

SUBJECT: Texas Veterans Commission employment and outreach activities

COMMITTEE: Defense and Veterans' Affairs — favorable, without amendment

VOTE: 6 ayes — Corte, Vaught, Chavez, Farias, Pickett, C. Turner

0 nays

3 absent — Edwards, Maldonado, Ortiz

SENATE VOTE: On final passage, April 16 — 31-0, on Local and Uncontested Calendar

WITNESSES: *(On House companion bill, HB 4390:)*

For — *(Registered, but did not testify: John Miterko, Texas Coalition of Veteran Organizations)*

Against — None

On — Tina Carnes, Texas Veterans Commission; *(Registered, but did not testify: Cruz Montemayor, Texas Veterans Commission)*

BACKGROUND: Government Code, sec. 434.014 sets the employment practices of the Texas Veterans Commission and requires that all openings for non-entry level positions be posted internally for at least 10 days before they are posted to the public. Sec. 2167.001(b) exempts certain state agencies from requirements regarding the leasing of space.

DIGEST: SB 1655 would remove the 10-day period the Texas Veterans Commission must wait before publicly posting a non-entry level position opening. The bill also would state that any confidential information the commission receives would remain confidential regardless of the format in which it was maintained. Space leased by the Texas Veterans Commission for the veterans employment services program would be exempt from state agency leasing requirements.

The bill also would allow the Texas Veterans Commission to use appropriated funds to purchase food, beverages, and promotional items that include the agency's name and contact information for distribution to

veterans.

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 September 1, 2009.

**SUPPORTERS  
SAY:**

SB 1655 would make several technical changes to the statute regarding the Texas Veterans Commission. Allowing the commission to post publicly non-entry level positions concurrent with its internal posting would allow the commission to fill quickly positions for which there was no internal match and would prevent positions of critical need from being left vacant for a long period of time.

SB 1655 also would allow the commission to purchase food, beverages, and other promotional items for use at its training programs and outreach activities for soldiers returning from Iraq and Afghanistan. The bill's confidentiality provision would help ensure that a veteran's personal confidential information would not be subject to an open records request, even when that information was used by the Texas Veterans Commission for outreach purposes. The bill also would allow the commission to lease space directly from the Local Workforce Development Board, much as the Texas Workforce Commission did when that agency was responsible for the veterans' employment service program.

**OPPONENTS  
SAY:**

SB 1655 should limit the amount of money the Texas Veterans Commission could spend on food, beverages, and promotion items. While the commission's outreach activities are important, as written, the bill's provisions could be subject to abuse, and money could be spent on refreshments that otherwise could have been used to assist the state's veterans.

**NOTES:**

The companion bill, HB 4390 by Farias, was considered in a public hearing by the House Defense and Veterans' Affairs Committee on April 8 and left pending.