
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE RESOLUTION

No. 31

Session of
1995

INTRODUCED BY ARGALL, JADLOWIEC, BROWN, CLARK, BATTISTO, STEIL, FARMER, WOGAN, LYNCH, FICHTER, STERN, CONTI, ALLEN, STISH, CHADWICK, BUNT, NYCE, GRUPPO, ZUG, CARONE, PHILLIPS, McCALL, ROBERTS, FAIRCHILD, SCHULER, KING, DRUCE, THOMAS, M. N. WRIGHT, HANNA, J. TAYLOR, GODSHALL, HENNESSEY, KENNEY, STAIRS, E. Z. TAYLOR, TRUE, GEIST, WAUGH, HUTCHINSON, NICKOL, FLICK, EGOLF, TRELLO, SCHRODER, PETTIT, ARMSTRONG, SAYLOR, RAYMOND, MERRY, ADOLPH, ROHRER, SEMMEL, BOSCOLA AND TULLI, JANUARY 26, 1995

SENATOR GERLACH, INTERGOVERNMENTAL AFFAIRS, IN SENATE, AS AMENDED, OCTOBER 23, 1995

A CONCURRENT RESOLUTION

1 Urging members of the Pennsylvania Congressional delegation to
2 meet periodically with the General Assembly regarding
3 unfunded Federal mandates AND OTHER RELATED ISSUES. ←

4 WHEREAS, The Federal legislative interests of the
5 Commonwealth are constantly evolving; and

6 WHEREAS, The communication of those legislative interests to
7 Federal legislators will best be achieved through interactive
8 meetings between the General Assembly and each member of
9 Congress from Pennsylvania; and

10 WHEREAS, The number of unfunded Federal mandates imposed upon
11 the states by Congress has alarmingly increased in recent years, ←

12 A FACT WHICH THE CONGRESS HAS NOTED IN APPROVING LEGISLATION
13 EARLIER THIS YEAR DESIGNED TO CORRECT THIS PROBLEM; and

14 WHEREAS, This continuing imposition places the Commonwealth

1 in the precarious position of either attempting to fund the
2 Federal requirements with diminishing amounts of available
3 revenue or jeopardizing eligibility for certain Federal funds;
4 and

5 WHEREAS, The legal history of the Constitution of the United
6 States has demonstrated that, prior to the ratification of the
7 Constitution of the United States, each state possessed the
8 exclusive authority and right to regulate intrastate commerce as
9 an inseparable trait of sovereignty, and such authority is
10 retained to the extent that it has not been specifically
11 surrendered to the Federal Government by instrument, and that
12 this authority is guaranteed to the states by the Tenth
13 Amendment to the Constitution of the United States, and that any
14 affirmative grant of power to the Federal Government is not
15 exclusive unless inconsistent with the particular grant; and

16 WHEREAS, States and Congress should engage in earnest
17 discussions regarding the difficult posture in which the states
18 have been cast and the urgent necessity of the states to receive
19 monetary assistance for these mandates or relief from the
20 enforcement of these unfunded decrees; and

21 WHEREAS, The General Assembly requests that all members of
22 Congress from Pennsylvania meet with the Intergovernmental
23 Affairs Committee of the Senate of Pennsylvania and the
24 Intergovernmental Affairs Committee of the Pennsylvania House of
25 Representatives and all members of the General Assembly
26 concerning this critical problem so that our Federal
27 representatives may be completely cognizant of the effect the
28 actions of the Federal Government have at the State legislative
29 level and may be more sensitive to the difficulties that
30 unfunded Federal mandates create; therefore be it

1 RESOLVED (the Senate concurring), That the General Assembly
2 urge each member of Congress from Pennsylvania to meet with
3 ~~representatives of the~~ THE PENNSYLVANIA Senate and the House of <—
4 ~~Representatives at least two times per year convened~~ ONCE EACH <—
5 YEAR for the purpose of discussing the problems related to
6 unfunded Federal mandates AND OTHER RELATED ISSUES in order to <—
7 establish an ongoing and open dialogue between these parties;
8 and be it further

9 RESOLVED, That the General Assembly remind each member of
10 Congress from Pennsylvania of the Commonwealth's retention of
11 its sovereign authority, under the Tenth Amendment to the
12 Constitution of the United States, to enact and enforce any law,
13 rule or regulation not specifically excluded by the Constitution
14 of the United States, and that each member of Congress from
15 Pennsylvania shall respect the Commonwealth's sovereign
16 authority under the Tenth Amendment to the Constitution of the
17 United States when considering, deliberating and enacting any
18 proposed piece of legislation that may affect this Commonwealth;
19 and be it further

20 RESOLVED, That the chairman and minority chairman of the
21 Intergovernmental Affairs Committee of the Senate and the
22 President pro tempore of the Senate and the chairman and
23 minority chairman of the Intergovernmental Affairs Committee of
24 the House of Representatives and the Speaker of the House of
25 Representatives discuss this resolution with the bipartisan
26 leadership of the Pennsylvania delegation to Congress, in order
27 to make the necessary arrangements for such a session to be held
28 in Harrisburg during the ~~1995~~ 1995-1996 session with the <—
29 possibility of additional sessions as determined necessary by
30 the chairman and minority chairman of the Intergovernmental

1 Affairs Committee of the Senate of Pennsylvania and the
2 Intergovernmental Affairs Committee of the Pennsylvania House of
3 Representatives; and be it further

4 RESOLVED, That copies of this resolution be transmitted to
5 each member of Congress from Pennsylvania to advise each member
6 of Congress from Pennsylvania of this invitation and of its
7 hopeful anticipation of their acceptance.