

# CONFERENCE COMMITTEE REPORT FORM

Austin, Texas

5-22-17

Date

Honorable Dan Patrick  
President of the Senate

Honorable Dennis Bonnen  
Speaker of the House of Representatives

Sirs:

We, Your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on SB 1511 have had the same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

Robert J. Nichols

Nichols

Paul Beftencourt

Beftencourt

Brian Birdwell

Birdwell

John W. Kolkhorst

Kolkhorst

73

On the part of the Senate

Miles

Phil Cyrier

Cyrier

VB Cain

Cain

John A. Farrar

Farrar

James H. Morrison

Morrison

Steve Toth

On the part of the House

Toth

Note to Conference Committee Clerk:

Please type the names of the members of the Conference Committee under the lines provided for signature. Those members desiring to sign the report should sign each of the six copies. Attach a copy of the Conference Committee Report and a Section by Section side by side comparison to each of the six reporting forms. The original and two copies are filed in house of origin of the bill, and three copies in the other house.



# CONFERENCE COMMITTEE REPORT

3<sup>rd</sup> Printing

S.B. No. 1511

A BILL TO BE ENTITLED

AN ACT

relating to the operation of the Battleship "Texas."

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

SECTION 1. The purpose of this Act is to ensure that the Battleship "Texas," a national historic landmark whose engines are national mechanical engineering landmarks and that is the only remaining battleship to have fought in World War I and World War II, is maintained and preserved in satisfactory condition for the benefit of the citizens of this state.

SECTION 2. Section 22.261, Parks and Wildlife Code, is amended to read as follows:

Sec. 22.261. JURISDICTION. The Battleship "Texas" is under the jurisdiction of the department. The department shall enter into a memorandum of understanding for a term of 99 years with an appropriate nonprofit foundation for the operation and maintenance of the Battleship "Texas."

SECTION 3. Subchapter T, Chapter 22, Parks and Wildlife Code, is amended by adding Section 22.262 to read as follows:

Sec. 22.262. PRESERVATION STANDARDS. The memorandum of understanding required by Section 22.261 must include provisions:

(1) governing the preservation, management, and operation of the Battleship "Texas" consistent with the Standards for Historic Vessel Preservation Projects with Guidelines for Applying the Standards published by the Secretary of the United

1 States Department of the Interior as those standards existed on  
2 January 1, 2019;

3 (2) requiring the nonprofit foundation described by  
4 Section 22.261 to consult with the state historic preservation  
5 officer on matters related to the preservation or repair of the  
6 battleship; and

7 (3) regarding the protection of the public's interest  
8 in maintaining and preserving a priceless historical asset in a  
9 manner that ensures the public has access to the asset and an  
10 opportunity to provide comment regarding the preservation of the  
11 asset.

12 SECTION 4. The Parks and Wildlife Department shall enter  
13 into the memorandum of understanding required by Section 22.261,  
14 Parks and Wildlife Code, as amended by this Act, not later than the  
15 later of:

16 (1) September 1, 2019; or

17 (2) the 90th day after the effective date of this Act.

18 SECTION 5. This Act takes effect immediately if it receives  
19 a vote of two-thirds of all the members elected to each house, as  
20 provided by Section 39, Article III, Texas Constitution. If this  
21 Act does not receive the vote necessary for immediate effect, this  
22 Act takes effect September 1, 2019.

**Senate Bill 1511**  
Conference Committee Report  
Section-by-Section Analysis

**SENATE VERSION**

SECTION 1. The purpose of this Act is to ensure that the Battleship "Texas," a national historic landmark whose engines are national mechanical engineering landmarks and that is the only remaining battleship to have fought in World War I and World War II, is maintained and preserved in satisfactory condition for the benefit of the citizens of this state.

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(1) governing the preservation, management, and operation of the Battleship "Texas" consistent with the Standards for Historic Vessel Preservation Projects with Guidelines for Applying the Standards published by the Secretary of the United States Department of the Interior as those standards existed on January 1, 2019;

(2) requiring the nonprofit foundation described by Section 22.261 to consult with the state historic preservation officer on matters related to the preservation or repair of the battleship; and

(3) regarding the protection of the public's interest in maintaining and preserving a priceless historical asset in a manner that ensures the public has access to the asset and an

**HOUSE VERSION (IE)**

SECTION 1. Same as Senate version.

SECTION 2. Same as Senate version.

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Sec. 22.262. PRESERVATION STANDARDS. The memorandum of understanding required by Section 22.261 must include provisions:

(1) governing the preservation, management, and operation of the Battleship "Texas" consistent with the Standards for Historic Vessel Preservation Projects with Guidelines for Applying the Standards published by the Secretary of the United States Department of the Interior as those standards existed on January 1, 2019;

(2) requiring the nonprofit foundation described by Section 22.261 to consult with the state historic preservation officer on matters related to the preservation or repair of the battleship; [FA1(1)]

(3) regarding the protection of the public's interest in maintaining and preserving a priceless historical asset in a manner that ensures the public has access to the asset and an

**CONFERENCE**

SECTION 1. Same as Senate version.

SECTION 2. Same as Senate version.

SECTION 3. Same as Senate version.

**Senate Bill 1511**  
Conference Committee Report  
Section-by-Section Analysis

SENATE VERSION

opportunity to provide comment regarding the preservation of the asset.

SECTION 4. The Parks and Wildlife Department shall enter into the memorandum of understanding required by Section 22.261, Parks and Wildlife Code, as amended by this Act, not later than the later of:

- (1) September 1, 2019; or
- (2) the 90th day after the effective date of this Act.

SECTION 5. Effective date.

HOUSE VERSION (IE)

opportunity to provide comment regarding the preservation of the asset; and  
(4) requiring the battleship to be returned to the San Jacinto Battleground State Historic Site after repairs have been completed. [FA1(2)]

SECTION 4. Same as Senate version.

SECTION 5. Same as Senate version.

CONFERENCE

SECTION 4. Same as Senate version.

SECTION 5. Same as Senate version.

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION**

**May 24, 2019**

**TO:** Honorable Dan Patrick, Lieutenant Governor, Senate  
Honorable Dennis Bonnen, Speaker of the House, House of Representatives

**FROM:** John McGeady, Assistant Director    Sarah Keyton, Assistant Director  
Legislative Budget Board

**IN RE: SB1511** by Nichols (Relating to the operation of the Battleship "Texas."), Conference Committee Report

<b>No significant fiscal implication to the State is anticipated.</b>
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The bill would amend the Parks and Wildlife Code to direct the Parks and Wildlife Department enter into a memorandum of understanding with a nonprofit foundation for the operation and maintenance of the Battleship TEXAS. The bill would take effect immediately upon a two-thirds vote, or on September 1, 2019.

The bill would also require the nonprofit foundation to consult with the state historic preservation officer related to preservation and repair of the Battleship TEXAS. The Executive Director of the Historical Commission is the state historic preservation officer and LBB analysis of the agency indicates the duties and responsibilities associated with implementing the provision of the bill could be accomplished by utilizing existing resources.

Under current law, the Parks and Wildlife Department operates and maintains the Battleship TEXAS State Historic Site. The agency has indicated that operating and maintaining the historic site currently costs \$1,693,541 each fiscal year related to salaries and related benefits for 25.6 FTEs (\$1,303,541), travel costs (\$4,700), and other operating expenses (\$385,300). The Parks and Wildlife Department utilizes appropriations from General Revenue-Dedicated State Parks Account No. 64 and Sporting Goods Sales Tax Transfer to State Parks Account No. 64 for the operation and maintenance of the Battleship TEXAS State Historic Site and this analysis assumes the agency would utilize these appropriations to support the memorandum of understanding.

Additionally, the Parks and Wildlife Department has indicated that \$1,236,552 is deposited annually to the credit of General Revenue-Dedicated State Parks Account No. 64 from revenue collected through visitation to the Battleship TEXAS State Historic Site. Current law requires all revenue collected for the Battleship TEXAS to be deposited to the credit of the General Revenue-Dedicated State Parks Account No. 64. Accordingly, this analysis assumes the nonprofit foundation would continue to collect the same amount of revenue from visitation under the memorandum of understanding and that such revenue would be deposited to General Revenue-Dedicated State Parks Account No. 64.

### **Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 802 Parks and Wildlife Department, 808 Historical Commission

**LBB Staff:** WP, SZ, MW, TBo, LCO