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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL  
No. 1731 Session of  
1987

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INTRODUCED BY LINTON, MILLER AND OLIVER, SEPTEMBER 28, 1987

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SENATOR WENGER, STATE GOVERNMENT, IN SENATE, AS AMENDED,  
MARCH 22, 1988

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AN ACT

1 Amending Title 37 (Historical and Museums) of the Pennsylvania  
2 Consolidated Statutes, adding provisions relating to the  
3 Pennsylvania Historical and Museum Commission, publications  
4 and historical societies; reestablishing the Pennsylvania  
5 Historical and Museum Commission; further providing for the  
6 powers and duties of the commission; PROVIDING FOR THE <—  
7 BRANDYWINE BATTLEFIELD PARK COMMISSION AND THE WASHINGTON  
8 CROSSING PARK COMMISSION; abolishing certain ~~boards and~~ <—  
9 ~~commissions~~ ADVISORY BOARDS; and making repeals. <—

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28 The General Assembly of the Commonwealth of Pennsylvania  
29 hereby enacts as follows:

30 Section 1. Title 37 of the Pennsylvania Consolidated

1 Statutes is amended by adding chapters to read:

2 TITLE 37

3 HISTORICAL AND MUSEUMS

4 Chapter

5 1. General Provisions

6 3. Powers and Duties of Pennsylvania Historical  
7 and Museum Commission

8 5. Historic Preservation

9 7. Historic Properties

10 CHAPTER 1

11 GENERAL PROVISIONS

12 Sec.

13 101. Short title of title.

14 102. Declaration of policy.

15 103. Definitions.

16 104. Pennsylvania Historical and Museum Commission.

17 § 101. Short title of title.

18 This title shall be known and may be cited as the History  
19 Code.

20 § 102. Declaration of policy.

21 It is hereby determined and declared as a matter of  
22 legislative finding and policy that:

23 (1) Section 27 of Article I of the Constitution of  
24 Pennsylvania makes the Commonwealth trustee for the  
25 preservation of the historic values of the environment.

26 (2) The conservation of Pennsylvania's historic and  
27 natural heritage and the preservation of public records,  
28 historic documents and objects of historic interest, and the  
29 identification, restoration and preservation of  
30 architecturally and historically significant sites and

1 structures are duties vested primarily in the Pennsylvania  
2 Historical and Museum Commission.

3 (3) The irreplaceable historical, architectural,  
4 archaeological and cultural heritage of this Commonwealth  
5 should be preserved and protected for the benefit of all the  
6 people, including future generations.

7 (4) The preservation and protection of historic  
8 resources in this Commonwealth promotes the public health,  
9 prosperity and general welfare.

10 (5) The rapid social and economic development of our  
11 contemporary society threatens to destroy the remaining  
12 vestiges of our historic heritage.

13 (6) It is in the public interest for the Commonwealth,  
14 its citizens and its political subdivisions to engage in  
15 comprehensive programs of historic preservation for the  
16 enjoyment, education and inspiration of all the people,  
17 including future generations.

18 § 103. Definitions.

19 Subject to additional definitions contained in subsequent  
20 provisions of this title which are applicable to specific  
21 provisions of this title, the following words and phrases when  
22 used in this title shall have the meanings given to them in this  
23 section unless the context clearly indicates otherwise:

24 "Archaeological field investigation." The study of cultural  
25 history at any archaeological site by professionally accepted  
26 means of surveying, sampling, excavation or removal of  
27 archaeological specimens.

28 "Archaeological specimens." All artifacts, remains, objects  
29 or any other evidence of historic, prehistoric or  
30 anthropological value, whether found above or below the surface

1 of the earth.

2 "Commission." The Pennsylvania Historical and Museum  
3 Commission of the Commonwealth.

4 "Executive director." The executive director of the  
5 commission.

6 "Historic preservation." The research, restoration,  
7 rehabilitation and other activities furthering the protection,  
8 enhancement, preservation or enjoyment of historic resources.

9 "Historic property." Any historical building, ground,  
10 monument or cultural remain committed by statute to the custody  
11 of the commission.

12 "Historic resource." A building, structure, object,  
13 district, place, site or area significant in the history,  
14 architecture, maritime heritage, archaeology or culture of this  
15 Commonwealth, its communities or the nation.

16 "Pennsylvania Register of Historic Places." A selected  
17 inventory of historic resources determined by the commission to  
18 be significant in the history, architecture, archaeology or  
19 culture of this Commonwealth, its communities or the nation.

20 "Private historical organization." An organization  
21 constituted to engage in professional or nonprofessional  
22 activities within the disciplines of history, archaeology,  
23 museum management, natural history, the arts or historic  
24 preservation on an academic, scholarly or popular basis.

25 "Public officials." Officers, agents and employees of the  
26 Federal Government, Commonwealth of Pennsylvania, ~~its counties,~~ <—  
27 ~~townships, municipalities and other political subdivisions.~~ OR <—  
28 ANY OF ITS POLITICAL SUBDIVISIONS.

29 "Qualified historical or archaeological society." A private  
30 historical or archaeological organization or other historical

1 society which satisfies the requirements provided in section 307  
2 (relating to qualified historical and archaeological societies).

3 § 104. Pennsylvania Historical and Museum Commission.

4 (a) Membership.--The Pennsylvania Historical and Museum  
5 Commission shall consist of the Secretary of Education, or his  
6 designee; nine ~~citizens~~ RESIDENTS of this Commonwealth appointed <—  
7 by the Governor with the advice and consent of a majority of the  
8 members elected to the Senate; and four members of the General  
9 Assembly, two from the Senate, one of whom shall be appointed by  
10 the President pro tempore and one by the Minority Leader, and  
11 two from the House of Representatives, one of whom shall be  
12 appointed by the Speaker and one by the Minority Leader.

13 (b) Term of office.--A member appointed from the General  
14 Assembly shall serve for a term to expire with his concurrent  
15 term as a legislator and shall serve until a successor is  
16 appointed and qualified, unless he is not elected for the next  
17 succeeding term as a member of the General Assembly, in which  
18 case a vacancy shall occur. Members other than the members of  
19 the General Assembly shall serve for a term of four years and  
20 shall serve until a successor is appointed and qualified, ~~but no~~ <—  
21 ~~longer than six months beyond the four year period.~~

22 (c) Chairman.--One of the members shall be designated by the  
23 Governor to serve as chairman of the commission.

24 (d) Quorum.--Eight members shall constitute a quorum.

25 (e) Attendance at meetings.--A member who fails to attend  
26 three consecutive meetings shall forfeit his seat unless the  
27 chairman of the commission, upon written request from the  
28 member, finds that the member should be excused from a meeting  
29 because of illness or the death of an immediate family member.

30 (f) Public hearings.--The commission shall hold public

1 hearings in various locations throughout this Commonwealth at  
2 such places and times as it may deem appropriate.

3 (g) Executive director.--The commission shall appoint an  
4 executive director who shall attend to the administrative work  
5 of the commission. The executive director shall serve at the  
6 pleasure of the commission, which shall fix his compensation,  
7 subject to the approval of the Governor. No member of the  
8 commission or person who has served as a member of the  
9 commission within one year shall be eligible for appointment as  
10 executive director.

11 (h) Historical Preservation Fund.--The money collected by  
12 the commission from all fees, sales and other activities shall  
13 be paid into the State Treasury through the Department of  
14 Revenue and credited to the Historical Preservation Fund. The  
15 money in the fund may be used by the commission in exercising  
16 its powers and performing its duties as set forth in this title.

17 CHAPTER 3

18 POWERS AND DUTIES OF

19 PENNSYLVANIA HISTORICAL AND MUSEUM COMMISSION

20 Sec.

21 301. General powers and duties.

22 302. Specific powers and duties.

23 303. Sites.

24 304. Personal property.

25 305. Documents.

26 306. Publications and reproductions.

27 307. Qualified historical and archaeological societies.

28 § 301. General powers and duties.

29 The commission shall have the power and duty to:

30 (1) Serve as the official agency of the Commonwealth for

1 the conservation of Pennsylvania's cultural heritage.

2 (2) Preserve public records, historical documents and  
3 objects of historical interest.

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

6 (4) Provide for historical research and interpretation  
7 and public access to this heritage.

8 § 302. Specific powers and duties.

9 The commission shall have the power and duty to:

10 (1) Pecuniary gifts.--Accept, on behalf of the  
11 Commonwealth, gifts and bequests, including securities, for  
12 the endowment of its work in accordance with the instructions  
13 of the donors and in conjunction with the Governor and State  
14 Treasurer, who shall, together with the members of the  
15 commission, constitute a body of trustees for the care of  
16 these funds. These trustees shall invest the funds in bonds  
17 of the Commonwealth or any of its political subdivisions and  
18 employ the interest and income from these investments for the  
19 purposes of the commission or apply these funds to the uses  
20 specified by the respective donors of the funds. Any donor of  
21 money or other property may specify that the donation shall  
22 be held in the form acquired, or shall be invested in or  
23 converted into some other specific property or class of  
24 investment, in which case the trustees shall be relieved of  
25 all liability which may result from the imprudent investment  
26 of the money so long as they comply with the instructions of  
27 the donor.

28 (2) Independent and cooperative services or programs.--  
29 Upon its own initiative or in cooperation with historical  
30 societies or organizations, conduct investigations upon



1 historical or archaeological matters relative to this  
2 Commonwealth and report the findings for public information;  
3 with the approval of the Governor, enter into agreements with  
4 responsible historical associations, foundations and similar  
5 private organizations or with Federal agencies or public  
6 agencies of other states in order to carry on services or  
7 programs.

8 (3) Archaeological and anthropological investigations.--  
9 Examine, or cause to be examined, research or excavate the  
10 occupation or activity sites or areas and the cultural  
11 material remains of Native American, Colonial American and  
12 more recent American cultures in this Commonwealth, under the  
13 professional direction of the commission through the  
14 techniques of archaeology, anthropology and history; acquire  
15 by purchase, gift or fieldwork, archaeological or  
16 anthropological collections of objects and data relative to  
17 the cultural history of this Commonwealth; conduct, or cause  
18 to be conducted, archaeological site surveys to locate,  
19 catalog, assess and permanently record these historic  
20 resources throughout this Commonwealth; maintain a central  
21 repository for map locations and written descriptions of such  
22 sites and historic resources; conduct, or cause to be  
23 conducted, research upon the cultural objects and data  
24 related to the cultural history of this Commonwealth and  
25 interpret the results of the research in scientific and  
26 popular publications, exhibits and special educational  
27 programs for the public; and undertake appropriate  
28 conservation, research, restoration and storage of all  
29 material items and data relative to the cultural heritage of  
30 this Commonwealth, which accrue to the archaeological and

1 anthropological collections of the commission.

2 (4) Cooperation with qualified historical or  
3 archaeological societies.--Cooperate with any qualified  
4 historical or archaeological society in investigations of  
5 historical or archaeological matters relating to this  
6 Commonwealth and in arranging, cataloging, displaying and  
7 microfilming collections of historical papers and documents,  
8 and objects or materials relative to the natural or cultural  
9 history of this Commonwealth, and otherwise encourage their  
10 activities.

11 (5) Historical commemorations.--Develop, coordinate and  
12 carry out plans for celebrations commemorating important  
13 historical events, which shall be selected by the commission  
14 or the General Assembly upon passage of a concurrent  
15 resolution, in cooperation with qualified historical or  
16 archaeological societies and other responsible organizations.

17 (6) Geographic names.--Determine all unsettled questions  
18 concerning geographic names which arise in any department and  
19 determine the names of mountains, rivers, creeks and other  
20 topographic features in this Commonwealth. In the exercise of  
21 its powers and the performance of its duties under this  
22 paragraph, the commission shall cooperate with the United  
23 States Board on Geographic Names.

24 (7) Procurement of expert advice.--Consult with or  
25 procure the advice of experts in archaeology, anthropology,  
26 history, historical restoration, archival management, museum  
27 work or other fields related to its activities, compensate  
28 them for their services and establish committees of experts  
29 as needed to procure the advice.

30 (8) Museum assistance and local history grant program.--

1 Establish and administer the museum assistance and local  
2 history grant program. The commission shall be required to  
3 approve all individual grants. All such grants shall be  
4 subject to audit review by the commission.

5 (9) Advisory boards.--Create such advisory boards as the  
6 commission may deem appropriate to perform duties designated  
7 by the commission. The names of proposed members of such  
8 advisory ~~board~~ BOARDS shall be submitted to the Governor for <—  
9 approval.

10 (10) Police powers.--Exercise the police powers  
11 necessary to enforce the law, including the rules and  
12 regulations of the commission. Authorized employees shall  
13 have full power to make arrests, with or without warrant, for  
14 all violations of law which they may witness upon the  
15 premises of any historic property to which they are assigned  
16 and may serve and execute warrants issued by proper  
17 authorities for any violation of law committed thereon.

18 (11) Rules and regulations.--Promulgate rules and  
19 regulations necessary for the implementation of its powers  
20 and duties.

21 (12) Annual reports.--Annually transmit to the State  
22 Government Committees of the House of Representatives and the  
23 Senate a report which includes the following:

24 (i) A summary of the overall condition of museums  
25 and historic sites and holdings, including staffing  
26 levels and site visits by senior management personnel.

27 (ii) A report on the operation of the Conservation  
28 Center.

29 (iii) A summary of all publications completed by the  
30 commission during the prior year.

1           (iv) A summary of collection deaccessioning  
2           activities.

3           (v) A summary of the progress in computerization of  
4           collections and inventories.

5   § 303. Sites.

6       The commission shall have the power and duty to:

7           (1) Museums and historic sites.--Control, direct,  
8           supervise, manage and annually inspect the State Museum and  
9           those field or regional museums and historic sites authorized  
10          or created by statute; conduct continuing studies for the  
11          improvement of museum activity; and operate, control, direct,  
12          supervise and manage a public outreach program, including a  
13          mobile museum program or a program of traveling exhibits.

14          (2) Marking historical and archaeological sites.--Upon  
15          its own initiative or upon petition of a municipality or  
16          historical society, mark by proper monuments, tablets or  
17          markers, bearing the Commonwealth crest, places or buildings  
18          in this Commonwealth where historical or cultural events have  
19          transpired or, with the consent of the state or county having  
20          jurisdiction, places or buildings outside of this  
21          Commonwealth having to do with its history; and arrange for  
22          the care or maintenance of these markers or monuments.

23          (3) Management of historic properties.--Based upon  
24          accepted professional museum practices, assume the  
25          preservation, care and maintenance of historic property,  
26          including those historic properties listed in section 702  
27          (relating to powers over certain historic property);  
28          promulgate and enforce rules and regulations for the  
29          visitation of historic property by the public; and charge  
30          admission fees to historic property at its discretion, which

1 fees shall be paid into the State Treasury through the  
2 Department of Revenue and credited to the Historical  
3 Preservation Fund.

4 (4) Preservation and restoration of historical and  
5 archaeological sites.--Undertake the preservation or  
6 restoration of public buildings, military sites or monuments  
7 connected with the history of this Commonwealth; contract  
8 with political subdivisions, historical societies or other  
9 associations, with proper bond or security, for the  
10 maintenance of these building sites or monuments as a  
11 consideration for assistance in their erection, restoration,  
12 preservation or marking by the commission; and take title to  
13 sites of historical markers in the name of the Commonwealth.

14 (5) Approval of memorials.--Approve the design, content  
15 and proposed location of all official historical monuments,  
16 memorials, buildings, tablets and inscriptions proposed for  
17 erection or placement on any real property of the  
18 Commonwealth.

19 (6) Monuments and markers.--Approve the inscription and  
20 proposed location of any historical monument or marker to be  
21 erected or placed by any public or private corporation,  
22 association, society, organization or person at any place in  
23 this Commonwealth.

24 (7) Geographical signs and markers.--Approve the  
25 inscription to be placed on official signs or markers to be  
26 erected or renewed on or along any highway at the entrance to  
27 a municipality or village, or at or near any river, stream,  
28 historical place or other place of interest in this  
29 Commonwealth, by the Department of Transportation or by any  
30 municipality, for the purpose of identification or for the

1 purpose of giving historical facts concerning the location.

2 § 304. Personal property.

3 The commission shall have the power and duty to:

4 (1) Historical artifacts.--Acquire or accept on behalf  
5 of the Commonwealth through gifts or bequests, objects or  
6 other articles of historical, archaeological, maritime,  
7 natural or geological interest which shall be deposited in  
8 the State Museum or, at the discretion of the commission, at  
9 historic sites and museums committed to its custody or in any  
10 other storage facilities as are available to and approved by  
11 the commission. The commission may inspect surplus property  
12 in the possession of other Commonwealth agencies and receive  
13 this property as an historic resource.

14 (2) Exhibition of objects.--Conduct under accepted  
15 professional practices the management and exhibition of  
16 objects; acquire by purchase, gift, loan, bequest or other  
17 lawful transfer objects relating to the culture of this  
18 Commonwealth and examine, research, catalog and preserve  
19 them; manage, care and exhibit these objects in the areas of  
20 natural history, geology, military history, decorative arts,  
21 history, maritime history, fine arts, science, industry and  
22 technology; select and designate the objects to be exhibited  
23 in museums and historic sites in this Commonwealth, including  
24 the State Museum; interpret the results of such management  
25 and exhibition of objects in museum and academic  
26 publications, exhibits and special educational programs for  
27 the public; and undertake appropriate professional  
28 conservation, restoration and storage of all objects and  
29 material items relative to the history of this Commonwealth.

30 (3) Lending historic resources.--Lend to any other

1 museum, archival repository, historical society or other  
2 reliable organized group of an educational nature any  
3 objects, articles of historical interest, manuscripts,  
4 documents or other material committed to its custody. The  
5 commission shall adopt rules and regulations to provide  
6 adequate security for the safe return of the material, which  
7 shall include provision for full insurance protection of the  
8 loaned material.

9 (4) Sale or other disposition.--Exchange or otherwise  
10 dispose of material with other museums, archival  
11 repositories, historical societies or other reliable  
12 organized groups of an educational nature; and sell at public  
13 auction historical artifacts pursuant to its rules and  
14 regulations, provided that a historical artifact shall not be  
15 sold at public auction unless the commission has determined  
16 that the exchange or disposal of that artifact by the other  
17 means authorized by this paragraph is not feasible and that  
18 the property would not be beneficial to the commission if it  
19 were used other than as an artifact. If the original donor  
20 was an individual, the original donor shall be notified, if  
21 he can be located, and if the original donor is deceased, his  
22 children shall be notified, if they can be located, and be  
23 given an opportunity to reacquire the object, prior to its  
24 being offered at auction. If the original donor was not an  
25 individual, the original donor shall be notified, if it or  
26 its successor can be located, and be given an opportunity to  
27 reacquire the object, prior to its being offered at auction.  
28 The opportunity of an original donor to reacquire an object  
29 shall not be construed to diminish the commission's control  
30 over a historical artifact subsequent to its acquisition by

1 the commission and prior to its disposition. These sales  
2 shall be ~~excluded from the provisions of section 510 of the~~ <—  
3 ~~act of April 9, 1929 (P.L.177, No.175), known as The~~  
4 ~~Administrative Code of 1929.~~ CONDUCTED BY THE DEPARTMENT OF <—  
5 GENERAL SERVICES. Income produced through these sales shall  
6 be paid into the State Treasury through the Department of  
7 Revenue and credited to the Historical Preservation Fund and  
8 allocated solely for collection acquisition or conservation  
9 purpose. No unique object, article, manuscript, document or  
10 other material, which is of special significance to the  
11 history of this Commonwealth, shall be sold.

12 (5) NOTICE REQUIREMENTS.--GIVE WRITTEN NOTICE OF THE <—  
13 PROPOSED SALE, INCLUDING A DESCRIPTION OF THE ARTIFACT AND  
14 ITS CONDITION, AND THE NAME AND LAST KNOWN ADDRESS OF THE  
15 DONOR SHALL BE TRANSMITTED TO THE CHAIRMEN OF THE STATE  
16 GOVERNMENT COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND OF  
17 THE SENATE, RESPECTIVELY, BEFORE ANY HISTORIC ARTIFACT SHALL  
18 BE SOLD PURSUANT TO PARAGRAPH (4).

19 § 305. Documents.

20 The commission shall have the power and duty to:

21 (1) Research on Commonwealth documents.--Examine and  
22 copy or microfilm any records within the control of a  
23 Commonwealth agency for the purposes of historical research.

24 (2) Preservation of public records.--Preserve all public  
25 records throughout this Commonwealth and give special  
26 attention to the preservation of all records of the  
27 Commonwealth not in current use and of historical value;  
28 negotiate for the transfer and receipt of public records from  
29 any Commonwealth agency or political subdivision; and provide  
30 for the disposition of records not needed or useful in the



1 transaction of current or anticipated future work of the  
2 Commonwealth under section 524 of the act of April 9, 1929  
3 (P.L.177, No.175), known as The Administrative Code of 1929.  
4 The commission shall be the legal custodian of any public  
5 records transferred to it by any Commonwealth agency or  
6 political subdivision. The head of any Commonwealth agency or  
7 political subdivision may transfer to the commission public  
8 records legally in his custody not needed for the transaction  
9 of the business of the office whenever the commission is  
10 willing to receive and care for them.

11 (3) Management of historical documents.--Collect,  
12 classify, preserve and make available for reference all  
13 records which may come into its possession with the  
14 exceptions indicated by the commission; and examine the  
15 condition of the records, books, pamphlets, documents,  
16 manuscripts, archives, maps and papers filed or recorded in  
17 any Commonwealth agency or political subdivision. The  
18 executive director or any employees authorized by him shall  
19 have reasonable access to all public records in this  
20 Commonwealth for the purpose of examining them and shall  
21 report to the commission on their condition.

22 (4) Regulation of Commonwealth records.--Recommend such  
23 action be taken by the persons having the care and custody of  
24 public records as may be necessary to secure their safety and  
25 preservation; cause all laws relating to public records to be  
26 enforced; and recommend and enforce uniform standards  
27 governing the use of paper, ink and filing procedure for all  
28 records and papers of Commonwealth agencies and political  
29 subdivisions that are considered of permanent historical  
30 importance.

1           (5) Certificates relating to public records.--Furnish  
2 certificates relating to public records, or copies thereof,  
3 upon the payment of fees established by the commission or  
4 otherwise fixed by law.

5           (6) Land records.--Maintain and preserve:

6               (i) Records of the first titles acquired by the  
7 proprietaries and the Commonwealth to all the lands  
8 within its boundaries.

9               (ii) Records of all lands and conveyances from the  
10 proprietaries and the Commonwealth to the purchasers of  
11 the land.

12              (iii) Papers relating to the surveys of this  
13 Commonwealth and county lines and the reports of  
14 commissioners relating to the boundary lines of this  
15 Commonwealth.

16              (iv) Maps and other papers pertaining to the  
17 colonial history of this Commonwealth.

18              (v) Contracts, section profile maps and other  
19 records relating to public works.

20              (vi) All other relevant records relating to titles  
21 of real estate acquired by the Commonwealth.

22 § 306. Publications and reproductions.

23 The commission shall have the power and duty to:

24           (1) General.--Publish or republish, either through the  
25 Department of General Services or cooperatively by and with  
26 private historical organizations, materials of historical or  
27 archaeological interest; compile, edit and print these  
28 publications; enter into agreements with publishers to  
29 subsidize the publication of books on Pennsylvania history,  
30 archaeology, anthropology, art, cartography, folklore and

1 other cultural elements of Pennsylvania's heritage by  
2 agreeing to purchase a sufficient number to make publication  
3 possible, but these agreements shall be subject to the  
4 approval of the Governor and the State Treasurer; produce or  
5 reproduce facsimiles of historical material and enter into  
6 agreements to subsidize the manufacture of facsimiles of  
7 historical material by agreeing to purchase a sufficient  
8 number to make manufacture possible, but these agreements  
9 shall be subject to the approval of the Governor and the  
10 State Treasurer; and sell publications, reprints of  
11 publications, reproductions or replicas, postcards and  
12 souvenirs of an historical nature at the State Museum and at  
13 the other historic properties and museums administered by the  
14 commission.

15 (2) Official repositories.--Establish one official  
16 repository for its publications from among the qualified  
17 historical or archaeological societies within each of the  
18 geographic areas established and defined by the Department of  
19 Community Affairs as "Standard Regions." The Pennsylvania  
20 State Library and the Library of Congress shall also be  
21 official repositories for commission publications.

22 (3) Disposition of commission publications.--Make one  
23 copy of each commission publication available at cost to all  
24 qualified historical or archaeological societies; and deliver  
25 one copy of each commission publication without charge to  
26 each official repository. The commission is excluded from the  
27 provisions of section 2406 of the act of April 9, 1929  
28 (P.L.177, No.175), known as The Administrative Code of 1929.

29 (4) Proprietary rights to subscription lists.--Maintain  
30 proprietary rights over subscriber, membership or address

1 lists that it creates which are excluded from provisions of  
2 the act of June 21, 1957 (P.L.390, No.212), referred to as  
3 the Right-to-Know Law.

4 § 307. Qualified historical and archaeological societies.

5 Any historical or archaeological society in this Commonwealth  
6 shall be deemed to be a qualified historical or archaeological  
7 society if it:

8 (1) Has at least 100 paid members, has been organized at  
9 least two years and has been incorporated as a corporation  
10 not-for-profit.

11 (2) Holds at least one public meeting annually at which  
12 papers are read or discussions held on historical or  
13 archaeological subjects.

14 (3) Has adopted a constitution and bylaws and has  
15 elected proper officers to conduct its business.

16 (4) Has either established a museum or library in which  
17 books, documents, papers and other objects of historical and  
18 cultural interest are deposited or has made periodic  
19 publications totaling at least 25 pages each year relating to  
20 the history of this Commonwealth or of the area in which the  
21 society is located.

## 22 CHAPTER 5

### 23 HISTORIC PRESERVATION

24 Sec.

25 501. Short title of chapter.

26 502. Powers and duties of commission.

27 503. Inclusion of property on register.

28 504. Historic Preservation Board.

29 505. Powers and duties of board.

30 506. Archaeological field investigations on Commonwealth land.

1 507. Cooperation by public officials with the commission.

2 508. Interagency cooperation.

3 509. Transfer of Commonwealth land involving historic  
4 resources.

5 510. Approval of construction affecting historic resources.

6 511. Criminal penalties.

7 512. Enforcement of historic preservation laws and policies.

8 § 501. Short title of chapter.

9 This chapter shall be known and may be cited as the Historic  
10 Preservation Act.

11 § 502. Powers and duties of commission.

12 In addition to the powers and duties provided in Chapter 3  
13 (relating to powers and duties of Pennsylvania Historical and  
14 Museum Commission), the commission shall have the power and duty  
15 to:

16 (1) Initiate and coordinate a Statewide survey to  
17 identify and document the historic resources in this  
18 Commonwealth, whether publicly or privately owned.

19 (2) Compile, maintain, revise and publish a selected  
20 inventory of significant historic resources in this  
21 Commonwealth, to be known as the Pennsylvania Register of  
22 Historic Places, pursuant to criteria of significance  
23 approved by the commission.

24 (3) Conduct research and compile documentation regarding  
25 historic resources.

26 (4) Prepare a comprehensive plan for the preservation of  
27 the historic resources in this Commonwealth, including  
28 suggested priorities for the allocation of public and private  
29 financial resources.

30 (5) Undertake the activities necessary to qualify the

1 Commonwealth for participation in programs and sources of  
2 Federal assistance for purposes of historic preservation.

3 (6) Provide information and advice on historic resources  
4 and appropriate preservation procedures to public officials,  
5 private individuals and organizations.

6 (7) Advise public officials regarding the planning and  
7 implementation of undertakings affecting historic resources.

8 (8) Provide technical and financial assistance to public  
9 officials, private individuals and organizations engaged in  
10 historic preservation activities.

11 (9) Undertake activities to stimulate public interest in  
12 historic preservation, including publications, newsletters  
13 and conferences.

14 (10) Coordinate and comment upon activities of public  
15 officials affecting historic resources and preservation  
16 activities.

17 (11) Solicit, receive and utilize funds from any public  
18 or private source for purposes of historic preservation.

19 (12) Acquire easements in properties of historic,  
20 architectural and archaeological significance by gift,  
21 purchase, devise or any other lawful transfer when  
22 acquisition is necessary for the preservation thereof.

23 (13) Rent or lease historic resources and associated  
24 properties for purposes of historic preservation.

25 (14) Contract with other states, public officials in  
26 this Commonwealth or private individuals and organizations  
27 for purposes of historic preservation.

28 § 503. Inclusion of property on register.

29 The owner of private property of historic, architectural or  
30 archaeological significance, or a majority of the owners of

1 private properties within a proposed historic district, shall be  
2 given the opportunity to concur in, or object to, the nomination  
3 of the property or proposed district for inclusion on the  
4 Pennsylvania Register of Historic Places. If the owner of the  
5 property, or a majority of the owners of the properties within  
6 the proposed historic district, object to the inclusion, the  
7 property shall not be included on the register.

8 § 504. Historic Preservation Board.

9 (a) Membership.--The board shall be composed of no less than  
10 nine ~~citizens~~ RESIDENTS designated by the commission, pursuant <—  
11 to recommendations by the executive director with the approval  
12 of the Governor. The board shall include at least one member  
13 with demonstrated competence in each of the following  
14 disciplines: architecture, archaeology, architectural history,  
15 history and historic preservation.

16 (b) Term of office.--Members shall serve for a term of two  
17 years without compensation, other than reimbursement for actual  
18 and necessary expenses incurred in the performance of their  
19 duties in accordance with Commonwealth regulations, AND SHALL <—  
20 SERVE UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIED.

21 § 505. Powers and duties of board.

22 The Historic Preservation Board shall have the power and duty  
23 to:

24 (1) Advise the commission on criteria of significance  
25 for inclusion of historic resources on the Pennsylvania  
26 Register of Historic Places.

27 (2) Review and recommend nominations of historic  
28 resources to the National Register of Historic Places.

29 (3) Review and comment upon the commission's  
30 comprehensive preservation plan for historic resources within

1       this Commonwealth.

2           (4) Undertake any other activity determined by the  
3       commission to be necessary or desirable for the preservation  
4       of historic resources.

5   § 506. Archaeological field investigations on Commonwealth  
6           land.

7       (a) Right to conduct field investigations.--The Commonwealth  
8       reserves the exclusive right to conduct archaeological field  
9       investigations on archaeological resources owned or controlled  
10      by it, in order to protect and preserve archaeological specimens  
11      and information. The specimens and information shall remain the  
12      property of the Commonwealth and shall be utilized for  
13      scientific and public educational purposes.

14      (b) Responsibility of commission.--The commission shall be  
15      responsible for the preservation, protection and proper  
16      investigation of archaeological resources located on land owned  
17      or controlled by the Commonwealth, including any submerged land  
18      owned or controlled by the Commonwealth.

19      (c) Survey of archaeological resources.--The commission  
20      shall conduct surveys and prepare maps of archaeological  
21      resources located on lands in this Commonwealth and may make  
22      available the results of these surveys to the Federal  
23      Government, Commonwealth agencies and political subdivisions  
24      conducting activities which would affect these archaeological  
25      resources. The commission shall have and maintain proprietary  
26      rights over the maps and surveys indicating the location of  
27      archaeological resources or archaeological field investigations  
28      that have been inventoried or surveyed. These maps and surveys  
29      are excluded from the provisions of the act of June 21, 1957  
30      (P.L.390, No.212), referred to as the Right-to-Know Law.



1 (d) Permits for field investigations.--The commission may  
2 issue permits for archaeological field investigations, subject  
3 to any restraints and conditions it prescribes, if the  
4 investigation is undertaken with the purpose of disseminating  
5 the knowledge gained and if the applicant agrees to submit to  
6 the commission a summary written report of the investigation,  
7 containing relevant maps, documents, drawings and photographs.  
8 All archaeological specimens collected pursuant to a permit  
9 issued under this subsection shall be the exclusive property of  
10 the Commonwealth, and the commission shall make appropriate  
11 arrangements for their disposition and study.

12 § 507. Cooperation by public officials with the commission.

13 (a) General rule.--Commonwealth agencies and political  
14 subdivisions shall cooperate fully with the commission in the  
15 preservation, protection and investigation of archaeological  
16 resources and to that end shall:

17 (1) Notify all potential permittees, contractors or  
18 other persons whose activities may affect archaeological  
19 sites that the estimated cost of archaeological surveys or  
20 archaeological field investigations is required to be  
21 included within their bid or application for a permit.

22 (2) Notify the commission before undertaking any  
23 Commonwealth or Commonwealth assisted permitted or contracted  
24 projects that may affect archaeological sites.

25 (3) Notify the commission when they become aware of any  
26 undertaking in connection with any Commonwealth or  
27 Commonwealth assisted permitted or contracted project,  
28 activity or program which affects or may affect an  
29 archaeological site, and provide the commission with  
30 information concerning the project, program or activity.

1 (b) Survey or investigation by commission.--Upon  
2 notification or determination that an archaeological resource is  
3 or may be adversely affected, the commission may, within 60 days  
4 after reasonable notice to the Commonwealth agency or political  
5 subdivision, conduct a survey or other investigation to recover,  
6 preserve or otherwise protect information from the  
7 archaeological resource, provided that this subsection shall not  
8 apply if a Commonwealth agency or a political subdivision  
9 notified the commission in writing of the potential effect of a  
10 proposed action on an archaeological resource and the commission  
11 does not advise that Commonwealth agency or political  
12 subdivision within 60 days that it intends to conduct a survey  
13 or investigation.

14 § 508. Interagency cooperation.

15 Commonwealth agencies shall:

16 (1) Consult the commission before demolishing, altering  
17 or transferring any property under their ownership or control  
18 that is or may be of historical, architectural or  
19 archaeological significance.

20 (2) Seek the advice of the commission on possible  
21 alternatives to the demolition, alteration or transfer of  
22 property under their ownership or control that is on or may  
23 be eligible for the Pennsylvania Register of Historic Places.

24 (3) Initiate measures and procedures to provide for the  
25 maintenance by means of preservation, rehabilitation or  
26 restoration of historic resources under their ownership or  
27 control that are listed on or are eligible for the  
28 Pennsylvania Register of Historic Places.

29 (4) Institute procedures and policies to assure that  
30 their plans, programs, codes, regulations and activities

1 contribute to the preservation and enhancement of all  
2 historic resources in this Commonwealth.

3 (5) Submit the procedures and policies described in  
4 paragraphs (3) and (4) to the commission for review and  
5 comment.

6 § 509. Transfer of Commonwealth land involving historic  
7 resources.

8 Commonwealth agencies shall give the commission timely notice  
9 of proposed transfers of real property owned or controlled by  
10 the Commonwealth. Upon recommendation of the commission,  
11 Commonwealth agencies may condition the transfer and may execute  
12 covenants, deed restrictions or other contractual arrangements  
13 which will most likely result in the preservation of any  
14 historic resources located on or under the property to be  
15 transferred.

16 § 510. Approval of construction affecting historic resources.

17 The commission shall be consulted on the design and proposed  
18 location of any project, building or other undertaking financed  
19 in whole or in part by Commonwealth funds which may affect the  
20 preservation and development of a district, site or building  
21 listed on or eligible for the Pennsylvania Register of Historic  
22 Places.

23 § 511. Criminal penalties.

24 A person who conducts a field investigation on any land or  
25 ~~underwater~~ SUBMERGED land owned or controlled by the  
26 Commonwealth, without first obtaining a permit from the  
27 commission, or a person who appropriates, defaces, destroys or  
28 otherwise alters any archaeological site or specimen located  
29 upon lands owned or controlled by the Commonwealth, except in  
30 the course of activities pursued under the authority of a permit

<—

1 granted by the commission, commits a misdemeanor of the third  
2 degree and shall, upon conviction, be sentenced to a fine not to  
3 exceed \$2,500 or to imprisonment for a period not to exceed one  
4 year, or both. In addition, such person shall forfeit to the  
5 Commonwealth all archaeological specimens collected or excavated  
6 together with any photographs and records relating to such  
7 specimens.

8 § 512. Enforcement of historic preservation laws and policies.

9 The Attorney General, the commission, any political  
10 subdivision, person or other legal entity may maintain an action  
11 in an administrative tribunal or court for the protection or  
12 preservation of any historic resource in this Commonwealth.

## 13 CHAPTER 7

### 14 HISTORIC PROPERTIES

15 Sec.

16 701. Title to historic property.

17 702. Powers over certain historic property.

18 703. BRANDYWINE BATTLEFIELD.

<—

19 704. WASHINGTON CROSSING.

20 § 701. Title to historic property.

21 (a) General rule.--Unless otherwise provided by statute with  
22 respect to particular historic property, the title to historic  
23 property shall be taken in the name of the Commonwealth and  
24 shall, before its acquisition, be certified by counsel for the  
25 commission.

26 (b) Leases.--

27 (1) For purposes of historic preservation, or for  
28 educational, recreational or agricultural purposes, or for  
29 parking areas or concessions for the convenience and comfort  
30 of the public, the commission may lease historic property for

1 a period not to exceed five years to any person or  
2 organization of the Commonwealth. The commission shall lease  
3 the property in the following manner:

4 (i) Those sites and museums which have nonprofit  
5 allied groups whose purpose is related to the educational  
6 mission of a particular property shall receive special  
7 contract preference. In those instances where the above  
8 criteria is met, the commission shall be permitted to  
9 enter into a lease without competitive bidding.

10 (ii) When the criteria enumerated in subparagraph  
11 (i) are not met, sites and museums are to be leased in  
12 accordance with competitive bidding procedures, i.e. open  
13 to all profit and nonprofit organizations. All requests  
14 for bid proposals, as well as the leases, shall contain  
15 restrictions protecting the historical integrity of the  
16 site, insuring that appropriate historical preservation  
17 standards are maintained and require appropriate  
18 insurance coverage by the lessee.

19 (2) If a substantial capital investment is involved, the  
20 commission may, with the approval of the Governor, enter into  
21 such leases for that period required under sections  
22 48(g)(2)(B)(vi) and 168(c) of the Internal Revenue Code of  
23 1986 (Public Law 99-514, 26 U.S.C. §§ 48, 168) relating to  
24 investment tax credit for historic preservation.

25 (3) The commission shall monitor those leased properties  
26 to insure they are being managed in accordance with State  
27 law.

28 (4) The commission may lease historic property to a unit <—  
29 ~~of local government~~ POLITICAL SUBDIVISION willing to assume <—  
30 total fiscal and management responsibility for a period of

1 time up to 99 years, provided that such leases contain  
2 restrictions protecting the historical integrity of the site,  
3 insuring that appropriate historical preservation standards  
4 are maintained and require appropriate insurance coverage by  
5 the leasee.

6 § 702. Powers over certain historic property.

7 In addition to all other powers vested in the commission by  
8 this title or other statute, the commission shall exercise all  
9 powers conferred on it by law with respect to the historic  
10 properties known as:

11 (1) Admiral Peary Monument.

12 (2) Bloody Spring.

13 ~~(3) Brightbill Property.~~ <—

14 ~~(4) Brandywine Battlefield.~~

15 (3) BRANDYWINE BATTLEFIELD. <—

16 (4) BRIGHTBILL PROPERTY.

17 (5) Bushy Run Battlefield.

18 (6) Captain Phillips's Rangers Memorial.

19 (7) Cashiers House.

20 (8) Conrad Weiser Homestead.

21 (9) Cornwall Iron Furnace.

22 (10) Curtin Village.

23 (11) Daniel Boone Homestead.

24 (12) David Bradford House.

25 (13) Drake Well Museum.

26 (14) Eckley Miners' Village.

27 (15) Ephrata Cloister.

28 (16) Flagship Niagara.

29 (17) Fort Augusta.

30 (18) Fort Le Boeuf Museum.

1	(19)	Fort Loudon.	
2	(20)	Fort Pitt Museum.	
3	(21)	French Azilum.	
4	(22)	Governor Printz Park.	
5	(23)	Graeme Park.	
6	(24)	Harmony Society Graveyard.	
7	(25)	HISTORIC PEACE CHURCH.	<—
8	<del>(25)</del> (26)	Hope Lodge.	<—
9	<del>(26)</del> (27)	John Brown House.	<—
10	<del>(27)</del> (28)	Johnston Tavern.	<—
11	<del>(28)</del> (29)	Joseph Priestley House.	<—
12	<del>(29)</del> (30)	Judson House.	<—
13	<del>(30)</del> (31)	Landis Valley Museum.	<—
14	<del>(31)</del> (32)	Mather Mill.	<—
15	<del>(32)</del> (33)	McCoy House.	<—
16	<del>(33)</del> (34)	Monocacy Battlefield.	<—
17	<del>(34)</del> (35)	Morton Homestead.	<—
18	<del>(35)</del> (36)	Museum of Anthracite Mining.	<—
19	<del>(36)</del> (37)	Nathan Denison House.	<—
20	<del>(37)</del> (38)	Old Brown's Mill School.	<—
21	<del>(38)</del> (39)	Old Chester Court House.	<—
22	<del>(39)</del> (40)	Old Custom House.	<—
23	<del>(40)</del> (41)	Old Economy Village.	<—
24	<del>(41)</del> (42)	Old Mill Village.	<—
25	<del>(42)</del> (43)	Old Stone House.	<—
26	<del>(43)</del>	<del>Historic Peace Church.</del>	<—
27	(44)	Pennsbury Manor.	
28	(45)	Pennsylvania Anthracite Heritage Museum.	
29	(46)	Pennsylvania Lumber Museum.	
30	(47)	Pennsylvania Military Museum.	

1           (48) Pithole City.  
 2           (49) Pottsgrove Mansion.  
 3           (50) Railroad Museum of Pennsylvania.  
 4           (51) Robert Fulton Birthplace.  
 5           (52) Searights Tollhouse.  
 6           (53) Sodom School House.  
 7           (54) Somerset Historical Center.  
 8           ~~(55) William Penn Memorial Museum and Archives Building~~ <—  
 9           ~~(State Museum of Pennsylvania).~~  
 10          ~~(56)~~ (55) The Highlands.  
 11          (56) THE PENNSYLVANIA STATE ARCHIVES. <—  
 12          (57) The Scranton Iron Furnace.  
 13          (58) THE STATE MUSEUM OF PENNSYLVANIA. <—  
 14          ~~(58)~~ (59) Thomas Hughes House. <—  
 15          ~~(59)~~ (60) Tuscarora Academy. <—  
 16          ~~(60)~~ (61) Warrior Run Church and Cemetery. <—  
 17          ~~(61)~~ (62) Washington Crossing. <—  
 18 § 703. BRANDYWINE BATTLEFIELD. <—

19        (A) PARK COMMISSION; MEMBERSHIP; TERM OF OFFICE.--THE  
 20 BRANDYWINE BATTLEFIELD PARK COMMISSION SHALL BE AN INDEPENDENT  
 21 ADMINISTRATIVE COMMISSION AND SHALL CONSIST OF TEN RESIDENTS OF  
 22 THIS COMMONWEALTH APPOINTED BY THE GOVERNOR WITH THE ADVICE AND  
 23 CONSENT OF A MAJORITY OF THE MEMBERS ELECTED TO THE SENATE. THE  
 24 CHAIRMAN OF THE PENNSYLVANIA HISTORICAL AND MUSEUM COMMISSION  
 25 SHALL SERVE AS AN EX OFFICIO MEMBER OF THE PARK COMMISSION AND  
 26 MAY DESIGNATE ANOTHER MEMBER OF THE PENNSYLVANIA HISTORICAL AND  
 27 MUSEUM COMMISSION OR THE EXECUTIVE DIRECTOR OF THE PENNSYLVANIA  
 28 HISTORICAL AND MUSEUM COMMISSION TO REPRESENT THE CHAIRMAN AT  
 29 MEETINGS OF THE PARK COMMISSION. EACH MEMBER OF THE PARK  
 30 COMMISSION SHALL SERVE FOR A TERM OF FOUR YEARS AND SHALL SERVE



1 UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIED. EACH MEMBER SHALL  
2 BE ELIGIBLE FOR REAPPOINTMENT.

3 (B) ORGANIZATION OF PARK COMMISSION.--EACH YEAR ON THE  
4 ANNIVERSARY OF THE BATTLE OF BRANDYWINE, SEPTEMBER 11, 1777, OR  
5 AS NEAR THERETO AS CONVENIENT, THE PARK COMMISSION SHALL ELECT  
6 FROM AMONG ITS MEMBERS A CHAIRMAN, VICE CHAIRMAN, SECRETARY AND  
7 TREASURER. THE PARK COMMISSION MAY ADOPT ANY RULES OF  
8 ORGANIZATION AND PROCEDURE AS IT MAY DEEM APPROPRIATE AND MAY  
9 DETERMINE THE DUTIES OF ITS OFFICERS. SIX MEMBERS SHALL  
10 CONSTITUTE A QUORUM. MEMBERS OF THE PARK COMMISSION SHALL NOT  
11 RECEIVE COMPENSATION BUT SHALL RECEIVE REIMBURSEMENT FOR THEIR  
12 ACTUAL EXPENSES INCURRED IN SERVING ON THE PARK COMMISSION.

13 (C) POWERS AND DUTIES OF PARK COMMISSION.--NOTWITHSTANDING  
14 THE PROVISIONS OF SECTIONS 303(1) AND (3) (RELATING TO SITES)  
15 AND 702 (RELATING TO POWERS OVER CERTAIN HISTORIC PROPERTY), THE  
16 PARK COMMISSION SHALL PRESERVE THE PARK AS A PATRIOTIC AND  
17 HISTORIC PLACE AND SHALL HAVE CUSTODY, CONTROL, MANAGEMENT AND  
18 SUPERVISION OF THE PARK. THE PARK COMMISSION SHALL HAVE THE  
19 POWERS AND DUTIES TO:

20 (1) SUBMIT TO THE PENNSYLVANIA HISTORICAL AND MUSEUM  
21 COMMISSION BY SEPTEMBER 1 OF EACH YEAR A REPORT WHICH SHALL  
22 INCLUDE A SUMMARY OF THE PARK COMMISSION'S ACTIVITIES DURING  
23 THE PRECEDING FISCAL YEAR.

24 (2) SUBMIT TO THE PENNSYLVANIA HISTORICAL AND MUSEUM  
25 COMMISSION BY OCTOBER 1 OF EACH YEAR A PRELIMINARY PLAN,  
26 INCLUDING A PRELIMINARY BUDGET, FOR THE PARK COMMISSION'S  
27 ACTIVITIES DURING THE NEXT FISCAL YEAR.

28 (3) SUBMIT TO THE PENNSYLVANIA HISTORICAL AND MUSEUM  
29 COMMISSION BY MAY 1 OF EACH YEAR A FINAL PLAN, INCLUDING A  
30 FINAL BUDGET, FOR THE PARK COMMISSION'S ACTIVITIES DURING THE

1 NEXT FISCAL YEAR.

2 (4) PROVIDE FOR LOCAL INPUT AND FOSTER LOCAL PUBLIC  
3 SUPPORT FOR PROGRAMS AND ACTIVITIES AT THE PARK.

4 (5) ENCOURAGE AN APPRECIATION OF THE HISTORICAL  
5 SIGNIFICANCE OF THE PARK FOR THE PEOPLE OF THIS COMMONWEALTH.

6 (6) COOPERATE WITH THE PENNSYLVANIA HISTORICAL AND  
7 MUSEUM COMMISSION OR ANY OTHER FEDERAL, STATE OR LOCAL  
8 AGENCY, OR ANY PRIVATE HISTORICAL ORGANIZATION OR FOUNDATION,  
9 IN CONDUCTING PROGRAMS OR PROVIDING SERVICES TO FURTHER  
10 IMPROVE OR DEVELOP THE PARK.

11 (7) PROMULGATE RULES AND REGULATIONS NECESSARY FOR THE  
12 IMPLEMENTATION OF ITS POWER AND DUTIES.

13 (D) AGREEMENT BETWEEN COMMISSIONS.--BY AUGUST 1 OF EACH  
14 YEAR, THE PENNSYLVANIA HISTORICAL AND MUSEUM COMMISSION SHALL  
15 ENTER INTO AN AGREEMENT WITH THE PARK COMMISSION SPECIFYING THE  
16 FUNDING THAT WILL BE MADE AVAILABLE TO THE PARK COMMISSION FOR  
17 THE FISCAL YEAR WHICH BEGAN ON JULY 1 OF THAT YEAR. THE  
18 AGREEMENT MAY CONTAIN OTHER TERMS AND CONDITIONS NECESSARY FOR  
19 COOPERATION BETWEEN THE PARK COMMISSION AND THE PENNSYLVANIA  
20 HISTORICAL AND MUSEUM COMMISSION.

21 § 704. WASHINGTON CROSSING.

22 (A) PARK COMMISSION, MEMBERSHIP; TERM OF OFFICE.--THE  
23 WASHINGTON CROSSING PARK COMMISSION SHALL BE AN INDEPENDENT  
24 ADMINISTRATIVE COMMISSION AND SHALL CONSIST OF TEN RESIDENTS OF  
25 THIS COMMONWEALTH APPOINTED BY THE GOVERNOR WITH THE ADVICE AND  
26 CONSENT OF A MAJORITY OF THE MEMBERS ELECTED TO THE SENATE. THE  
27 CHAIRMAN OF THE PENNSYLVANIA HISTORICAL AND MUSEUM COMMISSION  
28 SHALL SERVE AS AN EX OFFICIO MEMBER OF THE PARK COMMISSION AND  
29 MAY DESIGNATE ANOTHER MEMBER OF THE PENNSYLVANIA HISTORICAL AND  
30 MUSEUM COMMISSION OR THE EXECUTIVE DIRECTOR OF THE PENNSYLVANIA

1 HISTORICAL AND MUSEUM COMMISSION TO REPRESENT THE CHAIRMAN AT  
2 MEETINGS OF THE PARK COMMISSION. EACH MEMBER OF THE PARK  
3 COMMISSION SHALL SERVE FOR A TERM OF FIVE YEARS AND SHALL SERVE  
4 UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIED. EACH MEMBER SHALL  
5 BE ELIGIBLE FOR REAPPOINTMENT.

6 (B) ORGANIZATION OF PARK COMMISSION.--EACH YEAR THE PARK  
7 COMMISSION SHALL ELECT FROM AMONG ITS MEMBERS A CHAIRMAN, A  
8 SECRETARY AND OTHER OFFICERS AS DEEMED NECESSARY BY THE PARK  
9 COMMISSION. THE PARK COMMISSION MAY ADOPT ANY RULES OF  
10 ORGANIZATION AND PROCEDURE AS IT MAY DEEM APPROPRIATE AND MAY  
11 DETERMINE THE DUTIES OF ITS OFFICERS. SIX MEMBERS SHALL  
12 CONSTITUTE A QUORUM. MEMBERS OF THE PARK COMMISSION SHALL NOT  
13 RECEIVE COMPENSATION BUT SHALL RECEIVE REIMBURSEMENT FOR THEIR  
14 ACTUAL EXPENSES INCURRED IN SERVING ON THE PARK COMMISSION.

15 (C) POWERS AND DUTIES OF PARK COMMISSION.--NOTWITHSTANDING  
16 THE PROVISIONS OF SECTIONS 303(1) AND (3) (RELATING TO SITES)  
17 AND 702 (RELATING TO POWERS OVER CERTAIN HISTORIC PROPERTY), THE  
18 PARK COMMISSION SHALL PRESERVE THE PARK AS A PATRIOTIC AND  
19 HISTORIC PLACE AND SHALL HAVE CUSTODY, CONTROL, MANAGEMENT AND  
20 SUPERVISION OF THE PARK, INCLUDING THE MAINTENANCE OF THE WILD  
21 FLOWER PRESERVE ON THE LAND KNOWN AS BOWMAN'S HILL. THE PARK  
22 COMMISSION SHALL HAVE THE POWERS AND DUTIES TO:

23 (1) SUBMIT TO THE PENNSYLVANIA HISTORICAL AND MUSEUM  
24 COMMISSION BY SEPTEMBER 1 OF EACH YEAR A REPORT WHICH SHALL  
25 INCLUDE A SUMMARY OF THE PARK COMMISSION'S ACTIVITIES DURING  
26 THE PRECEDING FISCAL YEAR.

27 (2) SUBMIT TO THE PENNSYLVANIA HISTORICAL AND MUSEUM  
28 COMMISSION BY OCTOBER 1 OF EACH YEAR A PRELIMINARY PLAN,  
29 INCLUDING A PRELIMINARY BUDGET, FOR THE PARK COMMISSION'S  
30 ACTIVITIES DURING THE NEXT FISCAL YEAR.

1           (3) SUBMIT TO THE PENNSYLVANIA HISTORICAL AND MUSEUM  
2 COMMISSION BY MAY 1 OF EACH YEAR A FINAL PLAN, INCLUDING A  
3 FINAL BUDGET, FOR THE PARK COMMISSION'S ACTIVITIES DURING THE  
4 NEXT FISCAL YEAR.

5           (4) PROVIDE FOR LOCAL INPUT AND FOSTER LOCAL PUBLIC  
6 SUPPORT FOR PROGRAMS AND ACTIVITIES AT THE PARK.

7           (5) ENCOURAGE AN APPRECIATION OF THE HISTORICAL  
8 SIGNIFICANCE OF THE PARK FOR THE PEOPLE OF THIS COMMONWEALTH.

9           (6) COOPERATE WITH THE PENNSYLVANIA HISTORICAL AND  
10 MUSEUM COMMISSION OR ANY OTHER FEDERAL, STATE OR LOCAL  
11 AGENCY, OR ANY PRIVATE HISTORICAL ORGANIZATION OR FOUNDATION,  
12 IN CONDUCTING PROGRAMS OR PROVIDING SERVICES TO FURTHER  
13 IMPROVE OR DEVELOP THE PARK.

14          (7) PROMULGATE RULES AND REGULATIONS NECESSARY FOR THE  
15 IMPLEMENTATION OF ITS POWER AND DUTIES.

16          (D) AGREEMENT BETWEEN COMMISSIONS.--BY AUGUST 1 OF EACH  
17 YEAR, THE PENNSYLVANIA HISTORICAL AND MUSEUM COMMISSION SHALL  
18 ENTER INTO AN AGREEMENT WITH THE PARK COMMISSION SPECIFYING THE  
19 FUNDING THAT WILL BE MADE AVAILABLE TO THE PARK COMMISSION FOR  
20 THE FISCAL YEAR WHICH BEGAN ON JULY 1 OF THAT YEAR. THE  
21 AGREEMENT MAY CONTAIN OTHER TERMS AND CONDITIONS NECESSARY FOR  
22 COOPERATION BETWEEN THE PARK COMMISSION AND THE PENNSYLVANIA  
23 HISTORICAL AND MUSEUM COMMISSION.

24          Section 2. (a) The administrative and budgetary provisions  
25 of the act of April 9, 1929 (P.L.177, No.175), known as The  
26 Administrative Code of 1929, shall continue to apply to the  
27 Pennsylvania Historical and Museum Commission insofar as those  
28 provisions are consistent with this act.

29          (b) The Pennsylvania Historical and Museum Commission shall  
30 continue to exercise the powers and perform the duties conferred

1 or required by law prior to the effective date of this act with  
2 respect to the historical properties listed in 37 Pa.C.S. § 702  
3 (relating to powers over certain historic property).

4 (c) The members of the Pennsylvania Historical and Museum  
5 Commission and the Historic Preservation Board serving as  
6 members when this act becomes effective shall continue to serve  
7 as members until the term for which they were respectively  
8 appointed expires.

9 (d) The Drake Well Advisory Board, the Twenty-eighth  
10 Division Memorial Shrine Advisory Board and the Joseph Priestley  
11 Advisory Board are abolished.

12 ~~(e) The Washington Crossing Park Commission and the~~ <—  
13 ~~Brandywine Battlefield Park Commission shall each consist of ten~~  
14 ~~citizens of this Commonwealth appointed by the Governor. Members~~  
15 ~~shall serve for a term of four years and shall serve until a~~  
16 ~~successor is appointed. The purpose of these commissions shall~~  
17 ~~be the support, encouragement and advancement of Washington~~  
18 ~~Crossing Park and Brandywine Battlefield Park as providing by~~  
19 ~~the act of July 25, 1917 (P.L.1209, No.420), entitled "An act to~~  
20 ~~authorize the acquisition, by purchase or condemnation, of lands~~  
21 ~~for a park, and the erection of a monument commemorative of~~  
22 ~~Washington crossing the river Delaware, and for the appointment~~  
23 ~~of a commission to acquire said lands and erect such monument;~~  
24 ~~and making an appropriation for the purpose of this act," and~~  
25 ~~the act of July 5, 1947 (P.L.1293, No.517), entitled "An act to~~  
26 ~~establish The Brandywine Battlefield Park Commission and to~~  
27 ~~authorize the acquisition by purchase, condemnation or gift of~~  
28 ~~lands for the establishment of The Brandywine Battlefield Park;~~  
29 ~~providing for the control, management and supervision of the~~  
30 ~~property to be acquired for such park by such commission;~~

~~authorizing the commission to make and to enforce rules and regulations for its preservation, development and visitation; and making appropriations." To carry out this mission, these commissions shall:~~

~~(1) prepare an annual plan for education, preservation and development of these sites and submit such plans to the Pennsylvania Historical and Museum Commission.~~

~~(2) provide local input and public support for programs and activities at the parks; and~~

~~(3) work to foster an appreciation of the historical significance of Washington Crossing Park and Brandywine Battlefield Park for the people of this Commonwealth.~~

(E) THE MEMBERS OF THE BRANDYWINE BATTLEFIELD PARK COMMISSION AND THE WASHINGTON CROSSING PARK COMMISSION SERVING AS MEMBERS ON THE EFFECTIVE DATE OF THIS ACT SHALL CONTINUE TO SERVE AS MEMBERS UNTIL THEIR SUCCESSORS ARE APPOINTED AND QUALIFIED.

Section 3. This act, with respect to the Pennsylvania Historical and Museum Commission, shall constitute the legislation required to reestablish an agency pursuant to the act of December 22, 1981 (P.L.508, No.142), known as the Sunset Act.

Section 4. Each rule and regulation of the Pennsylvania Historical and Museum Commission in effect on the effective date of this act shall remain in effect after such date until repealed or amended by the commission.

Section 5. (a) The following acts and parts of acts are repealed:

Act of July 25, 1913 (P.L.1265, No.777), entitled "An act providing for the establishment of the Pennsylvania Historical

1 Commission; defining its powers and duties; and making an  
2 appropriation for its work."

3 ACT OF JULY 25, 1917 (P.L.1209, NO.420), ENTITLED "AN ACT TO <—  
4 AUTHORIZE THE ACQUISITION, BY PURCHASE OR CONDEMNATION, OF LANDS  
5 FOR A PARK, AND THE ERECTION OF A MONUMENT COMMEMORATIVE OF  
6 WASHINGTON CROSSING THE RIVER DELAWARE, AND FOR THE APPOINTMENT  
7 OF A COMMISSION TO ACQUIRE SAID LANDS AND ERECT SUCH MONUMENT;  
8 AND MAKING AN APPROPRIATION FOR THE PURPOSE OF THIS ACT."

9 Act of July 21, 1919 (P.L.1086, No.444), entitled "An act  
10 dedicating to public use as a historical memorial and public  
11 park certain lands and buildings of the Commonwealth of  
12 Pennsylvania, in the borough of Ambridge, county of Beaver, and  
13 providing for the custody, maintenance, and use thereof."

14 Act of May 6, 1925 (P.L.514, No.278), entitled "An act  
15 authorizing the Department of Highways to make repairs to and  
16 provide for the maintenance of roads and highways in Valley  
17 Forge Park, and making an appropriation therefor."

18 Act of May 4, 1927 (P.L.32, No.44-A), entitled, as amended,  
19 "An act authorizing the Department of Forests and Waters to  
20 acquire, repair, and restore the birthplace of John Morton, in  
21 the borough of Prospect Park; providing for the control,  
22 management, supervision, and maintenance thereof by the  
23 Pennsylvania Historical Commission; authorizing the commission  
24 to make and enforce rules and regulations for the preservation  
25 and visitation thereof; and making an appropriation."

26 Act of May 4, 1927 (P.L.759, No.398), entitled "An act  
27 providing for the acquisition and maintenance by the Department  
28 of Forests and Waters, with the advice of the Bushy Run  
29 Battlefield Commission, of the Bushy Run Battlefield and  
30 adjacent lands as a public historical park, and for the erection

1 of a monument or memorial therein; authorizing the department to  
2 accept gifts for exhibition in, and funds or securities to be  
3 invested for the benefit of, said park; imposing duties upon the  
4 Governor, the Auditor General and the State Treasurer in  
5 connection with such funds or securities; and making an  
6 appropriation."

7 As much of section 201 as reads "the Pennsylvania Historical  
8 and Museum Commission", sections 304, 435, 617-A and Article  
9 XXVIII-A of the act of April 9, 1929 (P.L.177, No.175), known as  
10 The Administrative Code of 1929.

11 Act of April 24, 1929 (P.L.650, No.275), entitled "An act  
12 providing for the submission to and approval by the Pennsylvania  
13 Historical Commission of the inscription on historical monuments  
14 and markers, and the location of certain of such monuments and  
15 markers, and the inscription of certain highway signs and  
16 markers."

17 Act of April 26, 1929 (P.L.781, No.332), entitled "An act  
18 authorizing the Pennsylvania Historical Commission on behalf of  
19 the Commonwealth of Pennsylvania to acquire land in Falls  
20 Township, Bucks County, known as 'Pennsbury,' to be known  
21 thereafter as 'Pennsbury Memorial'; providing for the control,  
22 management, supervision, restoration, improvement, and  
23 maintenance thereof; authorizing the commission to make and  
24 enforce rules and regulations for the preservation and  
25 visitation thereof."

26 Act of May 8, 1929 (P.L.1667, No.528), entitled, as amended,  
27 "An act authorizing the Pennsylvania Historical and Museum  
28 Commission, on behalf of the Commonwealth of Pennsylvania, to  
29 acquire all real and personal property included in the Conrad  
30 Weiser Memorial Park, in Heidelberg Township, Berks County, from



1 the Conrad Weiser Memorial Park Association; providing for the  
2 control, management, supervision, restoration and improvement  
3 thereof; authorizing the commission to make and enforce rules  
4 and regulations for the preservation and visitation thereof; and  
5 making an appropriation therefor."

6 Act of April 10, 1931 (P.L.23, No.22), entitled, as amended,  
7 "An act providing for the acceptance by the Commonwealth of a  
8 gift of lands from the American Petroleum Institute, located on  
9 the left bank of Oil Creek, in Oil Creek Township or Cherry Tree  
10 Township, or both, Venango County, to establish and maintain a  
11 public museum and park, as the Drake Well Memorial, under the  
12 control and supervision of the Pennsylvania Historical  
13 Commission, in cooperation with the Department of Forests and  
14 Waters, and an advisory board to be appointed by the American  
15 Petroleum Institute; prescribing the powers and duties of the  
16 commission relative to said memorial; authorizing the employment  
17 of certain assistants and employes, and for the payment of their  
18 salaries; empowering the Department of Property and Supplies to  
19 acquire additional lands for such Memorial Park without cost to  
20 the Commonwealth; and making an appropriation."

21 Act of May 21, 1931 (P.L.185, No.113), entitled "An act  
22 authorizing the Pennsylvania Historical Commission, on behalf of  
23 the Commonwealth of Pennsylvania, to acquire all real property  
24 comprising the Cornwall Charcoal Furnace, at Cornwall, in  
25 Lebanon County, from the owner thereof, and a trust fund for the  
26 maintenance of the same; providing for the control, management,  
27 supervision, restoration and improvement thereof; authorizing  
28 the commission to make and enforce rules and regulations for the  
29 preservation and visitation thereof."

30 Act of June 12, 1931 (P.L.588, No.201), entitled "An act

1 authorizing the Department of Property and Supplies to acquire  
2 lands in Harris Township, Centre County, for the use of the  
3 Department of Military Affairs; and making an appropriation."

4 Act of June 25, 1931 (P.L.1375, No.344), entitled "An act  
5 authorizing the Pennsylvania Historical Commission, on behalf of  
6 the Commonwealth of Pennsylvania, to acquire property, whereon  
7 was the John Brown farm and tannery in Richmond Township,  
8 Crawford County, from the John Brown Memorial Association;  
9 providing for the control, management, supervision, restoration  
10 and improvement thereof; authorizing the commission to make and  
11 enforce rules and regulations for the preservation and  
12 visitation thereof."

13 Act of June 26, 1931 (P.L.1386, No.350), entitled "An act  
14 providing for the care, protection, and maintenance of the brig  
15 Niagara, Commodore Perry's Flagship at the Battle of Lake Erie,  
16 and now the property of the State of Pennsylvania; creating a  
17 commission to be The Flagship Niagara Commission, and making an  
18 appropriation for such care, protection and maintenance."

19 Act of June 26, 1931 (P.L.1387, No.351), entitled "An act  
20 authorizing the Department of Property and Supplies to acquire  
21 the site of Fort Augusta, at Sunbury, to be turned over to the  
22 Pennsylvania Historical Commission for management; and making an  
23 appropriation."

24 Act of July 9, 1935 (P.L.613, No.216), entitled "An act  
25 authorizing the State Historical Commission to investigate and  
26 to report to the next session of the Legislature upon the area,  
27 boundaries, and dimensions of the Brandywine Battlefield of the  
28 Revolutionary War and to accept gifts or deeds of historic  
29 objects or of land connected therewith."

30 Act of July 22, 1936 (1st Sp.Sess., P.L.70, No.26), entitled

1 "An act to provide for the participation of the Commonwealth of  
2 Pennsylvania in a National Celebration of the One Hundred  
3 Fiftieth Anniversary of the Framing, the Signing, the  
4 Ratification by Pennsylvania and the Final Adoption and  
5 Promulgation, of the Constitution of the United States, to be  
6 held at Philadelphia, and elsewhere, on the fifteenth,  
7 sixteenth, and seventeenth days of September, one thousand nine  
8 hundred thirty-seven, and subsequent anniversary dates in  
9 connection therewith; and making an appropriation."

10 Act of July 28, 1936 (1st Sp.Sess., P.L.79, No.31), entitled  
11 "An act to provide for the commemoration by the Commonwealth of  
12 Pennsylvania of the Three Hundredth Anniversary of the Earliest  
13 Settlement, the First Courts of Law, and the First Capital  
14 within what is now Pennsylvania; and making an appropriation."

15 Act of May 28, 1937 (P.L.1000, No.271), entitled "An act  
16 authorizing the Pennsylvania Historical Commission, on behalf of  
17 the Commonwealth of Pennsylvania, to acquire, by gift,  
18 approximately 7.224 acres of land in Tinicum Township, Delaware  
19 County, sometimes known as 'Printz Park,' or as 'Printz-Lindberg  
20 Park,' to be known hereafter as 'Governor Printz Park';  
21 providing for the control, management, supervision, restoration,  
22 improvement and maintenance thereof; authorizing the commission  
23 to make and enforce rules and regulations for the preservation,  
24 maintenance, and visitation thereof."

25 Act of June 2, 1937 (P.L.1179, No.295), entitled "An act  
26 providing for the acquisition of the Daniel Boone Homestead by  
27 the Department of Property and Supplies, and for its management  
28 and development by the Pennsylvania Historical Commission; and  
29 making an appropriation."

30 Act of June 25, 1937 (P.L.2079, No.410), entitled "An act

1 providing for the sale of Fort Necessity Park, in Wharton  
2 Township, to the government of the United States, for National  
3 Military Park purposes, and giving consent to the purchase of  
4 said park, other lands of historical importance, and, with  
5 certain reservations, ceding jurisdiction over such lands."

6 Act of July 2, 1937 (P.L.2697, No.542), entitled "An act  
7 supplementing the act, approved the twenty-eighth day of July,  
8 one thousand nine hundred and thirty-six (Pamphlet Laws,  
9 seventy-nine); and authorizing the Governor, directly or through  
10 such agency as he may designate, to provide, plan, prepare,  
11 supervise, and carry out a suitable program, within and without  
12 Pennsylvania, for the commemoration by the Commonwealth of  
13 Pennsylvania of the three hundredth anniversary of the earliest  
14 settlement, the first courts of law, and the first capital  
15 within what is now Pennsylvania; and making an appropriation  
16 therefor out of the General Fund."

17 Act of July 2, 1937 (P.L.2700, No.543), entitled "An act  
18 supplementing the act of July twenty-second, one thousand nine  
19 hundred and thirty-six (Pamphlet Laws, seventy); and authorizing  
20 the Governor, directly or through such agency as he may  
21 designate, to provide, plan, prepare, supervise, and carry out,  
22 a suitable program, throughout the Commonwealth of Pennsylvania  
23 and elsewhere, for the Celebration of the 150th Anniversary of  
24 the Framing, the Signing, the Ratification by Pennsylvania, and  
25 the Final Adoption and Establishment of the Constitution of the  
26 United States, during the years 1937-38-39; and making an  
27 appropriation."

28 Act of June 26, 1939 (P.L.1108, No.390), entitled "A  
29 supplement to the act, approved the twenty-sixth day of June,  
30 one thousand nine hundred thirty-one (Pamphlet Laws, one

1 thousand three hundred eighty-six), entitled 'An act providing  
2 for the care, protection, and maintenance of the brig Niagara,  
3 Commodore Perry's Flagship at the Battle of Lake Erie, and now  
4 the property of the State of Pennsylvania; creating a commission  
5 to be The Flagship Niagara Commission, and making an  
6 appropriation for such care, protection and maintenance,'  
7 transferring the custody and control, restoration and  
8 rehabilitation, care, protection, and maintenance of the  
9 Flagship Niagara from The Flagship Niagara Commission to the  
10 Pennsylvania Historical Commission; providing for the  
11 continuance of the present The Flagship Niagara Commission as an  
12 advisory committee and for its discharge from certain duties and  
13 powers; and making an appropriation to complete the restoration  
14 and rehabilitation of the Flagship Niagara and the maintenance  
15 of the same."

16 Act of June 26, 1939 (P.L.1110, No.391), entitled "An act  
17 authorizing the Department of Property and Supplies to acquire  
18 by purchase, gift, lease or condemnation, on behalf of the  
19 Commonwealth of Pennsylvania, forty acres of land adjacent to  
20 'Pennsbury Memorial,' or so much thereof as may be necessary to  
21 properly honor the founder of the Commonwealth of Pennsylvania  
22 on the spot where he made definite plans to spend his life;  
23 providing for the control, management, supervision, improvement,  
24 preservation and maintenance thereof; authorizing the  
25 Pennsylvania Historical Commission to make and enforce rules and  
26 regulations for the preservation and visitation thereof; and  
27 making an appropriation."

28 Act of June 27, 1939 (P.L.1117, No.395), entitled "An act  
29 authorizing the Department of Property and Supplies to acquire  
30 by purchase, or gift, or lease on behalf of the Commonwealth of

1 Pennsylvania, the real estate and personal property of the  
2 Seventh Day Baptists of Ephrata, in whole or in part, to provide  
3 for the control, management and supervision of the property,  
4 when acquired, by the Pennsylvania Historical Commission;  
5 authorizing the commission to make and enforce rules and  
6 regulations for its preservation and visitation and to charge a  
7 fee for admission thereto and exhibition thereof."

8 Act of August 5, 1941 (P.L.830, No.309), entitled "An act  
9 authorizing the Department of Property and Supplies acting for  
10 the Commonwealth of Pennsylvania to acquire by gift from the  
11 owner thereof Pottsgrove Mansion with tract of land situate in  
12 the ninth ward of the Borough of Pottstown, Montgomery County,  
13 Pennsylvania; providing for the control, management,  
14 supervision, improvement and maintenance thereof by the  
15 Pennsylvania Historical Commission; authorizing the Pennsylvania  
16 Historical Commission to make and enforce rules and regulations  
17 for the preservation, maintenance and visitation thereof, and  
18 creating an advisory board to assist in such functions."

19 Act of August 6, 1941 (P.L.849, No.317), entitled "An act  
20 authorizing the Department of Property and Supplies to acquire  
21 on behalf of the Commonwealth of Pennsylvania certain land upon  
22 which is still standing the birthplace of Robert Fulton in  
23 Fulton Township, Lancaster County, or so much thereof as may be  
24 necessary, as a memorial; providing for the control, management,  
25 supervision, improvement, restoration and maintenance thereof;  
26 authorizing the Pennsylvania Historical Commission to make and  
27 enforce rules and regulations for the preservation and  
28 visitation thereof, and making an appropriation."

29 Act of August 6, 1941 (P.L.850, No.318), entitled "An act  
30 authorizing the Department of Property and Supplies to acquire

1 by purchase, gift, lease or condemnation, on behalf of the  
2 Commonwealth of Pennsylvania, ten acres of land adjacent to the  
3 Daniel Boone Homestead, or so much thereof as may be necessary,  
4 to properly honor the pioneer Daniel Boone on the spot where he  
5 was born; providing for the control, management, supervision,  
6 improvement, preservation and maintenance thereof; authorizing  
7 the Pennsylvania Historical Commission to make and enforce rules  
8 and regulations for the preservation and visitation thereof, and  
9 making an appropriation."

10 Act of May 26, 1943 (P.L.608, No.265), entitled "An act  
11 authorizing the Pennsylvania Historical Commission, on behalf of  
12 the Commonwealth of Pennsylvania, to acquire, by gift, the  
13 Harmony Society Graveyard in the Borough of Ambridge,  
14 Pennsylvania; providing for the control, management and  
15 maintenance thereof; authorizing the Commission to make and  
16 enforce rules and regulations for the preservation, maintenance,  
17 and visitation thereof."

18 Act of June 1, 1943 (P.L.804, No.336), entitled "An act  
19 authorizing the Pennsylvania Historical Commission to acquire by  
20 gift, from the Erie County Historical Society, a plot of ground  
21 in the City of Erie, Pennsylvania, to be used as a permanent  
22 resting place for the Flagship Niagara, and making an  
23 appropriation to said commission for the improvement,  
24 development and preparation of such plot of ground and the  
25 removal of the said flagship thereto."

26 Act of June 4, 1943 (P.L.873, No.365), entitled "An act  
27 authorizing the Department of Property and Supplies, with the  
28 advice and approval of the Pennsylvania Historical Commission,  
29 to acquire on behalf of the Commonwealth of Pennsylvania,  
30 certain land upon which is located the site of Fort LeBoeuf in

1 Waterford Borough, Erie County, or so much thereof as may be  
2 necessary, as a historical memorial; providing for the control,  
3 management, supervision, improvement, restoration and  
4 maintenance thereof; authorizing the Pennsylvania Historical  
5 Commission, in cooperation with other agencies, to make and  
6 enforce rules and regulations for the preservation and  
7 visitation thereof; authorizing the Pennsylvania Historical  
8 Commission to cooperate with the Daughters of the American  
9 Colonists and interested patriotic societies in providing funds  
10 for a restoration of Fort LeBoeuf; and making an appropriation."

11 Act of May 18, 1945 (P.L.795, No.316), entitled "An act  
12 authorizing the Pennsylvania Historical Commission to accept, on  
13 behalf of the Commonwealth, certain real estate in, and an  
14 endowment fund for, the Mt. Zion Cemetery which is part of the  
15 historic Ephrata Cloister land located in Ephrata, Lancaster  
16 County, Pennsylvania."

17 Act of May 31, 1945 (P.L.1194, No.415), entitled "An act  
18 authorizing the Pennsylvania Historical Commission to acquire by  
19 gift from the Historical Society of Cambria County, the Admiral  
20 Peary Memorial Park in Cresson Township, Cambria County,  
21 restricting the use thereof; and making an appropriation to said  
22 commission for the improvement of said park."

23 ACT OF JULY 5, 1947 (P.L.1293, NO.517), ENTITLED "AN ACT TO <—  
24 ESTABLISH THE BRANDYWINE BATTLEFIELD PARK COMMISSION AND TO  
25 AUTHORIZE THE ACQUISITION BY PURCHASE, CONDEMNATION OR GIFT OF  
26 LANDS FOR THE ESTABLISHMENT OF THE BRANDYWINE BATTLEFIELD PARK;  
27 PROVIDING FOR THE CONTROL, MANAGEMENT AND SUPERVISION OF THE  
28 PROPERTY TO BE ACQUIRED FOR SUCH PARK BY SUCH COMMISSION;  
29 AUTHORIZING THE COMMISSION TO MAKE AND TO ENFORCE RULES AND  
30 REGULATIONS FOR ITS PRESERVATION, DEVELOPMENT AND VISITATION;



1 AND MAKING APPROPRIATIONS."

2 Act of May 20, 1949 (P.L.1579, No.476), entitled "An act  
3 authorizing the Pennsylvania Historical and Museum Commission to  
4 develop a farmers' museum; designating purposes of such museum;  
5 and making an appropriation."

6 Act of May 26, 1949 (P.L.1876, No.554), entitled "An act  
7 authorizing the Pennsylvania Historical and Museum Commission to  
8 accept, on behalf of the Commonwealth, certain real estate and  
9 buildings and an endowment fund for the Warrior Run Church and  
10 Cemetery, located in Northumberland County, Pennsylvania; and  
11 making an appropriation."

12 Act of May 26, 1949 (P.L.1877, No.555), entitled "An act  
13 authorizing the Department of Property and Supplies, with the  
14 approval of the Pennsylvania Historical and Museum Commission,  
15 to acquire by purchase, condemnation, lease or gift, certain  
16 lands adjacent to the Daniel Boone Homestead property; providing  
17 for the maintenance and improvement thereof; and making an  
18 appropriation for the payment of the costs of such acquisition."

19 Act of January 5, 1952 (1951 P.L.1824, No.485), entitled "An  
20 act authorizing the Department of Property and Supplies, with  
21 the approval of the Pennsylvania Historical and Museum  
22 Commission, to acquire on behalf of the Commonwealth, certain  
23 land, buildings and appurtenances, located in the Township of  
24 Manheim, Lancaster County, and certain personal property  
25 therein; and making an appropriation."

26 Act of July 20, 1953 (P.L.519, No.137), entitled "An act  
27 authorizing the Department of Property and Supplies to sell and  
28 convey one acre and 102.93 perches, more or less, of land in  
29 Ephrata Township, Lancaster County, Pennsylvania, with the  
30 approval of the Governor."

1 Act of February 14, 1956 (1955 P.L.1045, No.335), entitled  
2 "An act declaring the public interest in certain historic sites  
3 and buildings and providing for certificates and markers."

4 Act of May 11, 1956 (1955 P.L.1571, No.523), entitled "An act  
5 authorizing the Pennsylvania Historical and Museum Commission to  
6 acquire, by gift, the Old Brown's Mill building and project in  
7 Antrim Township, Franklin County; and providing for its  
8 maintenance and control."

9 Act of May 31, 1956 (1955 P.L.1914, No.636), entitled "An act  
10 authorizing the Department of Property and Supplies, with the  
11 approval of the Pennsylvania Historical and Museum Commission,  
12 to acquire by purchase certain lands adjacent to the  
13 Pennsylvania Farm Museum of Landis Valley property; providing  
14 for the control, maintenance and improvement thereof; and making  
15 an appropriation."

16 Act of June 1, 1956 (1955 P.L.2020, No.676), entitled "An act  
17 authorizing the Department of Property and Supplies, with the  
18 approval of the Pennsylvania Historical and Museum Commission,  
19 to acquire lands comprising the Captain William Phillips'  
20 Rangers Memorial, in Liberty Township, Bedford County; providing  
21 for the control, management, supervision, improvement,  
22 restoration and maintenance thereof by the Pennsylvania  
23 Historical and Museum Commission; and making appropriations."

24 Act of June 28, 1957 (P.L.422, No.232), entitled "An act  
25 authorizing the Pennsylvania Historical and Museum Commission to  
26 acquire by gift on behalf of the Commonwealth the real property,  
27 known as Hope Lodge in Montgomery County; providing for its  
28 control, management, supervision, restoration, improvement and  
29 maintenance, and appropriating for this purpose all funds  
30 received in behalf of or as the result of operation of Hope

1 Lodge."

2 Act of June 28, 1957 (P.L.425, No.233), entitled "An act  
3 authorizing the Department of Property and Supplies, with the  
4 approval of the Pennsylvania Historical and Museum Commission,  
5 to acquire on behalf of the Commonwealth, certain land,  
6 buildings and personal property located in the Township of  
7 Whitemarsh, Montgomery County."

8 Act of July 8, 1957 (P.L.556, No.308), entitled "A supplement  
9 to the act of June 12, 1931 (P.L.588, No.201), entitled 'An act  
10 authorizing the Department of Property and Supplies to acquire  
11 lands in Harris Township, Centre County, for the use of the  
12 Department of Military Affairs; and making an appropriation,'  
13 transferring the control, supervision and management of the  
14 lands of the Pennsylvania Historical and Museum Commission;  
15 requiring the commission to complete and thereafter maintain the  
16 'Twenty-eighth Division Shrine' thereon, dedicating the same to  
17 the officers and men of the Twenty-eighth Division; creating the  
18 Twenty-eighth Division Memorial Shrine Advisory Board, and  
19 prescribing its powers and duties; and making an appropriation."

20 Act of July 17, 1957 (P.L.960, No.413), entitled "An act  
21 authorizing the Pennsylvania Historical and Museum Commission to  
22 acquire, by gift, on behalf of the Commonwealth, the real  
23 property known as Graeme Park in Horsham Township, Montgomery  
24 County; providing for its control, management, supervision,  
25 restoration, improvement and maintenance; and making an  
26 appropriation."

27 Act of July 18, 1957 (P.L.1005, No.445), entitled "An act  
28 authorizing the Pennsylvania Historical and Museum Commission to  
29 acquire land on which is located the Old Bradford House in the  
30 City of Washington, Washington County; providing for its repair;

1 authorizing an agreement for the administration thereof by the  
2 Washington County Historical Society, and making an  
3 appropriation."

4 Act of July 18, 1957 (P.L.1011, No.447), entitled "An act  
5 directing the Department of Highways to transfer the Searights  
6 Toll House to the Pennsylvania Historical and Museum Commission;  
7 providing for the repair of the Toll House; authorizing the  
8 Pennsylvania Historical and Museum Commission to enter into an  
9 agreement for the administration thereof by the Westmoreland-  
10 Fayette Historical Society; and making an appropriation."

11 Act of July 27, 1959 (P.L.574, No.182), entitled "An act  
12 authorizing the Pennsylvania Historical and Museum Commission to  
13 acquire by gift on behalf of the Commonwealth real property of  
14 approximately one acre adjacent to the Hope Lodge property of  
15 the Commonwealth; providing for its control, management,  
16 supervision, restoration, improvement and maintenance, and  
17 making it part of the Hope Lodge property."

18 Act of November 16, 1959 (P.L.1509, No.528), entitled "An act  
19 authorizing the Pennsylvania Department of Property and  
20 Supplies, acting for the Commonwealth of Pennsylvania, to  
21 acquire by gift from the Borough of Northumberland that certain  
22 tract of land in Northumberland Borough, County of  
23 Northumberland, upon which is located the home of Joseph  
24 Priestley and which is now the property of the Borough of  
25 Northumberland; providing for the control, management,  
26 supervision, improvement and maintenance thereof by the  
27 Pennsylvania Historical and Museum Commission; authorizing the  
28 Pennsylvania Historical and Museum Commission to make and  
29 enforce rules and regulations for the preservation, maintenance  
30 and visitation thereof; authorizing the Pennsylvania Historical

1 and Museum Commission to accept in trust from the American  
2 Chemical Society and other interested societies or individuals  
3 such moneys as they may see fit to present to the Commonwealth  
4 to assist in the maintenance and development of this property as  
5 a permanent memorial; authorizing the Pennsylvania Historical  
6 and Museum Commission to accept as gifts or loans such books,  
7 manuscripts, pamphlets, relics and furniture as interested  
8 societies or individuals may provide for enhancing the interests  
9 of this property as a museum of science; creating an advisory  
10 board to assist in such functions and making an appropriation."

11 Act of December 16, 1959 (P.L.1856, No.681), entitled "An act  
12 authorizing the Pennsylvania Historical and Museum Commission to  
13 acquire the Pechin House; providing for the repair of the Pechin  
14 House; authorizing the Pennsylvania Historical and Museum  
15 Commission to enter into an agreement for the administration  
16 thereof by the King of Prussia Historical Society; and making an  
17 appropriation."

18 Act of December 16, 1959 (P.L.1875, No.685), entitled "An act  
19 authorizing the conveyance of Fort Necessity Park in Wharton  
20 Township, Fayette County, to the government of the United States  
21 of America for use as a National Park and with certain  
22 reservations ceding jurisdiction over such lands."

23 Act of December 21, 1959 (P.L.1960, No.714), entitled "An act  
24 authorizing the Department of Property and Supplies to acquire,  
25 by gift, on behalf of the Pennsylvania Historical and Museum  
26 Commission, the historic property known as the Tuscarora  
27 Academy, and authorizing the Pennsylvania Historical and Museum  
28 Commission to restore the same, and to enter into an agreement  
29 with the Tuscarora Academy Preservation Commission, Inc., for  
30 the management and maintenance of the same, and making an

1 appropriation."

2 Act of July 26, 1961 (P.L.912, No.394), entitled "An act to  
3 provide for the exchange of historical materials between  
4 historical societies as herein defined."

5 Act of September 18, 1961 (P.L.1469, No.620), entitled "An  
6 act authorizing the Pennsylvania Historical and Museum  
7 Commission to acquire by gift on behalf of the Commonwealth  
8 certain land located in the Borough of Cornwall, Lebanon  
9 County."

10 Act of September 27, 1961 (P.L.1693, No.694), entitled "An  
11 act making an appropriation to the Pennsylvania Historical and  
12 Museum Commission for the repair and restoration of the Caleb  
13 Pusey House subject to certain conditions."

14 Act of August 8, 1963 (P.L.617, No.325), entitled "An act  
15 authorizing the Pennsylvania Historical and Museum Commission to  
16 acquire by gift on behalf of the Commonwealth certain land  
17 located in Cornplanter Township, Venango County."

18 Act of November 10, 1965 (P.L.717, No.344), entitled "An act  
19 authorizing the Pennsylvania Historical and Museum Commission to  
20 acquire by gift on behalf of the Commonwealth certain land  
21 located in Upper Augusta Township, Northumberland County."

22 Act of December 8, 1965 (P.L.1056, No.404), entitled "An act  
23 authorizing the Pennsylvania Historical and Museum Commission to  
24 acquire by gift on behalf of the Commonwealth certain land  
25 located in Whitmarsh Township, Montgomery County."

26 Act of January 24, 1966 (1965 P.L.1508, No.530), entitled "An  
27 act directing the Pennsylvania Historical and Museum Commission  
28 to assist in the construction of a replica of Fort Franklin,  
29 Franklin, Pennsylvania; and making an appropriation to the  
30 Pennsylvania Historical and Museum Commission for such

1 assistance in cooperation with the Venango County Museum  
2 Corporation."

3 Act of July 25, 1967 (P.L.182, No.53), entitled "An act  
4 authorizing the Pennsylvania Historical and Museum Commission to  
5 acquire by gift, on behalf of the Commonwealth, a tract of land  
6 with a structure thereon known as Peace Church in Hampden  
7 Township, Cumberland County."

8 Act of November 16, 1967 (P.L.494, No.241), entitled "An act  
9 authorizing the Pennsylvania Historical and Museum Commission to  
10 acquire by gift on behalf of the Commonwealth the real property  
11 known as Chillisquaque School House in West Chillisquaque  
12 Township, Northumberland County; and providing for its control,  
13 management, supervision, restoration, improvement and  
14 maintenance."

15 Act of November 27, 1967 (P.L.631, No.290), entitled "An act  
16 authorizing the acceptance, as a gift, of the Bindnagles  
17 Evangelical Lutheran Church in Lebanon County, North Londonderry  
18 Township, to be administered by the Pennsylvania Historical and  
19 Museum Commission."

20 Act of August 1, 1969 (P.L.206, No.83), entitled "An act  
21 authorizing the Pennsylvania Historical and Museum Commission to  
22 acquire, by gift on behalf of the Commonwealth, certain  
23 properties related to development of historic sites and museums;  
24 to manage, administer and develop the properties; and to provide  
25 a research center for certain collections."

26 Act of March 2, 1970 (P.L.77, No.35), entitled "An act  
27 authorizing the Pennsylvania Historical and Museum Commission to  
28 edit and publish volume one of the Statutes at Large."

29 Act of November 25, 1970 (P.L.752, No.245), entitled "An act  
30 authorizing and directing the Department of Property and

1 Supplies, with the approval of the Governor and the Department  
2 of Public Welfare to transfer the jurisdiction and control from  
3 the Department of Public Welfare to the Pennsylvania Historical  
4 and Museum Commission 5.49 acres of land, situate in Susquehanna  
5 Township, Dauphin County, Pennsylvania."

6 Act of August 12, 1971 (P.L.309, No.76), entitled "An act  
7 authorizing the Pennsylvania Historical and Museum Commission to  
8 acquire by gift on behalf of the Commonwealth certain land  
9 located in the City of Chester, Delaware County."

10 Act of November 8, 1971 (P.L.531, No.135), entitled "An act  
11 authorizing the Pennsylvania Historical and Museum Commission on  
12 behalf of the Commonwealth to acquire the historic John Brown  
13 House in the Borough of Chambersburg, Franklin County."

14 Act of May 17, 1973 (P.L.29, No.14), entitled "An act  
15 designating the Pennsylvania Lumber Museum at Denton Hill,  
16 Potter County, Pennsylvania, as The James S. Berger Lumber  
17 Museum."

18 Act of July 30, 1975 (P.L.102, No.53), entitled "An act  
19 authorizing the Department of Property and Supplies, with the  
20 approval of the Governor and the Historical and Museum  
21 Commission, to transfer Valley Forge State Park to the United  
22 States of America."

23 Act of June 23, 1978 (P.L.499, No.78), entitled "An act  
24 authorizing the Pennsylvania Historical and Museum Commission,  
25 with the approval of the Governor, to transfer certain Project  
26 70 lands in Lancaster County in exchange for a parcel of land  
27 belonging to the Fulton Township Supervisors."

28 Act of July 1, 1978 (P.L.565, No.98), entitled "An act  
29 authorizing the Department of General Services, on behalf of the  
30 Commonwealth to acquire certain land in the Borough of Cornwall,



1 Lebanon County, Pennsylvania."

2 Act of November 22, 1978 (P.L.1160, No.273), known as the  
3 Historic Preservation Act.

4 Act of December 13, 1979 (P.L.517, No.113), entitled "An act  
5 authorizing and directing the Department of Justice, with the  
6 approval of the Governor, to accept as partial payment, upon  
7 maturity, of a certain Series D Serial Note of The Penn Central  
8 Corporation, certain historic railroad engines, railroad cars  
9 and associated railroad equipment of historical interest and  
10 value, having an appraised value of \$1,200,000 presently located  
11 at the Railroad Museum of Pennsylvania in Strasburg,  
12 Pennsylvania, and providing for the custody of such engines,  
13 cars and equipment."

14 Act of June 12, 1981 (P.L.90, No.30), entitled "An act  
15 authorizing the Department of General Services, on behalf of the  
16 Commonwealth, to acquire by gift certain land in Fulton  
17 Township, Lancaster County, Pennsylvania."

18 Act of June 12, 1981 (P.L.91, No.31), entitled "An act  
19 authorizing the Department of General Services, on behalf of the  
20 Commonwealth, to acquire by gift certain land in Falls Township,  
21 Bucks County, Pennsylvania."

22 (b) All other acts and parts of acts are repealed insofar as  
23 they are inconsistent with this act.

24 ~~Section 6. This act shall take effect January 1, 1988, or~~ <—  
25 ~~immediately, whichever is later.~~

26 SECTION 6. THIS ACT SHALL TAKE EFFECT AS FOLLOWS: <—

27 (1) SECTION 304(5) OF TITLE 37 SHALL TAKE EFFECT IN  
28 THREE YEARS.

29 (2) THE REMAINDER OF THIS ACT SHALL TAKE EFFECT  
30 IMMEDIATELY.