

SUBJECT: Abolishing the Texas National Research Laboratory Commission

COMMITTEE: Government Reform —committee substitute recommended

VOTE: 6 ayes — Callegari, Pitts, Berman, Leibowitz, Miles, Rodriguez

0 nays

1 absent — W. Smith

WITNESSES: None

BACKGROUND: In 1987, the Legislature created the Texas National Research Laboratory Commission (TNRLC) to coordinate state efforts to serve as the site for the U.S. Department of Energy’s Superconducting Super Collider project. Government Code, ch. 465 governs the TNRLC and grants the commission bond authority, tax exemptions, and eminent domain power.

Following the termination of the federal project in 1993, the 75th Legislature in 1997 transferred to the commissioner of the General Land Office (GLO) the authority of the TNRLC to manage, control, market, and dispose of real property relating to the partially completed research facility near Waxahachie.

DIGEST: HB 387 would repeal Government Code, ch. 465, which governs the TNRLC. The bill also would amend Education Code, sec. 65.33 to remove the authority of the University of Texas Board of Regents to use eminent domain power to secure land for the Superconducting Super Collider project. It also would prohibit the commissioner of education from using engineering and science recruitment funds on behalf of TNLRC-sponsored superconductivity research.

The bill would remove TNRLC from several sections of the Government Code that:

- define a “state employee”;
- govern bond issuance;

- govern agreements between TNRLC and local government units or state agencies; and
- govern the use of local or state funds in conjunction with an agreement with TNRLC.

Tax Code, sec. 25.07(b) would be amended to remove tax exemptions for TNRLC-owned property. The bill would repeal Tax Code, secs. 151.349 and 171.086, which grant sales tax and franchise tax exemptions, respectively, for corporations formed by TNRLC.

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2007.

**SUPPORTERS
SAY:**

HB 387 would abolish TNRLC, a state agency that no longer exists and has served no purpose since the federal government cancelled its super collider project in 1993. By eliminating the defunct commission and its associated powers, the bill would update state law.

The bill appropriately would remove the power of eminent domain bestowed upon the commission and the University of Texas Board of Regents for TNRLC-related purposes to ensure that the provisions in Government Code, ch. 465 and Education Code, sec. 65.33 could not be revived at a future date for purposes that the Legislature did not intend.

The abolition of TNRLC would not create problems regarding title transfers for land that was condemned by the commission. The GLO has addressed these issues in completing its divestment of land condemned by TNRLC.

**OPPONENTS
SAY:**

No apparent opposition.

NOTES:

The bill as introduced would not have amended Education Code, sec. 65.33 to remove eminent domain authority for TNRLC-related purposes from the University of Texas Board of Regents.