

**SUBJECT:** Developing performance measures for certain TNRCC programs

**COMMITTEE:** Environmental Regulation — favorable, without amendment

**VOTE:** 5 ayes — Chisum, Bonnen, Kuempel, Uher, Geren  
0 nays  
4 absent — Bosse, Dukes, Howard, Zbranek

**SENATE VOTE:** On final passage, March 1 — 30-0, on Local and Uncontested Calendar

**WITNESSES:** (*On companion bill, HB 1226:*)  
For — Susan Curry; Jon Fisher, Texas Chemical Council; Mary Miksa, Texas Association of Business and Chambers of Commerce; Robin Schneider, Texas Campaign for the Environment  
  
Against — None

**BACKGROUND:** The Texas Natural Resource Conservation Commission (TNRCC) offers certain innovative programs as alternatives to the traditional regulatory structure, such as regulatory flexibility, supplemental environmental projects, environmental audits, and flexible permits.

**DIGEST:** SB 356 would require TNRCC to work with the Legislative Budget Board (LBB) to develop performance measures to assess environmental quality improvements achieved by innovative regulatory programs implemented by TNRCC.  
  
The bill would take effect on September 1, 2001.

**SUPPORTERS SAY:** Performance measures are needed to assess TNRCC's innovative regulatory programs. These programs were designed to provide alternatives to traditional regulation. However, accurate performance measures would help to demonstrate their value and effectiveness.  
  
The Sunset Advisory Commission review of the TNRCC found that

participation in the innovative regulatory programs was not performance-based and lacked sufficient accountability. Development of performance measures for the programs would help to implement the Sunset recommendations and bring accountability to the agency's programs.

OPPONENTS  
SAY:

No apparent opposition.

NOTES:

The companion bill, HB 1226 by Hamric, was left pending in the House Environmental Regulation Committee.