

STATE REPRESENTATIVE
DAVID SWINFORD



CARSON • MOORE • POTTER • SHERMAN COUNTIES • DISTRICT 87

COMMITTEES:
GOVERNMENT REFORM, CHAIRMAN • AGRICULTURE AND LIVESTOCK

RECEIVED
JUN 13 2003
OPINION COMMITTEE

June 11, 2003

FILE # ML-43142-03
I.D. # 43142

Ms. Nancy Fuller
Opinions Committee
Office of Attorney General
209 West 14th Street
6th Floor
Austin, Texas 78711-2548

RQ. 0065-GA

Dear Ms. Fuller:

I have been contacted by Mr. Vince DiPiazza, the City Manager of Dumas, seeking assistance in obtaining an opinion from General Abbott concerning the use of local hotel/motel occupancy taxes to help fund certain programs at the Moore County Senior Center.

Enclosed I have provided copies of the original requests sent from the City of Dumas, as well as those sent from the Moore County Senior Center. Should you have any questions or require additional information, please feel free to contact Mr. Trace Roller of my staff at 512.463.0470.

I appreciate your timely assistance in this matter.

Sincerely,

A handwritten signature in cursive script that reads "David Swinford".

David Swinford
District 87

Enclosure

cc: Mr. Vince DiPiazza

CAPITOL OFFICE:
P.O. BOX 2910 • AUSTIN, TX 78768-2910
(512) 463-0470 • FAX (512) 463-8003

DISTRICT OFFICE:
616 E. FIRST STREET • DUMAS, TEXAS 79029
(806) 935-5445 • Fax (806) 935-6464

DISTRICT OFFICE:
724 S. POLK SUITE 760 • AMARILLO, TEXAS 79101
(806) 374-8787 • Fax (806) 374-0868



ROWDY RHOADES
Mayor

CITY OF DUMAS

P.O. Box 438
Dumas, Texas 79029
(806) 935-4101



VINCE DiPIAZZA
City Manager

May 27, 2003

The Honorable David Swinford
Texas House of Representatives
P.O. Box 2910
Austin, Texas 78768-2910

Dear Representative Swinford:

The city commission has asked me to try to obtain an opinion from the Texas Attorney General, and we are asking for your assistance in your capacity as chair of a House committee.

The issue pertains to a request for local hotel/motel occupancy tax funds by the Moore County Senior Center, and whether or not this would be a legal use of those funds. Part of the senior center's justification is that other cities in the area have apparently decided this is acceptable. However, given the generally restrictive wording in the statute, the city commission would prefer a more authoritative opinion from the attorney general's office. Please see the attached letters.

We would appreciate it if you would request an AG opinion on our behalf. It would also be helpful if we could have the opinion by the end of July, in time for the city's budget deliberations. If I can answer any questions or provide further information, please let me know.

Sincerely,

A handwritten signature in cursive script, appearing to read "Vince".

Vince DiPiazza
City Manager

Attachments



Moore County Senior Center Inc.

P.O. Box 2114 ~ Dumas, Texas 79029 ~ 806-934-2788



March 10, 2003

City Commission
City of Dumas
Dumas, TX 79029

Dear Sirs:

It is with respect that a funding request from the occupancy tax be considered for the Moore County Senior Center, Inc.

As a group, the Senior Citizens of Moore County were established approximately 25 years ago and the organization's Center was opened May 1, 2001. The building was funded by the Harrington Foundation, Panhandle Regional Planning Commission, Businesses and individuals. It is debt free.

In 2002 documented out-of-town guests at the Center numbered 207. This figure does not count easy driving time out-of-town guests (which would be estimated as double the number). In addition to the guests, the Center has 350 members at present.

Over 2600 meals are served per month to the members and guest. Under Title III and through the Area Agency on Aging, the Center is reimbursed for 888 of the meals served.

The center has a need for additional funding to perpetuate the programming efforts including the quilting room, which is open to the public. Quilts are always on display and anyone who visits can see actual quilting being done. Funding for craft expenses; bringing in outside entertainment and brochure development, especially for the new Visitor Center here in Dumas. This funding request reflects a close relationship to the funding of Dumas' Crabb Art Center and the Window on the Plains Museum.

Thank You for your consideration.

Sincerely,

Lisa Underwood
Lisa Underwood
Executive Director



Moore County Senior Center Inc.

P.O. Box 2114 ~ Dumas, Texas 79029 ~ 806-934-2788



January 16, 2003

To: City Council Members
From: Lisa Underwood, Executive Director
Moore County Senior Center
Re: Hotel and Motel Tax

Dear Sirs,

We at the Moore County Senior Center are requesting at this time to receive a portion of the hotel and motel taxes that are received in the city. We are an integral part of Dumas and the surrounding area. We feel that we should be a recipient of this tax because of all the people from other communities that come to share a meal or participate in other activities at our center.

If this will require us to appear at a Commissioner meeting, then consider this a formal request. I hope that you will decide in our favor. In my research, I have found that senior centers in Borger, Pampa, Dalhart, Amarillo, Hereford and many others are receiving hotel, motel tax funds. We appreciate anything you could do for us in this matter.

Thank you,

Lisa Underwood
Lisa Underwood
Executive Director