

SUBJECT: Applying state agency statutes to local workforce development boards

COMMITTEE: Economic Development — favorable, without amendment

VOTE: 8 ayes — Solis, Keffer, Clark, Deshotel, Homer, McClendon, Seaman,
Yarbrough

0 nays

1 absent — Luna

WITNESSES: For — *Registered but did not testify*: Patrick Bresette, Center for Public Policy Priorities; Sandy Dochen, Capital Area Workforce Development Board; Bill Hammond, Texas Association of Business and Chambers of Commerce; Rick Levy, Texas AFL-CIO; David Pinkus, Small Business United; Ted Melina Raab, Texas State Employees Union

Against — None

BACKGROUND: Local workforce development boards currently are not covered by certain state statutes regulating state agencies and other governmental bodies, including the:

- ! Public Information Act (Government Code, ch. 552), which requires that certain information held by governmental bodies be made available to the public upon request;
- ! Interagency Cooperation Act (Government Code, ch. 771), which allows state agencies to contract with other state agencies for certain services and resources;
- ! Public Property Finance Act (Local Government Code, ch. 271), which regulates the purchase or other acquisition of property by governmental entities; and
- ! The Texas Tort Claims Act (Civil Practice and Remedies Code, ch. 101) regulates the liability of governmental units for certain incidents.

These boards also are not covered by open meetings requirements (Government Code, ch. 551), or included as assistance organizations for the purpose of buying or receiving state surplus or salvaged property (Government Code, ch. 2175).

DIGEST: HB 936 would amend various sections of the Government, Local Government, and Civil Practice and Remedies codes to include a local workforce development board in the definitions of a “governmental body,” “agency,” “local government,” “assistance organization,” or “governmental unit.” By doing so, it would subject these boards to the provisions of the Public Information Act, the Interagency Cooperation Act, the Public Property Finance Act, and the Texas Tort Claims Act, as well as provisions relating to open meetings and surplus property.

The bill would take effect September 1, 2001.

NOTES: The author intends to offer a floor amendment removing section 6 of the bill, which would apply the Texas Tort Claims Act to local workforce development boards. Issues raised concerning this section led to the bill’s removal from the Local and Consent Calendar.