

BILL ANALYSIS

C.S.H.B. 2968
By: Guillen
Culture, Recreation & Tourism
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Interested parties contend that the Alamo, one of the most recognizable landmarks in the world and a historical treasure of the state, and its surrounding area are not being fully utilized to reflect the Alamo's significance as a cultural asset. Furthermore, these parties assert that the lack of commercial development in the area has resulted in the general disinterest and disappointment of Alamo visitors. The parties assert that the Alamo holds the potential to be a world-class tourist attraction and an economic asset to the state. C.S.H.B. 2968 seeks to address this issue.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 2968 amends the Natural Resources Code to require the General Land Office (GLO), as soon as practicable after the bill's effective date, to enter into a memorandum of understanding with the City of San Antonio to coordinate the planning and development of improvements to the Alamo complex and the area immediately surrounding the complex.

C.S.H.B. 2968 expands the purposes for which the Alamo Preservation Advisory Board established by the GLO provides advice, proposals, and recommendations to include promotion of the development of a world-class site to educate visitors on the history and importance of the Alamo in the state's fight for independence and to honor the people who lost their lives at the Alamo. The bill changes the purpose for which the advisory board provides advice, proposals, and recommendations regarding the preservation, perpetuation, appropriate publication, and display of items and information related to the history of the Alamo complex and of the state that preserve the historical character of the Alamo shrine from promoting and providing for such preservation, perpetuation, appropriate publication, and display to providing educational and museum facilities for such preservation, perpetuation, appropriate publication, and display.

C.S.H.B. 2968 removes as members of the advisory board the president general of the Daughters of the Republic of Texas, the current Alamo chairperson of the Daughters of the Republic of Texas, the immediate past Alamo chairperson of the Daughters of the Republic of Texas, the president of the Bexar County Historical Commission, and the representative who serves as a member of the City of San Antonio Office of Historic Preservation. The bill sets the terms of these members to expire on the bill's effective date. The bill adds as members of the advisory board a designee appointed by the commissioner of the GLO, a representative of the Alamo

Endowment appointed by the commissioner, the director of the Alamo, a designee appointed by the county judge of Bexar County, and a designee appointed by the mayor of the City of San Antonio. The bill requires the appointing officials to appoint the additional members to the advisory board as soon as practicable after the bill's effective date.

EFFECTIVE DATE

September 1, 2015.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 2968 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED

HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Subchapter I, Chapter 31, Natural Resources Code, is amended by adding Sections 31.4545 and 31.4546 to read as follows:

No equivalent provision.

Sec. 31.4545. ALAMO PRESERVATION FUND. (a) The Alamo preservation fund is a special fund in the state treasury outside the general revenue fund as established by Section 49-q, Article III, Texas Constitution. (b) The land office shall manage the Alamo preservation fund and may accept a gift, grant, or donation of money, securities, services, or property to restore, preserve, maintain, operate, and develop the Alamo complex. (c) The land office may spend money from the Alamo preservation fund only for the restoration, preservation, maintenance, operation, or development of the Alamo complex and only in amounts that are less than or equal to the amounts received by the land office from federal, local, or private sources, which the land office may spend for the same purposes. (d) The land office shall retain not less than \$25 million in an account in the Alamo preservation fund to be known as the Alamo operation and maintenance trust account. The land office may spend the interest and other earnings from the trust account for the operation, maintenance, and improvement of the Alamo complex.

No equivalent provision.

Sec. 31.4546. ALAMO PRESERVATION FUND ADVISORY COMMITTEE. (a) The Alamo preservation fund advisory committee is established to advise the land

No equivalent provision. (But see SECTIONS 1 and 2 below.)

office on expenditures of money from the Alamo preservation fund. The advisory committee consists of 15 members appointed as follows:

(1) three members appointed by the governor;

(2) three members appointed by the lieutenant governor;

(3) three members appointed by the speaker of the house of representatives;

(4) three members appointed by the commissioner of the land office;

(5) two members appointed by the San Antonio City Council; and

(6) one member appointed by the Bexar County Commissioners Court.

(b) Members of the advisory committee serve staggered three-year terms with the terms of five members expiring January 1 of each year.

(c) The commissioner of the land office shall appoint a member to serve as presiding officer of the advisory committee.

(d) The advisory committee shall make recommendations to the land office on the best use of money in the Alamo preservation fund to create a world-class site to educate visitors on the history and importance of the Alamo in this state's fight for independence, to honor the people who lost their lives at the Alamo, and to develop the complex and surrounding grounds, including providing education and museum facilities, financing studies and planning, providing architectural services, acquiring land or buildings, and constructing facilities.

(e) Chapter 2110, Government Code, does not apply to the advisory committee.

SECTION 2. Not later than January 1, 2016, as required by Section 31.4546, Natural Resources Code, as added by this Act:

(1) the governor, lieutenant governor, speaker of the house of representatives, and the commissioner of the General Land Office shall each appoint three members to the Alamo preservation fund advisory committee and each designate one of their appointed members to a term expiring January 1, 2017, one to a term expiring January 1, 2018, and one to a term expiring January 1, 2019;

(2) the San Antonio City Council shall

No equivalent provision.

appoint two members to the Alamo preservation fund advisory committee and designate one member to a term expiring January 1, 2017, and one to a term expiring January 1, 2018; and

(3) the Bexar County Commissioners Court shall appoint one member to the Alamo preservation fund advisory committee to a term expiring January 1, 2019.

SECTION 3. This Act takes effect December 1, 2015, but only if the constitutional amendment to establish the Alamo preservation fund and make a one-time transfer of money from the economic stabilization fund to the Alamo preservation fund is approved by the voters. If that amendment is not approved by the voters, this Act has no effect.

No equivalent provision. (But see Sec. 31.4546(d) above.)

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No equivalent provision.

SECTION 1. Subchapter I, Chapter 31, Natural Resources Code, is amended by adding Section 31.450 to read as follows:

Sec. 31.450. FINDINGS; MEMORANDUM OF UNDERSTANDING. (a) The legislature finds that:

(1) the Alamo has played an important role in the history of this state and continues to be a symbol of liberty and freedom for this state;

(2) this state wants to honor the individuals whose lives were lost at the Alamo;

(3) the entire history of the Alamo, from the time the Alamo was established as a mission until the present, should be recognized; and

(4) the Alamo is a world-class destination that provides a place of remembrance and education.

(b) The land office shall enter into a memorandum of understanding with the City of San Antonio to coordinate the planning and development of improvements to the Alamo complex and the area immediately surrounding the complex.

SECTION 2. Sections 31.455(a) and (b), Natural Resources Code, are amended to read as follows:

(a) The land office may establish an Alamo Preservation Advisory Board to provide advice, proposals, and recommendations to:

(1) promote the development of a world-

class site to educate visitors on the history and importance of the Alamo in this state's fight for independence and to honor the people who lost their lives at the Alamo;

(2) promote and support the Alamo complex;

(3) ~~(2)~~ provide the resources and support necessary to advance the understanding and education of current and future generations on the historical significance and factual record of the Alamo complex;

(4) ~~(3)~~ inspire virtues of honor and Texas pride;

(5) ~~(4)~~ preserve the memory and achievement of individuals who served at the Alamo and provide a fitting tribute to the heroism of the people who paid the ultimate sacrifice for freedom and of the noble men and women of this state who have served in the armed forces or died while serving in the armed forces to ensure the freedom of the people of this state;

(6) provide educational and museum facilities ~~(5) promote and provide~~ for the preservation, perpetuation, appropriate publication, and display of manuscripts, books, relics, pictures, oral histories, and all other items and information related to the history of the Alamo complex and of this state that preserve the historical character of the Alamo shrine; and

(7) ~~(6)~~ promote, counsel, and provide support to governmental and private organizations that are committed to objectives similar to the objectives described in this subsection.

(b) The advisory board is composed of:

(1) the commissioner or the commissioner's designee, who serves as the presiding officer of the advisory board;

(2) a designee appointed by the governor;

(3) a designee appointed by the commissioner ~~the president general of the Daughters of the Republic of Texas~~;

(4) a representative of the Alamo Endowment, appointed by the commissioner ~~the current Alamo chairperson of the Daughters of the Republic of Texas~~;

(5) the director of the Alamo ~~immediate past Alamo chairperson of the Daughters of the Republic of Texas~~;

(6) the Alamo curator;

(7) one representative of the Texas Historical Commission;

(8) a designee appointed by the county

judge of ~~[the president of the]~~ Bexar County ~~[Historical Commission]~~; and
(9) a designee appointed by the mayor ~~[one representative who serves as a member]~~ of the City of San Antonio ~~[Office of Historic Preservation]~~.

No equivalent provision.

SECTION 3. (a) The term of a member serving on the Alamo Preservation Advisory Board immediately before the effective date of this Act whose position on the board is abolished by the changes in law made by this Act expires on the effective date of this Act.

(b) As soon as practicable after the effective date of this Act, each appointing official shall appoint members to the Alamo Preservation Advisory Board as required by Section 31.455, Natural Resources Code, as amended by this Act.

(c) As soon as practicable after the effective date of this Act, the General Land Office shall enter into a memorandum of understanding with the City of San Antonio as required by Section 31.450(b), Natural Resources Code, as added by this Act.

No equivalent provision.

SECTION 4. This Act takes effect September 1, 2015.