
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE RESOLUTION

No. 279 Session of
2018

INTRODUCED BY STEFANO, MENSCH, AUMENT, FOLMER, VULAKOVICH,
WAGNER AND WARD, MARCH 23, 2018

REFERRED TO INTERGOVERNMENTAL OPERATIONS, MARCH 23, 2018

A RESOLUTION

1 Urging the Senate of the United States to quickly consider and
2 pass the Regulatory Accountability Act, S. 951, bipartisan
3 legislation that would modernize the 70-year-old
4 Administrative Procedure Act, which governs Federal
5 regulatory process, in such a manner as to require more
6 transparency and accountability by Federal agencies during
7 economically significant rulemakings that have major impacts
8 on businesses, states and local communities.

9 WHEREAS, The Constitution of the United States requires a
10 proper separation of powers between the three branches of
11 government, with lawmaking that is accountable to the people;
12 and

13 WHEREAS, Rulemakings by Federal agencies have overtaken
14 Congressional action as the primary vehicle for setting national
15 policy affecting state and local government, business and
16 families; and

17 WHEREAS, At the end of 2016, the Federal Register, the
18 official depository of record of final and proposed rulemakings,
19 totaled 95,894 pages, nearly 20% more pages than at the end of
20 2015; and

21 WHEREAS, The cumulative number of Federal regulatory

1 rulemakings with estimated costs greater than \$1 billion
2 increased dramatically over the past 10 years; and

3 WHEREAS, These rulemakings have significantly burdened State
4 and local government by requiring major expenditures of time,
5 staff and resources, in many cases with little or no Federal
6 funding assistance by the Federal agency imposing the
7 requirements; and

8 WHEREAS, Businesses have partially incorporated the cost of
9 compliance with these rulemakings into the price of their
10 products and services, thereby raising costs on families and
11 consumers; and

12 WHEREAS, The Administrative Procedure Act, the governing
13 legislation guiding the Federal rulemaking process, has not been
14 updated in 70 years; and

15 WHEREAS, Federal regulation imposes an annual burden on the
16 American economy of more than \$1 trillion, that is approximate
17 to \$15,000 per household; and

18 WHEREAS, The Regulatory Accountability Act is bipartisan
19 legislation amending the Administrative Procedure Act to require
20 Federal agencies proposing any major rule of greater than \$100
21 million per year to involve the public, including State and
22 local governments, at the very outset of the rulemaking process,
23 to provide for administrative hearings to discuss and examine
24 any research or assumptions the agency is relying on to
25 establish high-impact rules with costs of greater than \$1
26 billion per year, to provide a thorough and accurate cost-
27 benefit analysis of any rulemaking and to select the most cost-
28 effective option to achieve the policy goals established by the
29 Congress of the United States; and

30 WHEREAS, The Regulatory Accountability Act passed the House

1 of Representatives of the United States as H. R. 5 with a
2 bipartisan vote on January 11, 2017; and

3 WHEREAS, The Regulatory Accountability Act has been
4 introduced in the Senate of the United States by sponsors of
5 both parties as S. 951, has been favorably reported out of the
6 United States Senate Committee on Homeland Security and
7 Government Affairs and is awaiting consideration on the Senate
8 floor; therefore be it

9 RESOLVED, That the Senate of the Commonwealth of Pennsylvania
10 urge the Congress of the United States to reaffirm its role as
11 the primary policymaking branch of government; and be it further

12 RESOLVED, That the Senate of the Commonwealth of Pennsylvania
13 agree with the goals and measures of the Regulatory
14 Accountability Act, among them to restore transparency and
15 accountability to the Federal rulemaking process; and be it
16 further

17 RESOLVED, That the Senate of the Commonwealth of Pennsylvania
18 urge that the Senate of the United States quickly consider and
19 adopt the Regulatory Accountability Act; and be it further

20 RESOLVED, That copies of this resolution be transmitted to
21 the presiding officers of each house of Congress and each member
22 of Congress from Pennsylvania.