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House of Representatives
COMMONWEALTH OF PENNSYLVANIA
HARRISBURG

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December 19, 2000

TO: All House Members

FROM: Rep. Allan Egolf *AE*

SUBJECT: Cosponsorship – State Regulatory Responsibility Act
(Previously H.B. 2444)

In the near future I will be reintroducing legislation that would provide that no department, agency, commission or other authority of the Commonwealth of Pennsylvania shall comply with any guidance or requirement by a Federal department, agency or authority that is not entirely and in all respects consistent with State law, policy and priorities of the Commonwealth of Pennsylvania.

Secondly, it would prohibit any state department, agency or authority complying with any Federal mandate unless: (1) the state has agreed to take such action as an expressed condition of the receipt of Federal funds; or (2) the state has agreed to take such action as a clear and expressed condition of the delegation of a federal program. The act provides that no department, agency or authority shall agree as a condition of receiving Federal funds to comply with any Federal mandate unless (1) federal funds are adequate to cover the costs of implementing the program; (2) the state has the authority to implement the program; (3) the federal program has no conflict with state law; and (4) the state department, agency or authority has the legislative or legal authority to implement the program.

Basically, the act would prohibit a state department, agency or authority from complying with Federal requirements inconsistent with state law unless the requirements are clearly expressed in the Federal statute or rule and is adopted pursuant to the Federal Administrative Procedures Act. This provision would prevent a state agency from being forced to follow any Federal requirements that have not been properly promulgated.

I am asking you, and would appreciate your joining me in sponsorship of this legislation. If you would like to cosponsor, please contact Teri Root through GroupWise or by e-mail at troot@pahousegop.com or call 3-1593.

AE/tcr

Previous Cosponsors: FLICK, FARGO, GEORGE, HUTCHINSON, STERN, ORCIER, BASTIAN, BIRMEIN, WILT, YEWIC, ROHRER, METCALFE, MARSICO, CLARK, SATHER, R. MILLER, FICHTER, GANNON, SAYLOR, BATTISTO, MAHER, SEYFERT, TULLI, LEH, PIPPY, TRUE, GLADECK, E. Z. TAYLOR, PRESTON, HERSHEY, BARRAR AND STRITTMATTER