A JOINT RESOLUTION

1 Proposing integrated amendments to the Constitution of the
2 Commonwealth of Pennsylvania, reorganizing local government
3 with a county basis.

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

6 Section 1. The following integrated amendments to the
7 Constitution of Pennsylvania are proposed in accordance with
8 Article XI:

9 (1) That section 1 of Article IX be amended to read:
10 § 1. Local government.
11 (a) The General Assembly shall provide by general law for
12 local government within the Commonwealth.
13 (b) Such general law shall [be];
14 (1) Establish the county as the basic unit of local
15 government, with jurisdiction over:
16 (i) personnel;
17 (ii) law enforcement;
18 (iii) land use;
(iv) sanitation; and
(v) health and safety.

(2) Establish municipalities under the jurisdiction of the county and determine the relationship among these municipalities and the county.

(3) Establish classes of counties and municipalities on the basis of population.

(4) Be uniform as to all classes of local government regarding procedural matters.

(2) That section 5 of Article IX be amended to read:

§ 5. Intergovernmental cooperation.

A municipality by act of its governing body may, upon its own volition or upon being required by initiative and referendum in the area affected [shall], and with the approval of the governing body of the county in which it is located, cooperate or agree in the exercise of any function, power or responsibility with, or delegate or transfer any function, power or responsibility to, one or more other governmental units including other municipalities or districts, the Federal government, any other state or its governmental units, or any newly created governmental unit.

(3) That section 7 of Article IX be amended to read:

§ 7. Area-wide powers.

The General Assembly may grant powers to [area governments or to municipalities] counties within a given geographical area in which there exists intergovernmental cooperation or area government and designate the classes of municipalities subject to such legislation.

(4) That section 9 of Article IX be amended to read:

The General Assembly shall not authorize any county, municipality or incorporated district to become a stockholder in any company, association or corporation, or to obtain or appropriate money for, or to loan its credit to, any corporation, association, institution or individual. The General Assembly may provide standards by which counties, municipalities or school districts may give financial assistance or lease property to public service, industrial or commercial enterprises if it shall find that such assistance or leasing is necessary to the health, safety or welfare of the Commonwealth or any county, municipality or school district. Existing authority of any municipality or incorporated district to obtain or appropriate money for, or to loan its credit to, any corporation, association, institution or individual, is preserved.

(5) That section 10 of Article IX be amended to read:

§ 10. Local government debt.

Subject only to the restrictions imposed by this section, the General Assembly shall prescribe the debt limits of all units of local government [including municipalities and school districts]. For such purposes, the debt limit base shall be a percentage of the total revenue, as defined by the General Assembly, of the unit of local government computed over a specific period immediately preceding the year of borrowing. The debt limit to be prescribed in every such case shall exclude all indebtedness (1) for any project to the extent that it is self-liquidating or self-supporting or which has heretofore been defined as self-liquidating or self-supporting, or (2) which has been approved by referendum held in such manner as shall be provided by law. The provisions of this paragraph shall not apply to the City or County of Philadelphia.
Any unit of local government[,] including municipalities and school districts[,] incurring any indebtedness, shall at or before the time of so doing adopt a covenant, which shall be binding upon it so long as any such indebtedness shall remain unpaid, to make payments out of its sinking fund or any other of its revenues or funds at such time and in such annual amounts specified in such covenant as shall be sufficient for the payment of the interest thereon and the principal thereof when due.

(6) That section 11 of Article IX be amended to read:

§ 11. Local reapportionment.

Within the year following that in which the Federal decennial census is officially reported as required by Federal law, and at such other times as the governing body [of any municipality] shall deem necessary, each county or municipality having a governing body not entirely elected at large shall be reapportioned, by its governing body or as shall otherwise be provided by uniform law, into districts which shall be composed of compact and contiguous territory as nearly equal in population as practicable, for the purpose of describing the districts for those not elected at large.

(7) That the definition of "municipality" in section 14 of Article IX be amended to read:


As used in this article, the following words shall have the following meanings:

"Municipality" means a [county,] city, borough, incorporated town, township or any similar general purpose unit of government which shall hereafter be created by the General Assembly.
Section 2. (a) Upon the first passage by the General Assembly of these proposed constitutional amendments, the Secretary of the Commonwealth shall proceed immediately to comply with the advertising requirements of section 1 of Article XI of the Constitution of Pennsylvania and shall transmit the required advertisements to two newspapers in every county in which such newspapers are published in sufficient time after passage of these proposed constitutional amendments.

(b) Upon the second passage by the General Assembly of these proposed constitutional amendments, the Secretary of the Commonwealth shall proceed immediately to comply with the advertising requirements of section 1 of Article XI of the Constitution of Pennsylvania and shall transmit the required advertisements to two newspapers in every county in which such newspapers are published in sufficient time after passage of these proposed constitutional amendments. The Secretary of the Commonwealth shall submit the proposed constitutional amendments under section 1 to the qualified electors of this Commonwealth as a single ballot question at the first primary, general or municipal election which meets the requirements of and is in conformance with section 1 of Article XI of the Constitution of Pennsylvania and which occurs at least three months after the proposed constitutional amendments are passed by the General Assembly.

Section 3. Upon the first passage of these proposed constitutional amendments, the Local Government Commission and the Legislative Reference Bureau shall prepare legislation to implement the reorganization of local government in accordance with the amendment section 1(b)(1), (2) and (3) of Article IX.