
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1071

Session of
1987

INTRODUCED BY DOMBROWSKI, CAPPABIANCA, BOYES, MERRY AND BOWSER,
APRIL 8, 1987

REFERRED TO COMMITTEE ON STATE GOVERNMENT, APRIL 8, 1987

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.

19 (2) The commission holds in trust the U.S. Brig Niagara

1 at Erie, Pennsylvania. One of only three existing early 19th
2 century fighting ships of the United States Navy, the Niagara
3 is the only remaining ship of its type from the War of 1812.

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

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

24 (5) The U.S. Brig Niagara is further significant as
25 being one of six ships constructed at Erie, built largely of
26 native Pennsylvania materials and sailed by Americans from
27 various regions of what was the United States in 1813.

28 (6) After the War of 1812, the U.S. Brig Niagara
29 remained in Erie as a station ship until 1820 when she was
30 scuttled in Misery Bay to preserve her for possible future

1 use. Her remains were raised in 1913 by a group of Erie
2 citizens and rebuilt for a grand tour of the Great Lakes
3 ports to celebrate the centennial of the Battle of Lake Erie.
4 Since then, the Niagara has remained in Erie and, twice
5 restored, has become a major tourist attraction in
6 northwestern Pennsylvania.

7 (7) In the near future, the commission will begin a
8 third restoration which will again return the U.S. Brig
9 Niagara to the waters of the Great Lakes.

10 Section 3. Establishment of official Flagship of Pennsylvania.

11 The restored U.S. Brig Niagara is hereby designated the
12 official flagship for the Commonwealth of Pennsylvania and shall
13 be known as the Flagship of Pennsylvania.

14 Section 4. Powers and duties of commission.

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

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

21 (2) To sail the U.S. Brig Niagara, within the means at
22 its command, to various ports of call and commemorative
23 events as the official sailing ambassador for Pennsylvania.

24 (3) To charge whatever fees are necessary and to
25 encourage private financial support as appropriate in order
26 to support the U.S. Brig Niagara and its sailing program.

27 Section 5. Cooperation with commission.

28 All Commonwealth agencies and public officials shall
29 cooperate fully with the Pennsylvania Historical and Museum
30 Commission in support of its naval and maritime history program

1 and, to that end, shall:

2 (1) Include the commission in any planning efforts for
3 the commemoration of significant events of our naval and
4 maritime history.

5 (2) Develop plans with the commission which will utilize
6 the U.S. Brig Niagara as the official flagship for the
7 Commonwealth of Pennsylvania.

8 Section 6. Effective date.

9 This act shall take effect immediately.