

103^D CONGRESS
1ST SESSION

H. R. 793

To provide for the preservation, restoration, and interpretation of the historical, cultural, and architectural values of the Town of Bramwell, West Virginia, for the educational and inspirational benefit of present and future generations.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 3, 1993

Mr. RAHALL introduced the following bill; which was referred to the
Committee on Natural Resources

A BILL

To provide for the preservation, restoration, and interpretation of the historical, cultural, and architectural values of the Town of Bramwell, West Virginia, for the educational and inspirational benefit of present and future generations.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Bramwell National
5 Historical Park Act of 1993”.

6 **SEC. 2. FINDINGS AND PURPOSE.**

7 (a) **FINDINGS.**—The Congress finds that:

1 (1) The coal mining heritage of southern West
2 Virginia is of national historical and cultural signifi-
3 cance.

4 (2) The Town of Bramwell, West Virginia, pos-
5 sesses remarkable and outstanding historical, cul-
6 tural, and architectural values relating to the coal
7 mining heritage of southern West Virginia.

8 (3) It is in the national interest to preserve the
9 unique character of the Town of Bramwell, West
10 Virginia, and to enhance the historical, cultural, and
11 architectural values associated with its coal mining
12 heritage.

13 (b) PURPOSE.—The purpose of this Act is to provide
14 for the preservation, restoration, and interpretation of the
15 historical, cultural, and architectural values of the Town
16 of Bramwell, West Virginia, for the educational and inspi-
17 rational benefit of present and future generations.

18 **SEC. 3. ESTABLISHMENT.**

19 (a) IN GENERAL.—In order to preserve, restore, and
20 interpret the unique historical, cultural, and architectural
21 values of Bramwell, West Virginia, there is hereby estab-
22 lished the Bramwell National Historical Park (hereinafter
23 referred to as the “Park”).

1 (b) AREA INCLUDED.—The Park shall consist of the
2 lands and interests in lands within the corporate boundary
3 of the Town of Bramwell.

4 **SEC. 4. ADMINISTRATION.**

5 (a) IN GENERAL.—The Secretary shall administer
6 the Park in accordance with this Act and with the provi-
7 sions of law generally applicable to units of the national
8 park system, including the Act entitled “An Act to estab-
9 lish a National Park Service, and for other purposes”, ap-
10 proved August 25, 1916 (39 Stat. 535; 16 U.S.C. 461–
11 467).

12 (b) DONATIONS.—Notwithstanding any other provi-
13 sion of law, the Secretary may accept and retain donations
14 of funds, property, or services from individuals, founda-
15 tions, corporations, or public entities for the purpose of
16 providing services and facilities which he deems consistent
17 with the purposes of the Act.

18 (c) COOPERATIVE AGREEMENTS.—In administering
19 the Park, the Secretary is authorized to enter into cooper-
20 ative agreements with the State of West Virginia, or any
21 political subdivision thereof, for carrying out the purposes
22 of this Act.

23 **SEC. 5. ACQUISITION OF LAND.**

24 (a) GENERAL AUTHORITY.—The Secretary may ac-
25 quire land or interests in land within the boundaries of

1 the Park only by donation, exchange, or purchase from
2 willing sellers with donated or appropriated funds.

3 (b) STATE LANDS.—Lands or interest in lands, with-
4 in the boundaries of the Park which are owned by the
5 State of West Virginia or any political subdivision thereof,
6 may be acquired only by donation.

7 **SEC. 6. COOPERATIVE AGREEMENTS.**

8 The Secretary is authorized to enter into cooperative
9 agreements with the owners of properties of historical or
10 cultural significance within the Park pursuant to which
11 the Secretary may mark, interpret, restore, and provide
12 technical assistance for the preservation and interpreta-
13 tion of such properties.

14 **SEC. 7. PROPERTY OWNER RIGHTS.**

15 Nothing in this Act may be construed as authorizing
16 the Secretary to have access to private residential property
17 within the Park for the purpose of conducting visitors
18 through such property, or for any other purpose, without
19 the advice and consent of the owner of such property.

20 **SEC. 8. MANAGEMENT PLAN.**

21 (a) IN GENERAL.—The Secretary, in consultation
22 with the committee referred to in section 9, shall prepare
23 a plan for the restoration, preservation, interpretation,
24 and development of the historical, cultural, and architec-
25 tural resources of the Park.

1 (b) RESTORATION MEASURES.—The plan referred to
2 in this section shall provide for such measures as may be
3 deemed appropriate for the restoration of public areas
4 within the Park, including but not limited to each of the
5 following:

6 (1) The restoration of a brick surface to such
7 segments of North River Street, Main Street, Rose
8 Street, South River Street, and Bloch Street as
9 deemed necessary to restore the historical and archi-
10 tectural character of the Park.

11 (2) Measures to mitigate the visual impact of
12 public utility facilities such as phone and electrical
13 lines on the historical and architectural character of
14 the Park.

15 (c) DEVELOPMENT MEASURES.—The plan referred
16 to in this section shall provide for such measures as may
17 be deemed appropriate for the development of public areas
18 within the Park, including but not limited to each of the
19 following:

20 (1) The reconstruction of the Bramwell Rail-
21 road Depot.

22 (2) The restoration of an edifice or edifices
23 suitable to provide for the interpretation and visitor
24 appreciation of the historical, cultural, and architec-
25 tural features of the Park.

1 **SEC. 9. ADVISORY COMMITTEE.**

2 (a) ESTABLISHMENT.—There is hereby established
3 the Bramwell National Historical Park Advisory Commit-
4 tee (hereinafter in this Act referred to as “Advisory Com-
5 mittee”). The Advisory Committee shall be composed of
6 thirteen members appointed by the Secretary to serve for
7 terms of two years, except for the Governor of the State
8 of West Virginia and the Mayor of the Town of Bramwell
9 who shall serve without limitation of terms. Any member
10 of the Advisory Committee may serve after the expiration
11 of his term until a successor is appointed. Any member
12 of the Advisory Committee may be appointed to serve
13 more than one term. The Secretary or his designee shall
14 serve as Chairman.

15 (b) MANAGEMENT AND DEVELOPMENT ISSUES.—
16 The Secretary, or his designees, shall meet on a regular
17 basis and consult with the Advisory Committee on matters
18 relating to the development of a management plan for the
19 Park and on the implementation of such plan.

20 (c) EXPENSES.—Members of the Advisory Committee
21 shall serve without compensation as such, but the Sec-
22 retary may pay expenses reasonably incurred in carrying
23 out their responsibilities under this Act on vouchers signed
24 by the Chairman.

25 (d) MEMBERSHIP.—The Secretary shall appoint
26 members to the Advisory Committee as follows:

1 (1) the Governor of the State of West Virginia
2 or his delegate;

3 (2) one member to represent the West Virginia
4 Division of Culture and History to be appointed
5 from among persons nominated by the Governor of
6 the State of West Virginia;

7 (3) the Mayor of the Town of Bramwell;

8 (4) one member to represent the Mercer County
9 Commission;

10 (5) one member to represent the Mercer County
11 Historical Society;

12 (6) two members to represent the Bramwell
13 Historic Landmark Commission;

14 (7) two members to represent the Bramwell
15 Millionaire Garden Club;

16 (8) one member to represent the West Virginia
17 Preservation Alliance, Inc.;

18 (9) one member to represent Coalways, Inc.;

19 (10) one member to represent the West Virginia
20 Association of Museums; and

21 (11) one member to represent the Pinnacle
22 Rock State Park Foundation, Inc.

23 (e) TERMINATION; CHARTER.—The Advisory Com-
24 mittee shall terminate on the date ten years after the en-
25 actment of this Act notwithstanding the Federal Advisory

1 Committee Act (Act of October 6, 1972; 86 Stat. 776).
2 The provisions of section 14(b) of such Act (relating to
3 the charter of the Committee) are hereby waived with re-
4 spect to this Advisory Committee.

5 **SEC. 10. AUTHORIZATION OF APPROPRIATIONS.**

6 There is hereby authorized to be appropriated such
7 sums as may be necessary to carry out the purpose of this
8 Act.

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