

County*issues*

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Interim Charges Address Oil and Gas Undervaluation



By **Aurora Flores-Ortiz**,
TAC Legislative Staff

In the midst of an economic downturn, many county officials have been confronted with dramatic

decreases in local revenue as a result of the undervaluation of oil and gas properties caused by a 2007 law. This has left many local governments struggling to provide necessary local services.

Recently released interim charges in both the Senate and House will look at the problem. Since 1993, the Tax Code (Sec 23.175), commonly known as the market condition factor, has required the formula prepared by the

Comptroller of Public Accounts (CPA) to include the average price of oil and gas for the past year, causing appraisal values to lag behind recent market results and significant changes in annual appraisals. In 2007, the Legislature changed the Tax Code formula to add a forward looking component, the CPA's estimate of the price of oil and gas for the upcoming year. The explanation given was the bill's changes would level the wide variations caused by the single use of the past year's prices.

In addition, the Comptroller determined HB 2982 (80R) required the use of the state severance tax revenue estimate methodology. The CPA's severance tax-based estimate of the market condition factor has resulted in

the undervaluation of oil and gas property — estimated to be as much as \$300 million statewide — and leaving many counties adversely affected in terms of revenue and providing services. The new formula will shift taxes from oil and gas companies to local homeowners and businesses.

The Texas Association of Counties (TAC) and the County Judges and Commissioners Association of Texas worked with House and Senate staff to bring this issue to light for the interim studies and legislation for the next regular session. The House Ways and Means Committee will hear the undervaluation issue in March. During the initial interim hearing, Chairman

Oil and Gas

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Senate Committee on Finance

Charge No. 4. Identify and evaluate potential improvements to the property tax system. Consider and make recommendations relating to the following:

- 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.

House Committee on Ways & Means

Charge No. 3. Study method for improving the quality and uniformity of, and communications to taxpayers about, property tax appraisals.



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KEY COUNTY DATES

February 2010

Feb. 1: Unpaid property taxes become delinquent if not paid before Feb. 1 of the year after the taxes are imposed. TEX. TAX CODE, §31.02(a).

Feb. 1: *Calendar Fiscal Year Counties:* Fee basis officers required to file annual report with district court. TEX. LOC. GOV'T CODE, §114.046(a).

Feb. 1: 5 p.m. Deadline for opposed candidates in general primary election to file pre-election report of political contributions and expenditures. TEX. ELEC. CODE, §254.064. *Actual receipt by deadline required. Deadline extended.* TEX. ELEC. CODE, §1.006.

Feb. 16: 5 p.m.
Counties with population 100,000 or more: Deadline for candidates for county judge, county commissioner, and county attorney to file personal financial statements. TEX. LOC. GOV'T CODE, §159.004.
Deadline extended.

Counties with 125,000 or more: Deadline for candidates for justice of the peace to file personal financial statement. TEX. LOC. GOV'T CODE, §159.004.
Deadline extended.

Feb. 16: First day of early voting by personal appearance for general primary election. TEX. ELEC. CODE, §85.001.

Feb. 22: 5 p.m. Deadline for opposed candidates in general primary election to file pre-election report of political contributions and expenditures. TEX. ELEC. CODE, §254.064. *Actual receipt by deadline required.*

Feb. 26: Last day of early voting by personal appearance for general primary election. TEX. ELEC. CODE, §85.001.

March 2010

All Counties: First month commissioners court may make determination on whether the county election precincts comply with law and make boundary changes (some exceptions apply). TEX. ELEC. CODE, §42.031(a).

March 2: General Primary Election Day. TEX. ELEC. CODE, §41.007.

March 30:
Counties with 100,000 or greater population: County clerk required to mail, or at the request of the filer send by electronic mail, two copies of financial disclosure forms to the county judge, county commissioners and county attorney who are not candidates in the general primary election. TEX. LOC. GOV'T CODE, §159.005. Appointed officers and those filling vacancies are to be mailed the forms not later than the seventh day after the date of appointment. TEX. LOC. GOV'T CODE, §159.005(b).

Counties with 125,000 or more population: County clerk required to mail, or at the request of the filer send by electronic mail, two copies of financial disclosure forms to the justices of the peace who are not candidates in the general primary election. TEX. LOC. GOV'T CODE, §159.005. Appointed officers and those filling vacancies are to be mailed the forms not later than the seventh day after the date of appointment. TEX. LOC. GOV'T CODE, §159.005(b).

Oil and Gas *continued from page 1*

René Oliveira (D-Brownsville) questioned whether the Comptroller's Office would be prepared to address the inequity and wide fluctuations that currently exist.

"I don't want to see counties struggling with revenue issues. Let's be neutral arbitrators and find a legislative solution. The statute needs to be revised to find a fair way to deal with this issue," Oliveira said.

The Senate Finance Committee also has undertaken the task of determining how market-based data and methodology could be used to ensure fair, reliable and equitable price forecasts of oil and gas interests. The committee will analyze the need for the creation of an Oil and Gas Advisory Committee to assist in forecasting current calendar year, statewide average prices for oil and gas.

"I commend the Lieutenant Governor and the Speaker for recognizing the importance of this issue and including it in their interim charges," said Sen. Carlos Uresti (D-San Antonio), who sponsored a bill to address the problem in the last session. "All the parties involved came together last year to find a solution, but we just ran out of time. I am confident that county officials and oil and gas industry representatives will work together again in the next session to support a bill that achieves tax fairness for everyone."

TAC staff will continue to attend and monitor all interim charges and hearings pertaining to the issue of undervaluation of oil and gas properties. County officials may want to testify regarding the effects on their communities and local taxpayers. TAC will send notification when the interim hearing dates are set.

For more information, contact Aurora Flores-Ortiz at (800)456-5974 or aurorafo@county.org. ★

Texas Senate Releases Several County-Related Interim Charges

TAC legislative staff analyzes effect on counties

From Staff Reports

On the heels of the release of the House interim charges, the Texas Association of Counties Legislative Department has identified numerous Senate committee interim charges of special interest to counties. The department has compiled a list of these charges coupled with analysis of the impact each may have on county government.

The Senate committees will organize hearings based on these charges and will then form recommendations based on the expert testimony they have heard on the topics. The recommendations the Senate committees develop will form the basis for legislation for the 82nd Legislative Session in 2011.

Lt. Governor David Dewhurst said the list of interim charges addresses issues critical to the future of Texas, now and long term.

"I had strong input from members of the Senate, as well as citizens and many local and statewide elected officials," Dewhurst said of the selection. "Most important to our state's future is continuing to create jobs for our rapidly growing population and tightening the state's fiscal belt, as well as improving the quality of life for all Texans through improvements to education, transportation and all essential services."

Please find select county-related charges and analysis below.

Senate Committee on Criminal Justice

Charge No. 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.

Approximately eight years have passed since the Legislature passed the Fair Defense Act and established the Task Force on Indigent

Defense. This particular charge proposes a comprehensive review of the law and the Task Force's oversight in monitoring and enforcing indigent defense standards that counties must follow. Part of the charge includes a directive to study state and county indigent defense expenditures. Texas counties are spending increasing shares of their budgets on indigent defense and could benefit substantially from expanded state support for this mandate.

Compiled by TAC Legislative Staffer Laura Garcia

Charge No. 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.

Once juvenile offenders are certified as adults, they are held in local adult facilities but are required to be separated from adult inmates. Information on particular services provided to juvenile offenders, such as education, medical/mental health services and other special needs, is not available. The Senate committee intends to gather information and evaluate the conditions and adequacy of services provided to juveniles held in adult incarceration facilities.

Compiled by TAC Legislative Staffer Laura Nicholes

INTERIM CHARGES

continued on page 4

Interim Charges *continued from page 3*

Charge No. 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.

Senate Bill 1009, the Sunset bill for the Texas Commission on Jail Standards (TCJS), was amended to include SB 1557 by Sen. Robert Duncan (R-Lubbock), which requires increased reporting and communication procedures regarding defendants with mental health needs. The TCJS has



Credit: Amber Novak

implemented the new “tracking” standards by including data collection on county jail intake forms. The Senate committee will evaluate the progress of the increased measures for identifying certain defendants in an effort to provide appropriate mental health care and reduce recidivism.

Compiled by TAC Legislative Staffer Laura Nicholes

Charge No. 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.

The 81st Legislature appropriated \$45.7 million to the Texas Juvenile Probation Commission to be administered through grant funding to local probation departments for the purpose of providing programs and reducing commitments to the Texas Youth Commission. All county juvenile probation departments are eligible to apply for grant funds for the 2010-2011 biennium.

Compiled by TAC Legislative Staffer Laura Nicholes

Senate Committee on Finance

Charge No. 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...

Regarding the first bullet, very few taxpayers attend local government budget and tax hearings, despite multiple notifications and sometimes out-and-out pleas from local officials to attend. This wide-open charge seeking to increase taxpayer participation could lead to additional unfunded mandates for local governments regarding the tax rate-setting process.

Regarding the second bullet, the 81st Legislature — and then the voters in a constitutional amendment election — approved several reforms to the appraisal process. Despite that — and the fact that several recent legislatures have declined to lower the current 10 percent annual appraisal cap — this charge will study lower appraisal caps in the guise of a “local option” cap, which also failed to pass in recent sessions.

Compiled by TAC Director of Media Relations

Elna Christopher

Charge No. 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.

Interim Charges *continued on page 5*

Interim Charges *continued from page 4*

This charge will examine the rural health care safety net system and determine if a fund similar to the Texas Historic Courthouse Preservation Program, which provides partial matching grants to Texas counties for restoration of historic county courthouses, could help provide funding for much needed updates to rural hospitals. According to the Texas Organization of Rural & Community Hospitals, "a Rural Safety-net Hospital Infrastructure Fund for grants and/or loans should be established by the state to assist rural communities with replacing outdated hospitals. An annual appropriation of \$50 million equally matched with community funds could replace four to five rural hospitals a year. State assistance would also afford an opportunity for replacement facilities to accommodate the most advanced health information and energy efficiency technology."

A large number of rural hospitals throughout Texas are aging and falling out of compliance with Medicare's safety codes, which are a condition for receiving funding. Many of these undersized and ill-equipped hospitals were built more than 40 years ago with funds from the Hospital Survey and Construction Act, also known as the Hill-Burton Act (1946). However, facilities that accepted these funds were required to adhere to several requirements, including providing a "reasonable volume" of indigent care.

Compiled by TAC Legislative Staffer Rick Thompson

Senate Committee on Government Organization

Charge No. 3. Review opportunities for increasing the transparency of government operations and make recommendations for enhancing public access to government.

This charge is reminiscent of several bills that were filed in the previous legislative session.

Although those bills varied in detail, they all revolved around posting more county

financial records online where the public would theoretically have greater access to the information.

Though in favor of transparency, many county officials noted that there would be a significant cost to their counties in order to comply with any of those mandates. The actual costs projected varied by bill since each would have created different requirements. For additional information, see Charge 3 in Senate Intergovernmental Relations.

Compiled by TAC Legislative Staffer Tim Brown

Senate Committee on Intergovernmental Relations

Charge No. 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.

The number of special districts created by the Legislature, especially MUDs, continues to grow; the committee will monitor the growth of these particular special districts, especially those being created where there is no equivalent of the municipal review and approval of MUDs created within the extra-territorial jurisdiction of cities. There are no provisions in law for a standard form for the creation of a MUD, but in its interim report to the 81st Legislature, the committee included a template for drafters of local MUD bills to follow in the 81st Regular Session. The committee will review the use and effectiveness of the template and replicating it for other types of special districts.

Compiled by TAC Legislative Staffer Paul Sugg

Interim Charges *continued on page 10*



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Law Requires Criminal Background Checks for Election Workers



By Nanette Forbes,
TAC Legislative Staff

A new section added to the Election Code in September

requires background checks for election employees who work with voting system equipment.

The 81st Legislature enacted HB 2524, which states the “general custodian of election records shall conduct a criminal background check for relevant election officials, staff, and temporary workers upon hiring.”

Glenda Denton, president of the Election Administrators Association and Rockwall County elections administrator, said that the law is an important piece of legislation.

“It provides for the security of our election equipment and processes. Most counties have some sort of background check done on an employee before they are hired. Now, a criminal one is required also,” Denton said. “Because of the importance of the right to vote, I feel voters will approve the measures the state has implemented to make sure that all elections processes are secure.”

The Secretary of State’s Office (SOS) issued an Election Advisory Opinion, No. 2009-14, to provide clarification in complying with the new law. Criminal background checks are “now required for all election officials, staff and temporary workers who are

For More Information

The SOS Elections Advisory Opinion, No. 2009-14, may be found in its entirety at www.sos.state.tx.us/elections/laws/advisory2009-14.shtml.

The full FAQ list providing clarification of the advisory opinion can be accessed at www.sos.state.tx.us/elections/laws/qa2009-14.shtml.

engaged in pre-election programming, testing and preparing of the voting system equipment for Early Voting and Election Day.”

Many counties have already been performing background checks for elections workers. The Travis County Elections Department has been doing criminal background checks for the past 12 years.

Dana DeBeauvoir, chair of the County and District Clerks Association Elections Legislative Committee and Travis County clerk, said her department does background checks in-house for all temporary and early voting employees hired, with the exception of election judges. They process about 400 workers every election.

“The bill is clarifying what has been law for many years. Most clerks or EAs have been performing these functions, at some level, routinely in their offices for years,” DeBeauvoir said.

Comal County Clerk Joy Streater said she is aware of the bill’s intent, but doesn’t think it is definitive enough.

“If it is good for part, it should be included for all poll workers. They all interact somehow with the equipment,”

Streater said.

If the county contracts with a vendor to “program, test, or perform maintenance on voting equipment prior to an election,” the county may require the vendor to provide certification that background checks have been performed on pertinent employees.

Streater and Oldham County District Clerk Becky Groneman have already received letters from their voting system vendors verifying their personnel have undergone background checks.

The SOS has prepared a “Frequently Asked Questions Pertaining to the Conduct of Criminal Background Checks Under House Bill 2524” to further clarify the election advisory opinion. Some of the frequently asked questions include the following:

- **Must criminal background checks be run on all election judges and clerks?**

Answer: Not unless such judges and clerks are engaged in pre-election programming, testing and preparing of the voting system equipment for Early Voting and

Background Checks *continued on page 7*



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Background Checks *continued from page 6*

Election Day. The Advisory specifically states that poll workers (election judges and clerks) assigned to work election voting centers or precincts are not included in the group of persons subject to criminal background checks under Section 129.051(g), Election Code.

- **Should the general custodian of election records request commissioners court to pass a resolution stating that any election judge or clerk or other elections staffer who does not pass a criminal background check will not be eligible to serve?**

Answer: Section 129.051(g), Election Code, does not require such an action. Before the general custodian of election records takes such a step, we would urge that legal advice be sought from the county attorney. Any such resolution would need to be precleared with the U.S.

Department of Justice before it could become effective as it would constitute a change in qualifications for election officials.

- **Is the information from a criminal background check confidential?**

Answer: Section 129.051(g), Election Code, does not address the issue of confidentiality. However, it is our understanding from DPS, the Texas Attorney General's Office, as well as from the Texas statutes, that such information is confidential.

Some county clerks who conduct elections and election administrators were asked their thoughts on the new requirement.

George Matthews, Victoria County Elections Administrator, said the integrity of elections is the guiding principal of every election administrator.

"Conducting fair elections with timely and accurate results is the best

way to achieve trust in the process. Trust though must be earned. One method to earn trust is knowing those responsible for preparing the election don't have a history of criminal activity. To that end having regular (yearly) background checks will alleviate some of the concerns those watching elections may have."

Allison Harbison, Shelby County Clerk, was a little more skeptical.

"This is another procedure in a long line of mandates that the clerk or election administrator has to comply with. I don't see a problem in the smaller counties where the county clerk or EA should already know who in their office has a criminal record. Integrity cannot be mandated by the state, it comes within the person elected or appointed to the position."

If you have any questions or require additional information concerning this article, contact Legislative Staffer Nanette Forbes at (800) 456-5974 or e-mail nanettef@county.org. ★

Census 2010: 10 Questions, 10 Minutes



By Tim Brown,
TAC Legislative Staff

During 2010, the Census Bureau has promised to take only 10 minutes of your time. That's one minute per question, according to the bureau's estimate of the amount of time needed to fill out its new 10-question form.

In decades past, most people received a short form of the survey while others received a much longer survey. This year's single 10-question form is one of the shortest in American history.

The Census Bureau counts the number of people in your household at a particular point in time: Census Day, April 1, 2010. The information is used for many purposes, though the one most are familiar with is redistricting for seats in Congress and the state Legislature. But redistricting also takes place at the local level to set, for example, county precinct boundaries for commissioners, constables and justices of the peace. Additionally, the information determines how more than \$400 billion dollars of federal funding per year is allocated to communities for infrastructure and services such as hospitals, roads and bridges, job training centers and emergency services.

What's on the form?

The following will provide a brief explanation of why some questions appear on the survey. The questions on the form cover the following topics:

For More Information

Visit the Census Bureau Web site at www.census.gov.

- Name
- Sex
- Age
- Date of birth
- Hispanic origin
- Race
- Household relationship
- If you own your home or rent

The census collects information on each person in the household, including name, sex, age, date of birth, Hispanic origin, race and the person's

These breakdowns are also used by economists, sociologists and many other social scientists.

Similarly, age and date of birth data are used by federal programs that target specific segments of the population, such as children or the elderly. Social Security and Medicare benefits are two widely known examples, but these data are also used by programs that target working age adults or women of child bearing age.

Although the census has asked about each person's race since 1790, the format of the question has changed over time. Beginning with the 2000 Census, every respondent was able to select more than one race. Respondents can select a single option from the 15 choices, including the ubiquitous "other" field, or any combination of those choices. In addition to being necessary for redistricting at all levels of government, this data is also used to assess

employment practices, monitor disparities in education and health, and obtain funding for public services.

Hispanic origin is one of the more recently added questions. It first appeared on the 1970 Census. The information is needed to monitor compliance with anti-discrimination laws such as the Civil Rights Act and

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relationship to the householder or head of household. Collecting names allows the Census Bureau to determine whether individuals are being counted more than once. Determining the sex of each person is important for many federal programs that distinguish between males and females. For example, certain equal employment laws require this data.

2010 Census *continued on page 17*

State Sales Tax Revenue Continues to Plummet



By Paul Emerson,
TAC State Financial Analyst

At the beginning of each month, Texas Comptroller Susan Combs releases figures on the statewide sales tax collections deposited into general revenue. The latest collection figures released were \$1.65 billion for December 2009, down 11.6 percent from December 2008. As noted in the table below, the sales tax collection has been declining for the past 11 months, starting in February 2009. An adjustment to the Biennial Revenue Estimate for 2010-2011 may be needed if the sales tax collection continues to decline at this rate throughout the year.

For the next two years, the state sales tax is projected to collect \$44.3 billion. The 6.25 percent sales tax



produces roughly 57 percent of the General Revenue-related tax and fee collections. But within the first four months (September – December) of the new budget cycle, sales tax collections

State Sales Tax Collection
(Revenue in Million)

Month	2008	2009	% change
Dec	\$1,869	\$1,653	-11.6%
Nov	\$1,983	\$1,696	-14.5%
Oct	\$1,739	\$1,517	-12.8%
Sept	\$1,682	\$1,471	-12.5%
Aug	\$2,002	\$1,752	-12.5%
July	\$1,867	\$1,651	-11.6%
June	\$1,769	\$1,571	-11.2%
May	\$1,870	\$1,773	-5.2%
April	\$1,704	\$1,652	-3.1%
March	\$1,664	\$1,582	-4.9%
Feb	\$1,796	\$1,749	-2.6%
Jan	\$1,856	\$1,928	3.9%

Source: Susan Combs, Texas Comptroller of Public Accounts

were down by \$936 million, or 12.9 percent less than collected during the same period last year. According to the Comptroller's Office, collections are down across most major sectors of the Texas economy, including oil and natural gas, construction, manufacturing and retail trade.

Observations and Possible Leading Factors Affecting the State Sales Tax Collections

- The table shows that in August 2009, the state sales tax collection increased by \$101 million from the previous month and then declined by \$281 million in September 2009. Over the years, the annual sales tax holiday weekend (Aug. 21-23)

has become very popular among shoppers, which may explain why a slight increase occurred in August 2009. This speculation comes from the fact that shoppers were projected to save \$67.5 million in state and local sales taxes during the holiday, according to a press release from the Comptroller's Office. Another lesser known tax holiday allows shoppers to purchase energy-efficient appliances tax-free during Memorial Day weekend in May. This program started in May 2008.

- The lowest reported collection occurred in November 2009, a period leading up to the Thanksgiving and Christmas holidays: a \$287 million decline or 14.5 percent drop compared to the same period in 2008.
- The Texas unemployment rate in July 2009 was 7.9 percent, and by August of the same year, the jobless rate hit 8.0 percent for the first time in 22 years. The state lost another 62,200 nonagricultural jobs in August, according to the Texas Workforce Commission.
- The trend analysis chart after the jump shows a clearer view of how the state sales tax has performed during the past two years. As noted in the chart, sales tax collection reached a high point in August and in November, while the other months show an up and down variation of the sales tax collections for the year. No definitive trends were noticeable in 2009, other than the sales tax staggering downward. All of the variations occurring are being

Sales Tax continued on page 18

Interim Charges *continued from page 5*

Charge No. 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.

During the previous session, negotiations developed around certain potentially costly bills that would have required counties and other local governments to make their financial records available to the public online. The bills mostly focused on posting check registers, but there were attempts to require the posting of additional financial records as well. It should be noted that the Comptroller has managed to post a large amount of the state's financial records online (www.window.state.tx.us/comptrol/expendlist/cashdrill.php) and has created a site on local government transparency (www.window.state.tx.us/comptrol/checkup/). See Charge 3 under Senate Committee on Government Organization for additional information.

Compiled by TAC Legislative Staffer Tim Brown

Charge No. 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.

Physician employment by public hospitals in counties of 50,000 or less was one of the most hotly contested issues of the 81st Legislative Session, evidenced by the governor's veto of HB 3485. Toward the end of the session, rural hospital physician

employment language was amended on to HB 3485, which was subsequently vetoed by the governor. In a blog post shortly after the veto, bill author Rep. Garnet Coleman (D-Houston) expressed his disappointment, saying the bill would have ensured access to physician coverage across rural Texas.

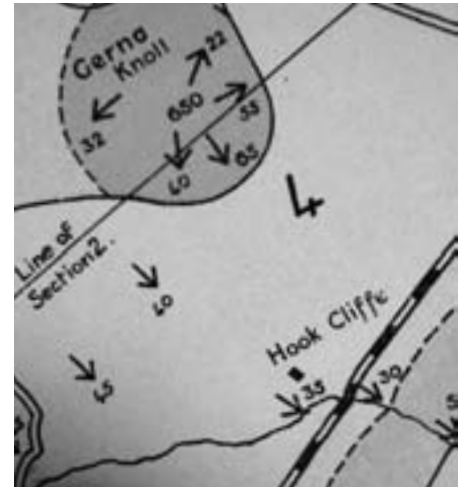
"Rural public hospitals in Texas find it more and more difficult to attract physicians to their communities and retain them. Many physicians entering practice today prefer an employee relationship, rather than having the responsibility and burden of setting up and managing a small business," Coleman said. "HB 3485 gave rural public hospitals and physicians who want to practice in rural Texas flexibility. Having the option to employ physicians would have helped rural hospitals improve and preserve access to physicians. Without physicians, these hospitals will not continue to exist."

Revisiting the issue could provide rural counties with another option for improving access to health care.

Compiled by TAC Legislative Staffer Rick Thompson

Charge No. 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.

Counties in many parts of the state continue to seek additional authority to address growth pressures. In recent sessions, this has taken the form of local option county authority



Credit: istockphoto.com

bills, allowing counties to adopt certain authorities to meet specific, local challenges.

Compiled by TAC Legislative Staffer Paul Sugg

Charge No. 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.

Over the years, some counties and cities have worked toward consolidating certain services; however, such consolidations are not necessarily one-size-fits all. This charge directs the committee to study potential state support for local government consolidations and determine any cost savings that may be achieved. The review will assess the impact on local budgets and the related policy implications that might be involved.

Compiled by TAC Legislative Staffer Paul Sugg

Interim Charges *continued on page 11*

Interim Charges *continued from page 10*

Charge No. 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.

The number of municipal management districts created by the Legislature increased significantly last session compared to those created in previous sessions, and the committee plans to review the authority granted to such districts. The committee will also review the authority granted to PIDs and ESDs and determine whether the two chapters governing ESDs (Chapters 775 and 776, Health and Safety code) should be consolidated.

Compiled by TAC Legislative Staffer Paul Sugg

Subcommittee on Flooding and Evacuation

Charge No. 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.

The committee is studying this charge in light of experience gained during recent hurricanes.



Credit: istockphoto.com

Alternative systems and technologies will be studied due to past problems getting cellular calls through overloaded networks. The committee will also strive to improve communications and the streamlining process for residents attempting to gain re-entry into their neighborhoods following a disaster.

Compiled by TAC Legislative Staffer Aurora Flores-Ortiz

Senate Committee on International Relations and Trade

Charge No. 1. Review the effectiveness of the Coordination of Colonias 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 related 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.

The 79th Legislature (2005) passed SB 1202, expanding the number of state agencies involved with colonias initiatives and directing the colonia initiatives coordinator in the Secretary of State's Office to work with these agencies and the Colonia Resident Advisory Committee to develop a state-level strategy for the needs of colonias residents. The committee will also continue to study ways to expand county authority appropriately to allow local governments to meet local needs and prevent the proliferation of substandard development.

Compiled by TAC Legislative Staffer Paul Sugg



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Interim Charges *continued on page 13*

Interim Charges *continued from page 11*

Senate Committee on Natural Resources

Charge No. 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.

According to the most recent estimates, state and local governments will need to invest \$173 billion by 2060 to meet the water, wastewater and flood control needs identified by the state water planning process. The funding of projects identified by the regional planning process and, as importantly, the cost of replacing or refitting an aging water and wastewater infrastructure is the thorniest of challenges and will be taken up by the committee to study.

Charge No. 2. Review the joint planning process for the 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 and 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.



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We rely on groundwater in this state for more than half of our water needs, making the appropriate conservation and protection of this resource an essential state and local policy goal. This is a broad charge touching on some of most significant elements of groundwater regulatory policy. One of the more pressing is the matter of desired future conditions, where the various groundwater districts in each if the groundwater management areas must find agreement on what their shared resource should look like at a determined point in the future. This is significant for all the state's major and minor aquifers but is especially

significant in those areas where pumping rates exceed recharge rates.

Charge No. 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 Texas Railroad Commission, the Texas Department of Agriculture, and the Public Utility Commission in working collaboratively to comply with the federal mandates and in meeting federal clean air standards.

Early last year, the EPA issued a proposed finding that greenhouse gases contribute to air pollution and may endanger public health or welfare. Since then, the head of the EPA has taken these official positions regarding greenhouse gases under the Clean Air Act: 1) the current and projected concentrations of the six greenhouse gases (including carbon dioxide) threaten public health and welfare of current and future generations; 2) and the combined emissions of these gases from new motor vehicles contribute to greenhouse gas pollution that threatens public health and welfare.

Interim Charges *continued on page 13*



Credit: istockphoto.com

Interim Charges *continued from page 12*

This has implications for state air quality regulation.

Natural Resources Charges Compiled by TAC Legislative Staffer Paul Sugg

Senate Committee on Transportation and Homeland Security

Charge No. 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.

Urban and suburban Texas counties continue to address the dual challenges of improving air quality and reducing traffic congestion. Reaching these goals has long-term implications not only for ensuring the flow of federal transportation funding but also for maintaining a healthy economic development climate. Exploring transportation alternatives and ensuring vehicles meet clean air standards could well help achieve those goals.

Compiled by TAC Legislative Staffer Paul Sugg

Charge No. 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.



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Maintaining clear lines of communication between TxDOT and local and regional transportation entities regarding transportation policies and projects and providing for a significant role to be played by local governments regarding the policy and projects are essential goals. Limited resources and expanding demand will continue to complicate project planning, development, and funding, requiring, more so than ever, clear communication among all parties.

Compiled by TAC Legislative Staffer Paul Sugg

Charge No. 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.

The committee is studying this charge in light of experience gained during recent hurricane evacuations. The committee will work with the Division of Emergency

Management and other agencies to study and determine how to improve the procedures for mandatory evacuations.

Compiled by TAC Legislative Staffer Aurora Flores-Ortiz

Charge No. 4. Examine the public policy implications of Comprehensive Development Agreements (CDAs) and recommend whether they should be reauthorized to construct specific roadways.

CDAs enable private development of, and in some cases, private investments in the Texas transportation system. CDAs generated considerable controversy, and their future use was significantly restricted by the Legislature. The committee will study whether they should be used in the future and to what extent.

Compiled by TAC Legislative Staffer Paul Sugg

Interim Charges *continued on page 14*

Interim Charges *continued from page 13*

Charge No. 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.

Overweight vehicles are a constant issue for many counties. Increased enforcement of overweight vehicle regulations by the state could help reduce the number of overweight vehicles on county roads and bridges.

Compiled by TAC Legislative Staffer Paul Sugg

Charge No. 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 and rides and encouraging employee flex times to relieve congested roadway segments.

Like similar charges, this will allow the committee to explore additional solutions to congestion by means other than building additional lane miles.

Compiled by TAC Legislative Staffer Paul Sugg

Charge No. 12. Study and make recommendations for legislation to inform Texans about best practices for hurricane preparation, response, and recovery, including information about the 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.

The committee will work with state agencies, counties, cities, the Division of Emergency Management and hurricane preparation organizations to find the best central locations, points for distribution of supplies and vital information during emergencies. The committee members will study the most effective ways to coordinate with local charities and corporations regarding how and where to distribute supplies. Procedures and penalties for noncompliance will be developed to address local organizations and governments that interfere with distribution efforts.

Compiled by TAC Legislative Staffer Aurora Flores-Ortiz

Senate Committee on Transportation and Homeland Security Charge No. 6 Senate Finance Committee Charge No. 9

Charge No. 6. Examine the 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.

State and local transportation funding remains one of the more challenging fiscal problems the state and local government face. In the last session the Legislature deliberated, or at least filed, a range of bills related to transportation funding, including ending the diversion of funds from the state highway fund (Fund 6), increasing the state motor fuels tax, and authorizing local governments to raise



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transportation revenue for local transportation projects.

Compiled by TAC Legislative Staffer Paul Sugg

Health & Human Services Charge No. 1 Senate State Affairs Committee Charge No. 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 healthcare policy changes and the impact to the Medicaid and CHIP programs and the state budget. Assess the impact to all state

Interim Charges *continued on page 15*

Interim Charges *continued from page 14*

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.

The federal health care overhaul legislation is looking to expand Medicaid to include coverage for more low income citizens. Ultimately, increasing eligibility would reduce the number of uninsured — Texas leads the nation with more than 6 million — allowing more opportunities for formerly uninsured citizens to seek primary health care. Without insurance, patients often go without preventative care and finally seek medical attention from the most

expensive source when their conditions worsen: emergency rooms. Emergency rooms, in many cases, are supported by local property tax dollars. With the expansion of Medicaid enrollment hospitals, hospital districts and the county indigent health care (IHC) program could see drastic drops in uncompensated care and enrollment to IHC programs, thus saving a significant amount of local property tax dollars. However, the expansion of Medicaid could cost the state of Texas up to \$2.5 billion annually. Counties should watch this charge carefully to ensure their best interests are considered when the state recommends “efficient implementation of programs.”

Compiled by TAC Legislative Staffer Rick Thompson ★



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- ★ First-rate continuing education programs that are

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- ★ This handy, county-specific calendar that highlights legal must-do's and education opportunities.

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2010 Census *continued from page 8*

the Voting Rights Act. It may be used locally to set up bilingual programs or English as a second language programs. Hispanic origin is asked as a separate question as it is considered an ethnicity, not a race.

Since 1890, the census has asked whether a respondent's home is owned or rented. This information is used as an indicator of the nation's economic health and to administer housing programs and make planning decisions.

Questions county officials are likely to receive about the census

Can I complete the survey online?

No, the survey is not available online. The Census Bureau is experimenting with this option, but for now the survey form must be completed by hand and mailed in.

I'd prefer a form in another language. How can I get a form in my preferred language?

Census forms are available in six languages: English, Spanish, Chinese (simplified), Korean, Russian and Vietnamese. English/Spanish bilingual forms will be mailed to areas with large numbers of Spanish-only households. If you do not receive a bilingual form or prefer a different language, you will be able to request a form in one of the five other languages. Those forms will be available by calling toll-free numbers that will be published closer to Census

Key Dates

March 2010 – Survey forms are mailed or delivered to households.

April 1, 2010 – Census Day. Forms should be returned by this date.

April to July 2010 – Census takers will visit households that did not return a form by mail (or returned the form late).

March 2011 – Census Bureau completes release of redistricting data to the states. Public Law (P.L.) 94-171 requires the redistricting data to be delivered to the states no later than April 1, 2011. Other data products from the 2010 Census will be released from April 2011 to September 2013.

Day. Also, Language Assistance Guides are available in 59 different languages to help people fill out the English version of the census form. You may also access large print and Braille guides and a language reference dictionary.

Of interest to many people in Texas, the U.S. Census Bureau created a Spanish language Web site about the 2010 Census: www.2010census.gov/espanol. The site's stated goal is "to inform the more than 34 million Spanish-speaking people about the 2010 Census and to demonstrate to the Hispanic community that participation is easy, important and safe." The site includes instructions for completing the survey form and videos covering the most commonly asked questions about the 2010 Census.

In addition, extra census forms, called Be Counted forms, will be made available at a variety of community locations. The extra forms will be available in all six languages and come with a postage paid envelope. The Be Counted forms are intended for use by those who do not receive a survey form or who lose their survey form.

Why does the 2010 Census include the word "Negro" as part of one of the choices for race?

Here is an excerpt from Census Bureau Director Robert M. Groves' blog on this topic: "Some of the commentary on the question comes from people offended by the term. I apologize to them. I am confident that the intent of my colleagues in using the same wording as Census 2000 was to make sure as many people as possible saw words that matched their self-identities. Full inclusiveness was the goal."

The wording under scrutiny on the 2010 survey form is "Black, African Am., or Negro." The same option was included in the 2000 Census question regarding race. Previously, in 1990, the option was "Black or Negro." The decision to include the term was controversial in the past and remains so today.

For more information, contact Tim Brown, senior analyst, County Information Project, at timb@county.org or (800) 456-5974. ★

AG Opinions Requested

RQ-0844-GA: Honorable Susan Combs, Texas State Comptroller of Public Accounts, Comptroller's implementation of article IX, section 17.10 of the 2010-11 General Appropriations Act, which directs allocations to the Rail Relocation and Improvement Fund.

RQ-0845-GA: Honorable Joe Deshotel, Chair, Business and Industry, Texas House of Representatives, authority of Spindletop Mental Health Mental Retardation Services to sell or lease certain real property and use the resulting proceeds to provide community-based health, mental health, or mental retardation services.

RQ-0847-GA: Honorable Jo Anne Bernal, El Paso County Attorney, whether the El Paso County Attorney may provide legal advice and representation to the El Paso County Ethics Commission.

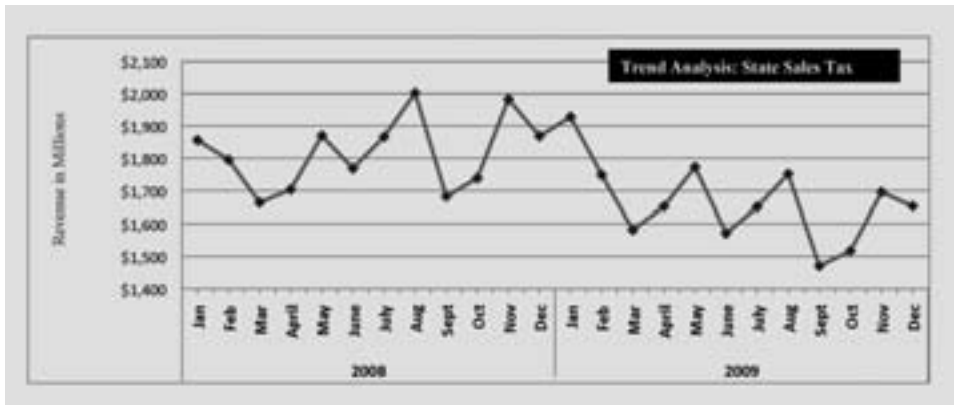
RQ-0848-GA: Hope Andrade, Texas Secretary of State, whether a deposit is required for certain local option liquor elections.

RQ-0849-GA: Honorable Bill Moore, Johnson County Attorney, potential conflicts of interest of a sheriff whose relatives act as agents of a bail bond surety.

RQ-0850-GA: Honorable Byron Cook, Chair, Environmental Regulation, Texas House of Representatives, whether a water supply corporation has the option of refusing to extend service under sections 13.2501 and 13.2502, Water Code. ■

Sales Tax

continued from page 9



precipitated by the economy. Within the first three months of 2009, the state sales tax dropped significantly — by \$346 million, which was the start of the decline.

- It will be interesting to see whether the decline will continue into the beginning of 2010. The Comptroller's Office will release the next sales tax allocation on Friday, Feb. 12. Included in the release will be how much the state collected in state sales tax for January 2010.

Impacting Local Sales Tax Revenue

The 123 counties with local sales tax jurisdiction are probably seeing similar variations as the state — declines in sales tax revenue. In addition to declining local sales tax revenue, only 98 percent of what is collected by the Comptroller's Office is remitted back to the counties. Two percent is retained by the Comptroller's Office as a service fee for collecting local sales tax from all the various business entities.

Reducing State's Spending

Due to the uncertainty of the state's overall economic future, Governor Rick Perry, Lt. Governor David Dewhurst and House Speaker Joe Straus issued a joint letter requesting state agencies to submit a plan that will identify cost savings of 5 percent from their prospective budgets. Agencies must reply to the governor's office by Feb. 15.

For more information, contact Paul Emerson, TAC State Financial Analyst, at (800) 456-5974 or paule@county.org. ★

AG Opinions Issued

GA-0750: Honorable Mark Homer, Chair, Committee on Culture, Recreation and Tourism, Texas House of Representatives, authority of a city to reacquire extraterritorial jurisdiction that it previously relinquished pursuant to chapter 42 of the Local Government Code.

Summary: While a city must generally comply with the requirements of chapter 42 of the Local Government Code when acquiring extraterritorial jurisdiction (ETJ), a determination as to whether a city complied with relevant law in the situation about which you inquire would require the application of law to a set of disputed facts. This office cannot, in an attorney general opinion, investigate and resolve disputed questions of fact or mixed questions of law and fact.

Further, this office cannot determine in an attorney general opinion, under the circumstances of your request, whether a city may validly hold ETJ property for the purpose of relinquishing it to another city once its jurisdiction lawfully extends to the tract. First, as a matter of general law, Texas courts do not look at a city's motive to determine the validity of the city's legislative acts. Second, in the particular instance about which you inquire, the resolution of the legal issues raised involve unresolved factual issues.

GA-0751: Honorable Edgar J. Garrett, Jr., Delta County Attorney, whether a county employee may legally use a county vehicle to transport a passenger who is not a county officer or employee. **Summary:** The legality of a county employee's use of county property will depend upon the facts associated with the use. This office does not resolve questions of fact in the opinion process.

GA-0752: Honorable Mark Homer, Chair, Committee on Culture, Recreation and Tourism, Texas House of Representatives, whether multiple contiguous lots may be claimed as part of a

homestead exemption under section 11.13(j) of the Tax Code. **Summary:** Section 11.13(j) of the Tax Code defines "residence homestead" for purposes of the payment of property taxes to include "a structure . . . together with the land, not to exceed 20 acres," regardless of whether any part of the property is located in a platted subdivision. If the chief appraiser finds that contiguous lots totaling less than twenty acres are being used as a residence homestead, the taxpayer is entitled to an exemption on the entire property. Whether any particular group of contiguous lots would qualify as a "residence homestead" is a question of fact.

GA-0753: Ms. Ilse Bailey, Acting Kerr County Attorney, whether a peace officer who has taken a person into custody under chapter 573 of the Health and Safety Code may be required to transport that individual to a medical facility for evaluation prior to taking that person to a mental health facility. **Summary:** An inpatient mental health facility or a mental health facility is not statutorily authorized to require a peace officer to transport a person in custody under chapter 573, Health and Safety Code, to a medical facility for a medical evaluation prior to taking that person to the mental facility.

GA-0754: Honorable Rodney Ellis, Chair, Committee on Government Organization, Texas State Senate, authority of the Governor to grant a posthumous pardon. **Summary:** The Texas Constitution does not expressly address or limit the Governor's authority to grant a posthumous pardon. While a prior attorney general opinion concluded he could not grant a posthumous pardon due to the recipient's inability to accept it, modern United States Supreme Court decisions reject the common-law acceptance requirement that formed the basis of that opinion and the underlying Texas authorities. Given this shift in

Supreme Court precedent and the Legislature's apparent recognition of this shift, we believe a Texas court would likely conclude that the Governor may grant a posthumous pardon under current Texas law, so long as all other constitutional requirements are met.

While they are persuasive authority, attorney general opinions are not binding; however, to the extent that the Governor was previously advised in an attorney general opinion that Texas law prohibited him from issuing a posthumous pardon, it was reasonable for him to rely on such advice.

Only those able to prove a concrete injury that can be redressed by the courts will have standing to challenge the Governor's decision to grant a pardon. Texas courts generally refuse to review the Governor's exercise of the pardon power so long as he operates within the constitutional restraints of that power.

We believe a court would likely conclude that the Board of Pardons and Paroles is authorized to recommend that the Governor grant a posthumous pardon.

GA-0755: Honorable Lynda K. Russell, 123rd Judicial District Attorney, Shelby County, whether a county or the state must defend a district attorney in a civil lawsuit, and whether a district attorney may use asset forfeiture funds to pay for her defense in such a suit.

Summary: A county commissioners court has no duty to provide for the defense of a district attorney pursuant to Local Government Code section 157.901. The state is not obligated to indemnify a district attorney under Texas Civil Practice and Remedies Code sections 104.001 and 104.0035. A district attorney is not authorized to utilize forfeiture funds under Code of Criminal Procedure article 59.06(c)(1) to pay for the district attorney's legal defense. ■



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From the Legislative Desk

By Carey "Buck" Boethel, Director of Governmental Relations

Consolidation Not Cost Effective

Consolidated local governments, not about saving money — Merging

local governmental entities such as counties and cities for the purpose of cutting down the

costs of doing

business is pretty much a misnomer. As a sound bite it would probably attract

some voters, but that's about as good

at it gets, unless you

are sold on the idea of using federal grant money for local government operating revenue.

In that case, the "one stop shopping" feature that comes with structural consolidation offers a preferable vantage point — it's much easier and there is less "red tape" to obtain grant awards of federal funds if there is but one local

government involved with approving, administering and maintaining the grants.

Stated another way, structural consolidation facilitates efficiency in being inefficient. Or as statesman Daniel

consequences befall innocent

bystanders, the study process is less than perfect and may vary considerably from committee to committee.

Consequently, each of the interim

charges (studies)

affecting county government must be examined and reviewed with our perspective in mind.

Accordingly,

there's always room

Webster once said, "The world is governed more by appearance than realities, so that it is fully as necessary to seem to know something as to know it."

House and Senate Interim Studies

— while serving an important ancillary function in the overall legislative effort to make sure the laws passed are well researched and no unintended

for more county officials who have an interest in serving on an ad hoc TAC committee that functions as a resource for addressing Interim Study charges. In the event you would like to serve on a TAC committee, please get in touch with CareyB@county.org or LauraN@county.org. ★

"The world is governed more by appearance than realities, so that it is fully as necessary to seem to know something as to know it."

— Daniel Webster