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April 27, 2011

TO: All Members
FROM: Rep. Kurt A. Masser
RE: change in threshold between 5th and 6th class counties

Under the County Code, counties are divided into nine classes based on population. The purpose of the class distinctions is to allow legislation to apply to just one class or a limited number of classes, or to provide variations in structure or administration based on the size of the county.

The county classes are based on the most recently certified federal decennial census. The Code provides that changes take effect in January following certification to the counties by the Governor of the population determination by the Census Bureau. For counties that cross the threshold into the next higher classification, the change takes effect in January of the year following the certification. For counties that drop below a threshold, the change takes place the next January as well but only if the county has been below the threshold for two consecutive censuses.

This year, the certification will result in Northumberland and Lawrence counties receding from 5th class to 6th class, because they were below the 5th class threshold in the 2000 census and remain below the threshold in the 2010 census (the results of which were released last month). While the changes between the two classes are not remarkable – most funding and most statutes make no distinction in treatment between the two classes – there are nevertheless enough administrative details to be dealt with that warrant these counties remaining 5th class.

The proposed legislation would change the threshold between 6th and 5th class counties from 95,000 to 90,000. This nominal change would affect just these two counties; it would not cause any county to increase from 6th class to 5th class that would not be doing so otherwise.

The most recent precedent for legislation of this type is Act 107 of 2001, which changed the boundaries between 5th and 4th class to allow Fayette to remain 4th class, and between 4th class and 3rd class to allow Lackawanna to remain 3rd class.

If you would like to cosponsor this legislation, please contact Cindy Abbott at cabbott@pahousegop.com