



Legislators turned 'green' corner

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AUSTIN — The Legislature made it easier for Texans to recycle their old computers, replace polluting old clunkers and save money on energy-efficient appliances.

While putting the onus on consumers to improve their state's environment, it was business as usual for the industries that spew toxics into the air.

There was unprecedented momentum going into the session, with proposals for new coal plants stirring citizen concern. A record number of bills were filed to address air pollution and global warming, but most of those bills died without ever getting a legislative hearing.

"The Legislature kept in place the plan to allow for increased emissions from new coal plants and continued releases of toxics from industrial plants," said Cyrus Reed, a lobbyist with the Lone Star chapter of the Sierra Club.

Lawmakers did significantly increase funding for programs to reduce vehicle emissions in urban areas that fail to meet federal air quality standards. But they declined to put a moratorium on new coal plants or require regulation of cancer-causing chemicals released into the air.

Despite the disappointment, environmental groups and lawmakers from both parties believe the 2007 session was a turning point for environmental legislation. A bipartisan House clean air caucus grew to 62 members, and environmental activists said for the first time they got to spend their time trying to pass good bills instead of fighting bad ones.

Rep. Dwayne Bohac, R-Houston, said he was disappointed that the Legislature didn't give state and local officials more power to regulate air quality. He introduced bills to eliminate the tax on ethanol-blended fuel and provide subsidies for the purchase of hybrid cars and solar panels. Both were left pending in committee.

He admits he's "ahead of the curve" as a Republican who sees the need to balance job growth with protecting the environment.

"It just makes sense that people get to breathe clean air," he said. "For me being a conservative means being a conservative with nature as well as conserving tax dollars."

The Texas Association of Manufacturers opposed a bill by Sen. Mario Gallegos, D-Houston, that would have required state regulators to hold public meetings to inform affected communities about areas on the agency's toxic watch list.

The manufacturers opposed proposals that would interfere with successful statewide efforts to reduce air emissions or were redundant to existing law, said Tony Bennett, chairman of the association.

Bills

Passed*

- House Bill 3693: Incentives for energy efficiency, including Memorial Day sales tax holiday on electricity-saving appliances
- Senate Bill 12: Aims to remove 50,000 older polluting cars through financial subsidies for new vehicle purchases
- House Bill 2714: Computer makers selling in Texas must set up free recycling programs

Failed

- Senate Bill 1924: State regulators would hold public meetings in areas on a toxic air watch list
- House Bill 440: Establish health risk

"For example, the Texas Commission on Environmental Quality already has the authority and is doing an outstanding job of compiling and posting an online air pollution watch list and monitoring sites. We were concerned that SB 1924 reduced the flexibility TCEQ has to continue this progress," he said.

Business groups did support Senate Bill 12, which expands a program that allows a family of four earning up to \$60,000 annually to qualify for subsidies to replace older, polluting vehicles. The state budget also boosts funding to retrofit diesel engines.

House Environmental Regulation Chairman Dennis Bonnen, R-Angleton, said he thinks it's appropriate to focus on mobile sources of pollution since industry has reduced its ozone-causing emissions by 80 percent.

"The state of Texas has had greater emission reductions than any state in the nation," he said.

Bonnen also authored a bill that would put Texas at the forefront of states working to keep "e-waste" out of landfills under a bill on Gov. Rick Perry's desk. More than a dozen activists rallied at the Governor's Mansion on Thursday to deliver 750 letters urging Perry to sign House Bill 2714.

The bill would require computer manufacturers selling in Texas to establish free and convenient programs to collect and recycle their brand of desktops, laptops and monitors. Retailers would be allowed to sell only brands that establish recovery programs.

Robin Schneider of Texas Campaign for the Environment said similar bills had been introduced in the previous two sessions but were lacking support from computer manufacturers. So the Austin-based group put pressure on hometown company Dell.

"We did our best to be Michael Dell's worst nightmare," she said. "We knew that to pass legislation in Texas we needed to have business support."

Dell took the lead in offering consumer recycling, and Hewlett-Packard soon followed. They supported the legislation to make sure other companies that wanted to sell in Texas had to follow the same guidelines.

A coalition of business and environmental groups also was key to progress on energy efficiency and renewable energy. Rep. Joe Straus, R-San Antonio, said while other lawmakers were battling over proposed coal plants, his group was working on measures to decrease the demand for electricity.

"This was a carefully negotiated bill that wasn't so negotiated as to make it meaningless," said Straus, who describes House Bill 3693 as "more carrot than stick."

It would raise energy efficiency goals for electric utilities and require municipally owned utilities like San Antonio's CPS Energy to participate in energy efficiency programs.

The bill would require the use of more energy efficient lighting, equipment and appliances in government buildings. Home or small-business owners who generate solar energy could sell the excess.

A Memorial Day sales tax holiday on Energy Star-qualified air conditioners and appliances is an important feature, Straus said.

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Online at: <http://www.mysanantonio.com/news/environment/stories/MYSA060407.06A.green.3404cbe.html>

standards for exposure to toxic air

- Senate Bill 1687: Environmental agency would be required to come up with cost-effective strategies to address global warming

- House Bill 1335: 10 percent rebate on the sales price of any vehicle that averages 44 miles per gallon.

** Awaiting action by governor*