

SUBJECT: Reducing number of members of Texas Historical Commission

COMMITTEE: State Affairs — committee substitute recommended

VOTE: 10 ayes — Cook, Craddick, Farrar, Frullo, Geren, Harless, Huberty, Menéndez, Oliveira, Smithee

0 nays

3 absent — Giddings, Hilderbran, Sylvester Turner

WITNESSES: For — August Harris, Texas Historical Commission

Against — None

On — Terry Colley, Texas Historical Commission

BACKGROUND: The Texas Historical Commission has 17 members appointed by the governor with the advice and consent of the Senate. These members serve six-year staggered terms with about a third of their terms expiring February 1 of each odd-numbered year. Commission members must be state citizens with a demonstrated interest in historical or archeological heritage preservation, with a geographic balance. The commission is charged with providing leadership and coordinating services in archeological and historical preservation.

DIGEST: CSHB 408 would reduce the size of the Texas Historical Commission from 17 members to nine, with exactly a third of the members' terms expiring February 1 of each odd-numbered year.

Four positions set to expire on February 1, 2019, would be abolished on September 1, 2013. The bill would gradually phase out the rest of the eliminated commissioner positions. Two positions with terms set to expire on February 1, 2015, would be abolished on that date. Two positions with terms set to expire on February 1, 2017, would expire on that date.

For commissioners with terms beginning February 1, 2015, the governor would appoint a member whose term would expire on February 1, 2019,

and two members whose terms expire February 1 2021. For commissioners with terms beginning February 1, 2017, the governor would appoint one member whose term would expire on February 2, 2021, and three members whose terms would expire February 1, 2023. The governor would indicate as soon as possible which positions would be abolished and inform the presiding officer of the commission.

This 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, 2013.

**SUPPORTERS
SAY:**

The Texas Historical Commission is too large. Many other governor-appointed boards overseeing comparable state agencies have only nine members. Eliminating eight commissioner positions could further engage the remaining nine members. Reducing the size of the commission would help it achieve a quorum when needed and save the state money by reducing travel expenses paid to commissioners. As a practical matter, finding meeting space for 17 commissioners is difficult and staff members must use time and resources to prepare materials for each member.

The only requirements to serve on the Historical Commission are that the member be a state citizen with a demonstrable interest in archeological or historical heritage. All commissioners are therefore at-large members, and this bill would not change the balance of the commission. The Historical Commission still could draw on the expertise of specialists across the state who were not commissioners.

**OPPONENTS
SAY:**

The members of the Texas Historical Commission provide policy direction to the agency and lend their expertise to identify and preserve archeological and historical items of value. Reducing the size of the Historical Commission could eliminate a source of valuable expertise.

NOTES:

The companion bill, SB 283 by Estes, passed the Senate 31-0 on March 13 and was reported favorably by the House State Affairs Committee on April 17.

The committee substitute differs from the bill as filed by changing the abolishment date for several of the commissioners and specifying direction to the governor in appointing replacement members.

