

BILL ANALYSIS

Senate Research Center

S.B. 784
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As Filed

DIGEST

Currently, Chapter 2108, Government Code, sets forth the guidelines for the Texas Incentive and Productivity Commission (commission). The commission was created in its current form in 1989 to administer two employee involvement programs modeled after successful private sector programs. The State Employee Incentive Program and the Productivity Bonus Program are designed to benefit state agencies and taxpayers through improving services, increasing revenues and decreasing costs; and to reward employees who participate with monetary rewards and/or recognition. This bill would revise the guidelines of the commission in regard to the composition of the commission, use of updated communication technology, and the delegation of commission authority for the task of awarding productivity bonuses.

PURPOSE

As proposed, S.B. 784 revises and updates the regulations of the Texas Incentive and Productivity Commission in regard to the composition of the commission, use of updated communication technology, and the delegation of commission authority for the task of awarding productivity bonuses.

RULEMAKING AUTHORITY

Rulemaking authority is granted to the Texas Incentive and Productivity Commission in SECTION 3 (Section 2108.022, Government Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 2108.003, Government Code, by amending Subsection (a) and by adding Subsections (e) and (f), as follows:

(a) Provides that the Texas Incentive and Productivity Commission (commission) is composed of, among others, a state agency executive director appointed by the governor, rather than the state treasurer; and another state agency executive director appointed by the governor from an agency that has actively participated in one or both of the commission's programs, rather than the agency administrator of the Texas Employment Commission.

(e) Provides that the appointed executive director members serve two-year terms, with the term of one member expiring February 1 of each even-numbered year and the term of one member expiring February 1 of each odd-numbered year.

(f) Provides that it is a ground for removal of an appointed member if the member misses at least four consecutive regularly scheduled meetings of the commission. Requires a member, if the designee of the member who serves without the necessity of an appointment misses at least four consecutive regularly scheduled meetings of the commission that the member does not attend in person, to designate a new representative for meetings that the member does not attend in person.

SECTION 2. Amends Chapter 2108A, Government Code, by adding Section 2108.008, as follows:

Sec. 2108.008. REFERENCE TO PROGRAMS. Authorizes the commission to refer to the

incentive program and to the productivity bonus program by different names and to authorize a state agency to refer to the programs by different names.

SECTION 3. Amends Section 2108.022, Government Code, by adding Subsection (c), to authorize the commission, by rule, to prescribe procedures that allow the commission and state agencies to communicate by facsimile or on-line transmission of information. Authorizes the commission to allow a state employee to submit an eligible suggestion to the commission by transmitting it on-line, without requiring the employee to sign the suggestion.

SECTION 4. Amends Section 2108.026(a), Government Code, to provide that to be eligible for consideration under the incentive program an employee suggestion must, among other conditions, be signed by the employee, except as provided by Section 2108.22(c).

SECTION 5. Amends Section 2108.029(c), Government Code, to require an agency coordinator to give each employee who makes a suggestion information about, rather than a copy of, the commission rules relating to redeterminations or reevaluations.

SECTION 6. Amends Section 2108.104, Government Code, by adding Subsection (d), to authorize the commission to delegate to commission staff the authority to award a productivity bonus if the bonus is awarded based on the implementation of a plan that the commission has approved. Requires the staff to inform the commission of productivity bonuses the staff awards.

SECTION 7. Amends Section 2108.106(c), Government Code, to provide that an appointed or elected official is ineligible to receive an award under this section. Deletes text relating to the employee's eligibility for an award.

SECTION 8. Amends Section 2108.108(a), Government Code, to require the commission, as soon as possible after an agency certifies savings under the program, rather than at the end of the fiscal year, to compare the expenditures of a state agency or division that participates in the productivity bonus program for the fiscal year with the agency's or division's appropriation for that fiscal year or, if appropriate, the amount attributable to that year.

SECTION 9. Requires the governor, as soon as possible, to appoint one executive director member to the commission for a term expiring February 1, 1999, and one executive director member to the commission for a term expiring February 1, 2000.

SECTION 10. Effective date: September 1, 1997.

SECTION 11. Emergency clause.