

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1214 Session of
2005

INTRODUCED BY WHEATLEY, CALTAGIRONE, CREIGHTON, FRANKEL,
HENNESSEY, JAMES, PRESTON, READSHAW, SCAVELLO, STETLER,
THOMAS, WALKO AND WANSACZ, MARCH 30, 2005

REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, MARCH 30, 2005

AN ACT

1 Amending the act of February 12, 2004 (P.L.73, No.11), entitled
2 "An act providing for intergovernmental cooperation in cities
3 of the second class; establishing an intergovernmental
4 authority; providing for financing, for bankruptcy and for
5 sovereign immunity; and making an appropriation," further
6 providing for the composition of the authority's board.

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

9 Section 1. Section 202(a), (b), (c) and (d) of the act of
10 February 12, 2004 (P.L.73, No.11), known as the
11 Intergovernmental Cooperation Authority Act for Cities of the
12 Second Class, are amended to read:

13 Section 202. Governing board.

14 (a) Composition of board.--

15 (1) The powers and duties of the authority shall be
16 exercised by a governing board composed of [five] the
17 following members:

18 (i) One member shall be appointed by the President
19 pro tempore of the Senate.

1 (ii) One member shall be appointed by the Minority
2 Leader of the Senate.

3 (iii) One member shall be appointed by the Speaker
4 of the House of Representatives.

5 (iv) One member shall be appointed by the Minority
6 Leader of the House of Representatives.

7 (v) One member shall be appointed by the Governor.

8 (vi) The Secretary of the Budget and the director of
9 finance of each assisted city shall serve as ex officio
10 members of the board. The board and any appointed
11 coordinator shall cooperate in the sharing of reports,
12 information and recommendations with regard to the
13 assisted city. The ex officio members may not vote and
14 shall not be counted for purposes of establishing a
15 quorum. The Secretary of the Budget and the director of
16 finance of each assisted city may designate in writing a
17 representative of their respective offices to attend
18 meetings of the board on their behalf.

19 (vii) Two members shall be appointed as follows:

20 (A) The President pro tempore of the Senate and
21 the Speaker of the House of Representatives shall
22 jointly appoint one member.

23 (B) The Minority Leader of the Senate and the
24 Minority Leader of the House of Representatives shall
25 jointly appoint one member.

26 (2) All members and designees must have substantial
27 experience in finance or management.

28 (3) All members of the board must be residents of this
29 Commonwealth and, except the Secretary of the Budget, must
30 either be residents of the assisted city or have their

1 primary places of business or employment in that city.

2 (b) Term.--

3 (1) Appointing authorities shall appoint the initial
4 members of the board within seven days of the effective date
5 of the provision of this act which authorizes appointment,
6 and the appointed members shall select a chairperson from
7 among themselves at the initial organizational meeting of the
8 board and upon any subsequent vacancy in the office of
9 chairperson. Appointing authorities shall make every effort
10 to insure diverse membership on the board and shall select
11 one female member and one minority member to serve on the
12 board to the extent possible.

13 (2) The term of a board member shall begin on the date
14 of the appointment. [A] The following apply:

15 (i) Except as set forth in subparagraph (ii), a
16 member's term shall be coterminous with that of the
17 appointing authority.

18 (ii) A member appointed under subsection (a)(1)(vii)
19 shall serve a term of two years.

20 (3) The member selected as chairperson shall serve in
21 that capacity for two years from the date of selection or for
22 the duration of his term on the board, whichever is less, and
23 may be reelected to subsequent two-year terms. [An]

24 (4) Except for a member appointed under subsection
25 (a)(1)(vii), an appointed board member shall serve at the
26 pleasure of the member's appointing authority.

27 (5) Whenever a vacancy occurs among the appointed
28 members on the board, whether prior to or on the expiration
29 of a term, the appointing authority who originally appointed
30 the board member whose seat has become vacant shall appoint a

1 successor member within 30 days of the vacancy. A member
2 appointed by an appointing authority to fill a vacancy
3 occurring prior to the expiration of a term shall serve the
4 unexpired term.

5 (c) Organization.--The appointees [of the President pro
6 tempore of the Senate and the Speaker of the House of
7 Representatives] under subsection (a)(1)(i) and (iii) shall set
8 a date, time and place for the initial organizational meeting of
9 the board within five days of the appointment of the initial
10 members of the board. The initial organizational meeting shall
11 be held within 15 days of the effective date of this act. In
12 addition to the chairperson, the members shall elect such other
13 officers as they may determine. A member may hold more than one
14 office of the board at any time.

15 (d) Meetings.--After the initial organizational meeting, the
16 board shall meet as frequently as it deems appropriate but at
17 least once during each quarter of the fiscal year. In addition,
18 a meeting of the board shall be called by the chairperson if a
19 request for a meeting is submitted to the chairperson by at
20 least two members of the board. A majority of the board members
21 set forth in subsection (a)(1) shall constitute a quorum for the
22 purpose of conducting the business of the board and for all
23 other purposes. All actions of the board shall be taken by a
24 majority of the board except as otherwise specifically noted.
25 The provisions of 65 Pa.C.S. Ch. 7 (relating to open meetings)
26 shall apply to the board.

27 * * *

28 Section 2. This act shall take effect in 60 days.