

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2577

Session of
1982

INTRODUCED BY PITTS, RYAN, HAYES, IRVIS, ZWIKL, J. L. WRIGHT AND
WAMBACH, JUNE 8, 1982

AS REPORTED FROM COMMITTEE ON STATE GOVERNMENT, HOUSE OF
REPRESENTATIVES, AS AMENDED, SEPTEMBER 13, 1982

AN ACT

1 ~~Establishing the Capitol Restoration Trust Fund and providing~~ <—
2 ~~for its administration.~~

3 PROVIDING FOR THE HISTORIC PRESERVATION OF THE STATE CAPITOL <—
4 BUILDING, ESTABLISHING A CAPITOL PRESERVATION COMMITTEE AND
5 ESTABLISHING THE CAPITOL RESTORATION TRUST FUND.

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

8 ~~Section 1. Capitol Restoration Trust Fund.~~ <—

9 ~~(a) There is hereby established a separate account in the~~
10 ~~State Treasury to be known as the Capitol Restoration Trust~~
11 ~~Fund.~~

12 ~~(b) This fund shall be administered by a committee to be~~
13 ~~composed of the following:~~

14 ~~(1) Those members of the General Assembly who have been~~
15 ~~appointed to the Pennsylvania Historical and Museum~~
16 ~~Commission.~~

17 ~~(2) The Executive Director of the Pennsylvania~~
18 ~~Historical and Museum Commission.~~

~~(3) The Secretary of General Services.~~

~~(4) The Secretary of the State Art Commission.~~

~~(c) All moneys in the trust shall be placed in an interest drawing account and are hereby appropriated to the committee on a continuing basis.~~

~~Section 2. Use of funds.~~

~~The committee may use the moneys in the trust for the maintenance, planning, professional fees, restoration, and rehabilitation of statuary, art and antiquities, appointments, and any elements and items that contribute to the historical significance of the Capitol structures, giving priority to those items that are in an immediate state of deterioration and for the acquisition of artifacts, documents and other historical objects or resources which contribute to the historical significance of the State Capitol Building.~~

~~Section 3. Contribution, gifts and fund raising.~~

~~The committee is authorized to solicit and receive contributions and gifts from public and private sources and other entities, and to solicit and raise moneys from public and private sources through the sale of commemorative items which promote the historic preservation and restoration of the State Capitol Building. These funds shall not be used for the operation of the committee.~~

~~Section 4. Effective date.~~

~~This act shall take effect immediately.~~

SECTION 1. SHORT TITLE.

THIS ACT SHALL BE KNOWN AND MAY BE CITED AS THE "STATE CAPITOL PRESERVATION ACT."

SECTION 2. LEGISLATIVE FINDINGS; DECLARATION OF POLICY.

IT IS HEREBY DETERMINED AND DECLARED AS A MATTER OF

1 LEGISLATIVE FINDING:

2 (1) THE COMMONWEALTH OF PENNSYLVANIA HAS A RICH HERITAGE
3 OF HISTORICAL BUILDINGS, STRUCTURES, DOCUMENTS, ARTIFACTS AND
4 OTHER OBJECTS AND RESOURCES WHICH BEAR WITNESS TO ITS GROWTH
5 AS ONE OF THE GREAT STATES OF THIS NATION.

6 (2) EFFORTS HAVE BEEN MADE TOWARD THE RESTORATION AND
7 PRESERVATION OF BUILDINGS, STRUCTURES, DOCUMENTS, ARTIFACTS
8 AND OBJECTS EVIDENCING THE HISTORY OF THIS EMINENT
9 COMMONWEALTH AND OF THE GENERAL ASSEMBLY, AND THESE EFFORTS
10 SHOULD BE CONTINUED AND INTENSIFIED.

11 (3) PARTICULAR ATTENTION SHOULD BE GIVEN TO THE
12 PRESERVATION OF THE ARCHITECTURAL AND HISTORICAL INTEGRITY OF
13 THE STATE CAPITOL BUILDING AND TO THE RESTORATION AND
14 PRESERVATION OF ARTIFACTS, DOCUMENTS AND OTHER HISTORICAL
15 OBJECTS AND RESOURCES LOCATED WITHIN THAT BUILDING.

16 (4) THE MOST EFFECTIVE WAY TO PROMOTE AND FOSTER THE
17 HISTORIC PRESERVATION OF THE STATE CAPITOL BUILDING IS BY THE
18 ESTABLISHMENT OF A COMMITTEE TO SUPERVISE AND COORDINATE THIS
19 WORK.

20 SECTION 3. DEFINITIONS.

21 THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS ACT SHALL
22 HAVE, UNLESS THE CONTEXT CLEARLY INDICATES OTHERWISE, THE
23 MEANINGS GIVEN TO THEM IN THIS SECTION:

24 "COMMITTEE." THE CAPITOL PRESERVATION COMMITTEE.

25 "FUND." THE CAPITOL RESTORATION TRUST FUND.

26 SECTION 4. CAPITOL PRESERVATION COMMITTEE.

27 (A) ESTABLISHMENT.--THERE IS HEREBY ESTABLISHED THE CAPITOL
28 PRESERVATION COMMITTEE TO SUPERVISE AND COORDINATE THE HISTORIC
29 PRESERVATION OF THE STATE CAPITOL BUILDING AND THE PRESERVATION
30 AND RESTORATION OF HISTORICAL DOCUMENTS, ARTIFACTS AND OTHER

1 OBJECTS AND RESOURCES LOCATED IN OR ASSOCIATED WITH THE STATE
2 CAPITOL BUILDING.

3 (B) MEMBERSHIP.--THE COMMISSION SHALL BE COMPOSED OF THE
4 FOLLOWING:

5 (1) FOUR MEMBERS OF THE SENATE TO BE APPOINTED BY THE
6 PRESIDENT PRO TEMPORE OF THE SENATE, TWO FROM THE MAJORITY
7 AND TWO FROM THE MINORITY PARTY.

8 (2) FOUR MEMBERS OF THE HOUSE OF REPRESENTATIVES TO BE
9 APPOINTED BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, TWO
10 FROM THE MAJORITY AND TWO FROM THE MINORITY PARTY.

11 (3) ONE MEMBER, APPOINTED BY THE CHIEF JUSTICE, WHO IS
12 NOT A MEMBER OF THE JUDICIARY.

13 (4) THE SECRETARY OF THE DEPARTMENT OF GENERAL SERVICES
14 OR HIS DESIGNEE.

15 (5) THE EXECUTIVE DIRECTOR OF THE PENNSYLVANIA
16 HISTORICAL AND MUSEUM COMMISSION OR HIS DESIGNEE.

17 (6) THE SECRETARY OF THE STATE ART COMMISSION.

18 (7) ONE MEMBER, APPOINTED BY THE GOVERNOR WHO SHALL BE
19 AN ARCHITECT WITH EXPERIENCE IN RESTORATION OF MONUMENTAL
20 BUILDINGS.

21 (8) ONE MEMBER, APPOINTED BY THE PRESIDENT PRO TEMPORE
22 OF THE SENATE WHO SHALL BE AN INDIVIDUAL WITH A BACKGROUND IN
23 HISTORICAL RESTORATION.

24 (9) ONE MEMBER, APPOINTED BY THE SPEAKER OF THE HOUSE OF
25 REPRESENTATIVES WHO SHALL BE AN INDIVIDUAL WITH A BACKGROUND
26 IN FINE ARTS CONSERVATION.

27 NO MEMBER APPOINTED UNDER PARAGRAPH (3), (7), (8) OR (9) SHALL
28 BE A MEMBER OF THE EXECUTIVE, LEGISLATIVE OR JUDICIAL BRANCH OF
29 COMMONWEALTH GOVERNMENT AT THE TIME OF HIS APPOINTMENT.

30 (C) TERMS.--

1 (1) MEMBERS APPOINTED PURSUANT TO SUBSECTION (B)(1) AND
2 (2) SHALL BE APPOINTED AT THE COMMENCEMENT OF A REGULAR
3 SESSION OF THE GENERAL ASSEMBLY IN EACH ODD NUMBERED YEAR.
4 THESE APPOINTMENTS SHALL TAKE EFFECT 31 DAYS FOLLOWING THE
5 CONVENING OF THE SESSION AND THE TERMS OF THESE MEMBERS SHALL
6 RUN UNTIL 30 DAYS AFTER THE CONVENING OF THE NEXT REGULAR
7 SESSION OF THE GENERAL ASSEMBLY.

8 (2) THE TERMS OF MEMBERS ENUMERATED IN SUBSECTION
9 (B)(4), (5) AND (6) SHALL BE COINCIDENT WITH THEIR RESPECTIVE
10 OFFICES.

11 (3) THE TERMS OF MEMBERS APPOINTED PURSUANT TO
12 SUBSECTION (B)(3), (7), (8) AND (9) SHALL BE COINCIDENT WITH
13 THAT OF THE APPOINTING GOVERNOR, PRESIDENT PRO TEMPORE OF THE
14 SENATE, SPEAKER OF THE HOUSE OF REPRESENTATIVES AND CHIEF
15 JUSTICE.

16 (D) VACANCIES.--VACANCIES IN THE MEMBERSHIP OF THE COMMITTEE
17 SHALL BE FILLED FOR THE BALANCE OF THE UNEXPIRED TERM IN THE
18 SAME MANNER AS THE ORIGINAL APPOINTMENT.

19 (E) ORGANIZATION AND PROCEDURE.--

20 (1) THE COMMITTEE SHALL MEET INITIALLY WITHIN 60 DAYS
21 AFTER ENACTMENT OF THIS ACT AND SHALL ELECT BY A MAJORITY OF
22 ALL ITS MEMBERS A CHAIRMAN AND VICE-CHAIRMAN FROM AMONG ITS
23 MEMBERS, EACH TO SERVE FOR A TERM OF TWO YEARS. THEREAFTER,
24 THE COMMITTEE SHALL MEET NOT LESS THAN TWICE EACH YEAR.

25 (2) A MAJORITY OF ALL THE MEMBERS OF THE COMMITTEE SHALL
26 CONSTITUTE A QUORUM FOR THE TRANSACTION OF BUSINESS.

27 (3) THE COMMITTEE MAY ADOPT RULES FOR ITS GOVERNMENT,
28 ORGANIZATION AND PROCEDURES NOT INCONSISTENT WITH THE
29 PROVISIONS OF THIS ACT.

30 (F) EXPENSES.--COMMITTEE MEMBERS SHALL RECEIVE NO

1 COMPENSATION FOR THEIR SERVICES BUT SHALL BE REIMBURSED FOR ALL
2 NECESSARY TRAVEL AND OTHER REASONABLE EXPENSES INCURRED IN
3 CONNECTION WITH THE PERFORMANCE OF THEIR DUTIES AS MEMBERS FROM
4 THE CAPITOL RESTORATION TRUST FUND.

5 SECTION 5. DUTIES OF THE COMMITTEE.

6 IN ADDITION TO OTHER POWERS CONFERRED BY THIS ACT, THE
7 COMMITTEE SHALL HAVE THE POWER:

8 (1) TO DEVELOP A COMPREHENSIVE PLAN AND PROGRAM FOR THE
9 HISTORIC PRESERVATION AND RESTORATION OF THE STATE CAPITOL
10 BUILDING.

11 (2) TO COORDINATE AND SUPERVISE THE MAKING OF ALL MAJOR
12 REPAIRS, ALTERATIONS AND IMPROVEMENTS IN AND ABOUT THE STATE
13 CAPITOL BUILDING, INCLUDING THE FURNISHING AND REFURNISHING
14 OF THE SAME, WHERE SUCH REPAIRS, ALTERATIONS OR IMPROVEMENTS
15 MAY ALTER OR OTHERWISE AFFECT THE ARCHITECTURAL AND
16 HISTORICAL INTEGRITY OF THE BUILDING.

17 (3) TO COORDINATE THE MAINTENANCE, RESTORATION,
18 PRESERVATION AND REHABILITATION OF HISTORICAL DOCUMENTS,
19 ARTIFACTS AND OTHER HISTORICAL OBJECTS OR RESOURCES LOCATED
20 WITHIN AND AROUND, OR ASSOCIATED WITH, THE STATE CAPITOL
21 BUILDING.

22 (4) TO ACQUIRE ON BEHALF OF THE COMMONWEALTH ARTIFACTS,
23 DOCUMENTS AND OTHER HISTORICAL OBJECTS OR RESOURCES WHICH
24 CONTRIBUTE TO THE HISTORICAL SIGNIFICANCE OF THE STATE
25 CAPITOL BUILDING.

26 (5) TO RECEIVE FOR AND ON BEHALF OF THE COMMONWEALTH,
27 GIFTS OR BEQUESTS OF ARTIFACTS, DOCUMENTS AND OTHER
28 HISTORICAL OBJECTS OR RESOURCES WHICH CONTRIBUTE TO THE
29 HISTORICAL SIGNIFICANCE OF THE STATE CAPITOL BUILDING.

30 (6) TO ASSIST IN THE PRESERVATION OF OTHER BUILDINGS AND

1 STRUCTURES LOCATED WITHIN THE CAPITOL COMPLEX.

2 (7) TO ACCEPT GRANTS AND SUBSIDIES FROM AND ENTER INTO
3 AGREEMENTS OR OTHER TRANSACTIONS WITH ANY FEDERAL AGENCY OR
4 AGENCY OF THE COMMONWEALTH OR OTHER ENTITY.

5 (8) TO ENTER INTO CONTRACTS AND TO EXECUTE ALL
6 INSTRUMENTS NECESSARY OR CONVENIENT FOR CARRYING ON ITS
7 OPERATIONS.

8 (9) TO ISSUE APPROPRIATE REGULATIONS FOR THE
9 IMPLEMENTATION OF THIS ACT.

10 (10) TO DO ALL OTHER THINGS NECESSARY OR CONVENIENT TO
11 CARRY OUT THE POWERS GRANTED TO IT BY THIS ACT.

12 SECTION 6. CAPITOL RESTORATION TRUST FUND.

13 (A) ESTABLISHMENT AND ADMINISTRATION.--THERE IS HEREBY
14 ESTABLISHED A SEPARATE FUND IN THE STATE TREASURY TO BE KNOWN AS
15 THE CAPITOL RESTORATION TRUST FUND. THIS FUND SHALL BE
16 ADMINISTERED BY THE COMMITTEE AND ALL MONEYS IN THE FUND ARE
17 HEREBY APPROPRIATED TO THE COMMITTEE ON A CONTINUING BASIS.

18 (B) PURPOSE.--THE MONEYS IN THE FUND SHALL BE USED:

19 (1) FOR THE MAINTENANCE, RESTORATION, PRESERVATION AND
20 REHABILITATION OF ARTIFACTS, DOCUMENTS AND OTHER HISTORICAL
21 OBJECTS OR RESOURCES LOCATED WITHIN AND AROUND OR ASSOCIATED
22 WITH THE STATE CAPITOL BUILDING OR ACQUIRED BY THE COMMITTEE;

23 (2) FOR THE ACQUISITION OF ARTIFACTS, DOCUMENTS AND
24 OTHER HISTORICAL OBJECTS OR RESOURCES, INCLUDING BUT NOT
25 LIMITED TO, STATUARY, ART OR ANY ELEMENT WHICH CONTRIBUTE TO
26 THE HISTORICAL SIGNIFICANCY OF THE STATE CAPITOL BUILDING;
27 AND

28 (3) FOR THE PAYMENT OF THE NECESSARY TRAVEL AND OTHER
29 REASONABLE EXPENSES INCURRED BY MEMBERS OF THE COMMITTEE:

30 PROVIDED, HOWEVER, THAT NO MORE THAN 0.50% OF THE TRUST FUND

1 BE SET ASIDE FOR THIS PURPOSE WITH THE REMAINING BALANCE AT
2 THE END OF EACH CALENDAR YEAR RETURNED TO THE CORPUS OF THE
3 TRUST FUND.

4 (C) CONTRIBUTIONS, SOLICITATION OF FUNDS.--

5 (1) THE COMMITTEE IS HEREBY AUTHORIZED:

6 (I) TO ACCEPT ON BEHALF OF THE COMMONWEALTH GIFTS,
7 DONATIONS, LEGACIES AND USAGES OF MONEY FROM INDIVIDUALS,
8 ORGANIZATIONS, PUBLIC OR PRIVATE CORPORATIONS AND OTHER
9 SIMILAR ENTITIES; AND

10 (II) TO SOLICIT AND RAISE MONEYS FROM PUBLIC AND
11 PRIVATE SOURCES THROUGH THE SALE OF COMMEMORATIVE MEDALS
12 AND OTHER ITEMS OF A SIMILAR NATURE WHICH PROMOTE THE
13 HISTORIC PRESERVATION AND RESTORATION OF THE STATE
14 CAPITOL BUILDING.

15 (2) ALL MONEYS RECEIVED OR RAISED UNDER THIS SECTION
16 SHALL BE PAID INTO THE STATE TREASURY AND CREDITED TO THE
17 CAPITOL RESTORATION FUND.

18 SECTION 7. REPEAL.

19 ALL ACTS OR PARTS OF ACTS INCONSISTENT HERewith ARE REPEALED
20 TO THE EXTENT OF SUCH INCONSISTENCY.

21 SECTION 8. EFFECTIVE DATE.

22 THIS ACT SHALL TAKE EFFECT IMMEDIATELY. INITIAL APPOINTMENTS
23 TO THE COMMITTEE SHALL BE MADE WITHIN 30 DAYS FOLLOWING THE DATE
24 OF FINAL ENACTMENT.