

BILL ANALYSIS

H.B. 3114
By: Corte
Defense Affairs & State-Federal Relations
Committee Report (Amended)

BACKGROUND AND PURPOSE

Managing and maximizing federal money for certain state programs can help extend the availability and use of the programs. This bill directs the Office of State-Federal Relations to undertake efforts to increase the state's share of federal money for homeland security to more fairly reflect the state's population. According to the 2005 Legislative Budget Board's Staff Performance Report, current National Homeland Security Grants for States funding formulas guarantee each state 0.75 percent of available funds, and this set-aside accounts for 40 percent of federal funds to states, leaving only 60 percent to be distributed on the basis of population. This allocation methodology results in disparities on a per capita basis. Recently passes federal appropriations for homeland security shift some funding into new or expanded programs and reduce others.

This bill focuses agencies on the goals of complying with and maximizing federal funds, and directs inter-agency coordination for certain projects on air quality and infrastructure as well as inter-governmental coordination for homeland security.

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

SECTION 1 aligns the Commissioner of Education's directives to the Texas Education Agency on conducting on-site investigations with the goal of ensuring compliance with federal law or regulations.

SECTION 2 requires the Texas Commission on Environmental Quality to coordinate with the Texas Department of Transportation to direct available funding resources of each agency to projects and categories of projects to achieve, at the lowest possible cost, the greatest benefits to air quality.

SECTION 3 requires the Department of Public Safety and the Texas Department of Transportation, in developing a plan for applying for and using federal money for infrastructure needs that affect enforcement efforts, to maximize federal money.

SECTION 4 directs the Governor's homeland security strategy to advise local governments of any changes in strategy for grants of federal money for homeland security, and to provide for the Governor to assist a local government in maximizing acquisition or efficient use of federal money.

SECTION 5 directs the Office of State-Federal Relations to undertake efforts to increase the state's share of federal money available for homeland security purposes to more fairly reflect the population of this state.

EFFECTIVE DATE

This Act takes effect September 1, 2005.

EXPLANATION OF AMENDMENTS

Committee Amendment 1

This amendment simply says that the commission shall "consult" with the Texas Department of Transportation, instead of "coordinate" with the Department. It also adds the words "when determining how" to match the change from coordinate to consult.