

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1071

Session of
1987

INTRODUCED BY DOMBROWSKI, CAPPABIANCA, BOYES, MERRY AND BOWSER,
APRIL 7, 1987

AS REPORTED FROM COMMITTEE ON STATE GOVERNMENT, HOUSE OF
REPRESENTATIVES, AS AMENDED, FEBRUARY 2, 1988

AN ACT

1 Imposing powers and duties on the Pennsylvania Historical and
2 Museum Commission with respect to the observance of naval and
3 maritime history celebrations; establishing an official
4 flagship for the Commonwealth; and providing for interagency
5 cooperation.

6 The General Assembly of the Commonwealth of Pennsylvania
7 hereby enacts as follows:

8 Section 1. Short title.

9 This act shall be known and may be cited as the Flagship of
10 Pennsylvania Act.

11 Section 2. Findings and declaration of policy.

12 It is hereby determined and declared as a matter of
13 legislative finding and policy that:

14 (1) Section 2801-A of the act of April 9, 1929 (P.L.177,
15 No.175), known as The Administrative Code of 1929, designates
16 the Pennsylvania Historical and Museum Commission as the
17 official agency of the Commonwealth for the conservation of
18 Pennsylvania's historic heritage.

1 (2) The commission holds in trust the ~~U.S. Brig Niagara~~ <—
2 UNITED STATES BRIG NIAGARA at Erie, Pennsylvania. One of only <—
3 three existing early 19th century fighting ships of the
4 United States Navy, the ~~Niagara~~ UNITED STATES BRIG NIAGARA is <—
5 the only remaining ship of its type from the War of 1812.

6 (3) The ~~U.S. Brig Niagara~~ UNITED STATES BRIG NIAGARA <—
7 serves today as a memorial to the Americans who built and
8 sailed a squadron of warships so that the United States would
9 remain free of foreign domination. On September 10, 1813,
10 this American squadron of nine small ships, six of them
11 constructed in the settlement of Erie, defeated a six-ship
12 British squadron in the Battle of Lake Erie. This victory in
13 the War of 1812 removed the British threat to the Northwest
14 Territory, opened supply lines and raised morale throughout
15 an apprehensive and divided nation.

16 (4) The ~~U.S. Brig Niagara~~ UNITED STATES BRIG NIAGARA is <—
17 significant because of its service during this engagement as
18 Commodore Oliver Hazard Perry's relief flagship after his
19 original flagship ~~Lawrence~~ LAWRENCE had been disabled. Flying <—
20 Perry's famous "Don't Give Up The Ship" battle flag, the
21 ~~Niagara~~ UNITED STATES BRIG NIAGARA was brought quickly into <—
22 the line of battle, forcing the surrender of the British
23 squadron. This event, marking the only time in history that
24 an entire British naval squadron was captured, was reported
25 by Perry in his letter which began with the now-famous
26 phrase, "We have met the enemy and they are ours..."

27 (5) The ~~U.S. Brig Niagara~~ UNITED STATES BRIG NIAGARA is <—
28 further significant as being one of six ships constructed at
29 Erie, built largely of native Pennsylvania materials and
30 sailed by Americans from various regions of what was the

United States in 1813.

(6) After the War of 1812, the ~~U.S. Brig Niagara~~ UNITED STATES BRIG NIAGARA remained in Erie as a station ship until 1820 when she was scuttled in Misery Bay to preserve her for possible future use. Her remains were raised in 1913 by a group of Erie citizens and rebuilt for a grand tour of the Great Lakes ports to celebrate the centennial of the Battle of Lake Erie. Since then, the Niagara has remained in Erie and, twice ~~restored~~ REFITTED, has become a major tourist attraction in northwestern Pennsylvania.

(7) In ~~the near future~~ 1988, the commission will begin a third restoration which will again return the ~~U.S. Brig Niagara~~ UNITED STATES BRIG NIAGARA to the waters of the Great Lakes.

Section 3. Establishment of official Flagship of Pennsylvania.

The restored ~~U.S. Brig Niagara~~ UNITED STATES BRIG NIAGARA is hereby designated the official flagship for the Commonwealth of Pennsylvania. ~~and~~ IT shall be known as the Flagship of Pennsylvania AND ITS HOME PORT WILL BE ERIE, PENNSYLVANIA.

Section 4. Powers and duties of commission.

The Pennsylvania Historical and Museum Commission shall have the following powers and duties:

(1) To cooperate with the Department of Military Affairs, the United States Navy and other appropriate organizations in commemorating significant events of our naval and maritime heritage.

(2) To sail the ~~U.S. Brig Niagara~~ UNITED STATES BRIG NIAGARA, within the means at its command, to various ports of call and commemorative events as the official sailing ambassador for Pennsylvania.

1 (3) To charge whatever fees are necessary ~~and to~~ TO <—
2 MAINTAIN THE VESSEL AND TO encourage private financial
3 support as appropriate in order to support the ~~U.S. Brig~~ <—
4 ~~Niagara~~ UNITED STATES BRIG NIAGARA and its sailing program. <—
5 Section 5. Cooperation with commission.
6 All Commonwealth agencies and public officials shall
7 cooperate fully with the Pennsylvania Historical and Museum
8 Commission in support of its naval and maritime history program
9 and, to that end, shall:
10 (1) Include the commission in any planning efforts for
11 the commemoration of significant events of our naval and
12 maritime history.
13 (2) Develop plans with the commission which will utilize
14 the ~~U.S. Brig Niagara~~ UNITED STATES BRIG NIAGARA as the <—
15 official flagship for the Commonwealth of Pennsylvania.
16 Section 6. Effective date.
17 This act shall take effect immediately.