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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 2

Session of  
1985

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INTRODUCED BY IRVIS, RYAN AND CARN, JANUARY 23, 1985

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AS AMENDED ON THIRD CONSIDERATION, IN SENATE, JUNE 11, 1985

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AN ACT

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

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

6 Section 1. Findings.

7 The General Assembly finds that:

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

15 (2) The anniversary dates of the national ratification  
16 of the United States Constitution's Thirteenth, Fourteenth,  
17 Fifteenth and Nineteenth Amendments abolishing slavery,

1 preventing abridgment of citizenship rights, guaranteeing  
2 equal rights for all, regardless of race, color or previous  
3 condition of servitude, and the granting of suffrage to women  
4 should be appropriately observed during the Bicentennial of  
5 the United States Constitution.

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

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

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

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

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

29 (8) It is the privilege and duty of every Pennsylvanian  
30 to join in a Commonwealth and national observance of the

1 Bicentennial of the United States Constitution with pride,  
2 dedication and love of heritage.

3 Section 2. Commission; membership.

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

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

11 (1) ~~Twenty~~ TWELVE members appointed by the Governor; <—  
12 ~~four of whom shall be appointed from among the~~  
13 ~~recommendations made by the Speaker of the House of~~  
14 ~~Representatives, in consultation with the Majority and~~  
15 ~~Minority Leaders of the House of Representatives; four of~~  
16 ~~whom shall be appointed from among the recommendations made~~  
17 ~~by the President pro tempore of the Senate, in consultation~~  
18 ~~with the Majority Leader and Minority Leader of the Senate;~~  
19 ~~and,~~ four of whom shall be appointed from recommendations by <—  
20 the Chief Justice of the Supreme Court of Pennsylvania, in  
21 consultation with the President Judges of the Commonwealth  
22 and Superior Courts.

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

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

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

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

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

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

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

8           (9) FOUR MEMBERS, NOT MORE THAN TWO OF WHOM SHALL BE       <—  
9 FROM THE SAME PARTY, APPOINTED BY THE PRESIDENT PRO TEMPORE  
10 OF THE SENATE.

11           (10) FOUR MEMBERS, NOT MORE THAN TWO OF WHOM SHALL BE  
12 FROM THE SAME PARTY, APPOINTED BY THE SPEAKER OF THE HOUSE OF  
13 REPRESENTATIVES.

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

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

29       (e) Term of members.--Members of the commission shall be  
30 appointed for the life of the commission.

1 (f) Chairman.--One of the members shall be appointed as  
2 chairman, ~~subject to approval of the majority of the commission,~~ <—  
3 by the Governor.

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

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

11 (i) Members not to be compensated.--Members of the  
12 commission shall receive no compensation for their services, but  
13 shall be reimbursed for REASONABLE travel and other ~~reasonable~~ <—  
14 NECESSARY expenses incurred by them in the performance of their <—  
15 duties.

16 Section 3. Administrative provisions and powers.

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

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

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

29 (1) The historical Pennsylvania State House setting in  
30 which the Constitution was developed and ratified and the

1       ratification debates in the Pennsylvania State House of  
2       Representatives and the State Convention of Ratification.

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

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

7           (4)   The unique achievements and contributions of the  
8       Pennsylvania participants in the Constitutional Convention of  
9       1787.

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

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

15          (7)   The substantive provisions of the Constitution  
16       itself.

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

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

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

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

28   Section 4.   Powers and duties of commission.

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

30           (1)   To plan and develop activities appropriate to

1 commemorate the Bicentennial of the Constitution, including a  
2 limited number of projects to be undertaken by the  
3 Commonwealth seeking to harmonize and balance the important  
4 goals of ceremony and celebration with the equally important  
5 goals of scholarship and education.

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

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

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

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

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

30 Section 5. Report.

1 On ~~February~~ MARCH 1, 1986, the commission shall submit, to <—  
2 the Governor and each house of the General Assembly, a  
3 comprehensive report incorporating specific recommendations of  
4 the commission for commemoration and coordination of the  
5 bicentennial and related activities. This report shall be  
6 accompanied by a summarization of all bicentennial projects  
7 proposed by persons, organizations and institutions of the  
8 private sector which contemplate no Federal or State financial  
9 subsidization, and which are filed with the commission by the  
10 close of business on ~~December 31, 1985~~ JANUARY 31, 1986. <—

11 Section 6. Termination.

12 The commission shall terminate on December 31, 1988.

13 Section 7. Appropriation.

14 There is hereby appropriated to the Department of Education,  
15 TO REIMBURSE COMMISSION MEMBERS FOR REASONABLE TRAVEL AND OTHER <—  
16 NECESSARY EXPENSES INCURRED IN THE PERFORMANCE OF THEIR DUTIES  
17 AND to assist in the work of the commission, the sum of \$50,000,  
18 or as much thereof as may be necessary, to carry out the  
19 provisions of this act. In addition, all moneys received from  
20 any other sources as contributions to this program shall be paid  
21 into the General Fund and credited to this appropriation. Funds  
22 unencumbered and unexpended as of June 30, 1989, shall lapse  
23 into the General Fund.

24 Section 8. Effective date.

25 This act shall take effect immediately.