

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1072 Session of  
1989

INTRODUCED BY WOZNIAK, TIGUE, VAN HORNE, BATTISTO, FOX, JAROLIN,  
DALEY, TRICH, VEON, PISTELLA AND ITKIN, APRIL 10, 1989

REFERRED TO COMMITTEE ON STATE GOVERNMENT, APRIL 10, 1989

AN ACT

1 Establishing the Pennsylvania Advisory Commission on  
2 Intergovernmental Relations; and making an appropriation.

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

5 Section 1. Short title.

6 This act shall be known and may be cited as the Pennsylvania  
7 Advisory Commission on Intergovernmental Relations Act.

8 Section 2. Purpose and legislative intent.

9 (a) Purpose.--It is the purpose of the General Assembly to  
10 create a permanent intergovernmental body to study, report on  
11 and provide information related to:

12 (1) The impact of existing and proposed Federal  
13 policies, programs and regulations on the financial roles and  
14 responsibilities of State and local governments.

15 (2) The impact of and need for Federal domestic  
16 assistance to State and local governments.

17 (3) The problems of and means for strengthening State  
18 and local government fiscal structures, resources and

1 assistance relationships.

2 (4) The ways and means for fostering more effective  
3 intergovernmental fiscal cooperation and coordination,  
4 including fiscal cooperation between governments, as well as  
5 with other community and regional nonprofit agencies.

6 (b) Legislative intent.--It is the intent of the General  
7 Assembly that the role of the Pennsylvania Advisory Commission  
8 on Intergovernmental Relations shall be to examine and recommend  
9 means by which the fiscal capacities and relationships of State  
10 and local governments can be strengthened, but that this purpose  
11 not conflict whatsoever with the powers, duties and  
12 responsibilities of the Pennsylvania Local Government Commission  
13 established pursuant to the act of May 29, 1935 (P.L.244,  
14 No.102), referred to as the Local Government Commission Law.  
15 Section 3. Commission created.

16 There is hereby created the Pennsylvania Advisory Commission  
17 on Intergovernmental Relations, hereinafter referred to as the  
18 commission.

19 Section 4. Membership.

20 (a) Composition.--The commission shall be composed of 13  
21 members, as follows:

22 (1) There shall be five local government members. The  
23 presidents of the Pennsylvania State Association of County  
24 Commissioners, the Pennsylvania League of Cities, the  
25 Pennsylvania State Association of Boroughs, the Pennsylvania  
26 State Association of Township Supervisors and the  
27 Pennsylvania State Association of Township Commissioners  
28 shall each appoint one member to represent their respective  
29 associations. The members may be the presidents themselves, a  
30 local elected official or the chief executive officer of

1 their respective associations.

2 (2) There shall be eight State government members as  
3 follows:

4 (i) Three members of the commission shall be  
5 appointed by the Governor and shall be persons holding  
6 cabinet level positions, one of whom shall directly  
7 represent the Governor's Executive Office.

8 (ii) Four members of the commission shall be  
9 appointed from the General Assembly. The Majority Leader  
10 and the Minority Leader of the Senate shall each appoint  
11 one member, and the Majority Leader and the Minority  
12 Leader of the House of Representatives shall each appoint  
13 one member.

14 (iii) The Lieutenant Governor shall be a member of  
15 the commission and shall serve as its chairman. The vice  
16 chairman shall be elected by the commission members.

17 (b) Quorum.--Seven members of the commission shall  
18 constitute a quorum.

19 (c) Term of office.--The term of office for appointed  
20 members of the commission shall be at the pleasure of the person  
21 who made the appointment. If any member ceases to be an officer  
22 or employee of the unit or agency that he is appointed to  
23 represent, his membership on the commission shall terminate  
24 immediately, and a new member shall be appointed to fill the  
25 vacancy in the same manner as the original appointment.

## 26 Section 5. Functions and duties.

27 (a) The commission shall carry out the following functions  
28 and duties:

29 (1) Serve as a forum for intergovernmental consultation  
30 regarding issues and concerns relating to fiscal and

1 financial matters and relationships, and develop  
2 recommendations for consideration by the appropriate Federal  
3 and State executive and legislative agencies with respect to  
4 these issues and concerns.

5 (2) Conduct research in support of the purposes set  
6 forth in section 2, as directed by the commission or  
7 requested by the Commonwealth.

8 (3) Keep State and local government informed as to how  
9 Presidential budget proposals, as well as Congressional  
10 authorization and appropriation actions, would affect Federal  
11 domestic assistance to this Commonwealth.

12 (4) Administer the Federal Assistance Programs Retrieval  
13 System (FAPRS) to provide information, upon request from  
14 State and local government agencies, about the availability  
15 and description of Federal programs that can meet specific  
16 funding needs.

17 (5) Maintain and provide information from the Federal  
18 Assistance Awards Data System (FAADS) and the Consolidated  
19 Federal Funds Report System (CFFR), as well as maintain such  
20 other data bases as may be useful to the evaluation of  
21 intergovernmental policies and relationships.

22 (6) Monitor and assess the availability of  
23 intergovernmental data and recommend Federal and State  
24 actions that will result in the provision of more effective  
25 data necessary to enhance public policy development and  
26 evaluation.

27 (7) Inform the Pennsylvania Congressional Delegation of  
28 the potential impacts on State and local governments of  
29 proposed Federal legislation and federalism reforms.

30 (8) Provide, upon request by executive and legislative

1 agencies, technical services consistent with the mission and  
2 capabilities of the commission. The commission shall have, as  
3 an ongoing technical service responsibility to the Governor's  
4 Office but to be funded through the commission's  
5 appropriation, the administration of the Intergovernmental  
6 Review Process pursuant to Federal Executive Order 12372.

7 (9) Recommend ways and means by which to strengthen  
8 effective intergovernmental fiscal resources and  
9 partnerships, as well as relationships with community and  
10 regional nonprofit development and service agencies.

11 (10) Review the recommendations of national commissions  
12 that involve proposals for Federal reforms or other  
13 intergovernmental changes, and assess the possible  
14 application and fiscal impact of these recommendations to  
15 this Commonwealth.

16 (b) Nonconflicting.--The functions and duties of the  
17 commission shall not conflict with those of the Pennsylvania  
18 Local Government Commission.

19 Section 6. Meetings; hearings; committees.

20 (a) Meetings and hearings.--The commission shall hold  
21 meetings quarterly and at such other times as it deems  
22 necessary. The commission may hold public hearings from time to  
23 time on matters within its purview.

24 (b) Cooperation.--Each officer, board, commission, council,  
25 department or agency of State government shall make available  
26 all facts, records, information and data requested by the  
27 commission and in all ways cooperate with the commission in  
28 carrying out the functions and duties imposed by this act.

29 (c) Committees.--The commission may establish such  
30 committees as it deems advisable and feasible, whose membership

1 shall include at least one member of the commission, but only  
2 the commission itself may set policy or take other official  
3 action.

4 (d) Rules of procedure.--The commission shall promulgate  
5 rules of procedure governing its operations.

6 (e) Open meetings.--All meetings of the commission, or any  
7 committee thereof, at which public business is discussed or  
8 formal action is taken shall conform to the act of July 3, 1986  
9 (P.L.388, No.84), known as the Sunshine Act.

10 Section 7. Staff.

11 (a) Executive director and other personnel.--The commission  
12 shall employ and set the compensation for the executive  
13 director, who shall serve at its pleasure. The executive  
14 director may employ professional, technical, legal, clerical or  
15 other staff, subject to subsection (b). Initially, the  
16 commission shall consider the staff of the Pennsylvania  
17 Intergovernmental Council for employment with the commission.

18 (b) Compensation.--The compensation shall be determined by  
19 the commission within the limitations of appropriations and  
20 other funding resources for commission staff purposes.

21 Section 8. Finances.

22 (a) Expenses.--A member of the commission shall not be  
23 entitled to a salary for duties performed as a member of the  
24 commission. Each member shall be entitled to reimbursement for  
25 travel and other necessary expenses incurred in the performance  
26 of official duties.

27 (b) Grants and obligations.--The commission is authorized to  
28 apply for, contract for, receive and expend for its purposes any  
29 appropriations or grants from the Commonwealth, its political  
30 subdivisions, the Federal Government or any other source, public

1 or private. Initially, the commission shall make every effort to  
2 take over the contractual obligations of the Pennsylvania  
3 Intergovernmental Council.

4 (c) Appropriations by political subdivisions.--Political  
5 subdivisions of this Commonwealth are authorized to voluntarily  
6 appropriate funds to the commission to share in the cost of its  
7 operations.

8 (d) Appropriations by the Commonwealth.--To assist  
9 financially with the exercise of the functions and duties  
10 provided in section 5, appropriations by the Commonwealth are  
11 hereby authorized in such amounts as may be necessary.

12 Section 9. Reports.

13 The commission shall issue reports of its findings and  
14 recommendations from time to time and shall issue annually a  
15 public report on its work. Copies of the annual report shall be  
16 submitted to the Governor and the presiding officers of the  
17 General Assembly and shall be made available to other political  
18 subdivisions of this Commonwealth and appropriate departments  
19 and agencies of the Commonwealth. Reports of the commission  
20 shall be available to the public.

21 Section 10. Appropriation.

22 The sum of \$375,000 is hereby appropriated to the  
23 Pennsylvania Advisory Commission on Intergovernmental Relations  
24 for the fiscal year July 1, 1989, to June 30, 1990.

25 Section 11. Effective date.

26 This act shall take effect immediately.