

BILL ANALYSIS

H.B. 1745
By: Hunter
State Cultural and Recreational Resources
Committee Report (Amended)

BACKGROUND AND PURPOSE

A committee was created during the 77th session to designate the poet laureate, state musician, and state artists. However, the procedure that was established along with the committee was not sufficient to provide for a clear understanding of how the committee would operate and how the awards would be designated.

The purpose of H.B. 1745 is to clarify the process by which the committee designates these awardees in order to bring further honor and distinction to the recipients. H.B. 1745 also modifies the manner in which the committee members are selected, clarifies who will serve as the chair of the committee, and extends the designation period for the designees to two years.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the Texas Commission on the Arts in SECTION 3 (Section 3, Article 6139k, Revised Statutes, as added by Chapter 1412, Acts of the 77th Legislature, Regular Session, 2001) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Section 1(d), Article 6139k (the Article), Revised Statutes, as added by Chapter 1412, Acts of the 77th Legislature, Regular Session, 2001:

(d) The individuals designated as poet laureate, as state musician, and as state artists keep the designation for two years from the date of the designation ceremony.

SECTION 2. Section 2 of the Article is amended by amending Subsections (a), (b), and (d) and adding Subsections (e) and (f):

(a) The committee consists of the following seven members: one member of the public appointed by the governor; two members of the public appointed by the lieutenant governor; one senator appointed by the lieutenant governor; two members of the public appointed by the speaker of the house of representatives; and the chair of the house committee that has primary jurisdiction over arts and cultural matters.

(b) The chair of the House Committee that has primary jurisdiction over arts and cultural matters serves on the committee as an additional duty of the chairmanship.

(d) The presiding officer serves a two-year term that expires on October 1 of each odd-numbered year. The position of presiding officer must alternate between the senator and the member of the house of representatives on the committee.

(e) The committee shall meet in November of each even-numbered year to decide who to designate as the poet laureate, state musician, and state artists. In January of each odd-numbered

year, the committee shall designate the poet laureate, state musician, and state artists.

(f) The presiding officer of the committee shall call the meeting of the committee.

SECTION 3. Section 3 of the Article is amended by amending Subsection (d) and adding Subsection (e):

(d) Not later than September 30 of each even-numbered year, the Texas Commission on the Arts shall submit to the Texas poet laureate, state musician, and state artist committee a list of individuals worthy of receiving the awards to the committee not later than September 30 of each even-numbered year.

(e) The Texas Commission on the Arts shall adopt rules relating to the solicitation, acceptance, and processing of nominations for the designations.

SECTION 4. Adds Section 5 to the Article, which requires the presiding officer to draft a concurrent resolution naming the designees no later than February 1st of each odd-numbered year.

SECTION 5. The house member of the committee serves as presiding officer until October 1, 2005.

EFFECTIVE DATE

This Act takes effect October 1, 2003.

EXPLANATION OF AMENDMENTS

Changes the requirements for the presiding officer of the committee. The amendment makes the house member serving on the committee the permanent presiding officer, rather than the presiding officer alternating between the house and senate member serving on the committee.