

SUBJECT: Funding state highway markers

COMMITTEE: Transportation —favorable, without amendment

VOTE: 9 ayes — Phillips, Martinez, Burkett, Fletcher, Guerra, Lavender, McClendon, Pickett, Riddle

0 nays

2 absent — Y. Davis, Harper-Brown

WITNESSES: For — None

Against — None

On — (*Registered, but did not testify:* John Barton, Texas Department of Transportation)

BACKGROUND: Transportation Code, ch. 225, allows parts of the state highway system to be assigned a memorial designation by a local government or the enactment of state legislation. The Texas Department of Transportation (TxDOT) may install a memorial marker along the state highway system.

In 2007, the 80th Legislature enacted HB 53 by Chavez to allow TxDOT to accept grants and donations to pay for memorial markers. Transportation Code, sec. 225.021, requires TxDOT to repair and replace markers erected on a highway and maintain the grounds.

Since the 80th session, 36 memorial designations have been approved, with 14 funded by private donations, eight funded by TxDOT, and 14 remaining unfunded.

DIGEST: HB 695 would amend the Transportation Code to prohibit the Texas Department of Transportation (TxDOT) from designing, constructing or erecting a marker identifying a state highway as a memorial unless it received a donation or grant to cover the costs. The bill also would require TxDOT to accept grants or donations to help finance the cost of memorial markers.

This bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2013.

**SUPPORTERS
SAY:**

HB 695 would clarify that TxDOT could not pay for the costs associated with memorial markers and that grants or donations would be required to pay for them. While memorial designations are an appropriate way for the state to honor Texans of significant achievement, the markers are expensive, costing \$5,000 to \$25,000 each. Since the 80th legislative session, TxDOT has absorbed \$75,000 in costs for markers for eight of the 36 enrolled memorial designations. If a proposed memorial marker is appropriate and has adequate community support, people will donate the necessary funds to erect it.

Under HB 695, TxDOT still would pay for routine maintenance and periodic replacement of all memorial signs, at a cost of about \$500,000 every 10 to 15 years. Requiring the department to use donations or grants to pay for memorial markers would ensure each memorial received equal treatment and had local support before the department was committed to future maintenance costs. HB 695 also would end the diversion of funds to pay for memorial markers and allow TxDOT to spend more money on roads and other important transportation projects.

**OPPONENTS
SAY:**

The amount of money TxDOT spends on highway markers for memorial designations is insignificant compared with the size of the department's budget. Memorial highways are a relatively small but important way for the state to honor people who played an important role in Texas' history, such as those who served in the armed forces. TxDOT should continue to make exceptions to fund some memorial markers.