

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1103 Session of
1991

INTRODUCED BY FREEMAN, McHUGH, SCHULER, COHEN, VEON, BILLOW,
PISTELLA, WOZNIAK, MELIO, DALEY, HERMAN, KOSINSKI, ARGALL,
LAUGHLIN, ITKIN, McCALL, STURLA, TIGUE AND BATTISTO,
APRIL 10, 1991

AS REPORTED FROM COMMITTEE ON STATE GOVERNMENT, HOUSE OF
REPRESENTATIVES, AS AMENDED, MAY 14, 1991

AN ACT

1 Establishing the Pennsylvania Heritage Affairs Commission and
2 prescribing its powers and duties; and providing for a
3 director of State folk FOLKLIFE programs and the Folk <—
4 FOLKLIFE Advisory Council. <—

5 The General Assembly finds and declares as follows:

6 (1) This Commonwealth has historically served as a
7 homeland for people from nations of the world seeking a new
8 life in freedom and dignity.

9 (2) These peoples and their succeeding generations have
10 made worthy contributions to the development and growth of
11 this Commonwealth.

12 (3) The Commonwealth recognizes its responsibility to
13 foster the awareness, understanding and appreciation of the
14 many and varied contributions to the quality of life made by
15 its diverse ethnic communities.

16 (4) The values and beliefs of this Commonwealth's many
17 ethnic communities shape and affect public and private life.

1 (5) It is in the public interest for the Commonwealth
2 and its citizens to develop programs to identify, conserve
3 and perpetuate the diverse cultural and ethnic heritage of
4 this Commonwealth and to promote greater awareness and
5 understanding for the education, inspiration and the general
6 public welfare of all the people, including future
7 generations.

8 (6) Both the Commonwealth and its diverse population
9 have a vital interest in promoting ethnic understanding for
10 their mutual benefit and in providing a unity of purpose.

11 (7) It is in the interest of the Commonwealth and its
12 citizens to be aware of cultural heritage as a key element in
13 public policy, its planning and program development.

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

16 Section 1. Short title.

17 This act shall be known and may be cited as the Heritage
18 Affairs Act.

19 Section 2. Definitions.

20 The following words and phrases when used in this act shall
21 have the meanings given to them in this section unless the
22 context clearly indicates otherwise:

23 "Commission." The Pennsylvania Heritage Affairs Commission.

24 "Cultural heritage." The traditional expressive culture
25 within the various groups in this Commonwealth, including
26 familial, ethnic, occupational, religious and regional groups.
27 Expressive culture consists of a wide range of creative and
28 symbolic forms, including, but not limited to, custom, belief,
29 technical skill, language, literature, art, architecture, music,
30 play, dance, drama, ritual, pageantry and handicrafts. These

1 expressions are mainly learned orally, by imitation or in
2 performance and are generally maintained without benefit of
3 formal instruction or institutional direction. Cultural heritage
4 encompasses the values, beliefs and community structures that
5 underlie its expression.

6 Section 3. Pennsylvania Heritage Affairs Commission.

7 (a) Membership.--The Pennsylvania Heritage Affairs
8 Commission is established within the Department of Community
9 Affairs. The commission shall consist of:

10 (1) Not less than 37 citizens of this Commonwealth who
11 shall be appointed by the Governor upon demonstrated support
12 from ethnic community organizations. These members shall be
13 broadly representative of the ethnic communities within this
14 Commonwealth.

15 (2) Nine citizens of this Commonwealth who shall be
16 appointed by the Governor as at-large members.

17 (3) Four members who shall be appointed from the General
18 Assembly in the following manner:

19 (i) two members of the Senate, one from the majority
20 party appointed by the President pro tempore, and one
21 from the minority party appointed by the Minority Leader;
22 and

23 (ii) two members of the House of Representatives,
24 one from the majority party appointed by the Speaker of
25 the House and one from the minority party appointed by
26 the Minority Leader.

27 (4) The Lieutenant Governor who shall serve as the
28 chairperson of the commission and executive committee. The
29 chairperson shall not be a voting member of the commission.

30 (5) Representatives of State departments or agencies who

may be designated by the Governor as ex officio members.

(b) Executive committee.--The at-large members and the legislative members shall constitute an executive committee responsible for the ongoing programs of the commission under the direction of the executive director.

(c) Terms.--Members shall serve for two years. The terms of legislative members shall correspond with the beginning and close of each regular session of the General Assembly.

(d) Vacancies.--Appointments to fill vacancies created by the resignation, removal or death of a member shall be for the unexpired term of the vacancy.

(e) Quorum.--A majority of the members shall constitute a quorum for conducting official business of the commission.

(f) Compensation.--Members of the commission and its advisory councils shall serve without salary or compensation, other than reimbursement for actual and necessary expenses incurred while attending official meetings or performing other official functions in accordance with procedures established by the Executive Board.

Section 4. Powers and duties of commission.

The commission shall:

(1) Coordinate government programs and activities relating to or affecting ethnic groups, individuals, organizations, institutions or communities in general, including their social, economic, educational and cultural concerns.

(2) Assist government agencies and nongovernment organizations in understanding unique cultural traditions when providing human services and health care to ethnic groups, individuals, organizations or communities in general.

1 (3) Assist government agencies and nongovernment
2 organizations to avoid unnecessary disruption and mitigate
3 the possible negative impact of programs and projects on the
4 cultural heritage of this Commonwealth.

5 (4) Assist government agencies and nongovernment
6 organizations to address and reduce ethnic tension and crimes
7 motivated by hatred toward the race, color, religion or
8 national origin of another individual or group of individuals
9 in this Commonwealth.

10 (5) Commemorate historical events and officially
11 recognize accomplishments and contributions to this
12 Commonwealth by individuals or organizations within the
13 ethnic communities of this Commonwealth.

14 (6) Sponsor and promote events and projects that will
15 increase the public's knowledge and appreciation of the
16 diverse cultural heritage of this Commonwealth.

17 (7) Establish and maintain associations with ethnic
18 organizations and associations in this Commonwealth.

19 (8) Provide technical and financial assistance to public
20 agencies and private organizations engaged in ethnic or
21 cultural awareness activities.

22 (9) Solicit, receive and utilize funds from public or
23 private sources to promote awareness of the ethnic and
24 cultural heritage of this Commonwealth.

25 (10) Establish advisory councils as appropriate to
26 provide specialized expertise to the commission and its
27 staff.

28 (11) Meet at the call of the chairperson.

29 (12) Adopt appropriate procedures for the implementation
30 of this act.

1 Section 5. Executive director.

2 The commission shall have an executive director, to be
3 appointed by the Executive Committee to administer the programs
4 of the commission and other personnel as may be necessary to
5 assist the executive director and the commission. The executive
6 director shall have a demonstrated sensitivity toward cultural
7 conservation and competence in administrative procedures.

8 Section 6. Director of State ~~folk~~ FOLKLIFE programs. <—

9 To aid the conservation of the diverse cultural heritage of
10 this Commonwealth, a director of State ~~folk~~ FOLKLIFE programs <—
11 shall be appointed by the executive director of the commission
12 upon recommendation of the ~~Folk~~ FOLKLIFE Advisory Council. The <—
13 director of State ~~folk~~ FOLKLIFE programs shall serve as a <—
14 resource and as a catalyst to individuals, organizations and
15 communities throughout this Commonwealth who seek to preserve
16 and present their cultural heritage to the general public. The
17 director of State ~~folk~~ FOLKLIFE programs shall seek appropriate <—
18 means for documentation, presentation and interpretation of the
19 diverse ~~folk~~ FOLKLIFE cultural traditions of this Commonwealth. <—

20 Section 7. ~~Folk~~ FOLKLIFE Advisory Council. <—

21 (a) Appointment.--Upon recommendation by the executive
22 committee and the executive director, the Governor shall appoint
23 specialists in ethnic and ~~folk~~ FOLKLIFE cultural studies and <—
24 programming to serve on the ~~Folk~~ FOLKLIFE Advisory Council which <—
25 shall advise the director of State ~~folk~~ FOLKLIFE programs. <—

26 (b) Membership.--The council shall be composed of 11
27 members, reflecting a broad geographic distribution within this
28 Commonwealth.

29 (c) Terms.--Council members shall serve for a period of two
30 years.

1 (d) Chairperson.--A chairperson shall be chosen by a
2 majority vote of the advisory council members present at a
3 regularly scheduled meeting.

4 Section 8. Interagency cooperation.

5 Staff and resources in the various State agencies are
6 directed to cooperate with and assist the commission in
7 fulfilling its duties at the request of the commission's
8 chairperson.

9 Section 9. Allocation of appropriations.

10 Appropriations to the commission shall be allocated to the
11 general government operations fund of the Department of
12 Community Affairs.

13 Section 10. Effective date.

14 This act shall take effect in 60 days.