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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 410 Session of  
2013

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INTRODUCED BY DINNIMAN, TEPLITZ, FOLMER AND FONTANA,  
FEBRUARY 13, 2013

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REFERRED TO STATE GOVERNMENT, FEBRUARY 13, 2013

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AN ACT

1 Amending the act of March 24, 1905 (P.L.50, No.35), entitled,  
2 "An act to reorganize the Board of Trustees of The  
3 Pennsylvania State College," further providing for title of  
4 the act and for members of the Board of Trustees of The  
5 Pennsylvania State University; and providing for quorum and  
6 lifetime service limitation.

7 The General Assembly of the Commonwealth of Pennsylvania  
8 hereby enacts as follows:

9 Section 1. The title of the act of March 24, 1905 (P.L.50,  
10 No.35), entitled, "An act to reorganize the Board of Trustees of  
11 The Pennsylvania State College," is amended to read:

12 AN ACT

13 To reorganize the Board of Trustees of The Pennsylvania State  
14 [College] University.

15 Section 2. Section 1 of the act, amended June 24, 1939  
16 (P.L.863, No.367), is amended to read:

17 Section 1. Be it enacted, &c., That[, in addition to the  
18 present elective members of the Board of Trustees of The  
19 Pennsylvania State College, the said Board shall consist of the  
20 following members, to wit: Three members to be elected each

1 year, for a term of three years each, by the alumni of said  
2 college; two members to be appointed each year, for a term of  
3 three years each, by the Governor of the Commonwealth, and  
4 confirmed by the Senate; and the following members to serve ex-  
5 officio during their respective terms of office: The Governor of  
6 the Commonwealth, the President of the College, the State  
7 Superintendent of Public Instruction, the Secretary of  
8 Agriculture, and the Secretary of Mines.]:

9 (1) The Board of Trustees of The Pennsylvania State  
10 University, formerly The Pennsylvania State College, shall be  
11 reorganized in the manner that is deemed appropriate by the  
12 current elective members and shall from this day forward consist  
13 of the following members:

14 (i) Six members that are representative of the interest of  
15 the alumni to be elected, for a term of three years each, by the  
16 alumni of the university.

17 (ii) Four members that are representative of the interest of  
18 the agricultural community to be elected, for a term of three  
19 years each, by the county agricultural societies.

20 (iii) Four members that are representative of the interest  
21 of the business and industry community to be elected, for a term  
22 of three years each. At least two of the businesses and  
23 industry's representatives shall represent fields that are major  
24 academic focuses of the university. The Board of Trustees shall  
25 develop a process for the selection of the business and industry  
26 representative members that is fair and transparent, that  
27 involves the business and industry community and that is not a  
28 selection process by a vote of the Board of Trustees itself.

29 (iv) Four members that are appointed by the Governor of the  
30 Commonwealth and confirmed by the Senate. At least one of these

1 members must be a student enrolled in a program offered by the  
2 university whose term shall expire at the time the student  
3 ceases to be enrolled at the university. All other members  
4 appointed under this subparagraph shall have a term of three  
5 years.

6 (v) The following members shall serve during their  
7 respective terms of office: the Governor, as a nonvoting member  
8 ex-officio; and the following three members of the Board of  
9 Trustees shall serve as voting members ex-officio: the Secretary  
10 of Agriculture, the Secretary of Conservation and Natural  
11 Resources, and the Secretary of Education.

12 (2) The President of the University may not be a member of  
13 the Board of Trustees.

14 (3) The elections and appointment of the members of the  
15 Board of Trustees under paragraph (1)(i), (ii), (iii) and (iv)  
16 shall be cycled in a manner that assures staggered expirations  
17 of terms.

18 (4) The Board of Trustees may appoint emeriti members  
19 provided that any member on the Board of Trustees by virtue of  
20 emeritus status shall be wholly honorary without voting rights.  
21 Participation rights that are vested solely in the statutorily  
22 established members shall not be extended to emeriti members.

23 Section 3. The act is amended by adding sections to read:

24 Section 2.1. A majority of the voting members of the Board  
25 of Trustees shall be a quorum required for taking any official  
26 action by the Board.

27 Section 2.2. No member of the Board of Trustees may serve  
28 more than a total of nine years on the Board of Trustees during  
29 the course of that member's lifetime. This section shall apply  
30 to all members of the Board of Trustees, regardless of their

1 respective election and appointment dates, who serve on the  
2 effective date of this section, provided that any such member  
3 whose current term would violate this section may continue to  
4 serve for the duration of such current term only.

5 Section 4. Section 3 of the act is amended to read:

6 Section 3. (a) The officers of the Board of Trustees shall  
7 be [chosen] elected annually, to serve for a period of one year  
8 each[;] and shall be a [President] chair, a [Vice-President]  
9 Vice-Chair, a Secretary, and a Treasurer. [, and an Executive  
10 Committee of not less than three nor more than seven members,  
11 whose duty it shall be, under the direction and subject to the  
12 approval of the Board of Trustees, to transact such necessary  
13 business as may arise in the intervals between regular meetings  
14 of the Board. No member of the Board shall receive compensation  
15 for his services; but shall be paid necessary traveling and  
16 hotel expenses actually incurred in the performance of duty as  
17 such member. The Treasurer shall not be a member of the board,  
18 and shall give such bonds for the faithful performance of his  
19 duties, and receive such compensation as the Board may, from  
20 time to time, direct.]

21 (b) The Treasurer shall not be a member of the Board of  
22 Trustees, and shall give such bonds for the faithful performance  
23 of his duties, and receive such compensation as the Board of  
24 Trustees may, from time to time, direct.

25 (c) An Executive Committee of not less than three nor more  
26 than seven members, whose duty it shall be, under the direction  
27 and subject to the approval of the Board of Trustee, to transact  
28 such necessary business as may arise in the intervals between  
29 regular meetings of the Board of Trustees.

30 (d) The President of the University shall not serve as an

1 officer of the Board of Trustees and shall not serve on the  
2 Executive Committee, any standing committee, special committee  
3 or subcommittee of the Board of Trustees.

4 (e) No member of the Board of Trustees shall receive  
5 compensation for his services; but shall be paid necessary  
6 traveling and hotel expenses actually incurred in the  
7 performance of duty as such member.

8 Section 5. The act of February 22, 1855 (P.L.46, No.50),  
9 entitled "An act to incorporate the Farmers' High School of  
10 Pennsylvania," and any other act is repealed insofar as it is  
11 inconsistent with this act.

12 Section 6. This act shall take effect immediately.