

**Texas
Sunset
Advisory
Commission**

STAFF EVALUATION

Texas Historical Resources Development Council

Antiquities Committee

Texas Historical Commission

A Staff Report
to the
Sunset Advisory Commission



1982

TEXAS HISTORICAL RESOURCES DEVELOPMENT COUNCIL

SUMMARY

The Historical Resources Development Council was created in 1971 to coordinate the activities of the major agencies which deal with state historical activities. These agencies are the Texas Historical Commission, the Library and Archives Commission, the Tourist Development Agency, the Department of Highways and Public Transportation, the Parks and Wildlife Department, and the Antiquities Committee.

The review indicated that the council has never been a functioning agency. Information available indicates that the agency met once in 1977 to recommend its abolishment. While coordination of agency efforts to promote the state's historical resources is necessary, this purpose has been adequately accomplished through other means.

Staff Conclusions and Recommendations

The results of the review indicated that the council can be abolished.

AGENCY EVALUATION

The review of the current operations of an agency is based on several criteria contained in the Sunset Act. The analysis made under these criteria is intended to give answers to the following basic questions:

1. Does the policy-making structure of the agency fairly reflect the interests served by the agency?
2. Does the agency operate efficiently?
3. Has the agency been effective in meeting its statutory requirements?
4. Do the agency's programs overlap or duplicate programs of other agencies to a degree that presents serious problems?
5. Is the agency carrying out only those programs authorized by the legislature?
6. If the agency is abolished, could the state reasonably expect federal intervention or a substantial loss of federal funds?

BACKGROUND AND REVIEW OF OPERATIONS

Organization and Objectives

The Texas Historical Resources Development Council was created in 1971 and is currently inactive. Members of the council are from the six state agencies having primary responsibility in the development and promotion of Texas' historical resources: the Texas Historical Commission, the Library and Archives Commission, the Tourist Development Agency, the Department of Highways and Public Transportation, the Parks and Wildlife Department, and the Antiquities Committee. The council has never received an appropriation.

The legislature created the council to coordinate the efforts of member agencies in developing and publicizing the historical resources of the state. However, information available from council minutes and members suggests that the council has met only once in its 11-year history, and then only to recommend its abolishment. The council has not developed programs, objectives, or methods to carry out its mandate.

Evaluation of Operations

The operations of the council cannot be evaluated since it has not been a functioning agency. However, the operations of member agencies were reviewed to determine whether they had cooperated in developing and promoting the state's historical heritage through means other than the council. The review indicated that this type of cooperation has occurred in two ways.

As part of their ongoing operations, the agencies have often worked together and shared information. As examples of this type of cooperation:

- The Department of Highways and Public Transportation uses information provided by the Historical Commission in the publications it distributes at its 12 tourist bureaus around the state.
- The Tourist Development Agency uses information provided by the Parks and Wildlife Department in advertising historic state parks.
- The Tourist Development Agency uses photographs from the extensive file of the Department of Highways and Public Transportation in advertising Texas' historical resources.

An informal, non-statutory committee also exists through which agencies work to promote tourism by sharing information on historical and other resources. This committee started meeting in 1969, two years before the council was created, and currently meets every two months. Its membership has not included the Library and Archives Commission, but all other council members are represented as well as several other state agencies involved in tourism and the Texas Tourist Council, a private promotional organization.

Need for the Function and Agency

There is a continuing need for agencies to coordinate their efforts to promote the use of the state's historical heritage. This kind of cooperation saves the state money through the sharing of agency resources and the elimination of duplicative activities. However, the Historical Resources Development Council is not needed to provide this coordination. Agencies have shared information on historical resources as a normal part of their operations for many years, and this informal process has provided an adequate a point of coordination. These approaches have bypassed the council, and it has not been used since its creation.

Approaches for Sunset Commission Consideration

I. ABOLISH THE AGENCY

A. The Historical Resources Development Council should be abolished.

A non-statutory coordinating committee has been active since 1969 and serves substantially the same purposes which the council was established to accomplish. Information developed during the review indicates that the council has met only once in its 11-year history and then only to recommend its own abolishment in 1977. Interviews with member state agencies represented on the council showed that the council is still considered unnecessary.

ACROSS-THE-BOARD RECOMMENDATIONS

TEXAS HISTORICAL RESOURCES DEVELOPMENT COUNCIL

Applied	Modified	Not Applied	Across-the-Board Recommendations
			A. ADMINISTRATION
		X	1. Require public membership on boards and commissions.
		X	2. Require specific provisions relating to conflicts of interest.
		X	3. A person registered as a lobbyist under Article 6252-9c, V.A.C.S., may not act as general counsel to the board or serve as a member of the board.
		X	4. Appointment to the board shall be made without regard to race, creed, sex, religion, or national origin of the appointee.
		X	5. Per diem to be set by legislative appropriation.
		X	6. Specification of grounds for removal of a board member.
		X	7. Board members shall attend at least one-half of the agency board meetings or it may be grounds for removal from the board.
		X	8. The agency shall comply with the Open Meetings Act, and the Administrative Procedure and Texas Register Act.
		X	9. Review of rules by appropriate standing committees.
		X	10. The board shall make annual written reports to the governor and the legislature accounting for all receipts and disbursements made under its statute.
		X	11. Require the board to establish skill oriented career ladders.
		X	12. Require a system of merit pay based on documented employee performance.
		X	13. The state auditor shall audit the financial transactions of the board during each fiscal period.
		X	14. Provide for notification and information to the public concerning board activities.
		X	15. Require the legislative review of agency expenditures through the appropriation process.

Texas Historical Resources Development Council
(Continued)

Applied	Modified	Not Applied	Across-the-Board Recommendations
			B. LICENSING
		X	1. Require standard time frames for licensees who are delinquent in renewal of licenses.
		X	2. A person taking an examination shall be notified of the results of the examination within a reasonable time of the testing date.
		X	3. Provide an analysis, on request, to individuals failing the examination.
		X	4. (a) Authorize agencies to set fees.
		X	(b) Authorize agencies to set fees up to a certain limit.
		X	5. Require licensing disqualifications to be: 1) easily determined, and 2) currently existing conditions.
		X	6. (a) Provide for licensing by endorsement rather than reciprocity.
		X	(b) Provide for licensing by reciprocity rather than endorsement.
		X	7. Authorize the staggered renewal of licenses.
			C. ENFORCEMENT
		X	1. Authorize agencies to use a full range of penalties.
		X	2. Require files to be maintained on complaints.
		X	3. Require that all parties to formal complaints be periodically informed in writing as to the status of the complaint.
		X	4. Specification of board hearing requirements.
			D. PRACTICE
		X	1. Revise restrictive rules or statutes to allow advertising and competitive bidding practices which are not deceptive or misleading.
		X	2. The board shall adopt a system of voluntary continuing education.