

BILL ANALYSIS

C.S.H.B. 2025
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Culture, Recreation, & Tourism
Committee Report (Substituted)

BACKGROUND AND PURPOSE

The National Museum of the Pacific War- Admiral Nimitz State Historical Site, located in Fredericksburg is currently administered by the Texas Parks and Wildlife Department. The Admiral Nimitz Foundation is a 501(c)(3) organization that has raised over \$6.5 million used to build the George Bush Gallery, the Pacific Combat Zone, established a \$1 million endowment to assist in the operating costs of the museum and is contributing \$1.1 million to the current renovation of the Nimitz Hotel Building. Legislation in 2001 and 2003 provided for the issuance of \$9 million of revenue bonds in order to complete the George Bush Gallery, however, the funds to service the bonds have not been appropriated. At the request of Parks and Wildlife, the Foundation conducted a study and subsequently proposed this legislation to transfer jurisdiction to the Historical Commission, seek funds for the debt service and authorize an agreement for the Foundation to assume responsibility for the long-term administration and operating of the museum.

This bill would amend Chapter 442, Government Code to authorize The Texas Parks and Wildlife Department to transfer historical sites, including the Nimitz Museum to the Texas Historical Commission, and to redesignate Chapter 22, Parks and Wildlife Code as Subchapter B, of Chapter 442, Government Code thereby transferring jurisdiction of the Nimitz Museum. This bill authorizes the Commission to request the Public Finance Authority to issue revenue bonds to finance the renovation, improvement, expansion, and equipping of the museum. The Commission would be authorized to contract with the Nimitz Foundation for the renovation and improvements of the museum and to accept contributions for the capital projects. Bond revenue, contributions and other monies would be deposited to the Nimitz Museum Account. The fund would not be swept at the end of each biennium.

RULEMAKING AUTHORITY

This bill grants additional rulemaking authority to the Texas Historical Commission. This authority currently vested with the Texas Parks and Wildlife Department.

ANALYSIS

SECTION 1. Designates Subchapter A, Chapter 442, Government Code and add a heading to read General Provisions.

SECTION 2. Adds Section 442.019, Government Code to allow for historical sites under the jurisdiction of Texas Parks and Wildlife to be transferred to the Historical Commission by interagency agreement. If jurisdiction is transferred, all rights and obligations relating to the site are similarly transferred.

SECTION 3. Redesignates the Subchapter relating to the Fleet Admiral Chester W. Nimitz Memorial Naval Museum to Subchapter B, Government Code from the Parks and Wildlife Code and makes conforming amendments by striking department and inserting commission as the agency with jurisdiction. Includes the current authority of the Department to request the issuance of revenue bonds to fund renovation, expansion, improvement, and equipping of the museum.

Adds Section 442.054 Nimitz Museum Account to be a separate account in the general revenue fund consisting of transfers, revenue from operation of the museum, grants and donation, income

earned on investment and appropriations. Allows the Commission appropriate uses of the money and to accept grants and donations.

SECTION 4. Sets the transfer date as November 1, 2005 at which time all powers and duties, funds, equipment, property and files used in connection with the museum shall be transferred to the Commission.

Any rule adopted prior to that date by the Department is continued until amended or repealed by the Commission.

Any money maintained in an account by the Department to the credit of the museum is transferred to the Nimitz account.

Provides that transfers under this Act do not diminish or impair the rights of a holder of an outstanding bond or other obligation issued by the Department.

Provides that the Department and the Commission may agree to a transfer or property or to implement the transfer before November 1, 2005. If the Department continues to perform after November 1, 2005, prior law remains in effect for that purpose.

EFFECTIVE DATE

Immediate upon two-thirds vote or September 1, 2005.

COMPARISON OF ORIGINAL TO SUBSTITUTE

The substitute is a Legislative Council version of the bill as filed. It changes the name of the Fleet Admiral Chester W. Nimitz Memorial Naval Museum to the National Museum of the Pacific War. The substitute also allows the Texas Historical Commission to make agreements with a nonprofit corporation to expand, renovate, manage, operate or financially support the site.