

BILL ANALYSIS

Senate Research Center
77R8997 JRD-D

S.B. 1527
By: Shapiro
State Affairs
3/26/2001
As Filed

DIGEST AND PURPOSE

Section 30a, Article XVI, of the Texas Constitution, as amended by the voters in 1999, requires governing bodies of state agencies to consist of an odd number of members. Currently, there are forty-two state agencies that have an even number of members and will be in violation of the constitution on September 1, 2003. As proposed, S.B. 1527 alters the number of members on these state agency governing bodies appointed by the governor in order to bring these agencies into compliance with the constitution.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

ARTICLE 1. TEXAS COMMISSION ON ALCOHOL AND DRUG ABUSE

SECTION 1.01. Amends Section 461.003(b), Health and Safety Code, to provide that the Texas Commission on Alcohol and Drug Abuse (commission) is composed of five (rather than six) members appointed by the governor with the advice and consent of the senate.

SECTION 1.02. Amends Section 461.006, Health and Safety Code, to provide that commission members serve staggered six-year terms, with the terms of one or two members expiring February 1 of each odd-numbered year.

SECTION 1.03. Provides that, of the two positions on the Texas Commission on Alcohol and Drug Abuse that have terms expiring February 1, 2003, one of the positions is abolished, and requires the governor to appoint a person to fill the other position for a term expiring February 1, 2009. Requires the governor to designate which of the two positions is abolished.

SECTION 1.04. Provides that this article takes effect February 1, 2003.

ARTICLE 2. TEXAS COUNCIL ON ALZHEIMER'S DISEASE AND RELATED DISORDERS

SECTION 2.01. Amends Sections 101.002(a) and (b), Health and Safety Code, as follows:

- (a) Provides that the Texas Council on Alzheimer's Disease and Related Disorders (council) is composed of six (rather than five) public members, one of whom is an individual related to a victim of Alzheimer's disease or related disorders but who is not a primary family caregiver, one of whom is a primary family caregiver, two of whom are members of an Alzheimer's disease and related disorders support group, and two (rather than one) of whom are interested citizens.

(b) Requires the governor to appoint three (rather than two) public members and two professional members.

SECTION 2.02. Amends Section 101.004(a), Health and Safety Code, to provide that appointed council members serve for staggered six-year terms, with the terms of four or five members expiring August 31 of each odd-numbered year.

SECTION 2.03. Requires the governor, as soon as possible after the effective date of this Act, to appoint an additional public member to the Texas Council on Alzheimer's Disease and Related Disorders for a term expiring August 31, 2007.

ARTICLE 3. TEXAS ANIMAL HEALTH COMMISSION

SECTION 3.01. Amends Section 161.021(a), Agriculture Code, to provide that the Texas Animal Health Commission is composed of thirteen, rather than twelve, commissioners appointed by the governor with the advice and consent of the senate, with three, rather than two, members of the general public.

SECTION 3.02. Amends Section 161.022, Agriculture Code, to provide that commissioners serve for staggered terms of six years, with the terms of four or five members expiring every other year.

SECTION 3.03. Requires the governor, as soon as possible after the effective date of this Act, to appoint an additional public member to the Texas Animal Health Commission for a term expiring September 6, 2005.

ARTICLE 4. TEXAS COMMISSION ON THE ARTS

SECTION 4.01. Amends Section 444.003(a), Government Code, to provide that the Texas Commission on the Arts is composed of 17, rather than 18, members appointed by the governor with the advice and consent of the senate.

SECTION 4.02. Provides that, of the six positions on the Texas Commission on the Arts that have terms expiring August 31, 2003, one of the positions is abolished, and requires the governor to appoint persons to fill the other five positions for terms expiring August 31, 2009. Requires the governor to designate which of the six positions is abolished.

SECTION 4.03. Provides that this article takes effect August 31, 2003.

ARTICLE 5. AUTOMOBILE THEFT PREVENTION AUTHORITY

SECTION 5.01. Amends Sections 3(a), (b), (c), and (e), Article 4413(37), Revised Statutes, as follows:

(a) Provides that the Automobile Theft Prevention Authority (authority) is composed of eight, rather than seven, members.

(b) Requires the governor, with the advice and consent of the senate, to appoint the following seven, rather than six, members:

- (1) two representatives of motor vehicle insurance consumers;
- (2) two representatives of insurance companies writing motor vehicle insurance in this state;
- (3) two representatives of law enforcement; and
- (4) one public member.

(c) Provides that the director of the Department of Public Safety or the director's

designee serves ex officio as the eighth, rather than seventh, member of the authority.

(e) Provides that the seven, rather than six, members of the authority appointed by the governor serve staggered six-year terms, with the terms of two or three members expiring February 1 of each odd-numbered year.

SECTION 5.02. Requires the governor, as soon as possible after the effective date of this Act, to appoint an additional public member to the Automobile Theft Prevention Authority for a term expiring February 1, 2007.

ARTICLE 6. STATE BOARD OF BARBER EXAMINERS

SECTION 6.01. Amends Section 1601.051(a), Occupations Code, to provide that the State Board of Barber Examiners (board) consists of seven, rather than six, members appointed by the governor with the advice and consent of the senate, including three, rather than two, members who represent the public.

SECTION 6.02. Amends Section 1601.055(a), Occupations Code, to provide that members of the board serve staggered six-year terms, with the terms of two or three members expiring on the same date every two years.

SECTION 6.03. Requires the governor, as soon as possible after the effective date of this Act, to appoint an additional public member to the State Board of Barber Examiners for a term expiring January 31, 2007.

ARTICLE 7. COUNCIL ON CARDIOVASCULAR DISEASE AND STROKE

SECTION 7.01. Amends Section 93.002, Health and Safety Code, as added by Chapter 1411, Acts of the 76th Legislature, Regular Session, 1999, to provide that the Council on Cardiovascular Disease and Stroke is composed of 11, rather than 12, members appointed by the Texas Board of Health (board). Provides that members of the council serve staggered six-year terms with the terms of approximately one-third of the members expiring February 1 of each odd-numbered year.

SECTION 7.02. Provides that, of the four positions on the Council on Cardiovascular Disease and Stroke that have terms expiring February 1, 2003, one of the positions is abolished, and requires the Texas Board of Health to appoint persons to fill the other three positions for terms expiring February 1, 2009. Requires the board to designate which of the four positions is abolished.

SECTION 7.03. Provides that this article takes effect February 1, 2003.

ARTICLE 8. TEXAS COSMETOLOGY COMMISSION

SECTION 8.01. Amends Section 1602.051(a), Occupations Code, to provide that the Texas Cosmetology Commission (commission) consists of seven, rather than six, members appointed by the governor with the advice and consent of the senate, including three, rather than two, members who represent the public.

SECTION 8.02. Amends Section 1602.055(a), Occupations Code, to provide that members of the commission serve staggered six-year terms, with the terms of two or three members expiring on December 31 of each odd-numbered year.

SECTION 8.03. Requires the governor, as soon as possible after the effective date of this Act, to appoint an additional public member to the Texas Cosmetology Commission for a term expiring December 31, 2005.

ARTICLE 9. STATE BOARD OF DENTAL EXAMINERS

SECTION 9.01. Amends Section 252.001(a), Occupations Code, to provide that the State Board of Dental Examiners consists of 19, rather than 18, members appointed by the governor with the advice and consent of the senate, including seven, rather than six, members who represent the public.

SECTION 9.02. Amends Section 252.004(a), Occupations Code, to provide that the terms of approximately one-third of the members expire February 1 of each odd-numbered year.

SECTION 9.03. Requires the governor, as soon as possible after the effective date of this Act, to appoint an additional public member to the State Board of Dental Examiners for a term expiring February 1, 2007.

ARTICLE 10. TEXAS DIABETES COUNCIL

SECTION 10.01. Amends Sections 103.002(a) and (b), Health and Safety Code, as follows:

- (a) Provides that the Texas Diabetes Council (council) is composed of 13, rather than 12, citizen members appointed from the public.
- (b) Requires the governor, with the advice and consent of the senate, to appoint five, rather than four, citizen members from the general public with expertise or demonstrated commitment to diabetes issues.

SECTION 10.02. Amends Section 103.005(a), Health and Safety Code, to provide that council members appointed by the governor serve for staggered six-year terms, with the terms of four or five members expiring February 1 of each odd-numbered year.

SECTION 10.03. Requires the governor, as soon as possible after the effective date of this Act, to appoint an additional public member to the Texas Diabetes Council for a term expiring February 1, 2007.

ARTICLE 11. TEXAS DISTINGUISHED SERVICE AWARDS COMMITTEE

SECTION 11.01. Amends Section 3(b), Chapter 111, Acts of the 61st Legislature, Regular Session, 1969 (Article 6144h, V.T.C.S.), to require the Texas Distinguished Service Awards Committee (committee) to consist of five, rather than six, members appointed for terms of six years. Provides that the terms of one or two members expire January 31 of each odd-numbered year. Deletes language regarding initial appointments to the committee and six-year terms.

SECTION 11.02. Provides that, of the two positions on the Texas Distinguished Service Awards Committee that have terms expiring January 31, 2003, one of the positions is abolished, and requires the governor to appoint a person to fill the other position for a term expiring January 31, 2009. Requires the governor to designate which of the two positions is abolished.

SECTION 11.03. Provides that this article takes effect January 31, 2003.

ARTICLE 12. STATE BOARD FOR EDUCATOR CERTIFICATION

SECTION 12.01. Amends Section 21.033(a), Education Code, to provide that the State Board for Educator Certification (board) is composed of 16, rather than 15, members. Provides that the remaining 13, rather than 12, members are appointed by the governor with the advice and consent of the senate, including six, rather than five, of whom must be citizens, and four, rather than three, of whom are not and have not, in the five years preceding appointment, been employed by a public school district or by an educator preparation program in an institution of higher education and two of whom

are not and have not been employed by a public school district or by an educator preparation program in an institution of higher education.

SECTION 12.02. Amends Section 21.034(a), Education Code, to provide that the board members appointed by the governor hold office for staggered terms of six years with the terms of approximately one-third of the members expiring on February 1 of each odd-numbered year.

SECTION 12.03. Requires the governor, as soon as possible after the effective date of this Act, to appoint an additional public member to the State Board for Educator Certification for a term expiring February 1, 2007.

ARTICLE 13. TEXAS EMANCIPATION JUNETEENTH CULTURAL AND HISTORICAL COMMISSION

SECTION 13.01. Amends Section 448.003, Government Code, to provide that the Texas Emancipation Juneteenth Cultural and Historical Commission (commission) is composed of five, rather than six, public members appointed by the governor with the advice and consent of the senate.

SECTION 13.02. Amends Section 448.007, Government Code, to provide that public members of the commission serve staggered terms of six years with the terms of approximately one-third of the members expiring on February 1 of each odd-numbered year.

SECTION 13.03. Provides that, of the two positions on the Texas Emancipation Juneteenth Cultural and Historical Commission that have terms expiring February 1, 2003, one of the positions is abolished, and requires the governor to appoint a person to fill the other position for a term expiring February 1, 2009. Requires the governor to designate which of the two positions is abolished.

SECTION 13.04. Provides that this article takes effect February 1, 2003.

ARTICLE 14. TEXAS COMMISSION ON FIRE PROTECTION

SECTION 14.01. Amends Sections 419.004(a) and (b), Government Code, to provide that the Texas Commission on Fire Protection (commission) is composed of 13, rather than 12, members, including four, rather than three, public members. Provides that the members of the commission are appointed by the governor with the advice and consent of the senate for staggered terms of six years with four or five members' terms expiring February 1 of each odd-numbered year.

SECTION 14.02. Requires the governor, as soon as possible after the effective date of this Act, to appoint an additional public member to the Texas Commission on Fire Protection for a term expiring February 1, 2007.

ARTICLE 15. GENERAL SERVICES COMMISSION

SECTION 15.01. Amends Section 2152.051, Government Code, to provide that the General Services Commission (commission) is composed of five, rather than six, representatives of the public appointed by the governor with the advice and consent of the senate.

SECTION 15.02. Amends Section 2152.057, Government Code, to provide that commission members serve staggered six-year terms with one or two members' terms expiring January 31 of each odd-numbered year.

SECTION 15.03. Amends Section 2152.058(c), Government Code, to provide that three, rather than four, members of the commission constitute a quorum.

SECTION 15.04. Provides that, of the two positions on the General Services Commission that have

terms expiring January 31, 2003, one of the positions is abolished, and requires the governor to appoint a person to fill the other position for a term expiring January 31, 2009. Requires the governor to designate which of the two positions is abolished.

SECTION 15.05. Provides that this article takes effect January 31, 2003.

ARTICLE 16. TEXAS HEALTH BENEFITS PURCHASING COOPERATIVE

SECTION 16.01. Amends Articles 26.13(b) and (c), Insurance Code, as follows:

(b) Provides that the Texas Health Benefits Purchasing Cooperative is administered by a seven-member, rather than six-member, board of trustees appointed by the governor with the advice and consent of the senate. Requires that two members, rather than one member, represent the public.

(c) Provides that the appointed members of the board of trustees serve staggered six-year terms, with the terms of two or three members expiring February 1 of each odd-numbered year.

SECTION 16.02. Requires the governor, as soon as possible after the effective date of this Act, to appoint an additional public member to the Texas Health Benefits Purchasing Cooperative for a term expiring February 1, 2007.

ARTICLE 17. STATEWIDE HEALTH COORDINATING COUNCIL

SECTION 17.01. Amends Section 104.011(a), Health and Safety Code, to provide that the statewide health coordinating council is composed of 18, rather than 17, members, including five, rather than four, public members appointed by the governor.

SECTION 17.02. Amends Section 104.0115(a), Health and Safety Code, to provide that members of the council who are appointed by the governor serve for staggered six-year terms, with the terms of four or five members expiring August 31 of each odd-numbered year.

SECTION 17.03. Requires the governor, as soon as possible after the effective date of this Act, to appoint an additional public member to the statewide health coordinating council for a term expiring August 31, 2007.

ARTICLE 18. TEXAS BOARD OF HEALTH

SECTION 18.01. Amends Sections 11.005(a) and (c), Health and Safety Code, as follows:

(a) Provides that the Texas Board of Health (board) is composed of five, rather than six, members appointed by the governor with the advice and consent of the senate.

(c) Requires three, rather than four, members of the board to have a demonstrated interest in the services provided by the department.

SECTION 18.02. Amends Section 11.007, Health and Safety Code, to provide that Texas Board of Health (board) members serve for staggered six-year terms, with the terms of one or two members expiring February 1 of each odd-numbered year.

SECTION 18.03. Amends Section 11.011(d), Health and Safety Code, to provide that three, rather than four, members of the board constitute a quorum.

SECTION 18.04. Provides that, of the two positions on the Texas Board of Health that have terms

expiring February 1, 2003, one of the positions is abolished, and requires the governor to appoint a person to fill the other position for a term expiring February 1, 2009. Requires the governor to designate which of the two positions is abolished.

SECTION 18.05. Provides that this article takes effect February 1, 2003.

ARTICLE 19. TEXAS HISTORICAL COMMISSION

SECTION 19.01. Amends Sections 442.002(b) and (c), Government Code, as follows:

(a) Provides that the Texas Historical Commission is composed of 17, rather than 18, members appointed by the governor with the advice and consent of the senate. Requires fourteen, rather than fifteen, members to be representatives of the general public.

(c) Provides that members serve for staggered six-year terms, with the terms of approximately one-third of the members expiring February 1 of each odd-numbered year.

SECTION 19.02. Provides that, of the six positions on the Texas Historical Commission that have terms expiring February 1, 2003, one of the public member positions is abolished, and requires the governor to appoint persons to fill the other five positions for terms expiring February 1, 2009. Requires the governor to designate which of the six positions is abolished.

SECTION 19.03. Provides that this article takes effect February 1, 2003.

ARTICLE 20. COMMISSION ON HUMAN RIGHTS

SECTION 20.01. Amends Section 461.051(a), Government Code, to provide that the Commission on Human Rights consists of five, rather than six, members. Requires three, rather than four, members to be representatives of the public.

SECTION 20.02. Provides that, of the two positions on the Commission on Human Rights that have terms expiring September 24, 2001, the public member position is abolished, and requires the governor to appoint a person to fill the other position for a term expiring September 24, 2007.

SECTION 20.03. Provides that this article takes effect September 24, 2001.

ARTICLE 21. TEXAS BOARD OF HUMAN SERVICES

SECTION 21.01. Amends Sections 21.003(b), (c), and (e), Human Resources Code, as follows:

(b) Provides that the Texas Board of Human Services (board) is composed of five, rather than six, members appointed by the governor with the advice and consent of the senate and representing all geographic regions of the state.

(c) Provides that members of the board serve for staggered terms of six years with the term of one or two members expiring on January 20 of each odd-numbered year.

(e) Provides that three, rather than four, members of the board constitute a quorum for the transaction of business.

SECTION 21.02. Provides that, of the two positions on the Texas Board of Human Services that have terms expiring January 20, 2003, one of the positions is abolished, and requires the governor to appoint a person to fill the other position for a term expiring January 20, 2009. Requires the governor

to designate which of the two positions is abolished.

SECTION 21.03. Provides that this article takes effect January 20, 2003.

ARTICLE 22. DEPARTMENT OF INFORMATION RESOURCES

SECTION 22.01. Amends Sections 2054.021(a) and (b), Government Code, to provide that the Department of Information resources is governed by a board composed of five, rather than six, voting members appointed by the governor with the advice and consent of the senate. Provides that voting members of the board serve for staggered six-year terms with one or two members' terms expiring February 1 of each odd-numbered year.

SECTION 22.02. Provides that, of the two positions on the governing board of the Department of Information Resources that have terms expiring February 1, 2003, one of the positions is abolished, and requires the governor to appoint a person to fill the other position for a term expiring February 1, 2009. Requires the governor to designate which of the two positions is abolished.

SECTION 22.03. Provides that this article takes effect February 1, 2003.

ARTICLE 23. TEXAS STATE LIBRARY AND ARCHIVES COMMISSION

SECTION 23.01. Amends Section 441.001(a), Government Code, to provide that the Texas State Library and Archives Commission (commission) is composed of five, rather than six, members appointed by the governor with the advice and consent of the senate. Requires all five members to be representatives of the general public.

SECTION 23.02. Provides that, of the two positions on the Texas State Library and Archives Commission that have terms expiring September 28, 2001, one of the positions is abolished, and requires the governor to appoint a person to fill the other position for a term expiring September 28, 2007. Requires the governor to designate which of the two positions is abolished.

SECTION 23.03. Provides that this article takes effect September 28, 2001.

ARTICLE 24. TEXAS COMMISSION OF LICENSING AND REGULATION

SECTION 24.01. Amends Section 51.052(a), Occupations Code, to provide that the Commission of Licensing and Regulation consists of five, rather than six, members appointed by the governor with the advice and consent of the senate.

SECTION 24.02. Amends Section 51.055(a), Occupations Code, is amended to provide that the terms of one or two members expire on February 1 of each odd-numbered year.

SECTION 24.03. Provides that, of the two positions on the Texas Commission of Licensing and Regulation that have terms expiring February 1, 2003, one of the positions is abolished, and requires the governor to appoint a person to fill the other position for a term expiring February 1, 2009. Requires the governor to designate which of the two positions is abolished.

SECTION 24.04. Provides that this article takes effect February 1, 2003.

ARTICLE 25. TEXAS STATE BOARD OF MEDICAL EXAMINERS

SECTION 25.01. Amends Section 152.002(a), Occupations Code, to provide that the Texas State Board of Medical Examiners consists of 19, rather than 18, members appointed by the governor with the advice and consent of the senate, including seven, rather than six, members who represent the

public.

SECTION 25.02. Requires the governor, as soon as possible after the effective date of this Act, the governor to appoint an additional public member to the Texas State Board of Medical Examiners for a term expiring April 13, 2007.

ARTICLE 26. TEXAS MILITARY FACILITIES COMMISSION

SECTION 26.01. Amends Section 435.004(a), Government Code, to provide that the Texas Military Facilities Commission is composed of six, rather than five, members of the general public who are appointed by the governor with the advice and consent of the senate, and who must meet certain requirements.

SECTION 26.02. Requires the governor, as soon as possible after the effective date of this Act, to appoint an additional member to the Texas Military Facilities Commission for a term expiring April 30, 2007.

ARTICLE 27. MULTI-STATE WATER RESOURCES PLANNING COMMISSION

SECTION 27.01. Amends Sections 8.013(a) and (c), Water Code, as follows:

(a) Provides that the Multi-State Water Resources Planning Commission is composed of seven, rather than six, commissioners who are appointed by the governor with the advice and consent of the senate.

(c) Requires three, rather than two, commissioners to be members of the general public.

SECTION 27.02. Amends Section 8.015(a), Water Code, to provide that commissioners hold office for staggered terms of six years, with the terms of two or three commissioners expiring on February 1 of each odd-numbered year.

SECTION 27.03. Requires the governor, as soon as possible after the effective date of this Act, to appoint an additional public member to the Multi-State Water Resources Planning Commission for a term expiring February 1, 2007.

ARTICLE 28. TEXAS BOARD OF ORTHOTICS AND PROSTHETICS

SECTION 28.01. Amends Section 605.052(a), Occupations Code, to provide that the Texas Board of Orthotics and Prosthetics consists of seven, rather than six, members appointed by the governor with the advice and consent of the senate, including two members (rather than one member) who are representatives of the public who do not use an orthosis or prosthesis. Makes conforming changes.

SECTION 28.02. Amends Section 605.055(a), Occupations Code, to provide that the terms of two or three members expire on February 1 of each odd-numbered year.

SECTION 28.03. Requires the governor, as soon as possible after the effective date of this Act, to appoint an additional public member to the Texas Board of Orthotics and Prosthetics for a term expiring February 1, 2007.

ARTICLE 29. POLYGRAPH EXAMINERS BOARD

SECTION 29.01. Amends Section 1703.051(a), Occupations Code, to provide that the Polygraph Examiners Board consists of seven, rather than six, members appointed by the governor with the advice and consent of the senate, including three, rather than two, members who represent the public.

SECTION 29.02. Requires the governor, as soon as possible after the effective date of this Act, to appoint an additional public member to the Polygraph Examiners Board for a term expiring June 18, 2007.

ARTICLE 30. PRODUCE RECOVERY FUND BOARD

SECTION 30.01. Amends Section 103.003(a), Agriculture Code, to provide that the Produce Recovery Fund Board is composed of seven, rather than six, members appointed by the governor with the advice and consent of the senate. Requires three, rather than two, of those members to be members of the general public.

SECTION 30.02. Requires the governor, as soon as possible after the effective date of this Act, the governor to appoint an additional public member to the Produce Recovery Fund Board for a term expiring January 31, 2007.

ARTICLE 31. BOARD OF PROTECTIVE AND REGULATORY SERVICES

SECTION 31.01. Amends Sections 40.021(a) and (b), Human Resources Code, to provide that the Board of Protective and Regulatory Services is composed of seven, rather than six, members appointed by the governor with the advice and consent of the senate. Requires that three, rather than two, members represent the public.

SECTION 31.02. Amends Section 40.024, Human Resources Code, to provide that members of the board serve six-year terms, with the terms of two or three members expiring February 1 of each odd-numbered year.

SECTION 31.03. Requires the governor, as soon as possible after the effective date of this Act, to appoint an additional public member to the Board of Protective and Regulatory Services for a term expiring February 1, 2007.

ARTICLE 32. TEXAS PUBLIC FINANCE AUTHORITY

SECTION 32.01. Amends Section 1232.052(a), Government Code, to provide that the Texas Public Finance Authority (authority) is governed by a board of directors composed of five, rather than six, members appointed by the governor with the advice and consent of the senate.

SECTION 32.02. Amends Section 1232.053, Government Code, to provide that members of the board are appointed for staggered terms of six years, with one or two members' terms expiring February 1 of each odd-numbered year.

SECTION 32.03. Provides that, of the two positions on the Texas Public Finance Authority that have terms expiring February 1, 2003, one of the positions is abolished, and requires the governor to appoint a person to fill the other position for a term expiring February 1, 2009. Requires the governor to designate which of the two positions is abolished.

SECTION 32.04. Provides that this article takes effect February 1, 2003.

ARTICLE 33. TEXAS RACING COMMISSION

SECTION 33.01. Amends Section 2.02(a), Texas Racing Act (Article 179e, V.T.C.S.), to provide that the Texas Racing Commission consists of seven, rather than six, members appointed by the governor with the advice and consent of the senate.

SECTION 33.02. Amends Section 2.03(a), Texas Racing Act (Article 179e, V.T.C.S.), to provide that appointed members hold office for staggered terms of six years with two or three members' terms

expiring February 1 of each odd-numbered year.

SECTION 33.03. Amends Section 2.05(a), Texas Racing Act (Article 179e, V.T.C.S.), to require five, rather than four, of the appointed members of the commission to be representatives of the general public and have general knowledge of business or agribusiness.

SECTION 33.04. Requires the governor, as soon as possible after the effective date of this Act, to appoint an additional public member to the Texas Racing Commission for a term expiring February 1, 2007.

ARTICLE 34. TEXAS REHABILITATION COMMISSION

SECTION 34.01. Amends Section 111.013(a), Human Resources Code, to provide that the board of the Texas Rehabilitation Commission is composed of five, rather than six, members appointed by the governor with the advice and consent of the senate. Provides that members serve for staggered terms of six years with the terms of one or two members expiring every two years.

SECTION 34.02. Provides that, of the two positions on the Texas Rehabilitation Commission that have terms expiring August 31, 2001, one of the positions is abolished, and requires the governor to appoint a person to fill the other position for a term expiring August 31, 2007. Requires the governor to designate which of the two positions is abolished.

SECTION 34.03. Provides that this article takes effect August 31, 2001.

ARTICLE 35. RISK MANAGEMENT BOARD

SECTION 35.01. Amends Sections 412.021(a), (b), and (c), Labor Code, to require members of the Risk Management Board (board), except for one public member, to have demonstrated experience in the field of workers' compensation and risk management administration. Provides that the board is composed of seven, rather than six, members appointed by the governor. Provides that members of the board hold office for staggered terms of six years with two or three members' terms expiring February 1 of each odd-numbered year.

SECTION 35.02. Requires the governor, as soon as possible after the effective date of this Act, to appoint a public member to the risk management board for a term expiring February 1, 2007.

ARTICLE 36. COUNCIL ON SEX OFFENDER TREATMENT

SECTION 36.01. Amends Section 3(a), Chapter 462, Acts of the 68th Legislature, Regular Session, 1983 (Article 4413(51), V.T.C.S.), to provide that the Council on Sex Offender (council) treatment is composed of seven, rather than six, part-time members, including three, rather than two, members who are representatives of the general public.

SECTION 36.02. Amends Section 4(a), Chapter 462, Acts of the 68th Legislature, Regular Session, 1983 (Article 4413(51), V.T.C.S.), to provide that members of the council hold office for staggered terms of six years, with two or three members' terms expiring February 1 of each odd-numbered year.

SECTION 36.03. Requires the governor, as soon as possible after the effective date of this Act, to appoint an additional public member to the Council on Sex Offender Treatment for a term expiring February 1, 2007.

ARTICLE 37. TEXAS STRUCTURAL PEST CONTROL BOARD

SECTION 37.01. Amends Section 3(a), Texas Structural Pest Control Act (Article 135b-6, V.T.C.S.), to provide that The Texas Structural Pest Control Board is composed of 10 (rather than

nine) members, seven (rather than six) of whom shall be appointed. Requires four, rather than three, members to be representatives of the general public who are not licensed under this Act. Provides that appointed members of the board hold office for staggered terms of six years, with the terms of one business and one or two public members expiring February 1 of each odd-numbered year.

SECTION 37.02. Requires the governor, as soon as possible after the effective date of this Act, to appoint an additional public member to the Texas Structural Pest Control Board for a term expiring February 1, 2007.

ARTICLE 38. BOARD OF TAX PROFESSIONAL EXAMINERS

SECTION 38.01. Amends Sections 4(b), (c), and (d), The Property Taxation Professional Certification Act (Article 8885, Revised Statutes), as follows:

(b) Provides that the Board of Tax Professional Examiners (board) consists of seven, rather than six, members appointed by the governor with the advice and consent of the senate. Requires one of the members to represent the general public.

(c) Sets forth eligibility requirements for board members, excluding the public member.

(d) Provides that members hold office for terms of six years, with the terms of two or three members expiring on March 1 of each odd-numbered year.

SECTION 38.02. Requires the governor, as soon as possible after the effective date of this Act, to appoint a public member to the Board of Tax Professional Examiners for a term expiring March 1, 2007.

ARTICLE 39. COMMISSION ON UNIFORM STATE LAWS

SECTION 39.01. Amends Sections 762.003(a) and (c), Government Code, as follows:

(a) Provides that the Commission on Uniform State Laws (commission) is composed of five, rather than six, members appointed by the governor.

(c) Provides that appointed members serve staggered six-year terms, with the terms of one or two members expiring September 30 of each even-numbered year.

SECTION 39.02. Provides that, of the two positions on the Commission on Uniform State Laws that have terms expiring September 30, 2002, one of the positions is abolished, and requires the governor to appoint a person to fill the other position for a term expiring September 30, 2008. Requires the governor to designate which of the two positions is abolished.

SECTION 39.03. Provides that this article takes effect September 30, 2002.

ARTICLE 40. TEXAS VETERANS COMMISSION

SECTION 40.01. Amends Sections 434.003(a) and (b), Government Code, to provide that the Texas Veterans Commission (commission) is composed of seven, rather than six, members appointed by the governor with the advice and consent of the senate. Requires at least one member to be a public member.

SECTION 40.02. Requires the governor, as soon as possible after the effective date of this Act, to appoint a public member to the Texas Veterans Commission for a term expiring December 31, 2005.

ARTICLE 41. TEXAS WORKERS' COMPENSATION COMMISSION

SECTION 41.01. Amends Sections 402.001(a) and (c), Labor Code, as follows:

- (a) Provides that the Texas Workers' Compensation Commission is composed of seven, rather than six, members appointed by the governor with the advice and consent of the senate.
- (c) Requires one member to represent the general public.

SECTION 41.02. Requires the governor, as soon as possible after the effective date of this Act, to appoint a public member to the Texas Workers' Compensation Commission for a term expiring February 1, 2007.

ARTICLE 42. TEXAS YOUTH COMMISSION

SECTION 42.01. Amends Sections 61.012(a) and (c), Human Resources Code, as follows:

- (a) Provides that the governing board of the Texas Youth Commission (board) consists of five, rather than six, members appointed by the governor with the consent of the senate.
- (c) Provides that board members hold office for staggered terms of six years, with the terms of one or two members expiring every two years.

SECTION 42.02. Amends Section 61.014, Human Resources Code, to provide that three, rather than four, members constitute a quorum for the exercise of functions of the commission not delegated to the executive director or other employees.

SECTION 42.03. Provides that, of the two positions on the Texas Youth Commission that have terms expiring August 31, 2001, one of the positions is abolished, and requires the governor to appoint a person to fill the other position for a term expiring August 31, 2007. Requires the governor to designate which of the two positions is abolished.

SECTION 42.04. Provides that this article takes effect August 31, 2001.

ARTICLE 43. CONSTRUCTION; EFFECTIVE DATE

SECTION 43.01. Provides that, in the event of a conflict between a provision of this Act and another Act passed by the 77th Legislature, Regular Session, 2001, that becomes law, the other law controls.

SECTION 43.02. Provides that, except as otherwise provided by this Act, this Act takes effect September 1, 2001.