

1 Actually, in Pennsylvania, which doesn't have
2 constitutional home rule in the direct sense, it has a
3 provision adopted in 1922 which enables the Legislature
4 to extend home rule powers to cities; under that scheme
5 the Legislature did adopt an act extending this power
6 only to first class cities which means Philadelphia.

7 The enabling act embraced as a matter of
8 statute my theory. It embraced this broad concept. It
9 says the City of Philadelphia shall have all powers we can
10 give it except these and they exclude them. It has been
11 working pretty well.

12 THE CHAIRMAN: Has there been much withdrawal
13 of power by the Legislature?

14 DEAN FORDHAM: Very little. There is some
15 question whether under the Pennsylvania constitution, they
16 have the power to withdraw. Some people argue it is a
17 one-way conduit. I don't believe it.

18 THE CHAIRMAN: That raised the question that
19 came up before us earlier. If you have granted the power,
20 how can you take it away?

21 DEAN FORDHAM: If you granted it, the constitu-
tion expressly says you can take it away.