

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 984 Session of
2007

INTRODUCED BY PETRONE, BENNINGTON, BOYD, CALTAGIRONE, CASORIO,
COSTA, DALEY, DeLUCA, FRANKEL, GIBBONS, GRUCELA, HENNESSEY,
KENNEY, KOTIK, KULA, MICOZZIE, PALLONE, RAMALEY, READSHAW,
SIPTROTH, SOLOBAY, STABACK, SURRA, J. TAYLOR, WALKO,
WHEATLEY, J. WHITE, YOUNGBLOOD AND MURT, MARCH 29, 2007

AS REPORTED FROM COMMITTEE ON URBAN AFFAIRS, HOUSE OF
REPRESENTATIVES, AS AMENDED, JUNE 27, 2007

AN ACT

1 Amending the act of July 28, 1953 (P.L.723, No.230), entitled,
2 as amended, "An act relating to counties of the second class
3 and second class A; amending, revising, consolidating and
4 changing the laws relating thereto," further providing, in
5 Allegheny Regional Asset District, for governing board and
6 for capital budget.

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

9 ~~Section 1. Section 3111 B(a) of the act of July 28, 1953~~ <—
10 ~~(P.L.723, No.230), known as the Second Class County Code, added~~
11 ~~December 22, 1993 (P.L.529, No.77), is amended to read:~~

12 SECTION 1. SECTION 3111-B(A), (B) AND (D) OF THE ACT OF JULY <—
13 28, 1953 (P.L.723, NO.230), KNOWN AS THE SECOND CLASS COUNTY
14 CODE, ADDED DECEMBER 22, 1993 (P.L.529, NO.77), ARE AMENDED TO
15 READ:

16 Section 3111-B. Governing Board.--(a) The powers and duties
17 of the district shall be exercised by a board that reflects the
18 racial and ethnic diversity of the county and composed of the

1 following members:

2 (1) Four members ~~nominated by the county executive and~~ <—
3 appointed by the [governing body of the county] COUNTY EXECUTIVE <—
4 who shall serve ~~at the pleasure of the governing body of the~~ <—
5 ~~county.~~ [and who AT THE PLEASURE OF THE [GOVERNING BODY OF THE <—
6 COUNTY AND WHO shall be selected in the following manner:

7 (i) Two members who shall be selected from nominations made
8 by the chairman of the board of county commissioners.

9 (ii) Two members who shall be selected from lists of
10 nominees submitted by the members of the board of county
11 commissioners other than the chairman. A separate list
12 containing at least three nominees shall be submitted by each of
13 the members of the board of county commissioners other than the
14 chairman. One member of the board of the district shall be
15 selected from each list of nominees.] COUNTY EXECUTIVE. <—

16 (2) Two members appointed by the mayor of the city who shall
17 serve at the pleasure of the mayor.

18 (3) One member appointed by the vote of at least five of the
19 members appointed pursuant to paragraphs (1) and (2) from a list
20 of nominees provided by regional economic and community
21 development organizations.

22 (4) One [nonvoting] member appointed by the Governor who
23 shall serve at the pleasure of the Governor.

24 (5) One member appointed by each of the following
25 legislative caucus leaders who shall serve at the pleasure of
26 the respective appointing authority with each such member being
27 referred to as a "legislative appointee":

28 (i) The President pro tempore of the Senate.

29 (ii) The Minority Leader of the Senate.

30 (iii) The Speaker of the House of Representatives.

1 (iv) The Minority Leader of the House of Representatives.

2 The term of a legislative appointee shall coincide with the term
3 of the appointing authority.

4 * * *

5 (6) ONE MEMBER APPOINTED BY A MAJORITY OF THE OTHER MEMBERS
6 APPOINTED UNDER PARAGRAPHS (1), (2), (3), (4) AND (5) WHO IS AN
7 ELECTED OFFICIAL OF A MUNICIPALITY WITHIN THE COUNTY, OTHER THAN
8 THE COUNTY OR CITY.

9 (B) THE TERM OF OFFICE OF MEMBERS OF THE BOARD APPOINTED
10 UNDER SUBSECTION (A)(1) [AND (2)], (2) AND (5) SHALL BE
11 COINCIDENT WITH THE TERM OF OFFICE OF THE APPOINTING AUTHORITY
12 OF THE MEMBERS AND UNTIL THEIR SUCCESSORS ARE APPOINTED AND
13 QUALIFIED. THE TERM OF OFFICE OF MEMBERS OF THE BOARD APPOINTED
14 UNDER SUBSECTION (A)(3) AND (6) SHALL BE FOR A TERM OF TWO YEARS
15 AND UNTIL THEIR SUCCESSORS ARE APPOINTED AND QUALIFIED. A PERSON
16 APPOINTED TO THE BOARD WHEN A VACANCY OCCURS DURING THE TERM OF
17 OFFICE OF A MEMBER OF THE BOARD SHALL SERVE FOR THE REMAINDER OF
18 THE TERM.

19 * * *

20 (D) THE BOARD SHALL MEET AS FREQUENTLY AS IT DEEMS
21 APPROPRIATE BUT AT LEAST ONCE DURING EACH QUARTER OF THE FISCAL
22 YEAR. IN ADDITION, A MEETING OF THE BOARD SHALL BE CALLED BY THE
23 CHAIRMAN IF A REQUEST FOR A MEETING IS SUBMITTED TO THE CHAIRMAN
24 BY AT LEAST TWO MEMBERS OF THE BOARD. A MAJORITY OF THE MEMBERS
25 APPOINTED TO THE BOARD SHALL CONSTITUTE A QUORUM FOR THE PURPOSE
26 OF CONDUCTING THE BUSINESS OF THE BOARD AND FOR ALL OTHER
27 PURPOSES, EXCEPT THAT, FOR THE PURPOSES OF MAKING DECISIONS
28 REGARDING PERSONNEL MATTERS, CONTRACTS AND CAPITAL AND OPERATING
29 BUDGETS AND DECIDING WHETHER TO ENTER INTO COOPERATION AND
30 SUPPORT AGREEMENTS WITH REGIONAL ASSETS NOT INCLUDED WITHIN THE

1 DISTRICT'S INITIAL FINANCIAL PLAN, AN AFFIRMATIVE VOTE OF AT
2 LEAST [SIX] EIGHT MEMBERS OF THE BOARD SHALL BE REQUIRED. THE
3 ACT OF JULY 3, 1986 (P.L.388, NO.84), KNOWN AS THE "SUNSHINE
4 ACT," SHALL APPLY TO THE BOARD.

5 Section 2. Section 3115-B of the act is amended by adding a
6 subsection to read:

7 Section 3115-B. Capital Budget.--* * *

8 (b.1) An annual appropriation of two per centum (2%) of the
9 funds made available to the district from sales and use taxes
10 levied within the county shall be provided to the official
11 tourist promotion agency of the county for the purpose of
12 carrying out the functions of the agency.

13 * * *

14 Section 3. This act shall take effect in 60 days.