

SUBJECT: Revising membership, powers, and duties of the State Preservation Board.

COMMITTEE: State Affairs —favorable, without amendment

VOTE: 11 ayes — Cook, Menendez, Craddick, Frullo, Gallego, Harless,
Hilderbran, Huberty, Oliveira, Smithee, Turner

0 nays

2 absent — Geren, Solomons

WITNESSES: For — None

Against — None

On — (*Registered, but did not testify*: John Sneed, State Preservation Board)

BACKGROUND: The State Preservation Board (SPB) is authorized under Government Code, ch. 443 to restore, preserve, and maintain the Texas Capitol, the old General Land Office Building, their contents, and their grounds. The board is composed of six members: the governor, the lieutenant governor, the speaker of the House, one senator appointed by the lieutenant governor, one state representative appointed by the speaker, and one public member appointed by the governor.

The SPB has access to the Capitol Fund and the Capitol Renewal Trust Fund to help meet its responsibilities. Donations made to the SPB are deposited into the Capitol Fund. Currently, the SPB collects a deposit fee, to cover the direct costs to the state, from a person or entity that uses the Capitol or the grounds for an event, exhibit, or other scheduled activity.

DIGEST: HB 3132 would allow a standardized deposit fee collected by the State Preservation Board (SPB) to include the estimated indirect as well as direct cost to the state for the event, exhibit, or activity.

The bill would authorize the SPB to establish, maintain, and participate in the operations of an organization whose purpose was to raise funds for or

provide services or other benefits to the board. Such an organization could be incorporated as a Texas nonprofit corporation.

The SPB could transfer money from the Capital Renewal Trust Fund to any account of the Capitol Fund if the money transferred were used solely for maintaining and preserving the Capitol. The SPB could refuse a gift if the board decided that the purpose of the gift specified by the grantor conflicted with the goal of preserving the historic character of buildings under the board's control.

HB 3132 would require proposals for certain projects to have been submitted to the board for review and comment at the earliest planning stages of the project.

The bill would authorize the governor, the lieutenant governor, and the speaker to designate a representative to act, including the ability to vote, on behalf of those members during a board meeting. The governor's representative could chair the board in the governor's absence.

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, 2011.

**SUPPORTERS
SAY:**

HB 3132 would allow the State Preservation Board to better recover its costs in implementing a standardized deposit fee for both the estimated direct and indirect cost to the state when the Capitol or its grounds were used by the certain persons or organizations for a specified event.

The SPB also would be able to create another means for acquiring donations since HB 3132 would allow them to establish or take part in an organization whose purpose was to increase donations, helping to fund certain goals and responsibilities of the board.

The bill also would help ensure that the business of the SPB was not delayed by the governor, the lieutenant governor, and the speaker having to attend meetings in person. It would allow these officials to designate a representative to act for them, as needed.

**OPPONENTS
SAY:**

No apparent opposition.

NOTES: The companion bill, SB 1338 by Eltife, passed the Senate by 31-0 on the Local and Uncontested Calendar on April 14 and was referred to the House State Affairs Committee on April 26.