

- SUBJECT:** Increasing the fire fighters' pension commissioner's term to four years
- COMMITTEE:** Pensions and Investments — favorable, without amendment
- VOTE:** 8 ayes — Tillery, Woolley, Crownover, Salinas, George, Goodman, Rangel, Williams  
0 nays  
1 absent — Telford
- WITNESSES:** None
- BACKGROUND:** Texas Constitution, Art. 16, sec. 30(a) limits the duration of all statewide offices to two years unless otherwise specified in the Constitution.
- The Legislature created the Office of the Fire Fighters' Pension Commissioner in 1937 (V.T.C.S., art. 6243e). The commissioner is appointed by the governor from a list of three to 10 nominees submitted by the State Firemen's and Fire Marshal's Association of Texas and the Texas State Association of Fire Fighters and is subject to Senate confirmation. Sec. 21(d) sets the commissioner's term at two years.
- The Office of the Fire Fighters' Pension Commissioner is to provide a statewide, professionally managed and administered retirement system for volunteer fire fighters and emergency medical services (EMS) personnel. The commission supervises the Texas Statewide Emergency Services Personnel Retirement Fund and the Texas Local Fire Fighters' Retirement Program. It collects revenues and distributes benefit payments for the statewide plan and offers technical assistance to locally administered fire fighters' pension boards. The Texas Statewide Emergency Services Personnel Retirement Fund is governed by a nine-member board appointed by the governor, with staff support from the commissioner.
- DIGEST:** HJR 1 would add Art. 16, sec. 67(g) to the Texas Constitution, which would set the term of the fire fighters' pension commissioner at four years.

The proposed amendment would be submitted to voters at an election on November 6, 2001. The ballot proposal would read: "The constitutional amendment providing for a four-year term of office for the fire fighters' pension commissioner."

SUPPORTERS  
SAY:

The term of the fire fighters' pension commissioner should be changed from two to four years to conform with the governor's term. This would improve the link and accountability between the governor and the commissioner.

Extending the commissioner's term also would avoid disrupting the functions of the Texas Statewide Emergency Services Personnel Retirement Fund. The board members, who have six-year terms, face the prospect of having to work with a new commissioner every two years. The process of appointing a commissioner revolves three times within the trustees' terms, which can be disruptive.

OPPONENTS  
SAY:

Changing the commissioner's term from two to four years is not justified. Other state officials, including the health and human services commissioner, and the adjutant general, are appointed by the governor, yet have only two-year terms. Extending the term of the fire fighters' pension commissioner to four years also would reduce the Senate's oversight authority through the confirmation process.

NOTES:

The companion proposal, SJR 33 by Zaffirini, has been referred the Senate Intergovernmental Relations Committee.

HB 1747 by McCall et al., which would continue the Fire Fighters' Pension Commission under the Sunset process and also change the commissioner's term from two to four years, subject to adoption of HJR 1, is on today's House calendar.