

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



**CORRECTED
FISCAL NOTE**

HJR 815

June 15, 2020

SUMMARY OF BILL: Designates the second floor of the State Capitol as a space to recognize, through busts, statues, and other methods, appropriate elected officials.

ESTIMATED FISCAL IMPACT:

On February 21, 2020, a fiscal note was issued with the following estimate:

Increase State Expenditures - \$123,000/FY20-21/State Capitol Commission

Due to further analysis, this estimate is being updated to reflect the specific requirements of the proposed resolution. The updated fiscal impact is as follows:

(CORRECTED)

Increase State Expenditures – \$7,200/FY20-21/State Capitol Commission

Other Fiscal Impact – Any busts removed from the second floor of the State Capitol do not have to be replaced as a result of the proposed resolution. The creation of any new bust will be the result of future actions of the Tennessee Historical Commission, the State Capitol Commission, or future legislation. The cost per bust is estimated to be \$57,700.

Assumptions:

- There are currently nine busts on display on the second floor of the capitol.
- Those represented in likeness: David Crockett, David Farragut, Nathan Bedford Forrest, Albert Gleaves, Cordell Hull, Andrew Jackson, Andrew Johnson, Sampson Keeble, and James K. Polk.
- Of these nine individuals, only David Farragut and Albert Gleaves were not elected officials.
- It is assumed that the busts for both David Farragut and Albert Gleaves will be removed from the second floor of the State Capitol.
- Tennessee Code Annotated § 4-1-412(b) prohibits any memorial regarding a historic conflict, historic entity, historic event, historic figure, or historic organization that is, or is located on, public property, from being removed, renamed, relocated, altered, rededicated, or otherwise disturbed or altered, unless a public entity exercising control of the memorial petitions the Tennessee Historical Commission (THC) for a waiver of such prohibition.

- A notice of the petition is required to be published on the website of the public entity and in at least two newspapers. The THC is required to conduct initial and final hearings on the petition during regularly-scheduled THC meetings. Any petition that fails to receive a two-thirds vote shall be denied.
- Pursuant to Tenn. Code Ann. § 4-8-302, the State Capitol Commission (SCC) has the power and duty to, among other things, establish policy governing maintenance of the state capitol.
- For the purposes of this fiscal analysis it is assumed that the SCC panel and subsequently the THC will approve a measure to remove the two busts.
- Based on responses to the 2017 Local Government Survey conducted by the Fiscal Review Committee staff, participating local government officials reported the average cost for a newspaper notification is \$114. The total one-time cost of publishing a notice of the petition in two newspapers is estimated to be \$228 (\$114 x 2).
- Based on information provided by the Department of General Services regarding previous costs of statue relocations, it is estimated that the proposed relocation of the two busts from the state capitol to its new destination would result in a one-time increase in state expenditures to the SCC of \$7,000 (\$3,500 x 2 busts).
- The one-time increase in state expenditures to remove the two busts is estimated to be \$7,228 (\$228 + \$7,000).
- If additional methods of commemoration, including additional busts and full statues are commissioned, additional state expenditures would be incurred. However, the timing and extent of any such expenditures are dependent upon multiple unknown factors and cannot be quantified with reasonable certainty.
- The cost of design, creation, and installation of a new bust is unknown. However, the 2014 Appropriation Act, Public Chapter 919, included \$25,000 for the Davy Crockett bust, and the 2015 Appropriation Act, Public Chapter 427, included an additional \$35,000, for a total of \$60,000.
- According to the SCC, total expenditures by the SCC on the David Crockett Monument were \$57,647. Based on this information, it is reasonably assumed that the one-time cost of the new bust would be identical to that amount, or \$57,647.
- It is reasonably estimated the costs for each additional bust added to the second floor of the Capitol will result in one time expenditures of at least \$57,600. Those costs will be the result of future actions of the THC, SCC, and/or future legislation and will be accounted for as such at the time of those actions.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.



Krista Lee Carsner, Executive Director

/jdb