

Updates from Austin

Rep. Huberty Files Sand Mining Regulation Legislation to Prevent Future Flooding

State Representative Dan Huberty filed several bills aimed at mitigating future flooding along river ways and lakes in Texas by strengthening regulations on aggregate production operations (APOs), more commonly known as sand mines, in order to decrease the amount of sedimentation and siltation released into the water.

"In 2011, I passed a bill requiring sand mining operators to register with the Texas Commission on Environmental Quality (TCEQ) in an attempt to curb the amount of illegal mining along waterways. This was a great first step and has allowed TCEQ to focus on penalizing the bad operators. But recent events, like the flooding caused by Hurricane Harvey, have shown that there is still more to be done. These bills will give TCEQ more ability to enforce the regulations and provide much-needed resources for investigations," Huberty said.

The first piece of legislation, [House Bill \(HB\) 907](#), simply revisits the existing APO statute and doubles the current registration violation penalties.

Huberty's second item, [HB 908](#), increases administrative penalties for APO violations and makes site inspections more frequent. Any funds collected from these higher penalty amounts would be directed to a water resources management account under TCEQ, to cover the increased oversight responsibilities of the agency.

The third item, [HB 909](#), would require TCEQ to adopt and publish "best management practices" for APOs to model. Through the public comment process, the agency would create a system of structural, operational or vegetative practices to prevent or reduce water pollution wherever APO sites are located. "Asking all Texans from subject-matter experts to industry members and everyday residents to be involved in this process will ensure that TCEQ crafts appropriate and relevant practices," said Huberty.

Huberty added, "combined, these three simple changes will update the APO rules allowing for the good actors to continue operating without issue and provide TCEQ the ability to focus on stopping the bad ones."

Additionally, Huberty filed [HB 911](#), relating to the creation and functions of the Lake Houston Area Watershed Commission. HB 911 would form a board to streamline public communication and oversee flood control plans and projects in the entire Lake Houston area. The Commissioners would be appointed members, representing Harris, Montgomery and Liberty County Commissioner's Courts; the Cities of Houston and Humble; the boards of directors of any municipal utility districts around the Lake and two non-voting positions for a member of the San Jacinto River Authority and the Coastal Water Authority.

"Hurricane Harvey did much to highlight the multi-jurisdictional issues that Texas counties, cities and communities have faced for years. Specific to our region, the storm emphasized the lack of authority for agencies to act when it comes to Lake Houston. To clarify the roles and responsibilities of all parties when it comes to this resource, the area needs a single entity that can serve as an advocate. HB 911 will do just that," Huberty stated.

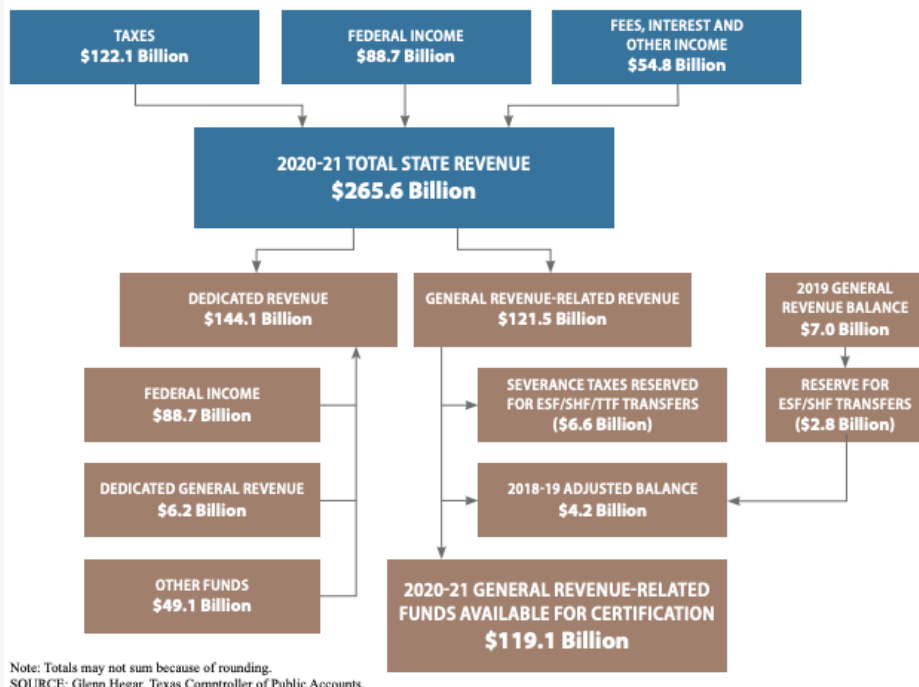
State Representative Dan Huberty has represented House District 127 since 2011. During the 85th Legislature, he was named Chairman of the House Committee on Public Education. Huberty has served on the State Affairs, Calendars, Pensions, Redistricting and Transportation Funding Committees.

TPPF: Rep. Huberty joins School Finance Panel



House Releases Draft Biennial Budget Bill

FIGURE 1
Flow of Major Revenues for the 2020-21 Biennium



General Appropriations Bills, otherwise known as the state budget, are introduced by the House and Senate at the start of the legislative session following an assessment of the legislative Appropriation Requests (LARs) submitted by state agencies over the interim and the Comptroller’s Biennial Revenue Estimate (BRE).

The Comptroller anticipates state lawmakers will have \$119.1 billion for spending over the next two-year budget cycle, which is roughly 8.1 percent more funding available compared to the last biennium.

During the 2019 regular session, the 86th Legislature will consider a budget for fiscal 2020-21, the two-year period from September 1, 2019, through August 31, 2021. On January 19, 2019, the Legislative Budget Board (LBB) released the 2020-21 General Appropriations Bill by the Texas House. [You can view the proposed bill by clicking here.](#)

The House proposes a state budget of \$115 billion in General Revenue for 2020-21, which is a six percent increase over 2018-19. The House also suggests a withdrawal of \$633 million from the Economic Stabilization Fund (Rainy Day Fund) for public school safety, Hurricane Harvey recovery, and to keep TRS-Care premiums from rising for Texas retired teachers.

Public Education

The majority of public school funding is state aid to school districts and charter schools through the Foundation School Program (FSP), which consists of \$52.6 billion in All Funds. General Revenue Funds appropriations for the FSP total \$42.0 billion, which is a \$7.4 billion increase over the last biennium. With property tax growth in mind, the House budget would increase state funds for public education by about \$7.1 billion.

Property Tax Relief

The proposed House budget dedicates \$9 billion in state revenue as an incentive for lawmakers to pass school finance reforms. These proposed funds must be used in part to provide property tax relief. A portion of this may also be dedicated to early childhood education, special education and teacher pay.

School Safety

Funding for school safety programs consists of an additional \$109.4 million in All Funds, including \$64.9 million in General Revenue Funds, \$43.6 million from the Economic Stabilization Fund, and \$0.8 million in Federal Funds at the Health and Human Services Commission and public and higher education agencies and institutions. Included in these Non-FSP programs is \$54.5 million in All Funds for the Texas Education Agency's (TEA) new Safe and Health Schools Initiative. Included in this school safety rider would be approximately \$12 million in General Revenue Funds for children's mental health programs.

TRS-Care

Retiree health insurance funding for the 2020-21 biennium totals \$1.1 billion in All Funds. Funding includes \$879.4 million in General Revenue Funds to provide a statutorily required state contribution to TRS-Care of 1.25 percent of public education payroll. Proposed funding also provides \$230.8 million greater than statutorily required amounts in Other Funds from the ESF to maintain plan year 2019 TRS-Care premiums and benefits so they do not increase for the 2020-21 biennium. Funding for TRS assumes 3.9 percent annual public education payroll growth across retirement and TRS-Care strategies and 5.6 percent annual higher education payroll growth.

With the House proposed budgets released this week, the House Appropriations Committee and its subcommittees will be referred the General Appropriations Bill and consider it in public hearing. Once it is recommended to and debated by the Full House, the House version will pass to the Texas Senate for their consideration.

Staff Highlight: Amy Peterson, Committee Director

Amy has worked with Representative Huberty since 2017 as his Director for the House Committee on Public Education. In this position, she is responsible for overseeing the movement of legislation through the committee, managing the committee office, and advising the Representative, other legislators, staff, and the public on public education issues.

Amy was born and raised in Bedford, Texas. She attended the University of Texas at Austin, earning a Bachelor of Science in Biology in 1998, and later returning to the university's School of Law, where she earned her Doctor of Jurisprudence. She is a member of the State Bar of Texas.



Amy served on the staff of the House Committee on Appropriations during the 78th and 79th legislative sessions, first as the Assistant Clerk and later as an Analyst for both the General Government and Education Subcommittees. She was promoted to Director in 2007 and served in that capacity for the 80th, 81st and 82nd sessions. For the 83rd session, she joined the staff of Comptroller Susan Combs as a Legislative Liaison. In addition to her legislative service, Amy has also served as an Assistant Attorney General in the Texas Attorney General's Office.

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Constituent Resources

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<http://www.lrl.texas.gov/genInfo/stateAgencies.cfm>

Live Updates

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