

CONFERENCE COMMITTEE REPORT FORM

Austin, Texas

May 28, 2015
Date

Honorable Dan Patrick
President of the Senate

Honorable Joe Straus
Speaker of the House of Representatives

Sirs:

We, Your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on SB1465 have had the same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

Kirk Watson
Kirk Watson

Larry Phillips
Larry Phillips

Brian Birdwell
Brian Birdwell

Roberto R. Alonzo
Roberto Alonzo

Robert Nichols
Robert Nichols

DeWayne Burns
DeWayne Burns

Kel Seliger
Kel Seliger

Will Metcalf
Will Metcalf

Carlos Christ
On the part of the Senate

John Wray
On the part of the House

Note to Conference Committee Clerk:

Please type the names of the members of the Conference Committee under the lines provided for signature. Those members desiring to sign the report should sign each of the six copies. Attach a copy of the Conference Committee Report and a Section by Section side by side comparison to each of the six reporting forms. The original and two copies are filed in house of origin of the bill, and three copies in the other house.

CONFERENCE COMMITTEE REPORT

3rd Printing

S.B. No. 1465

A BILL TO BE ENTITLED

1 AN ACT

2 relating to creating limited purpose disaster declaration
3 authority for the governor and a search and rescue task force in
4 each disaster field response region.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Subchapter B, Chapter 418, Government Code, is
7 amended by adding Section 418.025 to read as follows:

8 Sec. 418.025. LIMITED PURPOSE DECLARATION. (a) If the
9 governor determines that a disaster can be adequately addressed
10 without invoking all the powers and duties provided by this
11 subchapter, the governor may, by proclamation or executive order,
12 issue a limited purpose disaster declaration invoking only the
13 authority provided by Sections 418.016(a) and (e).

14 (b) A declaration made under this section is subject to
15 Section 418.014.

16 SECTION 2. Section 418.043, Government Code, is amended to
17 read as follows:

18 Sec. 418.043. OTHER POWERS AND DUTIES. The division shall:

19 (1) determine requirements of the state and its
20 political subdivisions for food, clothing, and other necessities in
21 event of a disaster;

22 (2) procure and position supplies, medicines,
23 materials, and equipment;

24 (3) adopt standards and requirements for local and

- 1 interjurisdictional emergency management plans;
- 2 (4) periodically review local and interjurisdictional
3 emergency management plans;
- 4 (5) coordinate deployment of mobile support units;
- 5 (6) establish and operate training programs and
6 programs of public information or assist political subdivisions and
7 emergency management agencies to establish and operate the
8 programs;
- 9 (7) make surveys of public and private industries,
10 resources, and facilities in the state that are necessary to carry
11 out the purposes of this chapter;
- 12 (8) plan and make arrangements for the availability
13 and use of any private facilities, services, and property and
14 provide for payment for use under terms and conditions agreed on if
15 the facilities are used and payment is necessary;
- 16 (9) establish a register of persons with types of
17 training and skills important in disaster mitigation,
18 preparedness, response, and recovery;
- 19 (10) establish a register of mobile and construction
20 equipment and temporary housing available for use in a disaster;
- 21 (11) assist political subdivisions in developing
22 plans for the humane evacuation, transport, and temporary
23 sheltering of service animals and household pets in a disaster;
- 24 (12) prepare, for issuance by the governor, executive
25 orders and regulations necessary or appropriate in coping with
26 disasters;
- 27 (13) cooperate with the federal government and any

1 public or private agency or entity in achieving any purpose of this
2 chapter and in implementing programs for disaster mitigation,
3 preparation, response, and recovery;

4 (14) develop a plan to raise public awareness and
5 expand the capability of the information and referral network under
6 Section 531.0312;

7 (15) improve the integration of volunteer groups,
8 including faith-based organizations, into emergency management
9 plans;

10 (16) cooperate with the Federal Emergency Management
11 Agency to create uniform guidelines for acceptable home repairs
12 following disasters and promote public awareness of the guidelines;

13 (17) cooperate with state agencies to:

14 (A) encourage the public to participate in
15 volunteer emergency response teams and organizations that respond
16 to disasters; and

17 (B) provide information on those programs in
18 state disaster preparedness and educational materials and on
19 Internet websites;

20 (18) establish a liability awareness program for
21 volunteers, including medical professionals;

22 (19) define "individuals with special needs" in the
23 context of a disaster;

24 (20) establish and operate, subject to the
25 availability of funds, a search and rescue task force in each field
26 response region established by the division to assist in search,
27 rescue, and recovery efforts before, during, and after a natural or

1 man-made disaster; and

2 (21) [~~20~~] do other things necessary, incidental, or
3 appropriate for the implementation of this chapter.

4 SECTION 3. This Act takes effect immediately if it receives
5 a vote of two-thirds of all the members elected to each house, as
6 provided by Section 39, Article III, Texas Constitution. If this
7 Act does not receive the vote necessary for immediate effect, this
8 Act takes effect September 1, 2015.

Senate Bill 1465
Conference Committee Report
Section-by-Section Analysis

SENATE VERSION

SECTION 1. Subchapter B, Chapter 418, Government Code, is amended by adding Section 418.025 to read as follows:
Sec. 418.025. LIMITED PURPOSE DECLARATION.

(a) If the governor determines that a disaster can be adequately addressed without invoking all the powers and duties provided by this subchapter, the governor may, by proclamation or executive order, issue a limited purpose disaster declaration invoking only the authority provided by Sections 418.016(a) and (e).

(b) A declaration made under this section is subject to Section 418.014.

No equivalent provision.

No equivalent provision.

SECTION 2. Effective date.

HOUSE VERSION (IE)

SECTION 1. Same as Senate version, except as follows:

(a) Same as Senate version.

(b) Same as Senate version.

Same as Senate version.

() Authorizes the governor, under a declaration made under this section, to authorize the Texas Division of Emergency Management to establish and operate, subject to the availability of funds, a search and rescue task force in each field response region established by the division to assist in search, rescue, and recovery efforts before, during, and after a natural or man-made disaster. [FA1]

SECTION 2. Same as Senate version.

CONFERENCE

SECTION 1. Same as Senate version.

(a) Same as Senate version.

(b) Same as Senate version.

SECTION 2. Amends Section 418.043, Government Code.
OTHER POWERS AND DUTIES.

Expands the powers and duties of the Texas Division of Emergency Management to include establishing and operating, subject to the availability of funds, a search and rescue task force in each field response region established by the division to assist in search, rescue, and recovery efforts before, during, and after a natural or man-made disaster.

SECTION 3. Same as Senate version.

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

May 30, 2015

TO: Honorable Dan Patrick, Lieutenant Governor, Senate
Honorable Joe Straus, Speaker of the House, House of Representatives

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: SB1465 by Watson (Relating to creating limited purpose disaster declaration authority for the governor and a search and rescue task force in each disaster field response region.),
Conference Committee Report

Estimated Two-year Net Impact to General Revenue Related Funds for SB1465, Conference Committee Report: a negative impact of (\$14,172,126) through the biennium ending August 31, 2017, depending on the scope and structure of the teams established by the Texas Division of Emergency Management.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

General Revenue-Related Funds, Five-Year Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2016	(\$12,521,572)
2017	(\$1,650,554)
2018	(\$1,650,554)
2019	(\$1,650,554)
2020	(\$1,650,554)

All Funds, Five-Year Impact:

Fiscal Year	Probable Savings/(Cost) from General Revenue Fund	Change in Number of State Employees from FY 2015
	1	
2016	(\$12,521,572)	9.0
2017	(\$1,650,554)	9.0
2018	(\$1,650,554)	9.0
2019	(\$1,650,554)	9.0
2020	(\$1,650,554)	9.0

Fiscal Analysis

The bill would amend Government Code chapter 418.025 to allow the Governor to declare limited-purpose disasters. The bill would amend the Government Code chapter 418.043 to require, subject to the availability of funds, the Texas Division of Emergency Management (TDEM), operated within the Department of Public Safety (DPS), to establish and operate a search and rescue task force in each field response region to assist in search, rescue, and recovery efforts before, during, and after a natural or man-made disaster. The bill would take effect immediately if it receives the necessary votes. Otherwise it would take effect September 1, 2015.

Methodology

Cost associated with limited-purpose disaster declarations are not estimated to be significant.

DPS currently maintains six field response regions throughout the state. This fiscal note assumes the agency would establish and operate a search and rescue task force in each of these field response regions. Cost would be lower or higher depending on the scope and structure of the teams.

It is assumed the agency would require additional staff and equipment in all six regions to implement the provisions of the bill. This fiscal note assumes any funding that may be provided to implement the provisions of the bill would come out of the General Revenue Fund 01.

This fiscal note assumes the following would be required to implement the provisions of the bill:

- 1) DPS would need \$10,871,018 for one-time capital acquisitions in fiscal year 2016. This total includes \$10,529,466 for equipment needed for each of the six regional search and rescue operations (\$1,754,911 for each of DPS' 6 regions). This equipment would include the following: water equipment (\$31,990), communication equipment (\$437,516), hazmat equipment (\$82,352), logistical equipment (\$777,184), medical equipment (\$186,112), planning equipment (\$463), rescue equipment (\$95,903) and technical equipment (\$143,383). In addition, DPS would need \$112,644 for commercial vehicle enforcement scales (\$18,774 for each of the 6 Equipment Maintenance Technician positions noted below); and, \$58,132 for three vehicles.
- 2) DPS would require staff to train and support the search and rescue teams. It is assumed DPS would need 1 Training Specialist III at headquarters (\$46,976), as well as 2 Program Specialist III positions (\$109,522) and 6 Equipment Maintenance Technician I positions (\$237,240). An additional estimated amount for benefits costs associated with these position is \$133,398 per fiscal year.
- 3) DPS would need to travel around the state to train individuals in local communities on how to properly respond to natural and man-made disasters. TDEM estimates a yearly training cost per region of \$125,000, and a yearly travel cost per region of \$50,000.
- 4) It is assumed DPS would need \$73,418 to rent certain regional facilities and/or office space.

Technology

It is assumed the bill would have no technology related impacts.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 301 Office of the Governor, 405 Department of Public Safety

LBB Staff: UP, JAW, ESI, AI, LBe, AG

**Certification of Compliance with
Rule 13, Section 6(b), House Rules of Procedure**

Rule 13, Section 6(b), House Rules of Procedure, requires a copy of a conference committee report signed by a majority of each committee of the conference to be furnished to each member of the committee in person or, if unable to deliver in person, by placing a copy in the member's newspaper mailbox at least one hour before the report is furnished to each member of the house under Rule 13, Section 10(a). The paper copies of the report submitted to the chief clerk under Rule 13, Section 10(b), must contain a certificate that the requirement of Rule 13, Section 6(b), has been satisfied, and that certificate must be attached to the copy of the report furnished to each member under Rule 13, Section 10(d). Failure to comply with this requirement is not a sustainable point of order under Rule 13.

I certify that a copy of the conference committee report on SB 1465 was furnished to each member of the conference committee in compliance with Rule 13, Section 6(b), House Rules of Procedure, before submission of the paper copies of the report to the chief clerk under Rule 13, Section 10(b), House Rules of Procedure.

W. P. Miller
(name)

5-29-15
(date)