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LSG Floor Report For Major State Calendar – Thursday, April 4, 2019

<p>HB 1422 By: Paddie</p>	<p>Relating to the continuation and functions of the Texas Historical Commission.</p>	<p>Culture, Recreation & Tourism</p> <p>Vote: <input type="radio"/> Ayes, <input type="radio"/> Nays, <input type="radio"/> PNV, <input type="radio"/> Absent</p>	<p>CSHB 1422 is the sunset bill for the Texas Historical Commission (THC). The THC preserves and protects 22 historic sites and cultural resources for the educational, recreational and economic benefit to the state.</p> <p>HB 1422 would extend the THC for 12 more years through September 2031 in addition to the following items in response to the above recommendations:</p> <ul style="list-style-type: none"> • Allow the THC to delegate authority to the executive director to perform duties or exercise the power of the commission • Establish the Texas Heritage Trails program and rules in statute, along with provision for contracting with nonprofits • Abolish the Texas Courthouse Preservation Program and Commission, as well as the advisory board associated with the Preservation Trust Account • Authorize agencies to sell removed items through the State Surplus Property Program; proceeds deposited into dedicated account in General Revenue for care and preservation of agency's curatorial collection and subject to funds consolidation review • Amend the training manual and training requirements of agency's commission members to explicitly include information regarding applicable laws, operations and scope of authority as well as require documentation of acknowledgment of receipt of materials by each member. <p>Most notably, the bill also provides for the transfer of the following historic sites from the TPWD to THC: (1) Fanthorp Inn State Historic Site; (2) Lipantitlan State Historic Site; (3) Monument Hill and Kreische Brewery State Historic Sites and Park; (4) Port Isabel Lighthouse State Historical Monument; (5) San Jacinto Battleground State Historic Site; and (6) Washington-on-the-Brazos State Historic Site. This section comes with a provision for TPWD to retain legal title to the San Jacinto Battleground in anticipation of a pending grant; this provision expires the earlier of either the application denial, or September 2021.</p> <p>With consideration of increased operations costs with the transfer of sites, the bill also amends the Tax Code regarding maximum Sporting Goods Sales Tax allocation for TPWD/THC from the current 94%/6% split respectfully to a 93.4%/6.6% split to accommodate the increased capacity of THC.</p>	<p>Favorable Evaluated by: Eli Davis (713) 855-3285 Eli@TexasLSG.org</p>
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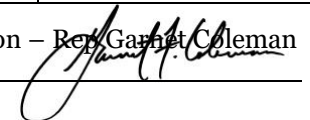
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<p>HB 1311 By: Thompson, Senfronia Flynn Lambert Paddie Nevárez</p>	<p>Relating to the continuation and functions of the Texas Board of Professional Geoscientists.</p>	<p>Licensing & Administrative Procedures</p> <p>Vote: 8 Ayes 0 Nays 0 PNV 3 Absent</p>	<p>HB 1311 is the sunset bill for the Texas Board of Professional Geoscientists. The board that is responsible for the field of license geoscientists, who study the earth sciences. The board is currently responsible for:</p> <ul style="list-style-type: none"> • Licensing geoscientists, registering geoscientists-in-training and geoscience firms • Investigating and resolving complaints, taking disciplinary action when necessary to enforce the boards statute and rules • And conducting outreach and education events for the public and informing other state agencies on how to report any wrong doings to the board. <p>HB 1311 would extend the Texas Board of Professional Geoscientists for another 6 years until 2025 and establishes the following Sunset Commission recommendations:</p> <ul style="list-style-type: none"> • Continue the board of professional geoscientists for 6 years until 2025. • Board should begin a wind-down process to abolish the board by 2025 • Board should allocate funds for one FTE for administrative wind-down activities • Eliminate the statutory notarization requirement for applicants of a geoscientist license • Eliminate the letter of reference requirement for applicants of a geoscientist license (this is a management action not statutory) • Discontinue geoscience firm registration (this is a management action not statutory) • Increase the administrative penalty from \$100 to \$1500 per day of violation • Discontinue routinely opening unlicensed public practice complaints against expired license holders who fail to renew their license (this is a management action not statutory) • Direct the board to develop policies dismissing complaints by staff unless circumstances require board involvement (this is a management action not statutory) • Board should publish its penalty matrix on its website (this is a management action not statutory) • Governor should appoint the boards presiding officer • Agency should develop a training manual that each board member receives to attest for boards procedures • Board should provide alternative dispute resolutions <p>HB 1311 addresses every Sunset Commission recommendation by taking into account the sunset report and makes respective changes in the occupations code.</p> <p>However, HB 1311 does deviate from the sunset commission’s recommendations and does not begin the wind down process to abolish the board by 2525 and does not allocate resources for one FTE to assist with the wind-down process. The bill does not outline requirements to discontinue firm registrations and does not publish the penalty matrix online although these recommendations are management actions and are not statutory recommendations.</p> <p>Through these changes, the Texas Board of Professional Geoscientists would remain as the head board and also be able to add guidelines for the board to follow. The provisions of the bill would allow for the field of Geoscience to have oversight and extend the board until 2025.</p>	<p>Favorable Evaluated by: Santiago Cirnigliaro (713) 435-9049 Santiago@TexasLSG.org</p>
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<p>HB 1326 By: Flynn Thompson, Senfronia Paddie Lambert Nevárez</p>	<p>Relating to the continuation and functions of the Texas Military Department.</p>	<p>Defense & Veterans' Affairs</p> <p>Vote: 6 Ayes 1 Nays 0 PNV 1 Absent</p>	<p>HB 1326 is a sunset bill for the Texas Military Department (TMD). The TMD is responsible for the Texas Military Forces (Texas Army National Guard, Texas Air National Guard, and Texas State Guard) and civilian administrative support for those forces. With support of the National Guard Bureau and Department of Defense, TMD provides military forces ready to support local, state, and federal missions domestically and overseas when needed.</p> <p>The TMD currently oversees:</p> <ul style="list-style-type: none"> • Training, preparedness, and readiness of the Texas Military Forces for <i>all</i> operations including disaster efforts. • Supports state and local programs including border security, counterdrug, and public health matters. • Acquires and maintains Army National Guard facilities (armories, training sites, etc.) <p>HB 1326 would continue the TMD for 12 years, defines the duties of the adjutant general including all administrative duties of the department and compliance with state regulations. This includes a title change from “executive director” to the “director of state administration” and defines this position as a senior-level appointed by the adjutant general. Language also authorizes the adjutant general to specify and outline the director of state administration’s duties to include evaluating procedures of state employees and daily administration of the state support operations. The sunset review has confirmed this is a change of title and not a change of duty to the formally named executive director position, so there is no loss of civilian voice in the TMD management. National Guard Bureau has already pulled funding and shut down the Sheffield Campus and to address the targeting of tuition assistance the TMD has already begun targeting those who are working towards degrees that would benefit the TMD to increase retention.</p> <p>HB 1326 makes the following recommendations regarding the efficiency and practices of the agency overall (all were Sunset Commission recommendations):</p> <ol style="list-style-type: none"> 1) Regarding state focus among Federal priorities: <ul style="list-style-type: none"> • The continuation of the TMD, clarification of the Adjutant General’s duties, strengthening internal oversight, and improve supervision and support of state employees. • This recommendation would help the TMD to ensure state requirements are not lost beneath pressing federal or military concerns. 2) Regarding Management tools and Purchasing Problems: <ul style="list-style-type: none"> • Improving plan and implementation of purchasing policy changes including scheduling and updates based on risk. Ensure all staff have information needed to carry out duties. • Tracking and reporting of performance of the purchasing process • Development of process for programs to share information about timelines and prioritization of purchasing across departments. 3) Regarding support and directing State Guard: <ul style="list-style-type: none"> • TMD will evaluate State Guard missions and create strategies to support program and state interests. • Provide State Guard members with access to department’s ombudsman to voice concerns. 4) Regarding the Challenge Academy’s Sheffield Campus <ul style="list-style-type: none"> • Campus has been found to be ineffective at maintain both staff and students at risk. It has been designated for relocation to preserve the vitality of the program and to better serve the public. • Regardless if relocation is achieved, Sheffield Campus will be closed by March 2020. • Regarding Tuition Assistance 	<p>Favorable, with Concerns Evaluated by: Elizabeth Churaman (281)-686-4544 elizabeth@texaslsg.org</p>
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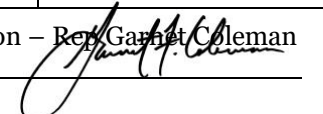


- Update goals for use of tuition benefits and measure performance of benefits.
- To update informational material that is provided to potential applicants and recruiters regarding state tuition benefits.

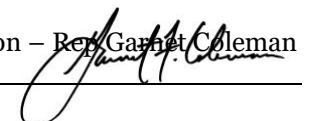
LSG Floor Report For General State Calendar – Thursday, April 4, 2019

<p>HB 1286 By: Smithee Guillen</p>	<p>Relating to establishing a guardianship abuse, fraud, and exploitation deterrence program.</p>	<p>Judiciary & Civil Jurisprudence</p> <p>Vote: 9 Ayes, 0 Nays, 0 PNV, 0 Absent</p>	<p>Guardianship is one of the most restrictive positions an elderly person can be put in. The elderly lose their capacity to choose their residence and lose the capacity to manage their own finances. When a person reaches this stage, the Office of Court Administration chooses a court for the most extreme cases and then a guardian is chosen by that court in order to assist the elderly with their residence and managing their finances. The court provides oversight to avoid abuse by the guardians and the guardians are then responsible on providing reports to the courts on their care towards the elderly. However, 244 counties do not have the resources to track all the guardianship cases within their jurisdiction and have found that abuse occurs at high rates.</p> <p>HB 1286 aims to address these concerns by creating and maintaining a guardianship abuse, fraud, and exploitation deterrence program. The program must be designed to provide additional resources to the courts who have jurisdiction over these guardianship cases and will also focus on counties who do not have probate courts that can keep track of the guardianship cases. The program will keep an online database of guardianship cases as well as engage guardianship compliance specialists who review the wards as well as deficiencies by guardians towards the wards. The guardianship specialists will also complete annual audits to provide to the court detailing the findings on the guardians they oversee.</p> <p>The state will provide resources to the OCA in order to assist with the program. HB 1286 does come with a fiscal note of \$5,941,638 over the biennium.</p>	<p>Favorable Evaluated by: Santiago Cirnigliaro (713) 435-9049 Santiago@TexasLSG.org</p>
<p>HB 833 By: Hernandez</p>	<p>Relating to the creation of a statewide alert system for missing military members.</p>	<p>Defense & Veterans' Affairs</p> <p>Vote: 6 Ayes, 1 Nays, 0 PNV, 1 Absent</p>	<p>HB 833 would create a 'camo alert' system, like amber alerts, that would assist the public in locating missing veterans. The camo alert system would be used for missing veterans with a medical diagnosis of Post-Traumatic Stress Disorder (PTSD) or Traumatic Brain Injury (TBI). The alert system would be used if it is determined that the military members disappearance would threaten their health and safety, or that of another person. There were some concerns that with the criteria relating to the use of the camo alert system there would be a breach of privacy for the military in which the alert pertained to regarding medical diagnosis. No fiscal impact was reported by the LBB.</p>	<p>Favorable Evaluated by: Elizabeth Churaman (281)-686-4544 elizabeth@texaslsg.org</p>
<p>HB 1595 By: Paddie</p>	<p>Relating to the deployment of advanced metering and meter information networks in certain areas outside of ERCOT.</p>	<p>State Affairs</p> <p>Vote: 11 Ayes, 0 Nays, 0 PNV, 2 Absent</p>	<p>HB 1595 seeks to explicitly authorize certain non-ERCOT electric utilities, such as Southwestern Electric Power Company (SWEPCO) to be able to recover costs associated with the deployment of Advanced Metering Infrastructure (AMI). The benefits of transitioning to advanced metering are will provide new online tools for customers to review energy usage and to have access better information about their accounts and billing services. It will also give SWEPCO real-time picture of the power grid and how it is operating, to quickly identify outages which will lead to quicker response times, and to be able to identify problems before they occur.</p> <p>HB 1595 will require SWEPCO to:</p>	<p>Favorable Evaluated by: Merci Mohagheghi (713) 382-7007 Merci@TexasLSG.org</p>

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			<ul style="list-style-type: none"> • Ensure that any deployment plan approved under the bill’s provisions and any related customer surcharge are not applicable to customer accounts that receive service at transmission voltage. • That the plan approved is consistent with PUC rules related to advanced metering systems regarding customer protections. • Allow customers to opt out of advanced metering. • Deploy the network of advanced metering as rapidly as practicable to allow customers to better manage energy use and control costs. 	
<p>HB 986 By: Price King, Ken Springer Frullo Burrows</p>	<p>Relating to the deployment of advanced metering and meter information networks by certain non-ERCOT utilities.</p>	<p>State Affairs</p> <p>Vote: 11 Ayes, 0 Nays, 0 PNV, 2 Absent</p>	<p>HB 986 seeks to explicitly authorize certain non-ERCOT electric utilities, such as Xcel Energy’s Southwestern Public Service Company (SPS) to be able to recover costs associated with the deployment of Advanced Metering Infrastructure (AMI). The benefits of transitioning to advanced metering are will provide new online tools for customers to review energy usage and to have access better information about their accounts and billing services. It will also give SPS real-time picture of the power grid and how it is operating, to quickly identify outages which will lead to quicker response times, and to be able to identify problems before they occur.</p> <p>HB 986 will require SPS to:</p> <ul style="list-style-type: none"> • Ensure that any deployment plan approved under the bill’s provisions and any related customer surcharge are not applicable to customer accounts that receive service at transmission voltage. • That the plan approved is consistent with PUC rules related to advanced metering systems regarding customer protections. • Allow customers to opt out of advanced metering. • Deploy the network of advanced metering as rapidly as practicable to allow customers to better manage energy use and control costs. 	<p>Favorable Evaluated by: Merci Mohagheghi (713) 382-7007 Merci@TexasLSG.org</p>
<p>HB 853 By: Moody González, Mary Blanco Ortega Fierro</p>	<p>Relating to the deployment of advanced metering and meter information networks in certain areas outside of ERCOT.</p>	<p>State Affairs</p> <p>Vote: 11 Ayes, 0 Nays, 0 PNV, 2 Absent</p>	<p>HB 853 seeks to explicitly authorize certain non-ERCOT electric utilities, such as El Paso Electric to be able to recover costs associated with the deployment of Advanced Metering Infrastructure (AMI). The benefits of transitioning to advanced metering are will provide new online tools for customers to review energy usage and to have access better information about their accounts and billing services. It will also give El Paso Electric real-time picture of the power grid and how it is operating, to quickly identify outages which will lead to quicker response times, and to be able to identify problems before they occur.</p> <p>HB 853 will require El Paso Electric to:</p> <ul style="list-style-type: none"> • Ensure that any deployment plan approved under the bill’s provisions and any related customer surcharge are not applicable to customer accounts that receive service at transmission voltage. • That the plan approved is consistent with PUC rules related to advanced metering systems regarding customer protections. • Allow customers to opt out of advanced metering. • Deploy the network of advanced metering as rapidly as practicable to allow customers to better manage energy use and control costs. 	<p>Favorable Evaluated by: Merci Mohagheghi (713) 382-7007 Merci@TexasLSG.org</p>



<p>HB 1397 By: Phelan Metcalf Paddie Price Moody</p>	<p>Relating to the establishment of rates for certain non-ERCOT utilities.</p>	<p>State Affairs</p> <p>Vote: 11 Ayes, 0 Nays, 0 PNV, 2 Absent</p>	<p>HB 1397 will extend the Utilities Code effective date of certain rate provisions for non-Electric Reliability Council of Texas (ERCOT) from 2023 to 2031. HB 1397 will also assist in recovering generation investment, and reduce regulatory lag, caused by an outdated model, by authorizing only electric utility that is operating outside of ERCOT to file an application for recovery of generation-related costs through a rate rider. HB 1397 authorizes such an application to be filed and approved by the Public Utility Commission (PUC) before the generation facilities are placed in service. HB 1397 is a permissive bill, and the PUC will still retain full discretion to disregard any rider applications.</p> <p>Any rider approved will be required:</p> <ul style="list-style-type: none"> To take effect on the date the power generation investment begins providing service to the electric utility's customers. If an incremental generational investment exceeds \$200 million, the electric utility will also have to file a comprehensive base rate proceeding within 18 months of the implementation of the ride. To account for changes in the number of customers and the effects that energy consumption and energy demands have on the amount of revenue recovered through the base rates. <p>The PUC will have rulemaking authority to implement these provisions.</p>	<p>Favorable Evaluated by: Merci Mohagheghi (713) 382-7007 Merci@TexasLSG.org</p>
<p>HB 1628 By: Morrison</p>	<p>Relating to the authority of coastal counties to adopt certain rules for island parks, beach parks, and public beaches; creating a criminal offense.</p>	<p>Culture, Recreation & Tourism</p> <p>Vote: 9 Ayes, 0 Nays, 0 PNV, 0 Absent</p>	<p>This bill would authorize Brazoria County to establish rules regarding camping, access, resource protection and waste disposal at beach or island parks.</p> <p>Brazoria County has seen a dramatic increase in park use, particularly camping and inhabiting for indeterminate periods of time, without the ability to limit or enforce negligent or malicious use of public space. Subsequently, it would make any violation of these rules a Class C misdemeanor.</p>	<p>Favorable Evaluated by: Eli Davis (713) 855-3285 Eli@TexasLSG.org</p>
<p>HB 1872 By: Goldman</p>	<p>Relating to public access to certain information included on personal financial statements filed by county judicial officers.</p>	<p>Judiciary & Civil Jurisprudence</p> <p>Vote: 9 Ayes, 0 Nays, 0 PNV, 0 Absent</p>	<p>Currently, judges can file their personal financial statements with their county clerk or with the Texas Ethics Commission. If they choose to file with the Texas Ethics Commission, the judges home address and dependents names are automatically redacted from the file since it is public record. However, if they choose to file with their county clerk, only the name of their children can be redacted upon a case of public disclosure request. This leaves their home address made public since it is not redacted. There are concerns that leaving the home address unredacted from a public document can affect the safety of the judges and their families.</p> <p>House Bill 1872 aims to address these concerns by making the county clerks automatically redact the home address of judges as well as any of the judge's dependents that are listed on the personal financial statements. The bill would also apply to any candidates that are running for a judge position.</p>	<p>Favorable Evaluated by: Santiago Cirnigliaro (713) 435-9049 Santiago@TexasLSG.org</p>
<p>HB 2709 By: Frullo</p>	<p>Relating to authorization for the sale of certain Texas Tech University property.</p>	<p>Higher Education</p> <p>Vote: 11 Ayes, 0 Nays, 0 PNV, 0 Absent</p>	<p>Texas Tech University needs permission from the Legislature to sell land because currently they are restricted by outdated language established in 1971 that prohibits the Board of Regents from selling main campus land. The issue arose from the request to sell part of the land to the Texas Tech University Health Science Center. HB 2709 removes the complication of the language that currently restricts them from doing so. TTU, and TTU health related institutions are the only institutions that have this language attached to them that requires them to request permission from the legislature to sell land, regardless is provisions exist that ensure property transfers are in the best interest of Texas Tech.</p> <p>HB 2709 strikes language in the Education Code to allow for the sale of land in Lubbock, Texas on Texas Tech University main campus land by the Board of Regents.</p>	<p>Favorable Evaluated by: Marissa Gorena (956) 867-7232 Marissa@TexasLSG.org</p>

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<p>HB 260 By: Blanco Anchia</p>	<p>Relating to the creation of a cross-border motor vehicle traffic congestion web portal.</p>	<p>International Relations & Economic Development</p> <p>Vote: 7 Ayes, 0 Nays, 0 PNV, 2 Absent</p>	<p>Traffic congestion at ports of entry along the U.S.-Mexico border contribute to significant economic losses particularly for Texas. Manufacturers and shippers experience costly losses with even minute backups or delays at these ports of entry. These losses are eventually placed on consumers. According to the Comptroller, ports of entry account for almost 90% of trade throughout Texas. The Texas A&M Transportation Institute has previously done research which correlates real time delays at ports of entry with economic impact on Texas.</p> <p>HB260 directs the Texas Department of Transportation to work with the Texas A&M Transportation Institute (in addition to other government agencies) to develop a cross-border traffic congestion web portal which is accessible to the public; for both general and company use. It is anticipated that the cost to develop the portal can be assumed by current funds through the Texas Department of Transportation. The web portal should provide information regarding real time delays, wait times, and traffic conditions with the intent to decrease congestion and allow planning for cross border traffic.</p>	<p>Favorable Evaluated by: Ali Schoon 515-313-3712 Ali@TexasLSG.org</p>
<p>HB 2867 By: Metcalf Oliverson</p>	<p>Relating to the creation of the Sam Houston State University College of Osteopathic Medicine.</p>	<p>Higher Education</p> <p>Vote: 11 Ayes, 0 Nays, 0 PNV, 0 Absent</p>	<p>Sam Houston State University College of Osteopathic Medicine would serve a rural and underserved population covering a vast area in East Texas. Additionally, the SHSU College of Osteopathic Medicine is 100% self-funded and operates on capital costs and is covered by tuition and fees so this bill does not request additional state funds. This bill will aid in the creation of the Sam Houston State University College of Osteopathic Medicine under the college of SHSU by adding language to the Education Code.</p> <p>HB 2709 adds language to the Education Code for the creation of the SHSU College of Osteopathic Medicine. There has already been language adopted, official codification, and approval for the Sam Houston State University College of Osteopathic Medicine aside from the Education Code modification request by HB 2709.</p>	<p>Favorable Evaluated by: Marissa Gorena (956) 867-7232 Marissa@TexasLSG.org</p>
<p>HB 293 By: King, Ken</p>	<p>Relating to investment training requirements for school district and municipal financial officers.</p>	<p>Pensions, Investments & Financial Services</p> <p>Vote: 11 Ayes, 0 Nays, 0 PNV, 0 Absent</p>	<p>HB 293 changes training guidelines for financial personnel in municipalities or school districts. Language reflects that financial officers would not need to attend additional state mandated investment training if the body is not investing funds in high-risk items to generate revenue, and were only investing in interest-bearing accounts or authorized certificates of deposit.</p> <p>The concerns with the bill would occur if the financial officers decide mid biennium to utilize high-risk investment opportunities that they may not be equipped with enough information or training on the responsible use of funds for the body they represent. No fiscal impact was reported by the LBB.</p>	<p>Favorable, with Concerns Evaluated by: Elizabeth Churaman (281)-686-4544 elizabeth@texaslsg.org</p>



<p>HB 674 By: Patterson</p>	<p>Relating to soliciting from school districts served by a regional education service center certain information in conjunction with the annual evaluation of the center.</p>	<p>Public Education</p> <p>Vote: 12 Ayes, 0 Nays, 0 PNV, 1 Absent</p>	<p>An Educational Service Center (ESC) is an important hub that can help school districts stay in accordance with state and federal mandates. Currently, the Texas Education Agency (TEA) commissioner is required to gather reports annually for evaluations of the ESCs and how they are performing. Inside this evaluation there is a client satisfaction component from the ESC's that is given to local school districts that gives insight to local education agencies</p> <p>This bill helps policymakers gain insight on what current mandates are affecting districts from a client satisfaction perspective.</p> <p>HB 674 aims to use these client satisfaction reports in order to figure out which state and, or federal mandates are the most burdensome and expensive for the districts to deal with. This bill amends the Education Code to request that the TEA commissioner use the review of the client satisfaction reports alongside the ESC evaluation reviews to gather information on what current mandates are most burdensome and expensive for the districts.</p>	<p>Favorable Evaluated by: Marissa Gorena (956) 867-7232 Marissa@TexasLSG.org</p>
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