

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION**

**May 19, 2011**

**TO:** Honorable Ryan Guillen, Chair, House Committee on Culture, Recreation & Tourism

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

**IN RE: SB1841** by Van de Putte ( Relating to the preservation and maintenance of the Alamo by the General Land Office.), **Committee Report 2nd House, Substituted**

**Estimated Two-year Net Impact to General Revenue Related Funds** for SB1841, Committee Report 2nd House, Substituted: an impact of \$0 through the biennium ending August 31, 2013.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

**General Revenue-Related Funds, Five-Year Impact:**

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2012	\$0
2013	\$0
2014	\$0
2015	\$0
2016	\$0

**All Funds, Five-Year Impact:**

Fiscal Year	Probable Revenue Gain from <i>New General Revenue Dedicated--Alamo Complex</i>	Probable Savings/ (Cost) from <i>New General Revenue Dedicated--Alamo Complex</i>	Probable Revenue Gain from <i>Appropriated Receipts 666</i>	Probable Savings/ (Cost) from <i>Appropriated Receipts 666</i>
2012	\$9,400,000	(\$2,432,354)	\$743,087	(\$236,552)
2013	\$12,000,000	(\$3,319,939)	\$1,114,630	(\$353,127)
2014	\$12,000,000	(\$3,319,939)	\$1,114,630	(\$337,829)
2015	\$12,000,000	(\$3,319,939)	\$1,114,630	(\$337,829)
2016	\$12,000,000	(\$3,319,939)	\$1,114,630	(\$337,829)

Fiscal Year	Change in Number of State Employees from FY 2011
2012	2.0
2013	2.0
2014	2.0
2015	2.0
2016	2.0

**Fiscal Analysis**

The bill would require the General Land Office (GLO) to employ staff necessary to preserve and

maintain the Alamo and contract for professional services of qualified consultants. The bill would require the GLO to prepare an annual budget and work plan for preservation and future maintenance of the Alamo and other buildings on Alamo property, their contents, and grounds.

The bill would place the Alamo under the jurisdiction of the GLO, and the GLO would be responsible for the preservation, maintenance, restoration and protection of the Alamo and its contents. The bill would transfer any power or duty related to the Alamo formerly vested in any other state agency or entity to the GLO. The bill would exempt the GLO from compliance with state purchasing laws relating to requests for proposals in carrying out its duties related to the Alamo. It would also allow the GLO to participate in the establishment of and partner with a qualifying nonprofit organization to raise funds or provide services or other benefits for the preservation and maintenance of the Alamo. The GLO would be authorized to contract with such an organization for the performance of any activity.

The bill would require the State Preservation Board to assist the GLO with its duties relating to the Alamo upon request by the GLO.

The bill would require the GLO to enter into an agreement with the Daughters of the Republic of Texas (DRT) for the management, operation, and financial support of the Alamo. The bill would specify minimum requirements for the agreement. The agreement would detail the expectations and goals of the GLO and DRT, including the transfer of any state money held in trust for the Alamo by the DRT and all property received by the DRT in its capacity as custodian or trustee of the Alamo.

The bill would create an Alamo Complex Account in the General Revenue Fund which would consist of transfers made to the account, fees and revenue from operation of the Alamo, grants, donations, bequests, and income earned on investments of money in the account. Appropriations to the GLO for the Alamo would be deposited to the account. The GLO would be allowed to accept gifts, grants or bequests to carry out its duties in preserving and maintaining the Alamo, including funds raised from volunteer groups, which would also be deposited to the Alamo Complex Account. The GLO would be authorized to use the account on expenses related to the Alamo and to acquire historical items appropriate to the Alamo. The bill would exempt the account from application of Government Code, Section 403.095.

The bill would authorize the DRT to charge an admission fee to the Alamo. The bill would repeal Article 6394, Revised Civil Statutes of 1911, and Chapter 7, Acts of the 29th Legislature, Regular Session, 1905, relating to the care and custody of the Alamo by the DRT.

Subject to an agreement between the GLO and the DRT provided under provisions of the bill, the bill would transfer all powers and duties of DRT relating to the Alamo to the GLO on January 1, 2012.

## **Methodology**

Costs for functions provided by GLO at the Alamo would include salaries, related operating costs, and benefits of \$219,183 each full fiscal year for 2.0 full-time equivalent positions. The positions would include a project manager and a maintenance supervisor. Although the GLO would not take over full responsibilities at the Alamo until January 1, 2012, this estimate assumes that the 2.0 FTEs would be needed for all of fiscal year 2012 because the agency would need staff time to prepare for the transition.

GLO has determined that initially it would need to contract with a qualified external architectural firm to assess the current physical and structural conditions of the Alamo complex. It is estimated that the initial study would cost a minimum of \$150,000 and may result in additional studies to address specific areas in need of immediate or critical attention. These costs are included in fiscal year 2012.

Costs of the GLO to operate and maintain the Alamo are based on estimates that the Texas Historical Commission (THC) provided when it proposed that the THC be given jurisdiction over the Alamo. It is assumed that the GLO would operate the site in a similar arrangement as the National Museum of the Pacific War (NMPW), a site that is operated by the THC and a nonprofit organization. For the NMPW, during the 2010-11 biennium, it is anticipated that 78 percent of costs for the site would be managed by the nonprofit organization and the remaining 22 percent would include management and

program functions provided by THC. This ratio of operational expenses is assumed for operation of the Alamo by the GLO. It is anticipated that the contract costs of \$2,063,171 in fiscal year 2012 and \$3,094,756 each fiscal year thereafter would include the operating expenses of the DRT which would enter into an agreement with the GLO to operate the Alamo.

In addition, there are indeterminate costs for restoration of the Alamo. The agency has indicated that evaluations of the Alamo would need to be conducted to determine the costs.

This analysis also assumes collections of admissions fees at the Alamo at \$8,000,000 in fiscal year 2012 and \$12,000,000 each fiscal year thereafter to be deposited to the new Alamo Complex Account. The estimate is based on reported visitation by DRT on the Alamo's website of 2,500,000 visitors each year. It is assumed that 80 percent of visitors would pay a suggested admissions charge, based on paid visitation figures at NMPW, and that the average donation would be \$6 per visitor. Revenues to the Alamo Complex Account in fiscal year 2012 also include an estimated \$1.4 million that is reportedly held by the DRT, but that this estimate assumes would transfer to the account upon passage of the bill, based on the bill's provision that any state money held in trust for the Alamo by the DRT would be part of an agreement between the DRT and the GLO.

This analysis also assumes additional revenue of \$743,087 in fiscal year 2012 and \$1,114,630 each fiscal year thereafter from appropriated receipts generated from sales at gift shops. Costs of operating the gift shop of approximately \$225,000 to \$350,000 per fiscal year are also included in the table above.

This estimate assumes that the GLO would receive appropriations out of the Alamo Complex Account sufficient to cover agency expenses plus the cost of the contract with the DRT. This estimate also assumes that if the Preservation Board would incur any costs in assisting the GLO with the agency's duties with respect to the Alamo, the GLO would reimburse the Preservation Board for such expenses through an Interagency Contract from proceeds of the agency's appropriations out of the Alamo Complex Account.

### **Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 305 General Land Office and Veterans' Land Board, 304 Comptroller of Public Accounts, 808 Historical Commission

**LBB Staff:** JOB, KM, ZS, TL, LCO, MS