
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 395 Session of
1999

INTRODUCED BY THOMPSON, EARLL, MADIGAN, O'PAKE, GERLACH, WAGNER,
HART AND RHOADES, FEBRUARY 12, 1999

REFERRED TO STATE GOVERNMENT, FEBRUARY 12, 1999

AN ACT

1 Establishing the Mandate Review Advisory Board within the Local
2 Government Commission; 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 created in subsection (b), to make recommendations to
12 the General Assembly concerning the termination, continuation
13 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
18 perform the duties imposed on it under this act.

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

5 (1) Four members of the Local Government Commission,
6 appointed by the chairperson of the Local Government
7 Commission, one of whom shall be a member of the majority
8 party of the Senate, one of whom shall be a member of the
9 minority party of the Senate, one of whom shall be a member
10 of the majority party of the House of Representatives and one
11 of whom shall be a member of the minority party of the House
12 of Representatives.

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

15 (i) Pennsylvania League of Cities and
16 Municipalities.

17 (ii) Pennsylvania State Association of Boroughs.

18 (iii) County Commissioners Association of
19 Pennsylvania.

20 (iv) Pennsylvania State Association of Township
21 Commissioners.

22 (v) Pennsylvania State Association of Township
23 Supervisors.

24 (vi) Pennsylvania School Boards Association, Inc.

25 (vii) Pennsylvania Municipal Authorities
26 Association.

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

30 (i) Department of Education.

1 (ii) Department of Environmental Protection.

2 (iii) Department of Health.

3 (iv) Department of Public Welfare.

4 (v) Department of Labor and Industry.

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

7 (vii) Department of Transportation.

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

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

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

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

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

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

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

30 (f) Cooperation by Commonwealth agencies.--Commonwealth

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

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

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

15 (i) Expenses.--The funds required by the Local Government
16 Commission and the Mandate Review Advisory Board to perform
17 their duties under this act, including the expenses of the
18 Mandate Review Advisory Board, shall be appropriated as a
19 separate budget line item to the Local Government Commission.
20 Section 2. Effective date.

21 This act shall take effect in 60 days.