

SUBJECT: Allowing Department of Criminal Justice to donate land to Walker County

COMMITTEE: State Affairs — favorable, without amendment

VOTE: 6 ayes — Marchant, B. Cook, Elkins, Gattis, Goodman, Lewis
0 nays
3 absent — Madden, J. Davis, Villarreal

WITNESSES: For — James Balzarette, HEARTS Veterans Museum; John Fuchs, HEARTS Veterans Museum; Danny Pierce, HEARTS Veterans Museum; (*Registered, but did not testify*): Dee McFarland, Huntsville-Walker County Chamber of Commerce; BJ Shotwell, HEARTS Veterans Museum.

Against — None

BACKGROUND: The Texas Department of Criminal Justice (TDCJ) owns a five acre parcel of land situated in the Pleasant Gray League of Walker County that was deeded to the state in 1883.

The Helping Every American Remember Through Serving (HEARTS) Veterans Museum is a living history educational museum staffed by veterans who share first-hand experiences from 20th century wars. It was founded by veterans in Huntsville and Walker County, and currently is located in a 5,000-square-foot space in a Huntsville shopping mall.

DIGEST: HB 2343 would permit TDCJ to donate and transfer its five-acre tract of land to Walker County for the benefit of the public interest of the state. TDCJ would have to transfer the land by January 31, 2004. If Walker County used the property for anything other than to benefit the public interest of the state, ownership of the property automatically would revert to TDCJ.

The bill would take effect September 1, 2003.

SUPPORTERS SAY: In the spirit of this bill, Walker County intends to use this land to benefit the public interest of the state by leasing it to the HEARTS Veterans Museum.

Walker County veterans founded the museum to make constructive use of their war memorabilia and military experiences. The veterans who staff the museum educate the public and school children about the price of freedom. The museum is the largest veterans museum in the region.

The county wants to expand the museum to a 12,000-square-foot space in a stand-alone building located on land just off of Interstate Highway 45 in Huntsville. The proposed site is adjacent to the Texas Prison Museum and contiguous to U.S. Forest Service and Department of Public Safety facilities. The museum would use the five acres to accommodate existing holdings plus displays of tanks and helicopters, a new monument, and a re-enactment area.

TDCJ currently does not use the land and has no intention to use it in the foreseeable future. Consequently, using the land for an educational veterans museum is good for all parties involved. Residents of Huntsville would benefit directly from the educational programs of the museum and the purchases of visiting tourists. Visitors from other parts of the state would find the museum's convenient location off of I-45 and its proximity to existing attractions to be advantageous. The expanded museum also would create greater opportunities for community building among the approximately 7,000 veterans who live in Walker County.

Though the county commissioners court intends to lease the land to the HEARTS Veterans Museum, HB 2343 would give Walker County flexibility and local control by not requiring that the land be used for this specific purpose. The museum could undergo changes to its name or organizational structure in the future, and this bill would save Walker County from having to petition the Legislature to amend the statute at that time. However, Texas taxpayers would be protected against Walker County misusing the land because the bill would require that it revert to TDCJ if the county used it for anything other than to benefit the public interest of the state.

**OPPONENTS
SAY:**

This bill would not require Walker County to lease the land to the HEARTS Veterans Museum, nor would it specify that the land be used for veterans or educational issues. Though the county commissioners court currently intends to lease the land to the museum, the Legislature could better ensure that the county did so by including the museum's name or purpose in the bill.

HB 2343
House Research Organization
page 3