

February 12, 2021

House Natural Resources Committee:

The Honorable Rep. Tracy O. King, Chair

The Honorable Rep. Cody Harris, Vice Chair

The Honorable Rep. Rhett Andrews Bowers

The Honorable Rep. Kyle J. Kacal

The Honorable Rep. Lyle Larson

The Honorable Rep. Eddie Lucio III

The Honorable Rep. Dennis Paul

The Honorable Rep. Four Price

The Honorable Rep. Ana-Maria Ramos

The Honorable Rep. Armando Walle

The Honorable Rep. Terry M. Wilson

Re: Ensuring a safe and transparent participation in House Natural Resources Committee Hearings

Amidst the public health crisis caused by COVID-19, we recognize that Texas leaders and members of the Texas Senate and House face a difficult task as you develop safety protocols for the 2021 legislative session. As state leaders develop those protocols, we believe it will be important to protect health and safety, foster public confidence in government, and to assure a transparent and effective legislative process that permits ample and meaningful public input. A full, robust legislative session will be necessary to address the challenges the state faced before COVID-19 struck as well as the many challenges the pandemic has created for our health care system, schools, businesses, state and local agencies, local communities, and millions of children and adults across Texas.

Texans deserve a legislative session that addresses these critical needs. Texans also expect to be able to participate in and observe the actions taken by their elected representatives. It will be difficult, we know, but special action will be needed to assure that the government operates openly, even in these extraordinary times. The people's right to know should not be a victim to COVID-19.

The undersigned Texas organizations work to ensure the decisions made at the Texas Capitol every biennium improve the lives of children, families, and communities in the state. Texans have regularly traveled to the State Capitol to meet with lawmakers and testify at hearings to ensure the decisions made by Texas legislators are informed by the individuals and communities most impacted by those decisions. We call on the leaders and members of the House Natural Resources Committee to take steps to ensure public participation in the legislative process is not diminished because of health and safety protocols during the pandemic.

Since March 2020, public and private entities throughout the state and the country have provided for remote stakeholder participation through written, video, and online testimony, in addition to limited in-person options if conducted safely. We are confident that the Texas Legislature can do so as well.

We understood the limited options for public participation in Texas government during the interim, but as we move into a regular session when proceedings lead to policy decisions, full public participation is absolutely essential. For example, the ability to submit public written testimony is no substitute for members of the public having the opportunity to provide testimony, raise questions, and respond to committee members' questions during live hearings.

While Texans have long been able to view meetings of the Legislature via the superbly managed Texas Legislature On-Line portal, opportunities to participate are limited. Facilitating opportunities to interact with the Legislature for those unable to travel to Austin from across our great State and those unable to participate due to Covid-19 concerns would greatly enhance citizen participation in the legislative process. Pending successful application during the 87th Session of some or all of these measures might recommend them for adoption for future legislative sessions.

To ensure both transparency of the actions of elected officials and public participation in the state legislative process, we call on the members of the Texas House Natural Resources Committee to ensure that rules and procedures for the 2021 session include at least the following practices:

- Committees should establish a process for receiving invited and public testimony during hearings that is equitable and does not create separate protocols for invited, professional, and public testimony. The public should be allowed and enabled to testify virtually as appropriate.
- Committees should provide access to electronic registration outside the Capitol complex on-line in order to allow for the public to register support for or opposition to legislation being considered by committees without the submission of oral or written testimony.
- Use technology to facilitate and not limit public participation. When technology is the sole means of providing public input, accommodations must be made for individuals with disabilities in accordance with the Americans with Disabilities Act.

We appreciate your consideration and look forward to working with you during a safe, transparent, participatory, and robust legislative session.

Sincerely,

Annalisa Peace
Executive Director
Greater Edwards Aquifer Alliance

Craig Wright
Michael Spano
Co-Founders
Coalition for Responsible Environmental Aggregate Mining (CREAM) - Williamson County

Robin Schneider
Executive Director
Texas Campaign for the Environment