal legislation relating to reform of the health care industry and health insurance industry, study the implications of such legislation on Texas, the health care industry, and public and private insurance. Study and monitor the implementation of the insurance regulatory changes, changes to high risk pool, and any other insurance mandates. Study the health care policy changes and the impact to the Medicaid and CHIP programs and the state budget. Assess the impact to all state uninsured and uncompensated care programs and county programs for the uninsured, including county property tax programs to pay for the uninsured. Make recommendations for the efficient implementation of programs. (Joint charge with Senate Health and Human Services Committee)
6. Study ways to improve the efficiency and accuracy of voter registration rolls, including the feasibility and security of online registration and automatic registration and the accuracy of verification and purging of voters. Recommend ways to ensure that deceased or otherwise ineligible voters are not included on rolls while also ensuring that all eligible applicants are efficiently registered.
9. Study the effect Texas hospital billing and collection practices have on the uninsured's and under-insured's access to hospital health care services, on the uninsured's and underinsured's economic circumstances, and on medical debt recorded as bad debt on hospital books and records. Assess whether hospital billing disparities involving pricing discounts between the uninsured and insured exist and make recommendations for any changes necessary.
12. Study and make recommendations regarding access to voting by members of the military serving in the United States and abroad, including the feasibility of electronic delivery of ballots.
13. Study the Public Information Act and the Open Meetings Act to ensure that government continues to operate in a way that is open and transparent. The study should consider how advances in technology and the emergence of various forms of social media (e.g. Facebook, MySpace, Twitter) have affected communications by and within governmental bodies.

Transportation & Homeland Security

1. Recommend ways to maximize the contribution of alternative transportation modes and evaluate what impacts they have on congestion and air quality. Identify statutory barriers to reducing transportation's impact on air quality and preventing any restrictions on or loss of federal funds due to air quality. Study the incidence of fraudulent automotive emissions certifications in the state and recommend changes in enforcement which will increase the effectiveness of state emissions regulation and assist in attainment of federal air quality standards.
2. Review and make recommendations relating to the Texas Department of Transportation's organizational structure and working relationship with local governments, Metropolitan Planning Organizations, Regional Tolling Authorities and Regional Mobility Authorities.
3. Recommend improvements to homeland security, including the state's infrastructure and housing recovery operations. Make recommendations for incorporating best practices and addressing any gaps in existing procedures, and disaster preparation and response, including volunteer involvement, evacuation and sheltering and trauma care, and communications interoperability.
4. Examine the public policy implications of Comprehensive Development Agreements (CDAs) and recommend whether they should be reauthorized to construct specific roadways.
6. Examine transportation funding concepts contained in legislation considered during the 81st Legislature, Regular and Special Sessions. Analyze options and make recommendations relating to historical funding strategies including prioritization of existing revenues, as well as alternative state and local transportation funding concepts. (Joint charge with Senate Finance Committee)
8. Evaluate the Texas Department of Transportation's policy for permitting overweight vehicles and recommend ways to ensure overweight vehicles do not cause significant damage to the State's roadways and bridges. Examine the limited operation hours and staffing of highway weight stations across the state and consider whether expanded operations or other alternatives would improve compliance with weight restrictions.
9. Review the 100 most congested roadway segments and determine if alternative congestion relief modes have been identified to relieve segments in areas where the addition of lanes is not possible. For example, review whether TxDOT and

MPOs consider instituting park & rides and encouraging employee flex times to relieve congested roadway segments.

11. Review the possible increase in number of unlicensed and uninsured drivers resulting from license suspensions or indigence resulting drivers' inability to pay Driver Responsibility surcharges in light of new Department of Public Safety rules.
12. Study and make recommendations for legislation to inform Texans about best practices for hurricane preparation, response, and recovery, including information about basic state operations and pre-designated locations for PODS (Points of Distribution) across the state. Establish procedures and penalties for noncompliance by local jurisdictions that hinder response and recovery efforts.
13. Monitor the implementation of legislation addressed by the Senate Committee on Transportation & Homeland Security, 81st Legislature, Regular and Called Sessions, and make recommendations for any legislation needed to improve, enhance, and/or complete implementation.
 - Monitor the implementation of gang-related legislation passed during the 81st Legislature and its impact on drug cartel-related transnational gangs and crime in Texas.

Veteran Affairs & Military Installations

2. Examine the potential risk factors for returning service members, which may contribute to an increase in domestic violence and child abuse cases. Additionally, determine best practices, including funding options, to ensure that specific counseling related to these risk factors is available to and provided for returning service members and their family members during the initial reunion phase.

5. Study the value of enhancing training requirements for Veterans County Service Officers (VCSO) to improve veterans service at the local level, especially in rural areas. Make recommendations on how to best use technology for training purposes and expanding accreditation of VCSO.