

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 1636 Session of
1997

INTRODUCED BY STEIL, ROSS, CORRIGAN, CONTI, CLYMER, MAITLAND,
DRUCE, REINARD AND DIGIROLAMO, JUNE 11, 1997

SENATOR LEMMOND, STATE GOVERNMENT, IN SENATE, AS AMENDED,
JUNE 9, 1998

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.~~ ABOLISHING THE <—
4 BRANDYWINE BATTLEFIELD PARK COMMISSION AND THE WASHINGTON
5 CROSSING PARK COMMISSION; AND TRANSFERRING CERTAIN POWERS,
6 DUTIES, ASSETS, RECORDS AND PROPERTY TO THE PENNSYLVANIA
7 HISTORICAL AND MUSEUM COMMISSION.

8 The General Assembly of the Commonwealth of Pennsylvania
9 hereby enacts as follows:

10 ~~Section 1. Sections 703 and 704 of Title 37 of the~~ <—
11 ~~Pennsylvania Consolidated Statutes are amended to read:~~

12 ~~§ 703. Brandywine Battlefield.~~

13 ~~(a) Park [commission] advisory council; membership; term of~~
14 ~~office. The Brandywine Battlefield Park [Commission] Advisory~~
15 ~~Council shall [be an independent administrative commission and~~
16 ~~shall] consist of ten residents of this Commonwealth recommended~~
17 ~~by the Pennsylvania Historical and Museum Commission and~~
18 ~~appointed by the Governor [with the advice and consent of a~~
19 ~~majority of the members elected to the Senate. The chairman of~~

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

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

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

~~supervision of the park. The park commission shall have the powers and duties to:~~

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

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

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

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

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

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

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

~~(d) Agreement between commissions. By August 1 of each year, the Pennsylvania Historical and Museum Commission shall enter into an agreement with the park commission specifying the funding that will be made available to the park commission for the fiscal year which began on July 1 of that year. The~~

~~agreement may contain other terms and conditions necessary for cooperation between the park commission and the Pennsylvania Historical and Museum Commission] make recommendations to the Pennsylvania Historical and Museum Commission regarding the preservation of the park as a patriotic and historic place. The advisory council shall:~~

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

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

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

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

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

~~§ 704. Washington Crossing.~~

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

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

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

~~flower preserve on the land known as Bowman's Hill. The park
commission shall have the powers and duties to:~~

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

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

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

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

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

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

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

~~(d) Agreement between commissions. By August 1 of each
year, the Pennsylvania Historical and Museum Commission shall
enter into an agreement with the park commission specifying the
funding that will be made available to the park commission for
the fiscal year which began on July 1 of that year. The~~

~~agreement may contain other terms and conditions necessary for cooperation between the park commission and the Pennsylvania Historical and Museum Commission] make recommendations to the Pennsylvania Historical and Museum Commission regarding the preservation of the park as a patriotic and historic place. The advisory council shall:~~

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

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

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

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

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

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

~~SECTION 1. SECTIONS 703 AND 704 OF TITLE 37 OF THE PENNSYLVANIA CONSOLIDATED STATUTES ARE REPEALED.~~

~~SECTION 2. ALL OF THE POWERS, DUTIES, FUNCTIONS, FUNDS, ASSETS, BOOKS, RECORDS AND ANY OTHER DOCUMENTS AND REAL AND PERSONAL PROPERTY OF THE BRANDYWINE BATTLEFIELD PARK COMMISSION AND THE WASHINGTON CROSSING PARK COMMISSION ARE TRANSFERRED TO THE PENNSYLVANIA HISTORICAL AND MUSEUM COMMISSION.~~

1 SECTION 3. THIS ACT SHALL TAKE EFFECT IN 90 DAYS.