

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1636 Session of
1997INTRODUCED BY STEIL, ROSS, CORRIGAN, CONTI, CLYMER, MAITLAND,
DRUCE, REINARD AND DIGIROLAMO, JUNE 11, 1997AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES,
NOVEMBER 25, 1997

AN ACT

1 Amending Title 37 (Historical and Museums) of the Pennsylvania
2 Consolidated Statutes, further providing for the Brandywine
3 Battlefield and the Washington Crossing.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Sections 703 and 704 of Title 37 of the
7 Pennsylvania Consolidated Statutes are amended to read:

8 § 703. Brandywine Battlefield.

9 (a) Park [commission] advisory council; membership; term of
10 office.--The Brandywine Battlefield Park [Commission] Advisory
11 Council shall [be an independent administrative commission and
12 shall] consist of ~~ten~~ seven residents of this Commonwealth <—
13 recommended by the Pennsylvania Historical and Museum Commission
14 and appointed by the Governor [with the advice and consent of a
15 majority of the members elected to the Senate. The chairman of
16 the Pennsylvania Historical and Museum Commission shall serve as
17 an ex officio member of the park commission and may designate

1 another member of the Pennsylvania Historical and Museum
2 Commission or the executive director of the Pennsylvania
3 Historical and Museum Commission to represent the chairman at
4 meetings of the park commission]. Each member of the [park
5 commission] advisory council shall serve for a term of four
6 years and shall serve until a successor is appointed [and
7 qualified]. Each member shall be eligible for reappointment. The
8 executive director of the Pennsylvania Historical and Museum
9 Commission or his designee shall serve as an ex-officio member
10 of the council.

11 (b) Organization of [park commission] advisory council.--
12 Each year on the anniversary of the Battle of Brandywine,
13 September 11, 1777, or as near thereto as convenient, the [park
14 commission] advisory council shall elect from among its members
15 a chairman, [vice chairman,] secretary and [treasurer] other
16 officers as deemed necessary by the advisory council. The [park
17 commission] advisory council may adopt any rules of organization
18 and procedure as it may deem appropriate and may determine the
19 duties of its officers. ~~{Six}~~ ~~Four~~ members shall constitute a <—
20 quorum. Members of the [park commission] advisory council shall
21 not receive compensation [but shall receive reimbursement for
22 their actual expenses incurred in serving on the park
23 commission].

24 (c) [Powers and duties of park commission] Duties of
25 advisory council.--Notwithstanding the provisions of sections
26 303(1) and (3) (relating to sites) and 702 (relating to powers
27 over certain historic property), the [park commission] advisory
28 council shall [preserve the park as a patriotic and historic
29 place and shall have custody, control, management and
30 supervision of the park. The park commission shall have the

1 powers and duties to:

2 (1) Submit to the Pennsylvania Historical and Museum
3 Commission, by September 1 of each year, a report which shall
4 include a summary of the park commission's activities during
5 the preceding fiscal year.

6 (2) Submit to the Pennsylvania Historical and Museum
7 Commission, by October 1 of each year, a preliminary plan,
8 including a preliminary budget, for the park commission's
9 activities during the next fiscal year.

10 (3) Submit to the Pennsylvania Historical and Museum
11 Commission, by May 1 of each year, a final plan, including a
12 final budget, for the park commission's activities during the
13 next fiscal year.

14 (4) Provide for local input and foster local public
15 support for programs and activities at the park.

16 (5) Encourage an appreciation of the historical
17 significance of the park for the people of this Commonwealth.

18 (6) Cooperate with the Pennsylvania Historical and
19 Museum Commission or any other Federal, State or local
20 agency, or any private historical organization or foundation,
21 in conducting programs or providing services to further
22 improve or develop the park.

23 (7) Promulgate rules and regulations necessary for the
24 implementation of its power and duties.

25 (d) Agreement between commissions.--By August 1 of each
26 year, the Pennsylvania Historical and Museum Commission shall
27 enter into an agreement with the park commission specifying the
28 funding that will be made available to the park commission for
29 the fiscal year which began on July 1 of that year. The
30 agreement may contain other terms and conditions necessary for

1 cooperation between the park commission and the Pennsylvania
2 Historical and Museum Commission] make recommendations to the
3 Pennsylvania Historical and Museum Commission regarding the
4 preservation of the park as a patriotic and historic place. The
5 advisory council shall:

6 (1) Review and comment on the annual plan and long range
7 strategic objectives for the operation and preservation of
8 Brandywine Battlefield Park.

9 (2) Promote contact with local, statewide, national,
10 international and private organizations and foundations to
11 foster support for and participation in park activities and
12 programs.

13 (3) Encourage an appreciation of the historical
14 significance of the park.

15 (4) Cooperate with the Pennsylvania Historical and
16 Museum Commission or any other Federal, State or local agency
17 in conducting programs or providing services to further
18 improve or develop the park.

19 (5) Undertake other activities in support of the park
20 and the programs determined by the Pennsylvania Historical
21 and Museum Commission to be necessary or desirable.

22 § 704. Washington Crossing.

23 (a) Park [commission] advisory council; membership; term of
24 office.--The Washington Crossing Park [Commission] Advisory
25 Council shall [be an independent administrative commission and
26 shall] consist of [ten] seven residents of this Commonwealth
27 recommended by the Pennsylvania Historical and Museum Commission
28 and appointed by the Governor [with the advice and consent of a
29 majority of the members elected to the Senate. The chairman of
30 the Pennsylvania Historical and Museum Commission shall serve as

1 an ex officio member of the park commission and may designate
2 another member of the Pennsylvania Historical and Museum
3 Commission or the Executive Director of the Pennsylvania
4 Historical and Museum Commission to represent the chairman at
5 meetings of the park commission]. Each member of the [park
6 commission] advisory council shall serve for a term of five
7 years and shall serve until a successor is appointed [and
8 qualified]. Each member shall be eligible for reappointment. The
9 executive director of the Pennsylvania Historical and Museum
10 Commission or his designee shall serve as an ex-officio member
11 of the council.

12 (b) Organization of [park commission] advisory council.--
13 Each year the [park commission] advisory council shall elect
14 from among its members a chairman, a secretary and other
15 officers as deemed necessary by the [park commission] advisory
16 council. The [park commission] advisory council may adopt any
17 rules of organization and procedure as it may deem appropriate
18 and may determine the duties of its officers. [Six] Four members
19 shall constitute a quorum. Members of the [park commission]
20 advisory council shall not receive compensation [but shall
21 receive reimbursement for their actual expenses incurred in
22 serving on the park commission].

23 (c) [Powers and duties of park commission] Duties of
24 advisory council.--Notwithstanding the provisions of sections
25 303(1) and (3) (relating to sites) and 702 (relating to powers
26 over certain historic property), the [park commission] advisory
27 council shall [preserve the park as a patriotic and historic
28 place and shall have custody, control, management and
29 supervision of the park, including the maintenance of the wild
30 flower preserve on the land known as Bowman's Hill. The park

1 commission shall have the powers and duties to:

2 (1) Submit to the Pennsylvania Historical and Museum
3 Commission, by September 1 of each year, a report which shall
4 include a summary of the park commission's activities during
5 the preceding fiscal year.

6 (2) Submit to the Pennsylvania Historical and Museum
7 Commission, by October 1 of each year, a preliminary plan,
8 including a preliminary budget, for the park commission's
9 activities during the next fiscal year.

10 (3) Submit to the Pennsylvania Historical and Museum
11 Commission, by May 1 of each year, a final plan, including a
12 final budget, for the park commission's activities during the
13 next fiscal year.

14 (4) Provide for local input and foster local public
15 support for programs and activities at the park.

16 (5) Encourage an appreciation of the historical
17 significance of the park for the people of this Commonwealth.

18 (6) Cooperate with the Pennsylvania Historical and
19 Museum Commission or any other Federal, State or local
20 agency, or any private historical organization or foundation,
21 in conducting programs or providing services to further
22 improve or develop the park.

23 (7) Promulgate rules and regulations necessary for the
24 implementation of its power and duties.

25 (d) Agreement between commissions.--By August 1 of each
26 year, the Pennsylvania Historical and Museum Commission shall
27 enter into an agreement with the park commission specifying the
28 funding that will be made available to the park commission for
29 the fiscal year which began on July 1 of that year. The
30 agreement may contain other terms and conditions necessary for

1 cooperation between the park commission and the Pennsylvania
2 Historical and Museum Commission] make recommendations to the
3 Pennsylvania Historical and Museum Commission regarding the
4 preservation of the park as a patriotic and historic place. The
5 advisory council shall:

6 (1) Review and comment on the annual plan and long range
7 strategic objectives for the operation and preservation of
8 Washington Crossing Historic Park.

9 (2) Promote contact with local, statewide, national,
10 international and private organizations and foundations to
11 foster support for and participation in park activities and
12 programs.

13 (3) Encourage an appreciation of the historical
14 significance of the park.

15 (4) Cooperate with the Pennsylvania Historical and
16 Museum Commission or any other Federal, State or local
17 agency, in conducting programs or providing services to
18 further improve or develop the park.

19 (5) Undertake other activities in support of the park
20 and the programs determined by the Pennsylvania Historical
21 and Museum Commission to be necessary or desirable.

22 Section 2. This act shall take effect in 60 days.