

## **BILL ANALYSIS**

C.S.H.B. 186

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Border & Intergovernmental Affairs  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

While there are a number of key minority groups and organizations in Texas and across the country that do excellent work on behalf of Hispanics, there is not a single, central agency, commission, or state office within the state of Texas that acts as a clearinghouse for information dissemination, research, and resources specifically related to Hispanic and border issues. Many state agencies, institutions of higher education, Hispanic chambers of commerce, and other minority-friendly groups and organizations conduct outstanding data-gathering and statistical research analysis on Hispanic issues, but only within each organization's scope of work and specialization. Often, such outstanding work is not disseminated to the general public, legislators, or other outside entities for various reasons, including financial and staff shortages and limited database technology. Moreover, since many of these entities are nonprofit or privately funded organizations that do not receive state funding, they are not required by law to disseminate this information, which can be valuable for legislators and other policy makers to access easily.

Some states have already formed agencies to serve as clearinghouses for information and research related to Hispanic and border issues. Among those model agencies are the Kansas Advisory Commission on Hispanic Affairs, the Florida State Commission on Hispanic Affairs, the Michigan Commission on Spanish-Speaking Affairs, the Pennsylvania Governor's Commission on Latino Affairs, the Maryland Bureau of Hispanic Affairs, the Hispanic Affairs Council of Alaska, and the Idaho Commission on Hispanic Affairs. The latter, on its website, states its mission as working toward economic, social, legal and political equality for Hispanics because the Hispanic community provides a rich and diverse texture to our communities. None of these states have the significant Hispanic population that Texas has, yet they have established these agencies or commissions because they recognize the important contributions of this minority group.

Texas should establish a Bureau for Economic Development and Hispanic Studies for the purpose of maximizing trade between Texas, the United Mexican States, and other Latin American countries, while simultaneously undertaking research to encourage the analysis of public policy and policy proposals affecting Hispanic Texans.

Such a bureau could focus on using North American Free Trade Agreement and Empowerment zone funds to prevent the loss of Texas jobs to countries in the Pacific Rim. To accomplish this, the bureau could direct its efforts to the study of cultural differences among Pacific Rim countries and to issues affecting Hispanics, including customs, education, employment, access to social services, voting rights and political access, child abuse, family violence, language and immigration rights, affirmative action programs, and alcohol and drug abuse in the border region and among minority populations. The development of policy proposals, communication of policy data, and recommendations to federal and state legislatures and agencies could be a major part of a bureau program. Using extensive contacts among representatives from local, state, and federal agencies, businesses, private individuals, and community groups and organizations, the bureau has the potential to bring relevant findings to the attention of state agencies, groups, organizations, and leaders throughout Texas. The bureau could serve as a clearinghouse and

depository of information, eliminate duplication of effort, and provide policy makers with information from a global and coordinated perspective.

C.S.H.B. 186 creates the Bureau for Economic Development and Hispanic Studies as a state agency in Texas.

### **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**

C.S.H.B. 186 amends the Government Code to create the Bureau for Economic Development and Hispanic Studies as a state agency. The bill requires the bureau, subject to the availability of funds, to develop proposals for maximizing trade between Texas and all foreign countries, undertake research to encourage the analysis of public policies affecting Hispanic citizens, conduct studies and develop policy proposals on issues of particular interest and importance to Hispanic citizens, serve as a clearinghouse of information for other agencies and organizations concerned with issues of importance to Hispanic citizens, and distribute the results of its studies and policy proposals to appropriate federal, state, and local governmental agencies and officials, community organizations, private leaders, and the public. The bill defines "bureau."

C.S.H.B. 186 provides that the bureau is composed of nine members with three members appointed by the governor, three members appointed by the lieutenant governor from a list of nominees submitted by the Hispanic Caucus of the senate, and three members appointed by the speaker of the house of representatives from a list of nominees submitted by the Mexican American Legislative Caucus of the house of representatives. The bill requires the caucuses, in nominating members, and the governor, lieutenant governor, and speaker of the house, in appointing members, to provide for representation of the state's diversity and to include members from both urban and rural areas and from all geographic areas of Texas. The bill authorizes the lieutenant governor and the speaker of the house to request the appropriate caucus to provide additional lists of nominees, if necessary to make the appointments.

C.S.H.B. 186 requires a member of the bureau to be a resident of Texas, have demonstrated an interest in preserving the cultural heritage of Texas' Hispanic citizens, and have demonstrated an interest in advancing educational and economic opportunities and political rights for Hispanic citizens. The bill provides that members serve for staggered terms of six years, with the terms of one-third of the members expiring February 1 of each odd-numbered year. The bill requires the bureau, which must maintain its main office in Dallas, to hold at least one regular meeting in each calendar quarter of each year. The bill requires the bureau to select a presiding officer and an assistant presiding officer from its membership at its first meeting in each odd-numbered year. The bill prohibits a member from receiving any compensation for service on the bureau, but entitles a member, subject to the availability of funds, to reimbursement for expenses incurred for service on the bureau. The bill authorizes the bureau to employ an executive director and personnel as necessary to operate the bureau.

C.S.H.B. 186 provides that the bureau is subject to the Texas Sunset Act and is abolished September 1, 2021, unless continued in existence. The bill requires the Texas Economic Development and Tourism Office and state institutions of higher education to assist the bureau in carrying out its duties, including making their facilities available to the bureau at the office's or institution's own expense. The bill authorizes the bureau to accept gifts and grants and requires the bureau to actively seek gifts from businesses and organizations that represent businesses.

C.S.H.B. 186 requires the governor, lieutenant governor, and speaker of the house, in making the initial appointments to the bureau, to each designate one member for a term expiring February 1,

2011, one member for a term expiring February 1, 2013, and one member for a term expiring February 1, 2015.

**EFFECTIVE DATE**

September 1, 2009.

**COMPARISON OF ORIGINAL AND SUBSTITUTE**

C.S.H.B. 186 differs from the original by decreasing the membership of the Bureau for Economic Development and Hispanic Studies to nine members and providing that the lieutenant governor and speaker of the house each appoint three members, whereas the original provides for 18 members, all appointed by the governor with the advise and consent of the senate. The substitute adds provisions not in the original to clarify that the reimbursement for expenses and performance of duties of the bureau are subject to the availability of funds. The substitute differs from the original by authorizing the bureau to employ an executive director and personnel, rather than requiring the bureau to employ an executive director and authorizing the executive director to employ personnel as in the original. The substitute adds a provision not in the original to include in the requirement for the Texas Economic Development and Tourism Office and institutions of higher education to assist the bureau and to specify that the assistance includes making their facilities available to the bureau at the office's or institution's own expense.

C.S.H.B. 186 differs from the original by making conforming changes relating to the number and appointment of bureau members.