

Home Rule Study Commission Public Hearing

August 6, 2013

Purpose

- To provide information to the public on the Government Study Commission process and the opportunities available and restrictions under Home Rule
- To specifically identify issues in the current municipal government which citizens would like to see maintained
- To specifically identify issues in municipal government which might be better addressed through a home rule charter

Home Rule Process

- January 10, 2013 – Council approved an ordinance authorizing a public election to decide the question of whether to establish a government study commission to consider the adoption of an optional form of government or a home rule charter for the Borough of Carlisle
- May 21, 2013 - Citizens of Carlisle approved a government study commission and elected nine commission members
- Study commission sworn in and had its organizational meeting on June 13, 2013

Work Schedule for Home Rule

- 18 months to Complete
- 7 step process:
 - Orientation: organization meeting, learning powers/duties, working on budget and planning work
 - Research: study current form of government and alternatives
 - Decision Making: home rule, optional plan or no change
 - Drafting Charter (if choosing home rule)
 - Review and Public Discussion on Draft Charter
 - Writing Final Report
 - Voter Education

Work Schedule for Optional Plan*

- Work Schedule for Optional Plan
- 9 Months to Complete Plan
 - First 2 months: review existing governmental structure and
 - gather information on areas needing improvement
 - Next few months: consider each of the optional plans and weigh desirability for community
 - 7th month: should have completed major portion of review and be able to make recommendations to begin drafting the report

* Optional plans of government are adopted through the same Commission process, except the Commission selects one of the optional plans provided in Section 2971-3171 of the Law.

Home Rule in Pennsylvania

- 7 Counties
- 72 Municipalities
 - 23 Cities
 - 21 Boroughs
 - 28 Townships

Historic Reasons For Home Rule

- Residual powers – write own administrative code
- Increased citizen access – initiative & referendum
- Improved accountability & responsiveness
- Improved fiscal procedures & controls
- Flexibility
- Professional administration
- Wider representation
- Focused political leadership
- Separate legislative and executive functions
- Merit hiring & advancement

Considerations for Home Rule

- Forms of Government
- Structure of Government
- Operation and Procedures of Council
- Legislative Actions
- Elected Officials
- Appointed Officials
- Personnel
- Administrative and Fiscal Considerations
- Taxation

Home Rule Limitations

- U.S. & Pennsylvania Constitutions
- State Laws
- Arbitration/Labor Relations
- Boundary Change Law
- Independence of municipalities
- Election Code
- Ethics Law
- Recall
- Reapportionment
- Sunshine Law
- Open Records Law

Specific Restrictions

- Local Agency Law
- Tort claims
- Unit Debt Act
- Taxation subjects
- Court appointed personnel
- Veterans preference
- Clean streams
- Sewage Facilities Act
- Storm Water Mgt Act
- Recycling & Waste Reduction Act
- Vehicle Code
- Firearms/hunting regulations
- Regulation of utilities
- Eminent domain
- Local government autonomy
- Zoning – PA Municipalities Planning Code

Additional Comments

- The commission will make no decisions at this public hearing (other than administrative issues)
- The commission is still in the research phase. Consider any responses or comments from the commission as preliminary at this time (there is much detail to learn concerning the specific opportunities/restrictions on the home rule process)

Public Comment Guidelines

- Please use the microphone. State your name and address for the record
- Please limit initial comment to three minutes to ensure everyone has a chance to make input
- Please allow everyone else a chance to make a comment before follow-on comments or questions
- Commission members will ask questions when necessary