

(The House considered SB 482 by Ellis, the Senate companion bill, in lieu of HB 795, the House version of the bill, which had been set on the daily calendar and was analyzed by the House Research Organization. The bill subsequently was enacted as SB 482.)

HOUSE
RESEARCH

ORGANIZATION bill analysis

4/27/2009

HB 795

Chisum, et al.

SUBJECT: Creating the Texas Holocaust and Genocide Commission

COMMITTEE: Culture, Recreation and Tourism — favorable, without amendment

VOTE: 8 ayes — Homer, D. Howard, Dukes, T. King, Kleinschmidt, McCall,
Phillips, Thibaut

0 nays

1 absent — Kuempel

WITNESSES: For — Jim Arnold, Jewish Federation of Greater Houston; Lisa
Goodgame, Anti-Defamation League & Jewish Community Association of
Austin; Chaja Verveer, Child Survivors of the Holocaust, Houston; Mary
Lee Webeck, Holocaust Museum Houston

Against — None

DIGEST: HB 795 would establish the Texas Holocaust and Genocide Commission.
The commission would function only in an advisory capacity to provide
advice and assistance to public and private organizations and schools,
including higher education institutions, in planning, coordinating, and
implementing Holocaust and genocide study courses and awareness
programs.

It would be required to meet at least quarterly. The commission would be
administratively attached to the Secretary of State's Office, which would
have to provide one part-time employee to serve as the coordinator for the
commission. The commission would be subject to the Texas Sunset Act,
and unless continued or reorganized, would be abolished September 1,
2021.

The commission would include 18 members, 15 of which would be public
members and three of which would be ex-officio members. The public
members would be entitled to reimbursement for travel expenses incurred
while transacting commission business. The governor, the lieutenant

governor, and the speaker of the House of Representatives would be authorized to appoint five public members each to the commission to serve four-year terms. Members could serve two consecutive terms. The bill sets forth eligibility criteria for the members, criteria for the appointing authorities, instructions for filling vacancies, grounds for removal, and quorum requirements for transacting business.

The bill sets out eligibility requirements and duties for the three ex officio, non-voting members. The ex officio members would be:

- the education commissioner;
- the higher education commissioner; and
- the Texas Veterans Commission executive director.

The governor would designate one of the public members as the presiding officer. The speaker of the House and the lieutenant governor would designate a House member and a senator, respectively, to advise the commission.

The bill would authorize the commission to carry out its mission, including deciding which Holocaust or other genocide memorials, exhibits, or resources could be used to support courses and programs. The commission could cooperate with many entities, including public or private Holocaust resource organizations, museums, centers, state agencies, and the U.S. Congress. It also could solicit and coordinate volunteers who were willing to share their knowledge and experience of the Holocaust or other genocide and coordinate events in Texas memorializing the Holocaust or other genocide on the International Holocaust Remembrance Day or any other day designated for that purpose.

The commission would be allowed to accept grants and gifts to use in performing its duties and the SOS could provide staff or support functions and activities from funding allocated to the SOS for this purpose.

The terms of the initial public members of the commission would expire February 1, 2015.

Government Code, ch. 2110, which governs state agency advisory committees, councils, commissions, and task forces whose primary function is to advise state agencies in the executive branch of state

government, would not apply to the Texas Holocaust and Genocide Commission.

The bill would take effect September 1, 2009.

**SUPPORTERS
SAY:**

It is essential that Texans, especially young people, not lose the knowledge of the Holocaust as the number of Holocaust survivors dwindles. The Holocaust and Genocide Commission that CSHB 795 would establish would be a conduit for information for schools and other interested parties, especially for those in smaller communities that do not have access to a Holocaust museum. The commission would provide access to materials from one centralized source. Texas would be the largest state to have such a commission if it were established. Survivors are fading from the scene, and with their passing, the state is losing eyewitness accounts.

Studying the Holocaust and genocide requires examining basic moral issues. It helps people develop an understanding of the roots and ramifications of prejudice and the effects of indifference and the use and abuse of power. Genocide continues around the world, and greater awareness of the problem is needed. Many students want to understand genocide and its social, personal, religious, and economic ramifications.

The cost for establishing the commission would be very small compared to the importance of its mission and more than justified. While the bill would authorize state funding for commission, it also would allow for private grants and gifts to support the commission's endeavors.

**OPPONENTS
SAY:**

While establishing a Holocaust and Genocide Commission would be a worthwhile endeavor, this bill would authorize the spending of state funds for a new commission at a time when there are many competing demands for state dollars. A project such as this more appropriately should be funded by private and philanthropic donations.

NOTES:

According to the fiscal note, the cost to establish the commission would be \$188,767 in fiscal 2010-11 and \$91,518 each fiscal year thereafter.

The companion bill, SB 482 by Ellis, passed the Senate by 31-0 on April 7 and was reported favorably, without amendment, by the House Culture, Recreation, and Tourism Committee on April 23, making it eligible to be considered in lieu of HB 795.

