
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE RESOLUTION

No. 323 Session of
2010

INTRODUCED BY EICHELBERGER, WAUGH, ERICKSON, RAFFERTY, GORDNER,
ARGALL, COSTA, ROBBINS, FOLMER, BOSCOLA, MUSTO, ALLOWAY,
FARNESE, FERLO, D. WHITE, WILLIAMS AND BRUBAKER, MAY 4, 2010

REFERRED TO LOCAL GOVERNMENT, MAY 4, 2010

A RESOLUTION

1 Directing the Joint State Government Commission to conduct a
2 comprehensive study of the number and types of mandates
3 placed upon Pennsylvania's local governments by the
4 Commonwealth.

5 WHEREAS, The cost of local government operations in this
6 Commonwealth is steadily increasing due to directives or
7 mandates placed upon local government units by both the Federal
8 Government and State government; and

9 WHEREAS, An unfunded mandate is a statute or regulation that
10 requires a political subdivision to perform certain actions, yet
11 provides no money for fulfilling the requirements, while an
12 underfunded mandate provides less funding than the political
13 subdivision needs to carry out the task; and

14 WHEREAS, The increasing cost of these mandates is
15 concurrently increasing the local tax burden on this
16 Commonwealth's citizens and businesses, which results in a
17 significant impact on the economic health of this Commonwealth
18 and its communities; and

1 WHEREAS, The National Conference of State Legislatures found
2 that from 2004 to 2008, the Congress of the United States
3 shifted a financial burden of at least \$125 billion on to
4 states, a portion of which has been subsequently transferred to
5 local governments; and

6 WHEREAS, The County Commissioners Association of Pennsylvania
7 estimates that up to 80% of a county's budget is made up of
8 directives from outside entities, including human services,
9 which represent 60% of a county's responsibilities, plus courts
10 and corrections; and

11 WHEREAS, State government has an obligation of fiscal
12 responsibility and must be cognizant of the tax burden it
13 imposes upon local taxpayers whether directly or indirectly; and

14 WHEREAS, There currently exists no comprehensive information
15 on the number and cost of State mandates upon this
16 Commonwealth's local governments; therefore be it

17 RESOLVED, That the Senate direct the Joint State Government
18 Commission to establish a task force to study the unfunded and
19 underfunded mandates placed by the Commonwealth upon
20 Pennsylvania's boroughs, townships, counties and cities; and be
21 it further

22 RESOLVED, That the task force be comprised of experts
23 familiar with the funding and operation of programs implemented
24 by local government units, including elected officials,
25 representatives from local government associations,
26 academicians, program directors, finance officers or other
27 administrators from both State and local government; and be it
28 further

29 RESOLVED, That the task force compile a comprehensive list
30 describing each directive placed upon local governments whether

1 voluntary or mandatory, and further indicate in its study
2 whether the directive is Federal or State in origin or a
3 combination thereof, whether the origin of the directive is
4 administrative or discretionary in nature, as opposed to express
5 language contained in a statute or regulation; the average
6 annual cost of each directive to a local government unit; the
7 amount of money provided by the Federal Government or the
8 Commonwealth to implement each directive; and whenever possible
9 identify reasons for discrepancies between funding levels and
10 actual costs; and be it further

11 RESOLVED, That the task force make findings with regard to
12 the potential for cost savings that could be achieved through
13 partial waivers or elimination of certain mandates, as well as
14 make findings and recommendations with regard to alternative
15 procedures which could provide local governments with a
16 mechanism for mandate waivers should the General Assembly
17 determine to provide for legislation to establish such a
18 procedure; and be it further

19 RESOLVED, That the Joint State Government Commission provide
20 a report on the foregoing to the members of the Senate no later
21 than one year from the date that this resolution is adopted.