

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 2706 Session of
2002

INTRODUCED BY TRAVAGLIO, CRUZ, D. EVANS, FRANKEL, FREEMAN,
GRUCELA, HARHAI, HENNESSEY, MELIO, NAILOR, PISTELLA, SAINATO,
SCRIMENTI, SHANER, SOLOBAY, THOMAS, WANSACZ, J. WILLIAMS AND
G. WRIGHT, JUNE 17, 2002

REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, JUNE 17, 2002

AN ACT

1 Establishing the Mandate Review Advisory Board within the Local
2 Government Commission; and adding powers and duties upon the
3 Local Government Commission.

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

6 Section 1. Mandate Review Advisory Board.

7 (a) Duties of Local Government Commission.--The Local
8 Government Commission shall have the following powers and
9 duties:

10 (1) In consultation with the Mandate Review Advisory
11 Board established in subsection (b), to make recommendations
12 to the General Assembly concerning the termination,
13 continuation or revision of existing or future mandates.

14 (2) In consultation with the Legislative Data Processing
15 Center, to create the necessary information system to perform
16 the duties imposed on it under this act.

17 (3) To employ and supervise the personnel required to

perform the duties imposed on it under this act.

(b) Mandate Review Advisory Board.--There is hereby established a Mandate Review Advisory Board to the Local Government Commission. The Mandate Review Advisory Board shall consist of the following members:

(1) Four members of the Local Government Commission, appointed by the chairperson of the Local Government Commission, one of whom shall be a member of the majority party of the Senate, one of whom shall be a member of the minority party of the Senate, one of whom shall be a member of the majority party of the House of Representatives and one of whom shall be a member of the minority party of the House of Representatives.

(2) Seven members, with one member to be appointed by each of the following organizations:

(i) Pennsylvania League of Cities and Municipalities.

(ii) Pennsylvania State Association of Boroughs.

(iii) County Commissioners Association of Pennsylvania.

(iv) Pennsylvania State Association of Township Commissioners.

(v) Pennsylvania State Association of Township Supervisors.

(vi) Pennsylvania School Boards Association, Inc.

(vii) Pennsylvania Municipal Authorities Association.

(3) The secretaries or acting secretaries of the following seven departments or their respective designees shall be ex officio members:

1 (i) Department of Education.

2 (ii) Department of Environmental Protection.

3 (iii) Department of Health.

4 (iv) Department of Public Welfare.

5 (v) Department of Labor and Industry.

6 (vi) Department of Community and Economic
7 Development.

8 (vii) Department of Transportation.

9 (c) Terms and vacancies.--Members of the Mandate Review
10 Advisory Board, except for the ex officio members, shall be
11 appointed for a term of two years. Members may be reappointed to
12 succeed themselves. Vacancies shall be filled by the appointing
13 authority.

14 (d) Chairperson.--The Mandate Review Advisory Board shall
15 elect a chairperson from its membership.

16 (e) Powers and duties.--The Mandate Review Advisory Board
17 shall have the following powers and duties:

18 (1) With the assistance of the Local Government
19 Commission staff, to review current laws constituting
20 mandates on political subdivisions by the Commonwealth.

21 (2) With the approval of the Local Government
22 Commission, to conduct hearings, take testimony and make
23 investigations concerning the impact of mandates within this
24 Commonwealth.

25 (3) To obtain reasonably accessible information and
26 assistance from any municipal organization which appoints a
27 member to the Mandate Review Advisory Board.

28 (4) To recommend to the Local Government Commission
29 termination, continuation or revision of Commonwealth
30 mandates on political subdivisions.

1 (f) Cooperation by Commonwealth agencies.--Commonwealth
2 agencies, as defined in 42 Pa.C.S. § 102 (relating to
3 definitions), at the request of the chairperson of the Local
4 Government Commission, are authorized and directed to supply
5 information, suggestions, estimates and statistics as requested
6 to assist the Local Government Commission or the Mandate Review
7 Advisory Board in performing their duties under this act.

8 (g) Report.--A preliminary report on the Mandate Review
9 Advisory Board's work shall be due within one year of the
10 effective date of this act. The report shall establish a
11 timetable for a complete review of all existing mandates.

12 (h) Compensation.--Members of the Mandate Review Advisory
13 Board shall serve without compensation but shall be reimbursed
14 for all necessary and actual expenses incurred in the
15 performance of their duties.

16 (i) Expenses.--The funds required by the Local Government
17 Commission and the Mandate Review Advisory Board to perform
18 their duties under this act, including the expenses of the
19 Mandate Review Advisory Board, shall be appropriated as a
20 separate budget line item to the Local Government Commission.

21 Section 2. Effective date.

22 This act shall take effect in 60 days.