

## **BILL ANALYSIS**

Senate Research Center  
2003S0995-1 04/04/03

C.S.S.B. 1675  
By: Fraser  
State Affairs  
5/10/2003  
Committee Report (Substituted)

### **DIGEST AND PURPOSE**

Currently, the Office of State-Federal Relations (OSFR) operates as a separate state agency. C.S.S.B. 1675 restructures OSFR by placing it within the governor's office, and narrowing its focus.

### **RULEMAKING AUTHORITY**

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

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends the heading to Chapter 751, Government Code, to read as follows:

#### CHAPTER 751. STATE-FEDERAL RELATIONS

SECTION 2. Amends the heading to Subchapter A, Chapter 751, Government Code, to read as follows:

#### SUBCHAPTER A. OFFICE OF STATE-FEDERAL RELATIONS

SECTION 3. Amends Sections 751.001 and 751.002, Government Code, as follows:

Sec. 751.001. Redefines "board" and "state agency."

Sec. 751.002. Provides that the Office of State-Federal Relations (OSFR) is established in the Office of the Governor, rather than is an agency of the state and operates within the executive department. Deletes the provision stating that the OSFR is subject to the administrative procedure law.

SECTION 4. Amends Sections 751.004, 751.005, and 751.006, Government Code, as follows:

Sec. 751.004. New heading: APPOINTMENT OF DIRECTOR. Removes the requirement that the senate advise and give consent to the governor regarding to the appointment of a director of OSFR (director).

Sec. 751.005. (b) Requires the director: to inform the lieutenant governor and speaker of the house of representatives, rather than the legislature, of federal programs that may be carried out in the state or that affect state programs and removes the requirement that the director inform the legislature of the same; regularly provide the governor, lieutenant governor, and speaker of the house of representatives, rather than the legislature, with information useful in measuring the effect of federal actions on the state and local programs; and prepare and supply to the lieutenant governor and speaker of the house of representatives, rather than all members of the legislature, an annual report detailing certain information. Removes the requirement for the director to prepare annually a complete and detailed written report accounting for all funds received and disbursed by the OSFR during the preceding fiscal year.

(d) Makes a conforming change by removing a directive regarding the annual report required under Subsection (b)(6).

Sec. 751.006. (a) Removes a requirement that the director or the director's designee provide to office employees information regarding their qualification for employment under this chapter and their responsibilities under applicable laws relating to standards of conduct for state employees.

(b) Removes a requirement that the director develop an intraagency career ladder program and that the program require intraagency posting of positions.

(c) Removes a requirement that the director or the director's designee develop a system of annual performance evaluations and that merit pay be based on the system.

(d) Removes requirements regarding a policy statement for an equal opportunity employment program.

(e) Removes requirements pertaining to the policy statement.

(f) Removes the requirement that the governor's office deliver a biennial report to the legislature regarding the equal opportunity employment program.

Redesignates existing Subsection (g) as Subsection (b), and modifies a statutory reference to conform to changes in law.

SECTION 5. Amends Section 751.010, Government Code, as follows:

Sec. 751.010. New heading: STATE-FEDERAL RELATIONS ADVISORY BOARD.

(a) Authorizes the governor to appoint members to an advisory board (board) to assist in administration of this chapter. Removes provisions setting forth the members of the OSFR Advisory Policy Board. Removes provisions relating to the function of the board.

(b) Redesignated from (e). Authorizes, rather than requires, the board to meet before the beginning of each congressional session and at the call of the director, rather than presiding officer.

(c) Redesignated from (f). Authorizes, rather than requires, the board to work with the director to hold periodic meetings to discuss upcoming issues. Deletes the requirement that the meetings be held in Austin and at times determined by the presiding officer.

(d) Provides that an advisor serves without compensation but is entitled to necessary and actual expenses incurred in performing duties under this chapter.

SECTION 6. Amends Section 751.012, Government Code, as follows:

Sec. 751.012. (b) Redesignated from (c) and deletes the text of Subsection (b), requiring OFSR to enter into a certain contract. Requires a contract under this section to include certain provisions.

(c) Redesignated from (d).

(d) Redesignated from (e). Provides that a state agency identified by the Legislative Budget Board (LBB) or Governor's Office of Budget, Planning, and Policy (GOBPP) as receiving significant federal funding or significantly affected by federal policy decisions has certain requirements.

(e) Redesignated from (f). Makes a conforming change.

SECTION 7. Amends Subchapter A, Chapter 751, Government Code, by adding Section 751.015, as follows:

Sec. 751.015. AGENCY COMMUNICATIONS. Requires a state agency, to the extent practicable, to contact the OSFR before the agency provides information to a federal agency or the U.S. Congress about state policy or conditions. Provides that this section does not apply to a state agency headed by a statewide-elected official.

SECTION 8. Amends Section 751.022, Government Code, as follows:

Sec. 751.022. (a) Provides that GOBPP, rather than OSFR, has primary responsibility for monitoring, coordinating, and reporting on the state's efforts to ensure receipt of an equitable share of federal formula funds.

(b) Requires GOBPP, rather than OSFR, to perform certain functions.

(c) Requires GOBPP, rather than OSFR, to annually prepare a comprehensive report to the governor and legislature on the effectiveness of state efforts to ensure an equitable share of federal formula funds. Requires part of the report to be recommendations developed in consultation with the OSFR, rather than the Governor's Office of Budget and Planning, for certain actions.

SECTION 9. Amends Section 751.024, Government Code, as follows:

Sec. 751.024. (a) Requires certain information from agencies and higher education institutions to be reported to the GOBPP, and not to the OSFR.

(b) Authorizes LBB, in consultation with GOBPP, rather than the director of OSFR, to prescribe certain procedures and time schedules.

SECTION 10. Amends Section 32.004, Government Code, by adding Subsection (e), to authorize the director to maintain office space at locations inside and outside the state as chosen by the director.

SECTION 11. Repealers:

Section 751.003 (Sunset Provision), Government Code;

Section 751.008 (Public Information and Complaints), Government Code;

Section 751.011 (Board Duties), Government Code;

Section 751.023 (Agency Communications), Government Code.

SECTION 12. Provides that on September 1, 2003, any powers, duties, obligations, rights, contracts, records, employees, property, funds, appropriations, and authorized full-time equivalent positions of OSFR are transferred to the office of the governor.

SECTION 13. Effective date: September 1, 2003.