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# Edinburg Review

## Gonzales' colonias lighting legislation set for House consideration Wednesday

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A proposal by Rep. Verónica González, D-McAllen, that would require cities and counties to set aside part of their federal community block grant funds to provide outdoor lighting to colonias within their jurisdiction has been set for action on Wednesday before the House of Representatives.

According to the Texas Secretary of State, about 400,000 Texans live in colonias, which lack electricity, adequate sewage systems and decent, safe and sanitary housing.

"The addition of street lighting in colonias will establish a better quality of life, contributing to the prevention of crime and promoting safety for all colonia residents," González explained. "This fulfills a basic need for constituents of my district. By focusing on the entirety of the District 41 community, I can successfully address the diverse interests of all district residents."

House District 41 includes southwest Edinburg and north McAllen.

State Rep. Aaron Peña, D-Edinburg is one of three joint authors of her measure, House Bill 775.

A joint author is a legislator who files and helps guide a bill through the legislative process.

The author (González) is the principal legislator who is carrying a measure.

González' House Bill 775 provides that the Office of Rural Community Affairs (ORCA) shall adopt a rule requiring a political subdivision that receives community development block grant money to allocate between five and fifteen percent of the funds toward the installation of street lighting in colonias, according to a bill analysis of her measure.

Currently, ORCA receives a community development block grant from the federal government via the United States Department of Housing and Urban Development to develop viable communities by providing decent housing and suitable living environments and expanding economic opportunities principally for persons of low and moderate income, the analysis noted.

González said she became personally involved in this issue after hearing direct testimonials from colonia residents that spoke to safety issues in the absence of street lighting. Community leaders have reacted enthusiastically to her effort to improve the lives of Rio Grande Valley residents, she reported.

During the House Border and International Affairs Committee hearing on her measure, which took place on February 23, there was no registered opposition to the bill.

Rebecca Flores and Lourdes Prado, representing the United Farm Workers/La Union del Pueblo Entero, testified in support of the bill, while Michael Jewell, representing CPL Retail Energy, and Charlie Stone, representing the state Office of Rural Community Affairs, spoke on the measure.

Initially, the legislation affected only colonias located within 150 miles of the Mexico border with Texas, but that provision was taken out, so any colonia in Texas would qualify under the proposed legislation.

James Manley, representing El Paso County Judge Dolores Briones, registered in support of the bill, but did not testify.

In addition to Peña, other joint authors of González' legislation are Rep. Armando "Mando" Martínez, D-Weslaco, and Rep. Norma Chávez, D-El Paso, who is chairwoman of the House Border and

International Affairs Committee.

The bill analysis of HB 775 includes the following highlights:

- "Section 487.354, Government Code, requires the Office of Rural Community Affairs to adopt a rule requiring a political subdivision that receives community development block grant program money targeted toward street improvement projects to allocate not less than five percent (5%) and no more than fifteen percent (15%) of the funds to enable the installation of adequate street lighting in colonias.

- Section 487.354, Government Code, defines a colonia as an identifiable unincorporated community or an identifiable community annexed by a municipality and eligible for assistance as described by Section 43.907(b), Local Government Code, that is located in a county that is eligible to receive financial assistance from the community development block grant colonia fund under Subchapter I, Chapter 487, Government Code, as identified by Office of Rural Community Affairs rule, is determined by the Office of Rural Community Affairs to be a colonia on the basis of objective criteria, including lack of potable water supply, lack of adequate sewage systems, and lack of decent, safe, and sanitary housing, and was in existence and generally recognized as a colonia before November 28, 1990.

- SECTION 2 Sec. 487.354, Government Code, applies only to allocations of community development block grant funds of which the application cycle for the funds begins on or after September 1, 2005."

González' legislation follows:  
"BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter I, Chapter 487, Government Code, is amended by adding Section 487.354 to read as follows:

Sec. 487.354. FINANCIAL ASSISTANCE FOR INSTALLATION OF STREET LIGHTS IN COLONIAS. (a) In this section, "colonia" means an identifiable unincorporated community, or an identifiable community annexed by a municipality and eligible for assistance as described by Section 43.907(b), Local Government Code, that:

(1) is located within 150 miles of the international border of this state in a county that is eligible to receive financial assistance from the community development block grant colonia fund under this subchapter, as identified by office rule;

(2) is determined by the office to be a colonia on the basis of objective criteria, including lack of potable water supply, lack of adequate sewage systems, and lack of decent, safe, and sanitary housing; and

(3) was in existence and generally recognized as a colonia before November 28, 1990.

(b) The office shall adopt a rule

requiring a political subdivision that receives community development block grant program money targeted toward street improvement projects to allocate not less than five percent but not more than 15 percent of

the total amount of targeted money to providing financial assistance to colonias within the political subdivision to enable the installation of adequate street lighting in those colonias.

SECTION 2. (a) Section 487.354, Government Code, as added by this Act, applies only to an allocation of community development block grant program money based on an application cycle that begins on or after the effective date of this Act.

(b) The Office of Rural Community Affairs shall adopt the rule required by Section 487.354, Government Code, as added by this Act, not later than November 1, 2005.

SECTION 3. This Act takes effect September 1, 2005."

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