

BILL ANALYSIS

Senate Research Center
88R26932 EME-D

C.S.S.C.R. 46
By: Flores
Administration
5/1/2023
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

During the 84th Texas Legislature in 2015, H.C.R. 52 by Representative Guillen sought authorization for the State Preservation Board (SPB) to approve the relocation of the Texas Game Warden Memorial from the Athens State Fish Hatchery to the State Capitol. After passing out of the House (129-0), H.C.R. 52 was referred to the Senate Administration Committee; however, the resolution did not receive a hearing.

During the 85th Texas Legislature in 2017, H.C.R. 53 by Representative Gooden passed out of the House (144-0) and authorized the relocation of the Texas Game Warden Memorial from the Athens State Fish Hatchery to a site at the State Capitol. H.C.R. 53, sponsored by Senator Nichols, passed out of the Senate (31-0) and was signed by the governor effective May 23, 2017.

SPB met on January 25, 2019, and approved the initial site and preliminary design. On December 22, 2021, preparation for a building permit was approved by SPB for relocation of the monument to the south lawn of the Sam Houston State Office Building.

After working with SPB about completing the project, the Game Warden Peace Officer Association (GWPOA) discovered that the monument copyright had to be relinquished to the state. GWPOA, after contacting the monument sculpturer, found she was not willing to release the copyright. At that point, the board of directors of GWPOA decided to have new monument created. A sculpturer in Bastrop and granite mason in Seguin have agreed to create a new monument. The new monument requires a new resolution, because the new monument is not being relocated from the Athens State Fish Hatchery.

C.S.S.C.R. 46 is seeking approval from the 88th Legislature of the State of Texas to authorize SPB, subject to state law and rules of SPB, to approve the placement of the Texas Game Warden Memorial at the State Capitol Complex, at a site outside of the historic Capitol grounds; and, that SPB consider a site south of the Sam Houston Building for the location of the monument. The committee substitute adds an additional name of a fallen officer and changes the total number of fallen officers from 19 to 20.

C.S.S.C.R. 46 asks the 88th Legislature of the State of Texas to hereby authorize SPB, subject to state law and rules of SPB, to approve the placement of the Texas Game Warden Memorial at the State Capitol Complex, at a site outside of the historic Capitol grounds.

There is no fiscal note to the state. All the expenses for creating the monument, installation, and perpetual care will be paid for by GWPOA.

Texas game wardens devote themselves to the protection of the state's natural resources, and since 1895, 20 of these dedicated public servants have tragically lost their lives while fulfilling their important duties.

Game wardens, as certified peace officers, are responsible for preserving the peace and enforcing the game, fish, and water safety laws of Texas, which include, but are not limited to, apprehending poachers and other individuals who ignore wildlife law; many of the criminals that game wardens encounter have also ventured into other illegal activities, such as theft or the drug trade, and because game wardens are often patrolling areas with hunters, loaded guns are a constant in their work; the myriad challenges of the job may put them in harm's way at any time.

To honor those who died in the line of duty, the Game Warden Peace Officers Association has commissioned a Game Warden Memorial to be designed and sculpted to the Association's specifications, and be dedicated to the memory of Joe Williams, Harry Raymond, Dawson Richard Murchison, R. M. Wynne, Gus Engeling, Claude Keller, J. D. Murphree, Joe Evans, Lloyd Gustin, Ronnie Germany, James Daughtrey, Barry Decker, Bruce Hill, Michael Pauling, Wes Wagstaff, Justin Hurst, Teyran "Ty" Patterson, George Harold Whatley Jr., James Birmingham, and Chris Wilson.

Many Texans are unaware of the sacrifices made by game wardens; the placement of the monument at the State Capitol, however, would help the public gain a greater understanding of the vital mission of Texas game wardens and of the extraordinary commitment they make to upholding the laws of our state and protecting its natural resources.

RESOLVED

That the 88th Legislature of the State of Texas hereby authorize SPB, subject to state law and rules of SPB, to approve the placement of the Texas Game Warden Memorial at the State Capitol Complex, at a site outside of the historic Capitol grounds.

That SPB consider a site south of the Sam Houston Building for the location of the memorial.

That the Texas secretary of state forward an official copy of this resolution to the executive director of SPB and to the chair and president of the Game Warden Peace Officers Association.