

103^D CONGRESS
1ST SESSION

H. R. 2626

To establish a system of National Historic Ball Parks, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 13, 1993

Mr. BONIOR (for himself, Mr. SERRANO, Mr. UPTON, Mr. DIXON, Mr. BARCIA of Michigan, Mr. BEILENSEN, Mr. FILNER, Mr. LEHMAN, Mr. LIPINSKI, Mr. NEAL of Massachusetts, Mr. RICHARDSON, and Mr. TORKILDSEN) introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To establish a system of National Historic Ball Parks, and
for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “National Historic Ball
5 Park Act”.

6 **SEC. 2. DEFINITIONS.**

7 As used in this Act:

1 (1) PARK.—The term “park” means a stadium
2 designated as a National Historic Ball Park by sec-
3 tion 3.

4 (2) COMMISSION.—The term “Advisory Com-
5 mission” means the National Historic Ball Park Ac-
6 quisition Advisory Commission established and rees-
7 tablished under section 7.

8 (3) SECRETARY.—The term “Secretary” means
9 the Secretary of the Interior.

10 **SEC. 3. DESIGNATION OF HISTORIC BALL PARKS.**

11 In order to preserve the character of the following
12 areas and to provide for the interpretation of the signifi-
13 cant contribution of these areas to American culture, each
14 of the following stadiums is hereby designated as a
15 National Historic Ball Park:

16 (1) Tiger Stadium, Detroit, Michigan.

17 (2) Fenway Park, Boston, Massachusetts.

18 (3) Wrigley Field, Chicago, Illinois.

19 (4) Yankee Stadium, New York, New York.

20 **SEC. 4. COOPERATION AGREEMENTS FOR PRESERVATION**
21 **OF NATIONAL HISTORIC BALL PARKS.**

22 (a) IN GENERAL.—The Secretary shall seek to enter
23 into cooperative agreements with the owners of any of the
24 parks specified in section 3 for the protection and preser-

1 vation of the park. Each cooperative agreement shall pro-
2 vide—

3 (1) that the owners will hold and preserve the
4 historic property of the park and will not undertake
5 or permit the alteration or removal of historic fea-
6 tures or the erection of markers, structures, or
7 buildings without the prior concurrence of the Sec-
8 retary; and

9 (2) that the public will have reasonable access
10 to those portions of the property to which access is
11 necessary in the judgment of the Secretary for the
12 proper appreciation and interpretation of its histori-
13 cal and architectural value.

14 (b) TECHNICAL ADVICE.—The Secretary may provide
15 technical advice to the owners of a park in carrying out
16 this Act.

17 (c) DONATIONS.—Notwithstanding any other provi-
18 sion of law, the Secretary may accept and expend dona-
19 tions of funds, property, or services from individuals, foun-
20 dations, corporations, or public entities for the purpose of
21 providing services and facilities which he deems consistent
22 with the purposes of this Act.

23 (d) INTERPRETIVE CENTERS.—Pursuant to such co-
24 operative agreements and notwithstanding any other pro-
25 vision of law, the Secretary may, directly or by contract,

1 construct interpretive facilities on real property not in
2 Federal ownership and may maintain and operate pro-
3 grams in connection therewith as the Secretary deems ap-
4 propriate in carrying out this Act.

5 **SEC. 5. RIGHT OF FIRST REFUSAL.**

6 (a) NOTIFICATION OF INTENTION TO TRANSFER
7 PARK.—If an owner of a park intends to transfer or other-
8 wise dispose of the park, the owner shall notify the Sec-
9 retary in writing of such intention.

10 (b) EXERCISE OF FIRST REFUSAL.—Within the six-
11 month period after receipt of notice under subsection (a),
12 the Secretary shall respond in writing as to his interest
13 in exercising a right of first refusal to acquire the park
14 under section 6. If, within such period, the Secretary de-
15 clines to respond in writing or expresses no interest in ex-
16 ercising such right, the owner may proceed to transfer
17 such interests. If the Secretary responds in writing within
18 such period and expresses an interest and intention to ex-
19 ercise a right of first refusal, the Secretary shall initiate
20 an action to exercise such right within six months after
21 the date of the Secretary's response. If the Secretary fails
22 to initiate action to exercise such right within such six
23 months, the owner may proceed to otherwise transfer such
24 interests.

1 **SEC. 6. ACQUISITION OF NATIONAL HISTORIC BALL PARKS**
2 **BY THE UNITED STATES.**

3 (a) IN GENERAL.—The Secretary, after receiving rec-
4 ommendations of the Advisory Commission pursuant to
5 section 7, may, subject to the availability of funds, acquire
6 land, interests in land, and improvements thereon within
7 the boundaries of a park by donation or purchase with
8 donated or appropriated funds. Land may not be acquired
9 under this section without the consent of the owner there-
10 of. Each park acquired by the United States under this
11 Act shall be added to and administered as a unit of the
12 National Park System.

13 (b) ADMINISTRATION.—The Secretary shall admin-
14 ister each park acquired by the United States under this
15 Act in accordance with this Act and with the provisions
16 of law generally applicable to units of the National Park
17 System, including the Act entitled “An Act to establish
18 a National Park Service, and for other purposes”, ap-
19 proved August 25, 1916 (39 Stat. 535; 16 U.S.C. 1, 2,
20 3, and 4) and the Act of August 21, 1935 (49 Stat. 666;
21 16 U.S.C. 461–467).

22 (c) COOPERATIVE AGREEMENTS WITH STATE.—In
23 administering each park acquired by the United States
24 under this Act, the Secretary is authorized to enter into
25 cooperative agreements with the State in which the park
26 is located, or any political subdivision thereof, for the ren-

1 dering, on a reimbursable basis, of rescue, firefighting,
2 and law enforcement services and cooperative assistance
3 by nearby law enforcement and fire preventive agencies
4 and for other appropriate purposes.

5 **SEC. 7. NATIONAL HISTORIC BALL PARK ACQUISITION AD-**
6 **VISORY COMMISSION.**

7 (a) ESTABLISHMENT.—

8 (1) INITIAL ESTABLISHMENT.—There is estab-
9 lished a National Historic Ball Park Acquisition Ad-
10 visory Commission for the purpose specified in sub-
11 section (b)(1).

12 (2) SUBSEQUENT REESTABLISHMENTS.—After
13 the termination of the Advisory Commission estab-
14 lished pursuant to paragraph (1), the Secretary,
15 upon determining in the discretion of the Secretary
16 that a situation described in paragraph (3) exists,
17 shall notify the Speaker and minority leader of the
18 House of Representatives and the majority and mi-
19 nority leaders of the Senate and publish notice of
20 such determination in the Federal Register. Upon
21 publication of such notice, the National Historic Ball
22 Park Acquisition Advisory Commission is reestab-
23 lished for the purpose specified in subsection (b)(2).

24 (3) SITUATIONS REQUIRING THE ESTABLISH-
25 MENT OF ADVISORY COMMISSION.—Situations which

1 require the reestablishment of an Advisory Commis-
2 sion under this section include the following:

3 (A) Notification by the owner or owners of
4 the park of the desire to sell the park.

5 (B) The park is subject to, or threatened
6 with, uses which are having, or would have, an
7 adverse impact on the park.

8 (b) PURPOSE AND DUTIES.—Not later than six
9 months after members are appointed to the Advisory Com-
10 mission under subsection (c), the Advisory Commission—

11 (1) established under subsection (a)(1) shall
12 conduct a study and submit a report to the Sec-
13 retary and to the Congress with recommendations
14 concerning methods of financing the acquisition of a
15 park by the United States under section 6; and

16 (2) reestablished under section (a)(2) shall, for
17 the purpose of advising the Secretary on the pur-
18 chase of a park under this Act, conduct a study con-
19 cerning the acquisition of the park pursuant to this
20 Act and advise the Secretary on whether to acquire
21 the park and matters relating thereto, including—

22 (A) how the park can best be used for pub-
23 lic purposes in a manner compatible with the
24 National Park System, taking into account the

1 location of the park and the needs of the com-
2 munity concerned; and

3 (B) methods of financing such acquisition.

4 (c) MEMBERSHIP.—

5 (1) NUMBER AND APPOINTMENT.—The Advi-
6 sory Commission shall be composed of seven mem-
7 bers appointed as follows:

8 (A) Two Members of the House of Rep-
9 resentatives, one of whom shall be appointed by
10 the Speaker, and the other shall be appointed
11 by the minority leader, of the House of Rep-
12 resentatives.

13 (B) Two Members of the Senate, one of
14 whom shall be appointed by the majority leader,
15 and the other shall be appointed by the minor-
16 ity leader, of the Senate.

17 (C) One member appointed by the Presi-
18 dent.

19 (D) One member appointed by the Sec-
20 retary of the Interior.

21 (E) One member appointed by the Chair-
22 person of the Ball Parks Committee of the So-
23 ciety for American Baseball Research, who shall
24 be a representative of the professional sport
25 with the major use of the park.

1 (2) TERMS.—Each member shall be appointed
2 for the life of the Advisory Commission, including a
3 member appointed to the Advisory Commission as a
4 Member of Congress who ceases to be a Member of
5 Congress.

6 (3) VACANCIES.—Any member appointed to fill
7 a vacancy occurring in the Advisory Commission
8 shall be appointed only for the remaining life of the
9 Advisory Commission. A vacancy in the Advisory
10 Commission shall be filled within 30 days after the
11 creation of the vacancy in the manner in which the
12 original appointment was made.

13 (4) PAY AND TRAVEL EXPENSES.—(A) Mem-
14 bers of the Advisory Commission shall serve without
15 pay as such.

16 (B) Each member shall receive travel expenses,
17 including per diem in lieu of subsistence, in accord-
18 ance with sections 5702 and 5703 of title 5, United
19 States Code.

20 (5) QUORUM.— Five members of the Advisory
21 Commission shall constitute a quorum but a lesser
22 number may hold hearings.

23 (6) CHAIRPERSON.—The Chairperson of the
24 Advisory Commission shall be elected by the mem-
25 bers.

1 (7) MEETINGS.—The Advisory Commission
2 shall meet at the call of the Chairperson or a major-
3 ity of its members and shall meet on a regular basis.
4 Notice of meetings and agenda shall be published in
5 local newspapers which have a distribution which
6 generally covers the area affected by the park. Advi-
7 sory Commission meetings shall be held at locations
8 and in such a manner as to ensure adequate public
9 involvement.

10 (d) DIRECTOR AND STAFF.—

11 (1) APPOINTMENT.—The Advisory Commission
12 shall, without regard to section 5311(b) of title 5,
13 United States Code, appoint and fix the pay of a Di-
14 rector and such additional staff as it considers ap-
15 propriate. The Director and staff of the Advisory
16 Commission may be appointed without regard to the
17 provisions of title 5, United States Code, governing
18 appointments in the competitive service, and may be
19 paid without regard to the provisions of chapter 51
20 and subchapter III of chapter 53 of that title relat-
21 ing to classification and General Schedule pay rates.

22 (2) EXPERTS AND CONSULTANTS.—The Advi-
23 sory Commission may procure temporary and inter-
24 mittent services under section 3109(b) of title 5,
25 United States Code.

1 (3) STAFF OF FEDERAL AGENCIES.—Upon re-
2 quest of the Advisory Commission, the head of any
3 Federal department or agency may detail, on a reim-
4 bursable basis, any of the personnel of that depart-
5 ment or agency to the Advisory Commission to assist
6 it in carrying out its duties under this Act.

7 (e) POWERS.—

8 (1) HEARINGS AND SESSIONS.—The Advisory
9 Commission may, for the purpose of carrying out
10 this Act, hold hearings, sit and act at times and
11 places, take testimony, and receive evidence as the
12 Advisory Commission considers appropriate.

13 (2) POWERS OF MEMBERS AND AGENTS.—Any
14 member or agent of the Advisory Commission may,
15 if authorized by the Advisory Commission, take any
16 action which the Advisory Commission is authorized
17 to take by this section.

18 (3) OBTAINING OFFICIAL DATA.—The Advisory
19 Commission may secure directly from any depart-
20 ment or agency of the United States information
21 necessary to enable it to carry out this Act. Upon
22 request of the Chairperson of the Advisory Commis-
23 sion, the head of that department or agency shall
24 furnish that information to the Advisory Commis-
25 sion.

1 (4) **MAILS.**—The Advisory Commission may use
2 the United States mails in the same manner and
3 under the same conditions as other departments and
4 agencies of the United States.

5 (5) **ADMINISTRATIVE SUPPORT SERVICES.**—
6 Upon the request of the Advisory Commission, the
7 Administrator of General Services shall provide to
8 the Advisory Commission, on a reimbursable basis,
9 the administrative support services necessary for the
10 Advisory Commission to carry out its responsibilities
11 under this Act.

12 (e) **CHARTER.**—The provisions of section 14(b) of the
13 Federal Advisory Committee Act (5 U.S.C. Appendix; 86
14 Stat. 776), are hereby waived with respect to this Advisory
15 Commission.

16 (f) **TERMINATION.**—The Advisory Commission estab-
17 lished under subsection (a)(1) shall terminate upon the
18 submission of its report under subsection (c)(1), and each
19 Advisory Commission reestablished under subsection
20 (a)(2) shall terminate six months after the date on which
21 all members of the Advisory Commission are first ap-
22 pointed under subsection (c).

23 **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

24 There is authorized to be appropriated such sums as
25 may be necessary to carry out this Act.

