

**SUBJECT:** Eliminating the Commission of Control for Texas Centennial Celebrations

**COMMITTEE:** Government Reform —favorable, without amendment

**VOTE:** 5 ayes — Callegari, Pitts, Leibowitz, Miles, W. Smith

0 nays

2 absent — Berman, Rodriguez

**WITNESSES:** None

**BACKGROUND:** In 1932, voters approved an amendment to the state Constitution to authorize the Texas Centennial to celebrate 100 years of Texas independence in 1936. During the 1935 regular session, the 44th Legislature enacted HB 11 to appropriate \$3 million for centennial activities and create the Texas Commission of Control for Texas Centennial Celebrations. The nine-member panel – which had the lieutenant governor as chairman and House speaker as vice-chairman – worked with the Advisory Board of Texas Historians, the federal Works Projects Administration, and the Texas Highway Department to coordinate programs and erect buildings, monuments, statues, and grave markers for the celebration. Permanent buildings that received funding through the Commission of Control included the Hall of State in Dallas, San Jacinto Monument and Museum near Houston, Alamo Museum in San Antonio, Corpus Christi Centennial Museum, Panhandle-Plains Museum in Canyon, and other projects. Most of the work was done between 1935 and 1937, and the Commission of Control held its last meeting in 1940.

Ch. 433, Acts of the 44th Legislature, 2nd C.S., 1935 (Article 3264c, Vernon's Texas Civil Statutes) authorized the commission to purchase land for the Texas Centennial Celebration project and to condemn land through eminent domain, if necessary.

**DIGEST:** HB 385 would repeal Ch. 433, Acts of the 44th Legislature, 2nd C.S., 1935 (Article 3264c, Vernon's Texas Civil Statutes) and would eliminate the Commission of Control for Texas Centennial Celebrations.

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 385 would eliminate an obsolete state agency and help clean up the statute book. The story of the Texas Centennial Celebration includes fascinating tales about colorful governors and the rivalry between Dallas and Fort Worth that belong in a history text book and not in state legal codes. Finding unnecessary and antiquated laws remains an ongoing process and more outdated provisions are discovered despite past efforts to revise the statutes. Enactment of HB 385 would help with the overall goal of modernizing the law and eliminate obsolete provisions.

A February 2006 Texas Legislative Council report identified 208 references in statutes granting entities the power of eminent domain and another 81 references limiting or prohibiting the exercise of the power. Several defunct or non-existent entities retain the power of eminent domain. The Legislature should review carefully all eminent domain statutes and determine which agencies should be able to exercise that power. Obscure and archaic entities like the Commission of Control for the Texas Centennial Celebrations should not have statutory authority for eminent domain. Repealing the statute would close a potential loophole and prevent any misuse of this provision.

**OPPONENTS  
SAY:**

No apparent opposition.