

BILL ANALYSIS

Senate Research Center

C.S.S.B. 1906
By: Ratliff
Finance
4-28-97
Committee Report (Substituted)

DIGEST

Currently, the Original Oil Overcharge Restitutionary Act gives the power and discretion to finance projects using oil overcharge funds and to determine the supervising agency for each competitive grant to the office of the governor. A review committee consisting of the lieutenant governor and the speaker of the house was formed to review all proposals. C.S.S.B. 1906 removes the lieutenant governor and the speaker of the house from the concurrence process and repeals oil overcharge programs which are no longer funded by the state energy office.

PURPOSE

As proposed, C.S.S.B. 1906 removes the lieutenant governor and the speaker of the house from the concurrence process in administering oil overcharge funds and repeals oil overcharge programs which are no longer funded by the state energy office.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Repealers: Sections 2305.031-2305.039, Government Code (Direct grant programs).

SECTION 2. Amends Section 2305.002(3), Government Code, to redefine "energy office."

SECTION 3. Amends Section 2305.011, Government Code, as follows:

Sec. 2305.011. New heading: ADMINISTRATION BY GENERAL SERVICES COMMISSION AND ENERGY OFFICE. Requires the state energy conservation office of the General Services Commission (energy office), rather than the governor to take certain actions. Deletes a provision relating to finance projects. Authorizes the governor and the energy office to establish certain programs. Deletes a provision relating to the determination of a supervising state agency. Makes conforming changes.

SECTION 4. Amends Sections 2305.022 and 2305.023, Government Code, as follows:

Sec. 2305.022. USE OF ACCOUNT. Provide that money in a certain account may only be used by the governor and the General Services Commission.

Sec. 2305.023. New heading: ACCOUNT RECORDS ENERGY OFFICE REPORT. Requires the energy office to submit a report to the governor and the legislature no later than January 15 of each odd-numbered year.

SECTION 5. Amends Chapter 2305D, Government Code, by amending the subchapter heading and adding Section 2305.031, as follows:

SUBCHAPTER D. New heading: OIL OVERCHARGE PROGRAMS

Sec. 2305.031. OIL OVERCHARGE PROGRAMS. Require the energy office to maintain

a revolving loan program and to use oil overcharge funds.

SECTION 6. Amends Chapter 2305D, Government Code, by redesignating Section 2305.065 as Section 2305.032, as follows:

Sec. 2305.032. New heading: LOANSTAR REVOLVING LOAN PROGRAM. Authorizes the energy office, rather than the governor, under the loanstar revolving loan program, to approve certain projects. Deletes a provision relating to the distribution of grant money. Provides that projects approved by the energy office should benefit certain businesses and hospitals, rather than an individual of low- or moderate-income. Requires 85 percent of the loans made under this section to be awarded to certain entities. Requires a borrower, rather than a person, to repay the loans. Requires an institution, rather than a state agency or institution, to repay certain loans. Requires the office to allocate at least \$95 million for the loanstar program and requires the minimum size of the loanstar program to be \$95 million, including loan commitments and cash on hand. Makes conforming changes.

SECTION 7. Amends Chapter 2305D, Government Code, by redesignating Section 2305.041 as Section 2305.033, as follows:

Sec. 2305.033. New heading: STATE ENERGY PROGRAM. Provides that the energy office is the supervising state agency for the state energy, rather than conservation, program. Requires the energy office to distribute funds and provide technical assistance to appropriated programs. Deletes a provision relating to the financing of certain operations.

SECTION 8. Amends Chapter 2305D, Government Code, by adding Sections 2305.034 and 2305.035, as follows:

Sec. 2305.034. STATE AGENCIES PROGRAM. Authorizes the energy office to distribute funds for certain projects.

Sec. 2305.035. ALTERNATIVE FUELS PROGRAM. Sets forth requirements of the alternative fuels program.

SECTION 9. Amend Chapter 2305D, Government Code, by redesignating Section 2305.064 as Section 2305.036, as follows:

Sec. 2305.036. New heading: HOUSING PARTNERSHIP PROGRAM. Provides that the energy office is the supervising state agency for the housing partnership program. Deletes provisions relating to distribution of grants. Requires the energy office to promote efficient use of energy. Provides that projects funded under this program include design, providing energy education workshops or seminars for consumers, financing for energy and energy-efficient appliances, and energy management systems. Sets forth the beneficiaries of the program. Deletes a provision relating to grants to low- and moderate income consumers. Authorizes certain entities to serve as leads in establishing partnerships with the agency. Deletes existing Subchapter (d). Authorizes the energy office to require grant recipients to match a grant in a ration determined by the energy office. Deletes a provision relating to grant recipients.

SECTION 10. Amends Chapter 2305D, Government Code, by redesignating Section 2305.067 as Section 2305.037, as follows:

Sec. 2305.037. New heading: RENEWABLE ENERGY DEMONSTRATION PROGRAM. Provides that the energy office is the supervisory agency of the renewable energy demonstration program and is required to distribute grants to programs that develop sustainable and renewable energy sources. Makes conforming changes.

SECTION 11. Amends Chapter 2305D, Government Code, by redesignating Section 2305.069 as Section 2305.038, as follows:

Sec. 2305.038. LOCAL GOVERNMENT ENERGY PROGRAM. Provides that the energy office is the supervisory agency for the local government energy program. Sets forth projects under this section. Deletes existing Section 2305.069.

SECTION 12. Amends Chapter 2305D, Government Code, by redesignating Section 2305.070 as 2305.039, as follows:

Sec. 2305.039. TRANSPORTATION ENERGY PROGRAM. Provides that the energy office is the supervisory agency for the transportation energy program. Makes conforming changes.

SECTION 13. Repealers: Section 2305.013, 2305.040, 2305.061-2305.063, 2305.066, 2305.068, 2305.071, and 2305.072, Government Code (restitution for oil overcharges).

SECTION 14. Effective date: September 1, 1997.
Makes application of this Act prospective.

SECTION 15. Emergency clause.

SUMMARY OF COMMITTEE CHANGES

SECTION 3.

Amends Section 2305.011, Government Code, to make a nonsubstantive change.

SECTION 6.

Amends Section 2305.032, Government Code, to delete existing Subdivisions (4) and (5). Makes nonsubstantive changes. Requires the office to allocate at least \$95 million for the loanstar program and requires the minimum size of the loanstar program to be \$95 million, including loan commitments and cash on hand.

SECTION 7.

Amends Chapter 2305D, Government Code, by redesignating Section 2305.041 as Section 2305.033, to make nonsubstantive changes.

SECTION 9.

Amend Chapter 2305D, Government Code, by redesignating Section 2305.064 as Section 2305.036, to provide for funding of a weatherization assistance program. Makes nonsubstantive changes.

SECTION 11.

Amends Chapter 2305D, Government Code, by redesignating Section 2305.069 as Section 2305.038, to make a nonsubstantive change.

SECTION 14.

Amends 14 to provide that application of this Act prospective.