

No. 1987-7

AN ACT

HB 88

Providing for the celebration of the 200th Anniversary of Pennsylvania's ratification of the United States Constitution; providing for a reenactment of ratification events by a legislative committee and certain students; providing for debating and essay contests and other events; creating the Legislative Bicentennial Subcommittee, providing for its powers and duties and transferring an unexpended appropriation thereto; imposing duties upon intermediate units; and providing for the termination of the subcommittee.

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

Section 1. Short title.

This act shall be known and may be cited as the Commemoration of the Pennsylvania Ratification of the United States Constitution Act.

Section 2. Legislative findings and purpose.

(a) Findings.—The General Assembly of the Commonwealth of Pennsylvania finds as follows:

(1) Pennsylvania, which on December 12, 1787, became the second state to ratify the United States Constitution, also was the first state to witness the historical and far-reaching confrontation between the Federalists and the Anti-Federalists over amendments defining the rights of citizens.

(2) Pennsylvania's Anti-Federalists were minority members of the Pennsylvania ratifying convention who opposed ratification because they believed that the proposed centralized Federal system without the protection of a "national bill of rights" was intimidating and unacceptable.

(3) Pennsylvania's Federalists, who prevailed as majority members of the ratifying convention, argued persuasively that the Anti-Federalists had confused a republic with a direct democracy. They argued that size and numbers did not matter in a republic if elected representatives of citizens were able to meet in a central place. They believed also that America's diversity provided a natural system of "checks and balances" which insured liberty because no one interest or class could become too powerful.

(4) Pennsylvania's unique familiarity with the provisions of the new Constitution and its opposing issues stems from the fact that two of the convention's eight delegates were intimately involved with its framing. James Wilson wrote the first draft, and Gouverneur Morris wrote the final draft.

(5) Although Pennsylvania's Anti-Federalists lost their battle to add the ten amendments to the Constitution, their enthusiasm was instrumental, during the ratification debates in other states, in securing the attachment of the "Bill of Rights" to the ratified Constitution in 1791.

(6) Delegate Benjamin Franklin had authored a "Declaration of Rights" for Pennsylvania's 1776 Constitution. This protection of the rights of Pennsylvania citizens served as a model for the Federal Constitution's "Bill of Rights."

(b) Purpose.—

(1) The controversy, aroused in 1787 by the debates over the purpose and need for the protection of citizens' rights to be included in our United States Constitution, continues to this day.

(2) Through the reenactment of Pennsylvania's ratification of the United States Constitution, Pennsylvania's General Assembly in the 1987 session intends to stimulate spirited discussions of the ideals expressed in the "Bill of Rights" within the community and among Pennsylvania school children. Such discussions and debates among all Pennsylvanians during the 200th Anniversary celebration can only lead to a deeper awareness and appreciation of the freedoms guaranteed by our United States Constitution.

(3) While the rights of all America's people were not fully recognized at the time of the initial ratification of the United States Constitution, it is now clear that the original Constitution was a living, pliable document. It was amendable to constructive, positive change which has resulted, through amendments to the document, in full recognition of previously unrecognized groups. In this connection, the commemoration of Pennsylvania's ratification of the United States Constitution should acknowledge the historical underpinnings of the Constitution, and its past inequities, as well as recognize the Constitution as a vehicle for real change in recognition of legal rights now enjoyed by previously disenfranchised groups.

Section 3. Commemoration of the Pennsylvania Ratification of the United States Constitution.

(a) General rule.—Whereas the nationwide celebration of the Constitution will be September 17, 1987, and whereas, each state will have its own celebration in connection with the anniversary of its ratification of the document, this act shall provide for celebration of Pennsylvania's ratification of the United States Constitution.

(b) Schedule of events.—The 200th Anniversary of Pennsylvania's ratification of the proposed United States Constitution shall span a period from January 1, 1987, through December 31, 1987. During that period, debating contests shall be held among Pennsylvania intermediate unit school children in order to qualify them for participation in a reenactment of the actual Pennsylvania Ratification Convention of 1787. The re-creation of the convention shall be held in the Senate Chamber of the Pennsylvania Capitol in Harrisburg from December 9 through 12, 1987. In addition to the Pennsylvania intermediate unit qualifying debates, there shall be an essay contest, sponsored by the Legislative Bicentennial Subcommittee, which shall be open to intermediate unit students and which shall be conducted during the period leading to the reenactment of the convention.

Section 4. Commemorative program procedures and coordination.

(a) **General rule.**—The members of the General Assembly who are members of the Commonwealth Commission on the Bicentennial of the United States Constitution shall constitute a subcommittee to be known as the Legislative Bicentennial Subcommittee for the purpose of carrying out the provisions of this act.

(b) **Additional powers of Legislative Bicentennial Subcommittee.**—In addition to any other powers and duties prescribed by this act, the Legislative Bicentennial Subcommittee shall:

(1) Be responsible for the implementation and administration of the celebration programs set forth in this act.

(2) Cooperate with other public and private groups in the reenactment of the Pennsylvania Ratification Convention.

(3) Promulgate such rules and regulations as are necessary to implement and administer this act.

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

(5) Employ such persons as may be necessary and convenient to carry out this act.

(c) **Expenses.**—Members of the Legislative Bicentennial Subcommittee 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.

(d) **Chairman.**—The subcommittee shall elect a chairman from its membership.

(e) **Quorum.**—A majority of the members of the subcommittee shall constitute a quorum.

Section 5. Debate.

(a) **Participants.**—Each of the 29 intermediate units shall sponsor and conduct a debate program for qualifying students in grades 9 through 12 in accordance with rules adopted by the Legislative Bicentennial Subcommittee for the purpose of selecting participants in the reenactment of the Pennsylvania Ratification Convention. Each intermediate unit shall select two students to participate in the reenactment and shall submit their names and addresses to the Legislative Bicentennial Subcommittee by October 31, 1987.

(b) **Issues for debate.**—Two intermediate unit students from each of the 29 units shall be chosen through a system of debates among students from grades 9 through 12 debating such basic constitutional issues as whether to:

(1) Give citizens the power to call a convention for the purpose of proposing Constitutional amendments.

(2) Extend the President's term of office to six years, while eliminating the opportunity to be reelected.

(3) Set terms of office for Federal judges and change the method by which they are selected.

(4) Give the President an item veto and Congress a legislative veto.

(5) Extend the terms of Representatives and limit the number of terms they may serve.

(6) Be for or against the popular election of the President.

(7) Establish a balanced budget requirement.

(c) Additional issues.—The Legislative Bicentennial Subcommittee may prescribe additional issues for debate.

Section 6. Essay contest.

(a) General rule.—The Legislative Bicentennial Subcommittee shall sponsor an essay contest in keeping with its overall goal of stimulating the interest of all Pennsylvanians in the origins of our United States Constitution.

(b) Participants and purpose.—The essay contest, open to all 9th through 12th grade students of the Commonwealth, is designed for contestants to examine the Constitution's basic ideas thoroughly and, through that understanding, become inspired to preserve it.

(c) Topic.—The essay contest topic shall be "What Makes the Bill of Rights Essential to Our United States Constitution?" The essay shall not exceed a total of 1,500 words.

(d) Period of contest.—The essay contest shall span a period from March 2 to June 1, 1987, with first, second and third place contest winners chosen by October 1, 1987, by the Legislative Bicentennial Subcommittee. Each of the 29 intermediate units shall choose two finalists from its unit. All entries shall be submitted to the Legislative Bicentennial Subcommittee post-marked no later than June 30, 1987.

(e) Award for first place winner.—The essay contest's first place winner shall receive a cash award, an expense-paid trip to Harrisburg and the opportunity to read the winning essay at the reenactment of the Pennsylvania Ratification Convention in December.

(f) Awards for second and third place winners.—The second and third place contest winners shall receive lesser cash awards, as well as expense-paid trips to the reenactment of the Pennsylvania Ratification Convention.

(g) Dissemination of rules and information.—Upon passage of this act, complete essay contest rules and information shall be sent to the 29 Pennsylvania intermediate units by the Legislative Bicentennial Subcommittee.

Section 7. Definitions.

For purposes of this act:

(1) The term "intermediate unit" means a geographic unit as described in section 902-A of the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949.

(2) The term "intermediate unit students" means all students enrolled in the 9th through 12th grades at public and nonpublic schools for that particular intermediate unit area.

Section 8. Termination.

The Legislative Bicentennial Subcommittee shall terminate on June 30, 1988.

Section 9. Appropriation.

The unexpended balance of all sums heretofore appropriated to the Capitol Preservation Committee for the purpose of the legislative celebration of the Bicentennial, or as much thereof as may be necessary, is hereby trans-

ferred to the Legislative Bicentennial Subcommittee 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. The Bicentennial Subcommittee shall also be authorized to accept services and in-kind contributions for this program. Funds unencumbered and unexpended as of June 30, 1988, shall lapse into the General Fund.

Section 10. Effective date.

This act shall take effect immediately.

APPROVED—The 3rd day of June, A. D. 1987.

ROBERT P. CASEY