

BILL ANALYSIS

C.S.H.B. 4067
By: Gonzales
Border & Intergovernmental Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

The Texas-Mexico border area is a large and important region of Texas with a long history, a strategic location, and rich natural and human resources. Agricultural production has been a mainstay of the border economy, but people living along the border have made efforts to participate in all sectors of the economy. Unfortunately, the region has also suffered long-term economic stagnation and underperformance, which have slowed its economic development. The bill seeks to advance the cause of economic development in the region by bringing together talented and interested people to advise and make recommendations to lawmakers with respect to potential border economic development projects.

C.S.H.B. 4067 creates the Bureau for Economic Development of the Border Region as a partnership of participating public and private entities administered by a public or private institution of higher education that is designated by the steering committee of the bureau and agrees to serve in that capacity.

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. 4067 amends the Government Code to create the Bureau for Economic Development of the Border Region as a partnership of participating public and private entities administered by a public or private institution of higher education that is designated by the steering committee of the bureau and agrees to serve in that capacity. The bill establishes a bureau steering committee composed of seven appointed members, requires the members appointed by the lieutenant governor and the speaker of the house of representatives to be residents of the border region, and authorizes but does not require the remaining members to be residents of the border region, which are to be appointed by the administration of the institution of higher education and the chairs of specific legislative committees. The bill requires the appointed members to be selected to provide the bureau expertise relating to financial planning and development, construction, engineering, and trade. The bill requires the institution of higher education that administers the bureau to provide educational expertise and specifies that committee members serve staggered terms of two years, with as near as possible to one-half of the members' terms expiring February 1 of each year. The bill requires the bureau's steering committee to hold at least one regular meeting annually, to select from its membership a presiding officer at its first meeting, and to meet subject to the call of the chairperson.

C.S.H.B. 4067 authorizes the bureau, in addition to any amount appropriated by the legislature, to apply for and accept funds from the federal government or any other public or private entity, and authorizes the bureau or any member of the bureau's steering committee to solicit and accept pledges, gifts, and endowments from private sources on the bureau's behalf. The bill requires a pledge, gift, or endowment to be consistent with the purposes of the bureau, and requires the bureau to manage and approve disbursements of any appropriations, funds, pledges, gifts, and

endowments that are the bureau's property.

C.S.H.B. 4067 requires the bureau to facilitate research in fields of study affecting the economy in the border region; to deliver economic and financial education to persons living in the border region; to draft and submit reports to advise the legislature about economic development opportunities in the border region; to provide evaluation of specific proposals for use of economic development funds in the border region, including tax abatement agreements; to consult with the Texas Economic Development and Tourism Office within the office of the governor on issues related to the border region; to study and report on opportunities to improve trade across the international border; and to make recommendations to the legislature about establishment of infrastructure projects to assist multiple counties in the border region. The bill authorizes the bureau to accept gifts and grants from any source to be used to carry out the bureau's duties, and requires the bureau to actively seek gifts from businesses and organizations that represent businesses to support the bureau's functions. The bill authorizes the institution of higher education that administers the bureau to provide facilities and services to further the bureau's purposes. The bill defines "border region" as the portion of Texas located not more than 100 kilometers from Texas' international border or in a county located on an international border and defines "bureau."

C.S.H.B. 4067 requires the administration of the institution of higher education, in appointing the initial appointed members of the bureau's steering committee, to appoint one member to serve a term expiring February 1, 2010, and two members to serve a term expiring February 1, 2011, and requires the lieutenant governor and the speaker of the house of representatives each to appoint one member to serve a term expiring February 1, 2010. The bill requires the steering committee, as soon as practicable after all the initial appointed members of the steering committee have been appointed and have qualified for office, to designate the institution of higher education as required by the bill.

EFFECTIVE DATE

September 1, 2009.

COMPARISON OF ORIGINAL AND SUBSTITUTE

C.S.H.B. 4067 differs from the original by establishing the Bureau for Economic Development of the Border Region as a partnership of participating public and private entities administered by a public or private institution of higher education that is designated by the steering committee of the bureau and agrees to serve in that capacity, rather than an agency of the state as in the original. The substitute differs from the original by establishing that the bureau has a steering committee composed of seven appointed members, whereas the original provides that the bureau is composed of nine members. The substitute adds provisions not in the original requiring the members appointed by the lieutenant governor and the speaker of the house of representatives to be residents of the border region and authorizing but not requiring the remaining steering committee members to be residents of the border region.

C.S.H.B. 4067 adds a provision not in the original requiring the institution of higher education that administers the bureau to provide educational expertise to the bureau. The substitute differs from the original by requiring the bureau's steering committee, rather than the bureau as in the original, to hold at least one regular meeting annually, rather than in the first quarter of each calendar year as in the original, and to select from its membership a presiding officer at its first meeting, rather than at its first meeting in each odd-numbered year as in the original.

C.S.H.B. 4067 removes provisions in the original entitling a bureau member to reimbursement for expenses incurred for service on the bureau, prohibiting compensation, and establishing the bureau as subject to the Texas Sunset Act. The substitute sets forth general funding provisions not in the original.

C.S.H.B. 4067 adds the facilitation of research in fields of study affecting the border region's economy and the delivery of economic and financial education to persons living in the border region to the required duties of the bureau listed in the original. The substitute removes a provision in the original that required the bureau to consult with the division of planning coordination within the governor's office about issues related to the border region that mutually concern the bureau and the division. The substitute adds a provision not in the original authorizing the institution of higher education that administers the bureau to provide facilities and services to further the bureau's purposes. The substitute differs from the original by defining "border region" as the portion of Texas located not more than 100 kilometers from Texas' international border or in a county located on an international border, whereas the original defines "border region" as the portion of Texas located within 100 kilometers of Texas' international border.

C.S.H.B. 4067 differs from the original by reducing from two to one the committee members appointed by each the lieutenant governor and the speaker of the house of representatives and including the presiding officer of the House Committee on Border and Intergovernmental Affairs and the chairperson of the senate committee to which border affairs are referred as appointed members of the steering committee, rather than ex officio members of the bureau as in the original. The substitute removes a provision in the original providing for the appointment of one member of the committee by the secretary of state and two members by the governor, and instead adds provisions providing for the appointment of three members by the administration of the institution of higher education that administers the bureau and setting forth their terms. The substitute adds provisions not in the original requiring the steering committee, as soon as practicable after all the initial appointed members of the steering committee have been appointed in accordance with the bill's provisions and have qualified for office, to designate the institution of higher education as required the bill.