

BILL ANALYSIS

C.S.H.B. 1057
By: Corte
State Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

The Texas State Veterans Homes Program (TSVH) and the Texas State Veterans Cemetery Program (TSVC), programs of the Texas Veterans' Land Board (VLB), have administered large construction projects over the past four years and will continue to administer large projects in order to develop and expand each program. The VLB coordinates with the United States Department of Veterans Affairs (VA) for the funding of these construction projects. Once construction is completed, the VLB operates these programs in accordance with Texas' and the VA's statutes and rules. Funding for both programs is provided through a partnership between the VLB and the VA.

The two programs require the purchase of unique goods and services in order to operate in accordance with the state and federal rules and regulations controlling the programs. While the VLB employs its own architect and construction project managers with unique expertise to ensure that construction is completed according to VA regulations, current law still requires a redundant approval of certain purchases by the Texas Building and Procurement Commission (TBPC). With the necessary expertise at the VLB available regarding these very specific and unique programs, CSHB 1057 removes this redundant approval process at the TBPC by allowing the VLB to be delegated all purchasing functions relating to veterans homes and cemeteries.

CSHB 1057 further changes the definition of "veteran" for these, and other VLB programs by removing the current requirement that a veteran serve 90 "continuous" days. This addresses instances wherein a person has interrupted military service, often because of the nature of reserve duty, and does not serve 90 days continuously.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

Delegates all purchasing functions relating to veterans homes and veterans cemeteries to the Veterans' Land Board. The VLB is further required to use procurement methods that provide best value to the Board. VLB projects are excepted from the requirement for Texas Building and Procurement approval and oversight in purchasing and construction decisions. A conforming name change from the Texas Natural Resource Conservation Commission to the Texas Commission on Environmental Quality is made. The requirement that service must be continuous is removed from the definition of "veteran."

EFFECTIVE DATE

September 1, 2005

COMPARISON OF ORIGINAL TO SUBSTITUTE

CSHB 1057 modifies the original bill by changing the definition of "veteran" for VLB programs, removing the requirement that in order to be considered a "veteran" military service be continuous. CSHB 1057 also clarifies that the "goods and services" referred to in Subsections (b) and (c) are those veteran home and cemetery purchases mentioned in Subsection (a). The substitute also makes a conforming name change from the Texas Natural Resource Conservation Commission to the Texas Commission on Environmental Quality.

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