

CONFERENCE COMMITTEE REPORT FORM

Austin, Texas

May 29, 2009
Date

Honorable David Dewhurst
President of the Senate

Honorable Joe Straus
Speaker of the House of Representatives

Sirs:

We, Your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on HB-2644 have had the same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

David Dewhurst
Sen. Dewhurst

J. Carona
Sen. Carona

Sen. Nichols

Sen. Nelson

Alfredo Uresti
On the part of the Senate
sen. Uresti

Carol N Kent
Mark M Skilton

Paul J. ...
Marise Marquez

Steph J. Frost
On the part of the House

Note to Conference Committee Clerk:

Please type the names of the members of the Conference Committee under the lines provided for signature. Those members desiring to sign the report should sign each of the six copies. Attach a copy of the Conference Committee Report and a Section by Section side by side comparison to each of the six reporting forms. The original and two copies are filed in house of origin of the bill, and three copies in the other house.

CONFERENCE COMMITTEE REPORT

3rd Printing

H.B. No. 2644

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the designation of the Bankhead Highway as a historic
3 highway.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Subchapter A, Chapter 442, Government Code, is
6 amended by adding Section 442.026 to read as follows:

7 Sec. 442.026. BANKHEAD HIGHWAY AS TEXAS HISTORIC HIGHWAY.

8 (a) The commission shall cooperate with the Texas Department of
9 Transportation to identify, designate, interpret, and market the
10 Bankhead Highway as a Texas historic highway, for the portion of the
11 Bankhead Highway located in this state.

12 (b) To supplement revenue available for the purposes under
13 Subsection (a), the commission and the Texas Department of
14 Transportation may pursue federal funds dedicated to highway
15 enhancement.

16 (c) A designation of the Bankhead Highway as a Texas
17 historic highway may not be construed as a designation under the
18 National Historic Preservation Act (16 U.S.C. Section 470 et seq.).

19 (d) The Texas Department of Transportation is not required
20 to design, construct, or erect a marker under this section unless a
21 grant or donation of funds is made to the department to cover the
22 cost of the design, construction, and erection of the marker. Money
23 received to cover the cost of the marker shall be deposited to the
24 credit of the state highway fund.

House Bill 2644
Conference Committee Report
Section-by-Section Analysis

HOUSE VERSION

SECTION 1. Subchapter A, Chapter 442, Government Code, is amended by adding Section 442.026, BANKHEAD HIGHWAY AS TEXAS HISTORIC HIGHWAY, as follows:

(a)-(b)

No equivalent provision.

No equivalent provision.

No equivalent provision.

No equivalent provision.

SENATE VERSION

SECTION 1. Same as House version, except as follows:

(a)-(b) Same as House version.

(c) Establishes that a designation of the Bankhead Highway as a Texas historic highway *shall* not be construed as a designation under the National Historic Preservation Act (16 U.S.C. 470 et seq.).

(d) Requires local governmental entities located along the Bankhead Highway to assist the commission in paying for the implementation of this section and the marketing of the highway.

(e) Unless available and specifically appropriated for that purpose, prohibits the Texas Department of Transportation from using money in the state highway fund for the implementation of this section or the marketing of the highway.

(f) Provides that the Texas Department of Transportation is not required to design, construct, or erect a marker under this section unless a grant or donation of funds is made to the department to cover the cost of the design, construction, and erection of the marker. Requires money received to cover the cost of the marker to be

CONFERENCE

SECTION 1. Same as House version, except as follows:

(a)-(b) Same as House version.

(c) Same as Senate version, except establishes that the state designation *may* not be construed as a designation under the federal law.

Same as House version.

Same as House version.

(d) Same as Senate version.

House Bill 2644
Conference Committee Report
Section-by-Section Analysis

HOUSE VERSION

SECTION 2. This Act takes effect September 1, 2009.

SENATE VERSION

deposited to the credit of the state highway fund.

SECTION 2. Same as House version.

CONFERENCE

SECTION 2. Same as House version.

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

May 30, 2009

TO: Honorable David Dewhurst , Lieutenant Governor, Senate
Honorable Joe Straus, Speaker of the House, House of Representatives

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

IN RE: **HB2644** by Kent (Relating to the designation of the Bankhead Highway as a historic highway.), **Conference Committee Report**

No significant fiscal implication to the State is anticipated.

The bill would amend the Government Code to require the Texas Historical Commission (THC) to cooperate with the Texas Department of Transportation (TxDOT) to establish a program to identify, designate, interpret, and market the Bankhead Highway as a Texas historic highway, for the portion of that highway located in Texas. The bill would authorize TxDOT and THC to pursue federal funds dedicated to highway enhancement for the project. The bill would specify that TxDOT is not required to construct or erect a highway marker under the program unless a grant or donation of funds is made to cover the costs.

Based on the analysis of TxDOT and THC, it is assumed any costs or duties associated with implementing the provisions of the bill could be absorbed within existing resources.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 601 Department of Transportation, 808 Historical Commission

LBB Staff: JOB, KJG, SZ, TG

Certification of Compliance with Rule 13, Section 6(b), House Rules of Procedure

Rule 13, Section 6(b), House Rules of Procedure, requires that a copy of a conference committee report signed by a majority of each committee of the conference must be furnished to each member of the committee in person or if unable to deliver in person by placing a copy in the member's newspaper mailbox at least one hour before the report is furnished to each member of the house under Section 10(a) of this rule. The paper copies of the report submitted to the chief clerk under Section 10(b) of this rule must contain a certificate that the requirement of this subsection has been satisfied, and that certificate must be attached to the printed copy of the report furnished to each member under Section 10(d) of this rule. Failure to comply with this subsection is not a sustainable point of order under this rule.

I certify that a copy of the conference committee report on H. B. 2644 was furnished to each member of the conference committee in compliance with Rule 13, Section 6(b), House Rules of Procedure, before submission of the paper copies of the report to the chief clerk under Section 10(b), Rule 13, House Rules of Procedure.

Carol N. Kent

(name)

5-29-09

(date)