



2015 Legislative Priorities

The Three Es: Energy, Environment and Ethics

Our mission is to be the most effective advocates for the environment and its citizens against government and corporate irresponsibility.



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Public Citizen's Top Ten Texas Legislative Victories: 1984 to 2014

1. Texas Lemon Law
2. Medical Patient Bill of Rights
3. Ethics Reforms
4. Insurance Reforms
5. State Office of Administrative Hearings (SOAH)
6. Consumer Protections in Electric Deregulation
7. 50% Reduction in East Texas Power Plant Smog Pollution in Electric Deregulation
8. Renewable Energy Portfolio Standard, resulting in creation of over 100,000 wind jobs
9. Competitive Renewable Energy Zones (CREZ)
10. Texas Emissions Reduction Plan (TERP)

Develop Energy for the Future and Create Jobs

Texas should develop an energy plan that will lead to job creation and pollution reduction:

- Develop energy storage programs to improve reliability and reduce pollution.
- Oppose a bailout for most polluting old coal-fired power plants.
- Ensure that those participating in the electric grid operator's demand response programs are fairly compensated.
- Increase electric reserves by increasing conservation.
- Ensure State Energy Conservation Office (SECO) adopts the newest Building Energy Code every three years if it will save residents money.
- Protect homeowners' rights to put solar on their homes by clarifying allowable standards for homeowners associations and applying those same standards to developers.



Protect Private Property from Takings for Private Gain

Texas should ensure that new pipelines and reservoirs are really in the public interest, that citizens have an opportunity for due process before their property rights are taken, and that citizens' rights to privacy and enjoyment of their property are

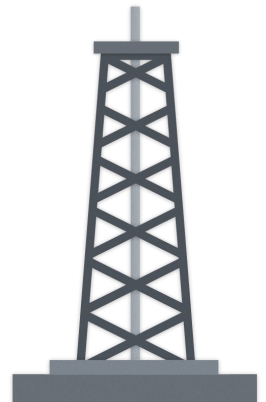
- NOTICE: Provide landowners and neighbors notice of application of the use of eminent domain in a timely manner.
- PROOF: Establish standards for proof that the applicant is really a common carrier.
- RIGHT TO COMMENT: Ensure public comments are considered and responded to prior to the issuance of any permit or order of eminent domain.
- FAIR AND IMPARTIAL HEARINGS: Ensure that there are fair hearings in front of an independent agency, such as the State Office for Administrative Hearings (SOAH) in the county where the condemnation is occurring.
- Counties and municipalities should have the right to ensure quality of life for their citizens by instituting reasonable restrictions.
- Local governments and citizens should have the right to pursue enforcement actions against polluters in their jurisdictions and have standing to participate in environmental permit decisions and contested case hearings in front of SOAH.

**No Eminent
Domain for
Private Gain**

Hydraulic Fracturing and Oil and Gas Production

Developing oil and gas shales with fracking has grown the Texas economy, but the boom comes with high costs in destroyed roads, increased health care costs, polluted air and water and contaminated pasture lands. Needed changes include:

- Reduce waste by controlling venting and flaring.
 - Reduce flaring and venting by ensuring pipelines are in place before fracking a well.
 - Use infrared cameras or satellite images to assess leaks from wells, pipelines, compressors and storage tanks.
- Enforcement:
 - Raise the maximum fine to \$25,000, plus forfeiture of economic benefit for violating air or water pollution laws.
 - Hire enough inspectors to meet or exceed the national average ratio of inspectors to wells.
- Water consumption and protection:
 - Require or incentivize use of brackish water for fracking.
 - To prevent illegal dumping, require “cradle to grave” reporting of fracking wastes.
 - Allow groundwater conservation districts to challenge waste disposal permits if disposal could impact groundwater.
 - Prohibit the use of diesel for fracking.



Citizen's Right to Know about Toxins & Explosives in Neighborhoods

Texas leads the nation in the production, use and disposal of dangerous products and toxic wastes. More needs to be done to protect the public:

- Require the Texas Department of Health and Human Services (TDHHS) to disclose hazards so that people can make informed decisions about where they live and work. Remove the exemption in the Freedom of Information Act that prevents the TDHHS from releasing information about where dangerous chemicals are stored. This information can already be found online and in the yellow pages.
- Give the public rapid and effective notices during toxic releases or explosions via a reverse 911 system, like amber alerts.
- Provide the Local Emergency Planning Committees (LEPC) information and funding so they can ensure emergency responders have training and equipment to deal with an accident, should one occur.



Texas Emissions Reduction Plan

The Texas Emissions Reduction Plan (TERP) is the most cost-effective way to reduce mobile source air pollution and comply with current and anticipated new federal ozone standards. Failing to promptly comply with the ozone standard has a negative impact on public health and can have significant negative ramifications for economic development, funding for transportation projects, and the growth of Texas.

- **FULL FUNDING:** Allocate \$1 billion held in reserve to be used for TERP projects over the next 5 years, in addition to fully utilizing the \$200 million annual allocation.
- Clarify use of TERP for fracking area for diesel trucks and diesel motors.
- Target TERP funds for port equipment and short-haul trucks in ports.



Radioactive Waste

The Legislature should protect Texas residents and business from radioactive hazards:

- Oppose expansion of radioactive waste importation.
- Require random independent inspections at any radioactive waste dumps.
- Require the Health Department to designate transportation routes.
- Increase financial assurance required to be set aside for cleanup in the case of accidents.
- Examine threat of terrorist attacks during transportation.



Ethics

- Strengthen Ethics Commission enforcement
- Improve conflict of interest standards
- Improve disclosures
- Require random audits
- Streamline and simplify ethics reporting
- Require online lobbyists to register
- Require reporting of “dark money” from corporations or political non-profit.
- Eliminate corporate contributions by passing a resolution calling for a constitutional amendment to repeal the *Citizens United* Supreme Court ruling.

To view information on issues we are currently working on:

www.texasvox.org – Public Citizen’s Texas Office’s Blog

www.texasnuclearsafety.org – Radioactive Waste

www.cleanenergyfortexas.org – Energy Efficiency, Renewable Energy and Energy Storage

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