

SUBJECT: Modifying Texas Peace Officers' Memorial Advisory Committee

COMMITTEE: State, Federal, and International Relations — favorable, with amendments

VOTE: 7 ayes — B. Hunter, Dukes, Eiland, Elkins, Reyna, Rhodes, Rusling
0 nays
2 absent — Price, Serna

WITNESSES: For — Jack Means, Texas Conference of Police and Sheriffs; Jim Lyde, Texas Municipal Police Association; Barbara Childress, TCLEOSE; Jim Fawcett, Texas Police Chiefs Association; Sayra Hearn Hesselsweet; Terry Bratton

Against — None

On — Ronald G. DeLord, Combined Law Enforcement Associations of Texas (CLEAT)

DIGEST: HB 1271, as amended, would clarify that the purpose of the Texas Peace Officers' Memorial Advisory Committee is to advise the Texas Commission on Law Enforcement Officer Standards and Education (TCLEOSE) on funding, construction, updating, maintenance and management, as well as design, of a Texas peace officers' memorial on the grounds of the Capitol Complex.

The bill would change the duties of the advisory committee, which would be responsible for recommending to TCLEOSE, rather than developing, goals, tasks, purposes, policies and rules regarding the memorial. In addition, the advisory committee would no longer be responsible for site selection, raising of funds, or selecting individuals to construct the memorial, but would instead be responsible for advising TCLEOSE on these issues. TCLEOSE would be able to remove a member of the committee who is not an ex officio member if the members missed more than one-half of the scheduled committee meetings in one calendar year.

The bill would repeal the current prohibition against TCLEOSE adopting rules relating to the advisory committee. The bill would also require that money collected by any entity for the memorial would need to be sent to the comptroller within or on the 30th day after the money was collected.

The money could only be used for the memorial and not for TCLEOSE expenses. TCLEOSE would have to reimburse the memorial fund for any money it withdrew in violation of Section 415.120 of the Government Code.

The bill would require the commission to submit an annual progress report to the governor, the lieutenant governor, the speaker of the House and House and Senate oversight committees. In addition, the bill would change the responsibilities for dedication of the memorial from the Combined Law Enforcement Association (CLEAT) to TCLEOSE, which would have to assure the participation of all peace officer groups in the state.

The bill would consolidate requirements that the State Preservation Board, the architect of the Capitol and the General Services Commission approve certain TCLEOSE decisions relating to the design and construction of the memorial.

The bill would clarify that a person killed in the line of duty as a Texas law enforcement officer, commissioned deputy game warden, or corrections officer in a municipal, county, or state penal institution in this state would be eligible to be on the memorial.

The bill would take effect September 1, 1995.

**SUPPORTERS
SAY:**

HB 1271 seeks to rectify a number of problems with the Texas Peace Officers' Memorial Advisory Committee, which was established by the Legislature in 1991. First, the law does not sufficiently define the relationship between TCLEOSE and the advisory committee. HB 1271 would clarify that the advisory committee reports to TCLEOSE and makes recommendations to TCLEOSE, but does not develop the plans or make the decisions on how or what will ultimately be built or who should raise funds for the memorial.

Clearly mandating TCLEOSE's responsibility for getting the memorial built and raising the necessary funds would provide accountability to the many people in this state who are eager to have the memorial erected. Many people are frustrated that the advisory committee was established four years ago yet no memorial has been built. For this same reason, this bill requires TCLEOSE to submit a progress report to the governor and legislative leaders.

HB 1271 also addresses the problem with private entities that may have collected funds for the memorial yet failed to send the money to the state memorial fund. This bill would require that all such monies be sent to the memorial fund within 30 days after collecting the money.

The bill would require TCLEOSE to conduct the original dedication of the memorial because a number of people requested that a governmental entity conduct the ceremony to assure that all peace officers would be represented.

OPPONENTS
SAY:

No apparent opposition

NOTES:

The committee amendments would require that the TCLEOSE progress report to be submitted to the governor and the legislative leadership and would require TCLEOSE to conduct the dedication to assure the participation of all peace officer groups at the dedication ceremonies.