

By: Van de Putte

S.B. No. 1714

Substitute the following for S.B. No. 1714:

By: Corte

C.S.S.B. No. 1714

A BILL TO BE ENTITLED

AN ACT

relating to the operation of certain employment programs for veterans of the armed forces of the United States.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 434.007, Government Code, is amended to read as follows:

Sec. 434.007. DUTIES. (a) The commission shall:

(1) compile federal, state, and local laws enacted to benefit members of the armed forces, veterans, and their families and dependents;

(2) collect information relating to services and facilities available to veterans;

(3) cooperate with veterans service agencies in the state;

(4) inform members and veterans of the armed forces, their families and dependents, and military and civilian authorities about the existence or availability of:

(A) educational training and retraining facilities;

(B) health, medical, rehabilitation, and housing services and facilities;

(C) employment and reemployment services;

(D) provisions of federal, state, and local law affording rights, privileges, and benefits to members and veterans

1 of the armed forces and their families and dependents; and

2 (E) other similar, related, or appropriate  
3 matters;

4 (5) assist veterans and their families and dependents  
5 in presenting, proving, and establishing claims, privileges,  
6 rights, and benefits they may have under federal, state, or local  
7 law;

8 (6) cooperate with all government and private agencies  
9 securing services or benefits to veterans and their families and  
10 dependents;

11 (7) investigate, and if possible correct, abuses or  
12 exploitation of veterans or their families or dependents, and  
13 recommend necessary legislation for full correction;

14 (8) coordinate the services and activities of state  
15 departments and divisions having services and resources affecting  
16 veterans or their families or dependents; ~~and~~

17 (9) provide training and certification of veterans  
18 county service officers and assistant veterans county service  
19 officers in accordance with Section 434.038; and

20 (10) operate programs in this state to enhance the  
21 employment opportunities of veterans of the armed forces of the  
22 United States, including the employment program funded under  
23 Chapters 41 and 42, Title 38, United States Code.

24 (b) The programs described by Subsection (a)(10) must  
25 exclusively enhance the employment opportunities of eligible  
26 veterans, and the services provided under those programs must be  
27 provided by state employees. A state employee providing services

1 under Subsection (a)(10) may only provide services to veterans.

2 SECTION 2. Subsection (b), Section 302.021, Labor Code, is  
3 amended to read as follows:

4 (b) In addition to the programs consolidated under the  
5 authority of the commission under Subsection (a), the commission  
6 shall administer:

7 (1) [~~programs in this state to enhance the employment~~  
8 ~~opportunities of veterans of the armed services of the United~~  
9 ~~States, including the employment program funded under Chapters 41~~  
10 ~~and 42, Title 38, United States Code,~~

11 [~~(2)~~] child-care services provided under Chapter 44,  
12 Human Resources Code; and

13 (2) [(3)] programs established in this state through  
14 federal funding to conduct full service career development centers  
15 and school-to-work transition services.

16 SECTION 3. Subsection (g), Section 302.062, Labor Code, is  
17 amended to read as follows:

18 (g) Block grant funding under this section does not apply  
19 to:

20 (1) the work and family policies program under Chapter  
21 81;

22 (2) a program under the skills development fund  
23 created under Chapter 303;

24 (3) the job counseling program for displaced  
25 homemakers under Chapter 304;

26 (4) the Communities In Schools program under  
27 Subchapter E, Chapter 33, Education Code, to the extent that funds

1 are available to the commission for that program;

2 (5) the reintegration of offenders program under  
3 Chapter 306;

4 (6) apprenticeship programs under Chapter 133,  
5 Education Code;

6 (7) the continuity of care program under Section  
7 501.095, Government Code;

8 (8) employment programs under Chapter 31, Human  
9 Resources Code;

10 (9) the senior citizens employment program under  
11 Chapter 101, Human Resources Code;

12 (10) the programs described by Section 302.021(b)(2)  
13 [~~302.021(b)(3)~~];

14 (11) the community service program under the National  
15 and Community Service Act of 1990 (42 U.S.C. Section 12501 et seq.);

16 (12) the trade adjustment assistance program under  
17 Part 2, Subchapter II, Trade Act of 1974 (19 U.S.C. Section 2271 et  
18 seq.);

19 (13) the programs to enhance the employment  
20 opportunities of veterans; and

21 (14) the functions of the State Occupational  
22 Information Coordinating Committee.

23 SECTION 4. (a) Not later than October 1, 2005, the Texas  
24 Veterans Commission and the Texas Workforce Commission shall  
25 establish a transition team to transfer the veterans employment  
26 programs from the Texas Workforce Commission to the Texas Veterans  
27 Commission. The transition team shall consist of a commissioner

1 and an employee of each agency and representatives from other  
2 agencies that the veterans commission and workforce commission  
3 determine are necessary to accomplish the transition of the  
4 veterans employment programs.

5 (b) The Texas Veterans Commission and the Texas Workforce  
6 Commission shall enter into a memorandum of understanding to  
7 transfer the veterans employment programs of the Texas Workforce  
8 Commission to the Texas Veterans Commission. The memorandum of  
9 understanding must provide for the transfer of all powers, duties,  
10 obligations, rights, contracts, leases, records, employees, real  
11 or personal property, and unspent and unobligated appropriations  
12 and other funds of the Texas Workforce Commission that are  
13 necessary to accomplish the transfer of the veterans employment  
14 programs under this Act to the Texas Veterans Commission. The  
15 transition shall be completed not later than October 1, 2006.

16 (c) The transfer of the veterans employment programs from  
17 the Texas Workforce Commission to the Texas Veterans Commission  
18 does not affect the validity of a right, privilege, or obligation  
19 accrued, a contract or acquisition made, any liability incurred, a  
20 permit or license issued, a penalty, forfeiture, or punishment  
21 assessed, a rule adopted, a proceeding, investigation, or remedy  
22 begun, a decision made, or other action taken by the Texas Workforce  
23 Commission in connection with the veterans employment programs.

24 (d) All rules, policies, procedures, and decisions of the  
25 Texas Workforce Commission relating to the veterans employment  
26 programs transferred to the Texas Veterans Commission by this Act  
27 are continued in effect as rules, policies, procedures, and

1 decisions of the Texas Veterans Commission until superseded by a  
2 rule or other appropriate action of the Texas Veterans Commission.

3 (e) Until the date the veterans employment programs are  
4 transferred to the Texas Veterans Commission as provided by this  
5 Act, the Texas Workforce Commission shall continue to exercise the  
6 powers and perform the duties relating to the veterans employment  
7 programs assigned to the Texas Workforce Commission under the law  
8 as it existed immediately before the effective date of this Act or,  
9 if applicable, as modified by another Act of the 79th Legislature  
10 that becomes law, and the former law is continued in effect for that  
11 purpose.

12 SECTION 5. This Act takes effect September 1, 2005.