

SUBJECT: Appropriation to the Adjutant General's Department for military facilities

COMMITTEE: Appropriations — favorable, without amendment

VOTE: 24 ayes — Pitts, Luna, Berman, Branch, B. Brown, F. Brown, Chisum, Crownover, J. Davis, Gattis, Guillen, Hamric, Hegar, Hope, Hopson, T. King, Kolkhorst, Martinez, McClendon, Pena, Pickett, T. Smith, Truitt, Turner

1 nay — Haggerty

4 absent — Dukes, Edwards, Isett, Menendez

WITNESSES: For — None

Against — None

On — Andrew MacLaurin, Legislative Budget Board

BACKGROUND: The Adjutant General's Department oversees the command of Texas' military forces, including the Texas National Guard and State Guard. It has a current biennial appropriation of \$97 million in all funds and \$23 million in general revenue.

The Texas Military Facilities Commission is responsible for constructing and maintaining facilities for the Texas National Guard.

Following the regular session of the 79th Legislature, the governor vetoed the line-item appropriation for the commission and then issued an executive order (RP-46) transferring the responsibilities of the commission to the Adjutant General's Department. According to the governor's executive order, moving the functions of the Texas Military Facilities Commission to the Adjutant General's Department gives the Texas National Guard "a more direct way to maintain personnel readiness through facilities management" during a time of base realignment and closure.

DIGEST: HB 117 would appropriate \$2.5 million in general revenue for fiscal 2006-07 to the Adjutant General's Department to assume the responsibilities of the Texas Military Facilities Commission.

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect on the 91st day after the last day of the third called session (August 15, 2006, if the special session lasts the full 30 days).

SUPPORTERS SAY: HB 117 would ensure that the Adjutant General's Department had sufficient funding to carry out responsibilities that formerly belonged to the Texas Military Facilities Commission, including the maintenance and repair of military facilities and project planning functions. The Adjutant General's Department received new responsibilities and should receive the funding for these purposes.

The work of maintaining and repairing Texas' military facilities is very important at this time. In addition to supporting military efforts in Iraq, the Texas National Guard has members stationed abroad and conducts emergency and other readiness activities.

OPPONENTS SAY: The Texas Military Facilities Commission's statutory authority was not removed by the 79th Legislature. Instead, its responsibilities and funding were transferred by the governor's actions. The commission should continue to maintain responsibility for these important functions and it should retain its funding. Otherwise, all responsibility, funding, and statutory authority should move to the Adjutant General's Department to maximize efficiency.

NOTES: An appropriation provision similar to HB 117 is included in SB 16 by Ogden, an omnibus supplemental appropriations bill. The Senate Finance Committee considered SB 16 in a public hearing on April 24 and left the bill pending.