

LEGISLATIVE REFERENCE BUREAU

AMENDMENTS TO AMENDMENT A08133 TO SENATE BILL NO. 1080

Sponsor:

Printer's No. 1255

1 Amend Amendments, page 2, by inserting between lines 1 and 2
2 Chapter 9. Local Government Commission
3 Section 901. Definitions.
4 Section 902. Commission.
5 Section 903. Duties.
6 Section 904. Code compilation.
7 Section 905. Powers.
8 Section 906. Reporting.
9 Section 907. Appropriations.

10 Amend Amendments, page 2, line 2, by striking out "9" and
11 inserting
12 11

13 Amend Amendments, page 2, line 4, by striking out "901" and
14 inserting
15 1101

16 Amend Amendments, page 2, line 5, by striking out "902" and
17 inserting
18 1102

19 Amend Amendments, page 2, line 7, by striking out "903" and
20 inserting
21 1103

22 Amend Amendments, page 2, line 9, by striking out "911" and
23 inserting
24 1111

25 Amend Amendments, page 2, line 10, by striking out "912" and
26 inserting
27 1112

1 Amend Amendments, page 2, line 12, by striking out "921" and
2 inserting
3 1121
4 Amend Amendments, page 2, line 13, by striking out "922" and
5 inserting
6 1122
7 Amend Amendments, page 2, lines 14 through 16, by striking
8 out all of said lines
9 Amend Amendments, page 2, line 17, by striking out "E" and
10 inserting
11 D
12 Amend Amendments, page 2, line 18, by striking out "941" and
13 inserting
14 1131
15 Amend Amendments, page 2, line 19, by striking out "942" and
16 inserting
17 1132
18 Amend Amendments, page 2, line 20, by striking out "F" and
19 inserting
20 E
21 Amend Amendments, page 2, line 21, by striking out "951" and
22 inserting
23 1141
24 Amend Amendments, page 2, line 22, by striking out "952" and
25 inserting
26 1142
27 Amend Amendments, page 3, line 2, by striking out "the Local
28 Government Commission,"
29 Amend Amendments, page 3, by inserting between lines 23 and
30 24

1 (5) The Local Government Commission.

2 Amend Amendments, page 3, line 24, by striking out "(5)" and
3 inserting

4 (6)

5 Amend Amendments, page 3, line 25, by striking out "9" and
6 inserting

7 11

8 Amend Amendments, page 13, by inserting between lines 37 and
9 38

10 CHAPTER 9

11 LOCAL GOVERNMENT COMMISSION

12 Section 901. Definitions.

13 The following words and phrases when used in this chapter
14 shall have the meanings given to them in this section unless the
15 context clearly indicates otherwise:

16 "Commission." The Local Government Commission.

17 "Local government." Any counties, cities, boroughs, towns,
18 townships, school districts and poor districts, except counties
19 of the first and second class, and cities of the first, second
20 and second class A.

21 Section 902. Commission.

22 (a) Creation.--A commission is hereby created which shall
23 consist of ten members to serve without compensation, five of
24 whom shall be appointed by the President pro tempore of the
25 Senate, three from among the majority party and two from among
26 the minority party of the Senate, and five shall be appointed by
27 the Speaker of the House of Representatives, three from among
28 the majority party and two from among the minority party of the
29 House of Representatives. The commission shall be known as the
30 "Local Government Commission."

31 (b) Term.--The term of each member of the commission shall
32 run from the date of his respective appointment until 30 days
33 after the convening of the next regular session of the General
34 Assembly in odd-numbered years and until his successor is
35 appointed and qualified.

36 (c) Appointments.--The President pro tempore of the Senate
37 and the Speaker of the House of Representatives shall make the
38 appointments authorized by this section. Such appointments shall
39 take effect 31 days after the convening of each regular session
40 of the General Assembly in odd-numbered years.

41 (d) Vacancy.--Any vacancy happening in the membership of the
42 commission shall be filled by the appointing power making the
43 original appointment for the unexpired term.

44 (e) Meetings.--The commission shall organize as soon as may
45 be after the appointment of members 31 days after the convening

1 of each regular session of the General Assembly in odd-numbered
2 years, at the call of the President pro tempore of the Senate,
3 by electing a chairman, vice chairman and a secretary. The
4 secretary need not be a member of the commission.

5 Section 903. Duties.

6 (a) Studies and investigations.--It shall be the duty of the
7 commission to study and investigate the following:

8 (1) The functions of local government, their proper
9 allocation and the possibility of eliminating unnecessary
10 functions, and the duplication and overlapping of functions.

11 (2) The cost of local government, including State
12 mandates, and ways and means of reducing this cost and
13 lessening the burden on local taxpayers. The commission shall
14 identify, catalog and maintain a database of State mandates
15 on local government.

16 (3) The advisability and feasibility of increasing the
17 areas or changing the boundaries of local governments; of
18 establishing larger units for administration by consolidation
19 of units by cooperative arrangements between them for the
20 performance of certain functions or by other means; and
21 generally ways and means of organizing a simple system of
22 local government and to exercise such other functions as may
23 be deemed necessary to carry into effect the spirit and
24 intent of this act.

25 (4) The modernization of municipal codes and other laws
26 related to local government. For purposes of this duty, the
27 commission shall consult with municipal associations and may
28 consult with others, including public officials,
29 practitioners, academics and Federal and State agencies.

30 (b) Research assistance.--The commission shall provide
31 research assistance to members of the General Assembly,
32 legislative staff and constituents on matters related to local
33 government.

34 (c) Intergovernmental cooperation agreements.--The
35 commission shall review intergovernmental agreements in
36 accordance with 53 Pa.C.S. § 2314 (relating to review of
37 agreement by Local Government Commission).

38 (d) Other functions.--The commission shall exercise other
39 functions as may be deemed necessary to provide information to
40 and assist local governments and municipal associations.

41 Section 904. Code compilation.

42 (a) Duty.--It shall be the duty of the commission to arrange
43 for the compilation and distribution of the act of August 9,
44 1955 (P.L.323, No.130), known as The County Code, the act of
45 June 23, 1931 (P.L.932, No.317), known as The Third Class City
46 Code, the act of February 1, 1966 (1965 P.L.1656, No.581), known
47 as The Borough Code, the act of June 24, 1931 (P.L.1206,
48 No.331), known as The First Class Township Code, the act of May
49 1, 1933 (P.L.103, No.69), known as The Second Class Township
50 Code and all temporary or permanent supplements or amendments to
51 the aforementioned codes.

1 (b) Policy.--The commission shall adopt a statement of
2 policy relating to the distribution of the aforementioned codes
3 without reference to the restrictions placed upon or fixed for
4 the distribution of other publications of this Commonwealth.
5 Initially, the commission shall distribute an updated copy of
6 the appropriate code to each elected official of the political
7 subdivision governed by the specific code and such appointed
8 officials of the political subdivisions as the commission in its
9 discretion deems necessary. Thereafter, the statement of policy
10 shall provide for free distribution upon request, of at least
11 one copy of every publication printed under authority of this
12 act to each:

- 13 (1) Political subdivision governed by such code.
- 14 (2) County for use of its law library.
- 15 (3) Member of the General Assembly.
- 16 (4) Law school library which under rules of court
17 receives copies of printed briefs and records filed in the
18 Supreme Court of Pennsylvania.
- 19 (5) State Law Library of the Commonwealth of
20 Pennsylvania.

21 A statement of policy adopted pursuant to this subsection may
22 amend, repeal, suspend or replace inconsistent provisions of any
23 rule, regulation, policy, guideline or interpretation previously
24 promulgated by the commission concerning the distribution of the
25 aforementioned codes.

26 (c) Requests.--Upon request by a member of the General
27 Assembly, copies of those publications referred to in subsection
28 (a) will be distributed to the indicated parties either through
29 the member's office or through the commission as indicated by
30 the member.

31 (d) Electronic publication of municipal codes.--The
32 commission may publish, maintain and update electronic copies of
33 the codes set forth in subsection (a) in addition to, or in lieu
34 of, printed publication and distribution of the aforementioned
35 codes and any temporary or permanent supplements or amendments
36 thereto in accordance with this section. Municipal codes
37 electronically published shall be available on an Internet
38 website maintained by the commission in a secure format
39 accessible to the public and shall be updated within 60 days of
40 the enactment of any amendment.

41 Section 905. Powers.

42 (a) Recommendations.--The commission shall have power to
43 recommend tentative plans for the consolidation or
44 reorganization of any units of local government or changes in
45 the boundaries thereof. The commission, after holding public
46 hearings, shall prepare and recommend for adoption a plan or
47 plans of local government consolidation or changes of political
48 boundaries, for any or all units of local government.

49 (b) Employment.--The commission shall have power to employ
50 and fix the compensation of such experts, stenographers and
51 assistants as may be deemed necessary to carry out the work of

1 the commission, but due diligence shall be exercised by the
2 commission to enlist such voluntary assistance as may be
3 available from citizens, research organizations and other
4 agencies in Pennsylvania or elsewhere, generally recognized as
5 qualified to aid the commission with information as to existing
6 conditions or advice as to possibilities in governmental
7 economies or reorganization. The Legislative Reference Bureau,
8 the Department of Community and Economic Development and other
9 agencies of the Commonwealth, as well as all local governments
10 within the Commonwealth, shall give the commission, on request,
11 such information and assistance as may be reasonably accessible.
12 Section 906. Reporting.

13 The commission shall report to the General Assembly no less
14 frequently than every five years. The report shall contain a
15 statement of the progress of its work over the reporting period,
16 projections of work to be completed during the ensuing reporting
17 period and such updates on legislation and constitutional
18 amendments, if any, as it deems necessary to carry into effect
19 the provisions and objectives of this chapter.
20 Section 907. Appropriations.

21 Any appropriation to the commission shall be used in
22 accordance with the purposes, if any, expressed in the
23 appropriation act and for the payment of the expenses of the
24 members of the commission; for the compensation and expenses of
25 the staff; for printing; for postage, supplies, telephone, rent,
26 information technology and miscellaneous expenses; and generally
27 for the purposes of carrying into effect the provisions of this
28 chapter.

29 Amend Amendments, page 13, line 38, by striking out "9" and
30 inserting

31 11

32 Amend Amendments, page 13, line 42, by striking out "901" and
33 inserting

34 1101

35 Amend Amendments, page 14, lines 1 and 2, by striking out all
36 of line 1 and "(4)" in line 2 and inserting

37 (3)

38 Amend Amendments, page 14, line 3, by striking out "(5)" and
39 inserting

40 (4)

41 Amend Amendments, page 14, lines 4 and 5, by striking out all

1 of said lines

2 Amend Amendments, page 14, line 15, by striking out "902" and
3 inserting

4 1102

5 Amend Amendments, page 14, line 27, by striking out "Local
6 Government Unit,"

7 Amend Amendments, page 15, line 2, by striking out "903" and
8 inserting

9 1103

10 Amend Amendments, page 15, line 19, by striking out "911" and
11 inserting

12 1111

13 Amend Amendments, page 15, line 40, by striking out "912" and
14 inserting

15 1112

16 Amend Amendments, page 17, line 1, by striking out "921" and
17 inserting

18 1121

19 Amend Amendments, page 17, line 22, by striking out "922" and
20 inserting

21 1122

22 Amend Amendments, page 17, lines 46 through 51 and page 18,
23 lines 1 through 51, by striking out all of said lines on said
24 pages

25 Amend Amendments, page 19, line 1, by striking out "E" and
26 inserting

27 D

28 Amend Amendments, page 19, line 3, by striking out "941" and
29 inserting

1 1131

2 Amend Amendments, page 19, line 24, by striking out "942" and
3 inserting

4 1132

5 Amend Amendments, page 19, line 39, by striking out "F" and
6 inserting

7 E

8 Amend Amendments, page 19, line 41, by striking out "951" and
9 inserting

10 1141

11 Amend Amendments, page 20, line 11, by striking out "952" and
12 inserting

13 1142

14 Amend Amendments, page 20, line 47, by striking out "the
15 Local Government Commission,"

16 Amend Amendments, page 22, by inserting between lines 23 and
17 24

18 (4) Chapter 9 is a continuation of the act of May 29,
19 1935 (P.L.244, No.102), referred to as the Local Government
20 Commission Law.

21 Amend Amendments, page 22, line 24, by striking out "(4)
22 Chapter 9" and inserting

23 (5) Chapter 11

24 Amend Amendments, page 22, line 43, by striking out "the
25 Local Government Commission,"

26 Amend Amendments, page 22, line 50, by striking out "9" and
27 inserting

28 11

29 Amend Amendments, page 23, line 5, by striking out "the Local
30 Government Commission,"

31 Amend Amendments, page 23, line 19, by striking out "the

1 Local Government Commission,"

2 Amend Amendments, page 23, lines 36 and 37, by striking out

3 "the Local Government Commission,"