

By: Hilderbran

H.B. No. 2025

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the transfer of jurisdiction over the Fleet Admiral  
3 Chester W. Nimitz Memorial Naval Museum and other historical sites  
4 from the Parks and Wildlife Department to the Texas Historical  
5 Commission.

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

7 SECTION 1. Sections 442.001-442.018, Government Code, are  
8 designated as Subchapter A, Chapter 442, Government Code, and a  
9 heading to Subchapter A is added to read as follows:

10 SUBCHAPTER A. GENERAL PROVISIONS

11 SECTION 2. Subchapter A, Chapter 442, Government Code, as  
12 added by this Act, is amended by adding Section 442.019 to read as  
13 follows:

14 Sec. 442.019. TRANSFER OF HISTORICAL SITES FROM PARKS AND  
15 WILDLIFE. (a) By interagency agreement, a historical site under  
16 the jurisdiction of the Parks and Wildlife Department may be  
17 transferred to the commission.

18 (b) If jurisdiction over a historical site is transferred  
19 under this section, all rights, powers, duties, obligations,  
20 functions, activities, property, and programs of the Parks and  
21 Wildlife Department relating to the historical site are transferred  
22 to the commission.

23 SECTION 3. Subchapter Q, Chapter 22, Parks and Wildlife  
24 Code, is redesignated as Subchapter B, Chapter 442, Government

1 Code, and amended to read as follows:

2 SUBCHAPTER B [~~Q~~]. FLEET ADMIRAL CHESTER W. NIMITZ MEMORIAL NAVAL  
3 MUSEUM

4 Sec. 442.051 [~~22.231~~]. MUSEUM JURISDICTION. The Fleet  
5 Admiral Chester W. Nimitz Memorial Naval Museum is under the  
6 jurisdiction of the commission [~~department~~].

7 Sec. 442.052 [~~22.232~~]. POWERS OF COMMISSION [~~DEPARTMENT~~].  
8 With respect to the Nimitz museum and in addition to its other  
9 powers and duties, the commission [~~department~~]:

10 (1) shall foster and commemorate the memory of the era  
11 of supreme United States naval power upon the seas and the men and  
12 women of the armed services whose gallant and selfless dedication  
13 to duty made this era possible;

14 (2) shall administer the Fleet Admiral Chester W.  
15 Nimitz Memorial Naval Museum at Fredericksburg;

16 (3) shall act in any other capacity relative to  
17 preserving naval documents, relics, and other items of historical  
18 interest;

19 (4) may employ and discharge a museum director and  
20 other employees it deems necessary to fulfill its duties and  
21 responsibilities within the limits of funds available;

22 (5) may accept on behalf of the State of Texas  
23 donations of money, property, and historical relics related to the  
24 museum's theme; and

25 (6) may acquire property and historical relics by  
26 purchase within the limits of funds available.

27 Sec. 442.053 [~~22.233~~]. REVENUE BONDS FOR MUSEUM. (a) The

1 commission [~~department,~~] by resolution [~~of the commission,~~] may  
2 request the Texas Public Finance Authority to issue revenue bonds  
3 or other revenue obligations to finance the repair, renovation,  
4 improvement, expansion, and equipping of the Nimitz museum for one  
5 or more projects not to exceed an aggregated estimated cost of \$9  
6 million.

7 (b) On receipt of a request by the commission [~~department~~]  
8 under this section, the Texas Public Finance Authority shall  
9 promptly issue the bonds or other revenue obligations under and in  
10 accordance with Chapter 1232 [~~, Government Code~~].

11 (c) The commission [~~department~~] shall deposit the proceeds  
12 of revenue bonds or other revenue obligations issued under this  
13 section to the credit of the Nimitz museum account [~~Texas parks and~~  
14 ~~wildlife conservation and capital account~~] and may use the proceeds  
15 only to finance the repair, renovation, improvement, expansion, and  
16 equipping of the museum.

17 (d) The commission [~~Notwithstanding any other law, the~~  
18 ~~department~~] may contract with the Admiral Nimitz Foundation for the  
19 renovation, improvement, or expansion of the museum.

20 (e) The commission [~~department~~] may accept contributions  
21 from the Admiral Nimitz Foundation and other sources in connection  
22 with the repair, renovation, improvement, expansion, equipping, or  
23 operation of the museum.

24 Sec. 442.054. NIMITZ MUSEUM ACCOUNT. (a) The Nimitz museum  
25 account is a separate account in the general revenue fund.

26 (b) The account consists of:

27 (1) transfers made to the account;

1           (2) revenue from the operation of the Fleet Admiral  
2 Chester W. Nimitz Memorial Naval Museum;

3           (3) grants and donations made by the Admiral Nimitz  
4 Foundation and other sources; and

5           (4) income earned on investments of money in the  
6 account.

7           (c) Appropriations to the commission for the preservation,  
8 operation, or maintenance of the Fleet Admiral Chester W. Nimitz  
9 Memorial Naval Museum shall be deposited to the credit of the  
10 account.

11           (d) The commission may use money in the account to  
12 administer this subchapter, including to support the preservation,  
13 repair, renovation, improvement, expansion, equipping, operation,  
14 or maintenance of the museum or acquisition of historical items  
15 appropriate to the museum.

16           (e) Any money in the account not used in a fiscal year  
17 remains in the account. The account is exempt from the application  
18 of Section 403.095, Government Code.

19           Sec. 442.055. GRANTS; DONATIONS. The commission may accept  
20 a grant or donation for any program or purpose of the Fleet Admiral  
21 Chester W. Nimitz Memorial Naval Museum.

22           SECTION 4. (a) On November 1, 2005, the following are  
23 transferred to the Texas Historical Commission:

24           (1) all powers, duties, obligations, and liabilities  
25 of the Parks and Wildlife Department relating to the Fleet Admiral  
26 Chester W. Nimitz Memorial Naval Museum;

27           (2) all unobligated and unexpended funds appropriated

1 to the Parks and Wildlife Department designated for the  
2 administration of the Fleet Admiral Chester W. Nimitz Memorial  
3 Naval Museum;

4 (3) all equipment and property of the Parks and  
5 Wildlife Department used for the administration of or related to  
6 the Fleet Admiral Chester W. Nimitz Memorial Naval Museum; and

7 (4) all files and other records of the Parks and  
8 Wildlife Department kept by the department regarding the Fleet  
9 Admiral Chester W. Nimitz Memorial Naval Museum.

10 (b) A rule adopted by the Parks and Wildlife Department that  
11 is in effect immediately before November 1, 2005, and that relates  
12 to the Fleet Admiral Chester W. Nimitz Memorial Naval Museum is, on  
13 November 1, 2005, a rule of the Texas Historical Commission and  
14 remains in effect until amended or repealed by the Texas Historical  
15 Commission.

16 (c) Any money in the Texas parks and wildlife conservation  
17 and capital account deposited to the credit of the Fleet Admiral  
18 Chester W. Nimitz Memorial Naval Museum on October 31, 2005, is  
19 transferred on November 1, 2005, to the Nimitz museum account.

20 (d) The transfers under this Act do not diminish or impair  
21 the rights of a holder of an outstanding bond or other obligation  
22 issued by the Parks and Wildlife Department under former Section  
23 22.233, Parks and Wildlife Code.

24 (e) Before November 1, 2005, the Parks and Wildlife  
25 Department may agree with the Texas Historical Commission to  
26 transfer any property of the Parks and Wildlife Department to the  
27 Texas Historical Commission to implement the transfer required by

1 this Act.

2 (f) In the period beginning on the effective date of this  
3 Act and ending on November 1, 2005, the Parks and Wildlife  
4 Department shall continue to perform functions and activities under  
5 Subchapter Q, Chapter 22, Parks and Wildlife Code, as if that  
6 subchapter had not been amended by this Act, and the former law is  
7 continued in effect for that purpose.

8 SECTION 5. This Act takes effect immediately if it receives  
9 a vote of two-thirds of all the members elected to each house, as  
10 provided by Section 39, Article III, Texas Constitution. If this  
11 Act does not receive the vote necessary for immediate effect, this  
12 Act takes effect September 1, 2005.