

No. 1985-26

AN ACT

HB 2

To provide for the establishment of a Commonwealth Commission on the Bicentennial of the United States Constitution; and making an appropriation.

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

Section 1. Findings.

The General Assembly finds that:

(1) The Bicentennial of the Constitutional Convention's adoption of the Constitution at the Pennsylvania State House, Philadelphia, Pennsylvania, occurs on September 17, 1987; the Bicentennial of the Pennsylvania ratification of the Constitution occurs on December 12, 1987; and the Bicentennial of the national adoption of the Constitution, by ratification of states, occurs on June 21, 1988.

(2) The anniversary dates of the national ratification of the United States Constitution's Thirteenth, Fourteenth, Fifteenth and Nineteenth Amendments abolishing slavery, preventing abridgment of citizenship rights, guaranteeing equal rights for all, regardless of race, color or previous condition of servitude, and the granting of suffrage to women should be appropriately observed during the Bicentennial of the United States Constitution.

(3) The Constitution enunciates the limitations on government, the inalienable citizen rights and the timeless principles of individual liberty and responsibility and equality before law for the people of the United States of America.

(4) This document has set an enduring example of representative democracy for the world.

(5) The maintenance of the common principles that animate and govern our Republic depend upon a knowledge and understanding of their roots and origins.

(6) The Commonwealth of Pennsylvania, since its birth, attended by William Penn's prayer that it would become the "seed of a Nation," earned, through peace and war, the role of gracious and learned host for the Constitutional Convention of 1787.

(7) Pennsylvania's people, communities and Commonwealth government provided America with debate, study, experimentation, leadership and strength indispensable to the formation of the Republic in the process of the convention adoption of the Constitution on September 17, 1787, the issuance of a State House call for a convention to consider ratification and the Commonwealth ratification of the United States Constitution on December 12, 1787; and

(8) It is the privilege and duty of every Pennsylvanian to join in a Commonwealth and national observance of the Bicentennial of the United States Constitution with pride, dedication and love of heritage.

Section 2. Commission; membership.

(a) Establishment of commission.—There is hereby established the Commonwealth Commission on the Bicentennial of the United States Constitution, hereinafter referred to as the commission, to promote and coordinate activities to commemorate the Bicentennial of the Constitution.

(b) Composition.—The commission shall be composed of 30 members as follows:

(1) Twelve members appointed by the Governor four of whom shall be appointed from recommendations by the Chief Justice of the Supreme Court of Pennsylvania, in consultation with the President Judges of the Commonwealth and Superior Courts.

(2) The Governor and Lieutenant Governor of the Commonwealth, or their designees.

(3) The President pro tempore of the Senate, or his designee.

(4) The Speaker of the House of Representatives, or his designee.

(5) The Secretary of the Department of Education, or his designee.

(6) The Chairman of the Pennsylvania Historical and Museum Commission, or his designee.

(7) The chairmen of the majority and minority Pennsylvania delegations in the United States House of Representatives, or their designees.

(8) The United States Senators of the Commonwealth of Pennsylvania, or their designees.

(9) Four members, not more than two of whom shall be from the same party, appointed by the President pro tempore of the Senate.

(10) Four members, not more than two of whom shall be from the same party, appointed by the Speaker of the House of Representatives.

(c) Honorary members.—The President of the United States, the Vice President of the United States, the Speaker of the United States House of Representatives, the President pro tempore of the United States Senate and the Chief Justice of the United States Supreme Court shall be invited to serve as distinguished honorary members of the commission.

(d) Membership to be balanced.—Each of the individuals making recommendations to the Governor regarding appointments shall seek to achieve a balanced membership representing, to the maximum extent practicable, the Commonwealth as a whole. The commission members shall be chosen from among individuals who have demonstrated allegiance to civic duty, strong sense of public service, expertise in the learned professions and abilities likely to contribute to the fulfillment of the duties of the commission.

(e) Term of members.—Members of the commission shall be appointed for the life of the commission.

(f) Chairman.—One of the members shall be appointed as chairman by the Governor.

(g) Quorum.—Sixteen members of the commission shall constitute a quorum. Membership attendance shall be made a part of the record of the commission.

(h) Vacancies.—A vacancy in the commission resulting from the death or resignation of a member shall not affect its powers and shall be filled in the same manner in which the original appointment was made.

(i) Members not to be compensated.—Members of the commission shall receive no compensation for their services but shall be reimbursed for reasonable travel and other necessary expenses incurred by them in the performance of their duties.

Section 3. Administrative provisions and powers.

(a) Assistance from Department of Education.—The Department of Education shall provide such secretarial assistance as may be necessary to the proper functioning of the commission, consistent with the laws of the Commonwealth.

(b) Commission to coordinate activities.—The commission shall coordinate, generally, activities throughout all of the Commonwealth and serve as a clearinghouse for the collection and dissemination of information about bicentennial events and plans.

(c) Planning and implementation of activities.—In planning and implementing appropriate activities to commemorate the bicentennial, the commission shall give due consideration to:

(1) The historical Pennsylvania State House setting in which the Constitution was developed and ratified and the ratification debates in the Pennsylvania State House of Representatives and the State Convention of Ratification.

(2) The contribution of diverse ethnic, religious and racial groups.

(3) The relationship and historical development of the three branches of the government.

(4) The unique achievements and contributions of the Pennsylvania participants in the Constitutional Convention of 1787.

(5) The diverse legal and philosophical views regarding the Constitution.

(6) The need for reflection upon both academic and scholarly views of the Constitution and the principle that the document must be understood by the general public.

(7) The substantive provisions of the Constitution itself.

(8) The impact of the Constitution on American life and government.

(9) The need to encourage appropriate educational curriculums designed to educate students at all levels of learning on the drafting, ratification and history of the Constitution and the specific provisions of that document.

(10) The significance of the principles and institutions of the Constitution to other nations and their citizens.

(d) Commission to seek cooperation.—The commission shall seek the cooperation, advice and assistance of both private and governmental agencies, organizations and institutions.

Section 4. Powers and duties of commission.

The commission shall have the power and its duty shall be:

(1) To plan and develop activities appropriate to commemorate the Bicentennial of the Constitution, including a limited number of projects to be undertaken by the Commonwealth seeking to harmonize and balance the important goals of ceremony and celebration with the equally important goals of scholarship and education.

(2) To encourage private organizations, county and municipal governments and educational systems to organize and participate in bicentennial activities commemorating or examining the drafting, ratification and history of the Constitution and the specific features of the document.

(3) To extend cooperation to all bicentennial agencies or commissions established by the United States Congress and the legislatures of all states. In doing so, it shall be the policy of the commission to provide equal treatment to all states, regardless of their date of establishment, in recognition of the historic role of Pennsylvania as a source of pioneers, culture, philosophy and system of self-government.

(4) To enter into contracts and to execute all instruments necessary or convenient for carrying on its operations.

(5) To accept, on behalf of the Commonwealth, gifts, donations, legacies and usages of money from individuals, organizations, public or private corporations and other similar entities.

(6) To solicit and raise moneys from public and private sources through the sale of commemorative medals and other items of a similar nature which promote the Bicentennial of the Constitution.

Section 5. Report.

On March 1, 1986, the commission shall submit to the Governor and each house of the General Assembly a comprehensive report incorporating specific recommendations of the commission for commemoration and coordination of the bicentennial and related activities. This report shall be accompanied by a summarization of all bicentennial projects proposed by persons, organizations and institutions of the private sector which contemplate no Federal or State financial subsidization and which are filed with the commission by the close of business on January 31, 1986.

Section 6. Termination.

The commission shall terminate on December 31, 1988.

Section 7. Appropriation.

There is hereby appropriated to the Department of Education, to reimburse commission members for reasonable travel and other necessary expenses incurred in the performance of their duties and to assist in the work of the commission, the sum of \$50,000, or as much thereof as may be necessary, to carry out the provisions of this act. In addition, all moneys received from any other sources as contributions to this program shall be paid into the General Fund and credited to this appropriation. Funds unencumbered and unexpended as of June 30, 1989, shall lapse into the General Fund.

Section 8. Effective date.

This act shall take effect immediately.

APPROVED—The 26th day of June, A. D. 1985.

DICK THORNBURGH