

## ***DRAFT VERSION***

November 25, 2008

The Honorable Dan Gattis  
State Representative District 20  
Post Office Box 2910  
Austin, TX 78768-2910

RE: Legislative Concerns Affecting Williamson County

Dear Representative Gattis,

As the 81st Legislative session begins, Williamson County would like to express areas of concern for our county. The Williamson County Commissioner's Court, with input from other county agencies and officials, voted unanimously to send you this list of issues and ask for your assistance with sponsoring or supporting legislation to aid the county on these matters. With your help, we can make Williamson County an even better place to reside and raise families.

### **Mental Health:**

Williamson County applauds the Texas Legislature's appropriation of \$82 million to enhance crisis services systems in Texas. We are also appreciative of the funding that was dedicated to a competitive bid process for special projects and request that this and additional funding continues for the upcoming Legislature. By being selected by the Texas Department of State Health Services, and through a remarkable partnership with community stakeholders, we have been able to open a ten-bed crisis respite center. The San Gabriel Crisis Center will allow us to stabilize and resolve a crisis situation for an individual locally, before it escalates to the point of requiring hospitalization, which will assist the state in keeping the state hospital beds available for more severely ill patients. In addition, the same facility will be used as a step-down program from the State Hospital to allow us to reduce the number of bed days. We respectfully request that this important collaborative funding continue, so programs like this once established can continue to serve the needs of Texans close to their homes, and provide an opportunity for enhancement or expansion of crisis services.

The County supports the model of Resiliency and Disease Management to promote the recovery of adults with schizophrenia, bipolar disorder, and/or major depression; we request that local mental health authorities be granted more flexibility and funding to serve people with other serious mental illnesses. We support the additional funding being requested by the Department of Health and Human Service to provide Local Mental Health Authorities additional funding for ongoing short-term care for persons who have

had crisis events, in order to prevent them from repeatedly recycling through the crisis system. Evidence proves that if people with psychiatric disorders do not receive needed help, they often decompensate to the point that they are no longer functioning members of society and incidents frequently occur involving law enforcement, resulting in incarceration which is a costly burden on taxpayers.

Williamson County requests the support of proposed "Duty to Accept" legislation that would require the State of Texas to accept prisoners who have been (1) civilly committed, (2) declared incompetent to stand trial, or (3) found guilty by reason of insanity. The State should accept these mentally ill individuals into the State Hospital System within fourteen (14) days to avoid substantial deterioration and cost that occurs in county jails when proper mental health treatment is not available. When the time in a county jail exceeds fourteen days, the State should pay counties \$150 per day to cover the extra costs associated with the mentally ill. With the dramatic increase in our population, this may require appropriations to increase the number of beds for adults, and especially children at the Austin State Hospital. By accepting this legislation, hopefully expensive litigation can be avoided, as well as providing the treatment that those suffering with mental illness need at the point of time that it is needed.

### **Transportation Funding System**

Local and State transportation projects are exponentially more costly when federal money is used on those projects due to the additional regulations associated with the federal dollars. The State of Utah has been successful in their management of the Federal Highway funds by using those funds only for maintenance projects and using state funds for construction. By doing this, their construction projects are done to State standards, thereby keeping local control of their projects and saving time and money in construction projects. We recommend the Texas Department of Transportation explore alternatives such as this to reduce the amount of FHWA regulation of State and Local projects.

### **Sunset Advisory Commission - Recommendations for TxDOT**

Williamson County was grateful for the opportunity to submit comments to the Sunset Advisory Commission on the Texas Department of Transportation (TxDOT). A copy of the letter dated July 22, 2008 is attached for your reference. We request that the recommendations for programming, project selection and implementation of goals, especially as it relates to environmental process be reviewed for possible legislative changes.

### **Municipal Utility Districts**

The Texas Water Code, Chapter 54, Section 54.242 Street Repair or Maintenance states that "A district created by general law or special act of the legislature in existence for at least 10 years *may* repair or maintain a street within the district as provided by Section 54.522. We request that Sections 54.242, 54.522 and all other sections applicable, amend the wording from "*may*" to "*shall*".

### **Overweight Trucking Permits**

Trucking companies currently are able to purchase an oversize/overweight permit on-line from the Texas Department of Transportation. These permits are relatively inexpensive and allow a company to operate vehicles up to 15% overweight on any county, city or state roadway, excluding interstate highways. Non-agricultural companies are required to have a \$15,000 bond for the company on file, and can select a permit that is issued for one year. Permits can be for either one to five counties (\$255) or 6 to 20 counties (\$330). For a one to five county permit, there is a \$175 county fee that is divided equally among the permit counties listed, or \$35/year for five counties. Once permitted, trucks can operate on county roadways that are not designed for heavy loads, causing extensive damage that cannot be repaired for \$35.00. The \$15,000 bond would also not cover the damage, but is rarely collected on as their must be proof that the damage could not have been caused by any other vehicle.

Previously, overweight permits for county roadways were sold locally through the affected county. This allowed counties to set the bond for possible damage to the roadways which was approved by Commissioners Courts. In addition, this process allowed counties to have more control over the "best and safest" routes that should be used by companies. The current system takes away county control and leaves the taxpayers with poor roadways, or the costly burden of repair. We suggest allowing county control of overweight permits, or in the very least, requiring input from affected counties on their objections before a permit is issued. We also suggest that bonding amounts be raised to sufficiently cover repairs to roadways when necessary.

### **Emergency Service District (ESD) Board Appointments**

Under current legislation, the Commissioners Court in each county are responsible for appointing members to local ESD boards of directors. We request that the wording of the legislation be amended so that the Commissioners Court continues to appoint the ESD members, but to recognize that the members serve at "the pleasure of the Commissioner Court".

### **Appropriations to the Texas Recreation & Parks Account**

We request the passage of legislation maximizing the use of revenue from the sporting goods sales tax to increase funding for parks and recreation programs for both Local and State parks and that all TRPA funded park projects are subject to the established TPWD competitive scoring system.

The Texas Parks & Wildlife Department ("TPWD") administers the Texas Recreation & Parks Account Local Park Grant Program ("TRPA") and manages 93 State parks and historical sites in Texas. TPWD has a separate account in their general revenue fund referred to as the TRPA for the purpose of providing matching grants to political subdivisions for parks and recreation projects. The matching grants provided by the

TPWD are utilized for the planning, acquisition, and development of local parks, recreation and open space areas to be owned and maintained by political subdivisions. Funds granted to political subdivisions under the TRPA guidelines have funded 1,495 projects of the 2,913 submitted over 29 years delivering over \$792 million dollars to the local Texas economy. Political subdivisions throughout the State of Texas depend on grants from TPWD through the TRPA to stimulate the acquisition and development of parks and recreational areas for the benefit and enjoyment of their citizenry.

The maintenance and improvements of State park and historic sites and the addition of new parks is a priority to Texans due to the State's expanding population and extensive tourism industry. Also current economic times indicate that Texans are taking "staycations" utilizing state and local parks even more. The development of parks encourages and promotes public health, economic development, job creation, education; corporate relocations, an improved quality of life, and juvenile crime prevention.

We request the passage of legislation maximizing the use of revenue from the sporting goods sales tax to increase funding for parks and recreation programs for both Local and State parks and that all TRPA funded park projects to be subject to the established TPWD competitive scoring system.

#### **Revisions and Renewal of the Low Income Repair Assistance Program. (SB 12)**

Senate Bill 12 provided enhanced assistance for low and moderate income Texans in participating program areas to repair or replace older vehicles. The purpose of the Low Income Repair Assistance

Program (LIRAP) was to assist non-attainment and marginal attainment areas in meeting Environmental Protection Agency (EPA) mandated levels for emissions, particularly ground level ozone.

Williamson County approved participation in the LIRAP program in March 2004. Since that time hundreds of county residents as well as thousands of fellow Texans in other program areas have received assistance to repair vehicles that do not meet the emission guidelines or to receive vouchers to help replace high emission vehicles with cleaner, lower emission vehicles. Under SB 12 Williamson County received in excess of \$1.1 million for the repair and replacement program and received over \$300,000 in Local Initiative Program grants to further enhance clean air programs.

Enhanced clean air programs will be of great importance in future years. During 2008 EPA proposed new 8-hour ozone standard. The presumptive boundary for the new standard is the Metropolitan Statistical Area (MSA), which includes Williamson County. For the three-year period 2006 – 2008 the MSA is currently monitoring a design value of 76 parts per billion of ozone, which would put us over the new standard. Continuing the LIRAP program will help Williamson County in meeting the future air quality design standard.

SB 12 will be reviewed during the 81<sup>st</sup> Legislative Session for renewal and for modifications to the bill language to improve and streamline program delivery. The Williamson County Commissioner's Court supports renewal and bill language cleanup to streamline and enhance the LIRAP program.

Thank you for your attention to these matters of concern for Williamson County. Please feel free to contact us should you need additional information. We will be contacting you soon so that representatives of the commissioner's court can meet with you to discuss these issues. In the meantime, please feel free to contact me should you need additional information.

Sincerely,

Dan A. Gattis  
Williamson County Judge