

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

May 28, 2009

TO: Honorable Joe Straus, Speaker of the House, House of Representatives

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB3864 by Smithee (Relating to the acceptance of certain donated building projects by the Parks and Wildlife Department.), **As Passed 2nd House**

No significant fiscal implication to the State is anticipated.

The bill would amend the Parks and Wildlife Code relating to the acceptance of certain donated building projects by the Texas Parks and Wildlife Department (TPWD). The bill allows TPWD to accept the donation of a turnkey building project on state land provided that the architectural and engineering plans were approved in advance, and that TPWD has supervision over the project. Under bill provisions a donated turnkey building project would not be subject to competitive bidding. TPWD indicates it could absorb any costs associated with approving the architectural and engineering plans, as well as any costs associated with supervision over the project within its current resources. The bill would take immediate effect if the bill receives two-thirds the vote of all members. Otherwise, the bill would take effect September 1, 2009.

The bill would amend the Government Code by adding Chapter 450 relating to the Texas Partnership for Children in Nature (TPCN). The TPCN would be mandated to promote children's well-being by providing outdoor opportunities and environmental education. Ex officio members of the TPCN would include the executive director of the Texas Parks and Wildlife Department (TPWD), and the commissioners of Education (TEA), Agriculture (TDA), and State Health Services (DSHS). TPWD would take the lead in providing staff support to the TPCN, in coordination with the other agencies listed. The bill would require the TPCN to submit a report to the Governor and the Legislature December 1 of each even numbered year on recommendations concerning the fulfillment of their mandate.

The bill would provide that the TPCN may accept gifts and grants from a public or private sources. According to TEA, the bill may result in the agency incurring additional travel expenses each fiscal year, which are estimated to be \$2,950 assuming the commissioner of education chooses a designee to serve on the TPCN and assuming quarterly meetings with an overnight stay and a maximum of two days of meals and car rental. According to TPWD, the bill may result in the department incurring additional staff costs to coordinate and initiate TPCN activities, which are estimated to be \$39,559 each fiscal year in 2010 and 2011 and \$15,475 in fiscal year 2012 and \$75 in fiscal year 2013 and each year thereafter. Based on the LBB's analysis of TEA, TPWD, TDA and DSHS's duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources. The bill would take effect September 1, 2009.

Local Government Impact

No significant fiscal implication to units of local government is anticipated. TEA indicates that school districts may be required to implement educational projects and programs, and local administrative costs could vary widely depending on what choices are made by the partnership, and that any fiscal implications for the operations of local school districts would likely continue. However, TEA indicates that the partnership would select education projects that would not cause a large administrative burden for local school districts.

Source Agencies: 802 Parks and Wildlife Department

LBB Staff: JOB, SD, TB