

Commonwealth of Pennsylvania



Governor's Office

Declaration of Fiscal Emergency – City of Harrisburg, Pennsylvania October 24, 2011

WHEREAS, a duly authorized Request for Determination of Municipal Financial Distress was filed by the Honorable Linda D. Thompson, Mayor of the City of Harrisburg, pursuant to the provisions of Sections 202 and 203 of the Municipalities Financial Recovery Act, 53 P.S. § 11701.101 et seq. (Act 47), on October 1, 2010; and

WHEREAS, on December 15, 2010, the Secretary of Community and Economic Development determined that the City of Harrisburg had met the criteria set forth in Sections 201(3) and 201(9) of Act 47 and, therefore, issued a determination of municipal financial distress; and

WHEREAS, the City of Harrisburg has failed to adopt a plan for relieving the City's financial distress pursuant to Act 47, having rejected the Final Act 47 Recovery Plan filed by the Recovery Plan Coordinator in accordance with Section 244 of Act 47 on July 8, 2011, and the alternate Final Recovery Plan presented by Mayor Thompson pursuant to the provisions of Section 246 of Act 47 on August 22, 2011; and

WHEREAS, there exists a sustained failure by the City of Harrisburg's governing body to enact or implement a fiscal plan to adequately address or prevent insolvency despite repeated opportunities to do so; and

WHEREAS, the ongoing fiscal distress of the City of Harrisburg jeopardizes the health, safety and welfare of its citizens and threatens the fiscal stability of neighboring communities; and

WHEREAS, the City of Harrisburg is insolvent; and

WHEREAS, the City of Harrisburg is subject to various pending legal actions, all of which seek money judgments that the City does not have the ability to pay without jeopardizing the provision of vital and necessary services to its citizens and, therefore, is unable to ensure the continued provision of such services.

NOW, THEREFORE, pursuant to the provisions of Sections 602(a)(1)(i) & (ii) and 602(a)(2)(i) of the Act of July 10, 1987 (P.L. 246, No. 47), as amended, 53 P.S. §§ 11701.101-11701.712 (Act 47 as amended), I hereby determine that a fiscal emergency exists in the City of Harrisburg.

FURTHER, in accordance with Section 602(b)(1) of Act 47 as amended, and contemporaneously with this Proclamation, I hereby adopt and issue, and incorporate herein by reference, a Concise Statement of Facts supporting the determination of the existence of a fiscal emergency in the City of Harrisburg.

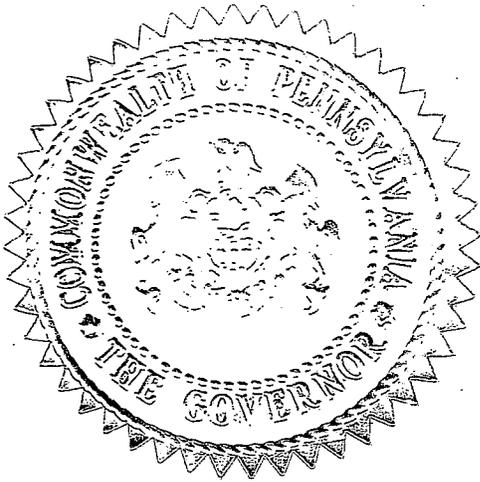
FURTHER, in accordance with Section 602(b)(1) of Act 47, I hereby direct the Secretary of Community and Economic Development forthwith to serve written notice of this

Declaration, along with the Concise Statement of Facts, upon the governing body of the City of Harrisburg and its Chief Executive Officer.

FURTHER, having determined that a fiscal emergency exists in the City of Harrisburg, and acting pursuant to the powers by law vested in me to invoke the Commonwealth of Pennsylvania's sovereign and plenary police power in emergency fiscal conditions to protect the health, safety and welfare of a municipality's citizens when local officials are unwilling or unable to accept a solvency plan developed for the benefit of the community, and pursuant to the Commonwealth's paramount right and duty to maintain law and order and protect and preserve the health, safety and welfare of its citizens and ensure compliance with Act 47 as amended under Article IX of the Constitution of Pennsylvania, and pursuant to the provisions of Section 602(a) & (b) of Act 47 as amended, I do hereby declare a state of fiscal emergency within the City of Harrisburg, Pennsylvania.

FURTHER, I hereby direct the Secretary of Community and Economic Development, within ten (10) days of this Declaration, to develop an Emergency Action Plan as prescribed by Sections 602(c) and 603 of Act 47 as amended to ensure that vital and necessary services are maintained within the City of Harrisburg during the state of fiscal emergency.

FURTHER, I hereby delegate the authority conferred upon me as Governor pursuant to the provisions of Section 604 of Act 47 as amended to the Secretary of Community and Economic Development, and I hereby authorize and direct the Secretary or his designee to carry out any emergency powers and issue any Orders otherwise reserved for the Governor pursuant to the aforesaid Section 604.



GIVEN under my hand and the Seal of the Governor, at the City of Harrisburg, this twenty-fourth day of October in the year of our Lord two thousand eleven, and of the Commonwealth the two hundred and thirty-fifth.

A handwritten signature in black ink, appearing to read "Tom Corbett", is written over the printed name.

TOM CORBETT
Governor