

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2131 Session of  
2001

INTRODUCED BY MAITLAND, ARGALL, BEBKO-JONES, BUNT, CAPPELLI,  
COLEMAN, COSTA, CREIGHTON, DeWEESE, FAIRCHILD, FICHTER,  
FLEAGLE, FREEMAN, GABIG, GEIST, GEORGE, GRUCELA, HARHAI,  
HERSHEY, HORSEY, JAMES, McILHATTAN, R. MILLER, S. MILLER,  
NICKOL, PICKETT, PISTELLA, SAMUELSON, SATHER, SCHULER,  
SCRIMENTI, SEMMEL, SHANER, B. SMITH, STABACK, TANGRETTI,  
E. Z. TAYLOR, TIGUE, WALKO, WATSON, G. WRIGHT AND YOUNGBLOOD,  
NOVEMBER 13, 2001

REFERRED TO COMMITTEE ON STATE GOVERNMENT, NOVEMBER 13, 2001

AN ACT

1 Amending Title 37 (Historical and Museums) of the Pennsylvania  
2 Consolidated Statutes, further providing for the Pennsylvania  
3 Historical and Museum Commission, for powers and duties of  
4 the commission and for publications and reproductions; and  
5 making a repeal.

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

8 Section 1. Sections 104(h) and 301 of Title 37 of the  
9 Pennsylvania Consolidated Statutes are amended to read:

10 § 104. Pennsylvania Historical and Museum Commission.

11 \* \* \*

12 (h) Historical Preservation Fund.--The money collected by  
13 the commission from all fees, sales and other activities shall  
14 be paid into the State Treasury through the Department of  
15 Revenue and credited to the Historical Preservation Fund.

16 Collections shall include the proceeds from the sale of historic

1 properties. The money in the fund may be used by the commission  
2 and is hereby appropriated to it in exercising its powers and  
3 performing its duties as set forth in this title.

4 § 301. General powers and duties.

5 The commission shall have the power and duty to:

6 (1) Serve as the official agency of the Commonwealth for  
7 the conservation of Pennsylvania's cultural heritage.

8 (2) Preserve public records, historical documents and  
9 objects of historical interest, possession and control of  
10 which have been transferred to the commission.

11 (3) Initiate, encourage, support and coordinate and  
12 carry out historic preservation efforts in this Commonwealth.

13 (4) Provide for historical research and interpretation  
14 and public access to this heritage.

15 (5) Sell to the public any publications that are  
16 published by any department, board, commission or officer of  
17 the Commonwealth.

18 Section 2. Section 302 of Title 37 is amended by adding a  
19 paragraph to read:

20 § 302. Specific powers and duties.

21 The commission shall have the power and duty to:

22 \* \* \*

23 (14) Publications.--To sell to the public, at a store or  
24 by other methods, any publications selected by the commission  
25 for sale and published by any department, board, commission  
26 or officer of the Commonwealth, except documents published  
27 for the Governor and the General Assembly which shall be  
28 distributed by the Governor and the General Assembly without  
29 charge. To administer this subsection, the commission may  
30 publish, for free distribution, a price list showing the

1 publications which the commission is prepared to sell to the  
2 public and the charges for each publication. The commission  
3 shall transfer, at least annually, to the fund from which the  
4 cost of the publication was paid, the actual cost of  
5 production of any publications sold during that period. Any  
6 remaining proceeds from the sale of a publication by the  
7 commission shall be deposited in the Historical Preservation  
8 Fund.

9 Section 3. Sections 306 and 702 of Title 37 are amended to  
10 read:

11 § 306. Publications and reproductions.

12 The commission shall have the power and duty to:

13 (1) General.--Publish or republish, either through the  
14 Department of General Services or cooperatively by and with  
15 private historical organizations, materials of historical or  
16 archaeological interest; compile, edit and print these  
17 publications; enter into agreements with publishers to  
18 subsidize the publication of books on Pennsylvania history,  
19 archaeology, anthropology, art, cartography, folklore and  
20 other cultural elements of Pennsylvania's heritage by  
21 agreeing to purchase a sufficient number to make publication  
22 possible, but these agreements shall be subject to the  
23 approval of the Governor and the State Treasurer; produce or  
24 reproduce facsimiles of historical material and enter into  
25 agreements to subsidize the manufacture of facsimiles of  
26 historical material by agreeing to purchase a sufficient  
27 number to make manufacture possible, but these agreements  
28 shall be subject to the approval of the Governor and the  
29 State Treasurer; [and] sell publications, reprints of  
30 publications, reproductions or replicas, postcards and

1 souvenirs of an historical nature at the State Museum and at  
2 the other historic properties and museums administered by the  
3 commission; and sell to the public any publications selected  
4 by the commission for sale and published by any department,  
5 board, commission or officer of the Commonwealth.

6 (2) Official repositories.--Establish one official  
7 repository for its publications from among the qualified  
8 historical or archaeological societies within each of the  
9 geographic areas established and defined by the Department of  
10 Community Affairs as "Standard Regions." The Pennsylvania  
11 State Library and the Library of Congress shall also be  
12 official repositories for commission publications.

13 (3) Disposition of commission publications.--Make one  
14 copy of each commission publication available at cost to all  
15 qualified historical or archaeological societies; and deliver  
16 one copy of each commission publication without charge to  
17 each official repository. The commission is excluded from the  
18 provisions of section 2406 of the act of April 9, 1929  
19 (P.L.177, No.175), known as The Administrative Code of 1929.

20 (4) Proprietary rights to subscription lists.--Maintain  
21 proprietary rights over subscriber, membership or address  
22 lists that it creates which are excluded from provisions of  
23 the act of June 21, 1957 (P.L.390, No.212), referred to as  
24 the Right-to-Know Law.

25 § 702. Powers over certain historic property.

26 In addition to all other powers vested in the commission by  
27 this title or other statute, the commission shall exercise all  
28 powers conferred on it by law with respect to the historic  
29 properties known as:

30 [(1) Admiral Peary Monument.

- 1 (2) Bloody Spring.]
- 2 (3) Brandywine Battlefield.
- 3 (4) Brightbill Property.
- 4 (5) Bushy Run Battlefield.
- 5 (6) Captain Phillips' Rangers Memorial.
- 6 (7) Cashiers House.
- 7 (8) Conrad Weiser Homestead.
- 8 (9) Cornwall Iron Furnace.
- 9 (10) Curtin Village.
- 10 (11) Daniel Boone Homestead.
- 11 (12) David Bradford House.
- 12 (13) Drake Well Museum.
- 13 (14) Eckley Miners' Village.
- 14 (15) Ephrata Cloister.
- 15 (16) Fort Augusta.
- 16 (17) Fort Le Boeuf Museum.
- 17 (18) Fort Loudon.
- 18 (19) Fort Pitt Museum.
- 19 (20) French Azilum.
- 20 (21) Governor Printz Park.
- 21 (22) Graeme Park.
- 22 (23) Harmony Society Graveyard.
- 23 (24) Historic Peace Church.
- 24 (25) Hope Lodge.
- 25 (26) John Brown House.
- 26 [(27) Johnston Tavern.]
- 27 (28) Joseph Priestley House.
- 28 (29) Judson House.
- 29 (30) Landis Valley Museum.
- 30 (31) Mather Mill.

1           (32) McCoy House.  
2           [(33) Monocacy Battlefield.]  
3           (34) Morton Homestead.  
4           (35) Museum of Anthracite Mining.  
5           (36) Nathan Denison House.  
6           (37) Old Brown's Mill School.  
7           (38) Old Chester Court House.  
8           (39) Old Custom House.  
9           (40) Old Economy Village.  
10          (41) Old Mill Village.  
11          [(42) Old Stone House.]  
12          (43) Pennsbury Manor.  
13          (44) Pennsylvania Anthracite Heritage Museum.  
14          (45) Pennsylvania Lumber Museum.  
15          (46) Pennsylvania Military Museum.  
16          (47) Pithole City.  
17          (48) Pottsgrove Mansion.  
18          (49) Railroad Museum of Pennsylvania.  
19          (50) Robert Fulton Birthplace.  
20          (51) Searights Tollhouse.  
21          (52) Sodom School House.  
22          (53) Somerset Historical Center.  
23          (54) The Highlands.  
24          (55) The Pennsylvania State Archives.  
25          (56) The Scranton Iron Furnace.  
26          (57) The State Museum of Pennsylvania.  
27          (58) Thomas Hughes House.  
28          (59) Tuscarora Academy.  
29          (60) United States Brig Niagara.  
30          (61) Warrior Run Church and Cemetery.

1           (62) Washington Crossing.

2       Section 4. Section 2406(h) and (j) of the act of April 9,  
3 1929 (P.L.177, No.175), known as The Administrative Code of  
4 1929, are repealed.

5       Section 5. This act shall take effect immediately.