

BILL ANALYSIS

C.S.H.B. 3140

By: Flynn

Defense Affairs & State-Federal Relations
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Texas voters established the Veterans' Land Board (board) through a constitutional amendment in 1946 to honor the Texas veterans and their families by providing loans to purchase land. Today the board operates within the structure of the General Land Office and provides veterans with three major benefits including below-market interest rate loans for purchasing raw land, homes, and funding home improvement projects; long-term care nursing homes for veterans and their families; and veterans cemeteries. The board administers its three programs with a budget of about \$24 million, derived from investment income, and has a staff of about 83. The board is subject to Sunset review, but not to abolishment.

CSHB 3140 requires the Veterans' Land Board and the Texas Veterans Commission to coordinate a statewide approach to making Texas Veterans aware of available benefits and services. CSHB 3140 requires the Veterans' Land Board to obtain and approve relevant audit plans and publicly discuss internal audit reports.

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

CSHB 3140 amends the Natural Resources Code to define "commission" as the Texas Veterans Commission and provides a technical change updating the Veterans' Land Board (the board) Sunset provision to specify that the board shall be reviewed in 2019 and every subsequent 12th year. The bill includes language that applies the standard across the board recommendations (ATB's) regarding board member training, complaint information and technology use. It modifies the ATB's regarding conflicts of interest and alternative dispute resolution and updates the ATB's regarding unbiased appointments and grounds for removal.

The bill contains an instructional provision, providing that the training requirements relating to board members only apply to those appointed or reappointed on or after September 1, 2007. The bill contains an instructional provision, providing that the prohibitions or qualifications relating to board members apply to those appointed on or after September 1, 2007. CSHB 3140 requires the board to obtain and approve relevant audit plans and publicly discuss internal audit reports. The bill contains an instructional provision, providing that changes relating to complaint processing only apply to complaints filed on or after September 1, 2007.

CSHB 3140 adds language that requires the board to develop and implement a policy to encourage the use of negotiated rulemaking procedures and appropriate alternative dispute resolution (ADR) procedures. The bill requires that the board conform its ADR procedures to relevant model guidelines used by the State Office of Administrative Hearings. The bill requires the board to designate a trained person to coordinate the implementation of the policy, serve as a resource for training needed to implement the procedures for negotiated rulemaking or ADR, and to collect data relevant to the effectiveness of such procedures.

CSHB 3140 requires the board to obtain and review components of internal audit plans and internal audit reports that relate to board functions and to discuss and approve, as appropriate, those plans and reports during public meetings of the board.

CSHB 3140 requires the Texas Veterans Commission and the board enter into a Memorandum of Understanding to specify the guidelines necessary to coordinate veterans' benefit awareness activities. The bill requires the memorandum of understanding to address board and commission coordination with respect to certain veterans benefits outreach activities. It requires the memorandum of understanding to identify the joint and separate powers and duties of the board and the commission outreach activities, including powers and duties relating to reimbursements for coordinated activities; management, funding, and cross-training of any collocated employees; operating expenses associated with such coordinated activities, including office-keeping costs; developing and maintaining a joint website regarding veterans benefits and services; developing and disseminating a joint brochure regarding veterans benefits and services; and joint presentations at or sponsorship of veterans benefits seminars. It requires the memorandum of understanding to identify the degree to which the board and the commission may operate independent websites and disseminate independent information to implement a veterans benefits outreach activity. The bill requires periodic updates of the memorandum of understanding and for the commission and the board to continue to explore additional opportunities for coordination between the agencies regarding veterans benefits outreach activities. It requires the commission and the board to consider the appropriate use of authorized bond proceeds and federal money to ensure that each agency complies with applicable funding constraints in entering the memorandum of understanding. The bill contains an instructional provision, requiring the board to enter in a memorandum of understanding with the Texas Veterans Commission by March 1, 2008.

CSHB 3140 requires the merging of the board and the commission's communications efforts by requiring the agencies to operate one call center, operated by the board, to provide information regarding the benefits and services available to veterans of this state, to maintain and share databases of veteran contact information, and to pool some direct mail efforts. It requires the Texas Veterans Commission and the board to cooperatively create one website and one comprehensive brochure that provides information about all available veteran's benefits and services. It requires the Texas Veterans Commission and the board to jointly plan and provide state-sponsored veterans benefit seminars and to coordinate the involvement of each agency in seminars hosted for veterans by other organizations.

EFFECTIVE DATE

September 1, 2007.

COMPARISON OF ORIGINAL TO SUBSTITUTE

In the provision that requires the board to conform its alternative dispute resolution procedures to relevant model guidelines used by the State Office of Administrative Hearings, CSHB 3140 modifies the original bill by replacing the word "must" with "shall".