

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1051 Session of
2007

INTRODUCED BY EARLL, AUGUST 27, 2007

SENATOR REGOLA, LOCAL GOVERNMENT, AS AMENDED, OCTOBER 17, 2007

AN ACT

1 Amending Title 53 (Municipalities Generally) of the Pennsylvania
2 Consolidated Statutes, in municipal authorities, further
3 providing for governing board AND FOR AIRPORT AUTHORITIES. <—

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Section 5607(f) of Title 53 of the Pennsylvania
7 Consolidated Statutes is amended to read:

8 § 5607. Purposes and powers.

9 * * *

10 (f) Authorization to control airports.--

11 (1) Nothing in this chapter shall be construed to
12 prevent an authority which owns or operates an airport as a
13 project from leasing airport land on a short-term or long-
14 term basis for commercial, industrial or residential purposes
15 when the land is not immediately needed for aviation or
16 aeronautical purposes in the judgment of the authority.

17 (2) Within 60 days of the effective date of this
18 paragraph, an authority which owns or operates an airport

1 shall by resolution provide for the following:

2 (i) The circumstances under which residents may
3 inspect and make copies of the records of the authority
4 in accordance with the act of June 21, 1957 (P.L.390,
5 No.212), referred to as the Right-to-Know Law.

6 (ii) A code of ethics that applies to members of the
7 board and employees of the authority. The code of ethics
8 shall be consistent with 65 Pa.C.S. Ch. 11 (relating to
9 ethics standards and financial disclosure), contain
10 provisions for restricted activities and require ethic
11 disclosures to be filed annually.

12 * * *

13 Section 2. Section 5610 of Title 53 is amended by adding a
14 subsection to read:

15 § 5610. Governing body.

16 * * *

17 (a.1) Board membership for airport authorities.--

18 (1) The powers of an authority which owns or operates an
19 airport located in a county of the third class shall be
20 exercised by a board composed as follows:

21 ~~(i) If the authority is incorporated solely by a~~ <—
22 ~~city of the third class located in the county, the board~~
23 ~~shall consist of 11 members, seven of whom shall~~
24 ~~represent each of the county council districts and whom~~
25 ~~shall be appointed by the county executive or other~~
26 ~~elected chief executive officer of the county, with the~~
27 ~~advice and consent of the county council or equivalent~~
28 ~~body, or if there is no county executive or elected chief~~
29 ~~executive officer of the county, by the governing body of~~
30 ~~the county, two of whom shall be appointed by the mayor~~

~~of the third class city with the advice and consent of the city council, and two of whom shall be appointed by the Governor with the advice and consent of the Senate. The terms of office shall commence on the effective date of the appointment. Of the board members appointed by the county executive, one member shall serve for one year, two for two years, two for three years and two for four years commencing with the first Monday in January next succeeding the date of incorporation or amendment. Of the board members appointed by the mayor, one member shall serve for one year and one for two years commencing with the first Monday in January next succeeding the date of incorporation or amendment. Of the board members appointed by the Governor, one member shall serve for two years and one for four years commencing with the first Monday in January next succeeding the date of incorporation or amendment. Thereafter, whenever a vacancy has occurred by reason of the expiration of the term of any member, the original appointing official shall appoint a member of the board for a term of four years from the date of expiration of the prior term to succeed the member whose term has expired. No person may serve more than two four year terms on the board.~~

~~(ii) If the authority is incorporated by a municipality other than a city of the third class or municipalities that include a city of the third class, the board shall consist of a number of members as provided in subsection (a).~~

~~(I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II),~~
~~AUTHORITY BOARD MEMBERSHIP SHALL BE GOVERNED IN~~

<—

1 ACCORDANCE WITH SUBSECTION (A).

2 (II) IF THE AUTHORITY IS INCORPORATED SOLELY BY A
3 CITY OF THE THIRD CLASS LOCATED IN A COUNTY OF THE THIRD
4 CLASS, THE BOARD SHALL CONSIST OF THE FOLLOWING MEMBERS:

5 (A) SEVEN MEMBERS SHALL BE APPOINTED BY THE
6 COUNTY EXECUTIVE OR OTHER ELECTED CHIEF EXECUTIVE
7 OFFICER OF THE COUNTY, WITH THE ADVICE AND CONSENT OF
8 THE COUNTY COUNCIL OR EQUIVALENT BODY, OR IF THERE IS
9 NO COUNTY EXECUTIVE OR ELECTED CHIEF EXECUTIVE
10 OFFICER OF THE COUNTY, BY THE GOVERNING BODY OF THE
11 COUNTY. IN COUNTIES WHICH ARE DIVIDED INTO COUNTY
12 COUNCIL DISTRICTS, EACH OF THESE SEVEN MEMBERS SHALL
13 REPRESENT A COUNTY COUNCIL DISTRICT.

14 (B) TWO MEMBERS SHALL BE APPOINTED BY THE MAYOR
15 OF THE THIRD CLASS CITY WITH THE ADVICE AND CONSENT
16 OF THE CITY COUNCIL.

17 (C) TWO MEMBERS SHALL BE APPOINTED BY THE
18 GOVERNOR WITH THE ADVICE AND CONSENT OF THE SENATE.

19 (III) WITH REGARD TO BOARD MEMBERS APPOINTED IN
20 ACCORDANCE WITH SUBPARAGRAPH (II), THE FOLLOWING SHALL
21 APPLY:

22 (A) THE TERMS OF OFFICE SHALL COMMENCE ON THE
23 EFFECTIVE DATE OF THE APPOINTMENT.

24 (B) OF THE BOARD MEMBERS APPOINTED BY THE COUNTY
25 EXECUTIVE, ONE MEMBER SHALL SERVE FOR ONE YEAR, TWO
26 FOR TWO YEARS, TWO FOR THREE YEARS AND TWO FOR FOUR
27 YEARS COMMENCING WITH THE FIRST MONDAY IN JANUARY
28 NEXT SUCCEEDING THE DATE OF INCORPORATION OR
29 AMENDMENT.

30 (C) OF THE BOARD MEMBERS APPOINTED BY THE MAYOR,

1 ONE MEMBER SHALL SERVE FOR ONE YEAR AND ONE FOR TWO
2 YEARS COMMENCING WITH THE FIRST MONDAY IN JANUARY
3 NEXT SUCCEEDING THE DATE OF INCORPORATION OR
4 AMENDMENT.

5 (D) OF THE BOARD MEMBERS APPOINTED BY THE
6 GOVERNOR, ONE MEMBER SHALL SERVE FOR TWO YEARS AND
7 ONE FOR FOUR YEARS COMMENCING WITH THE FIRST MONDAY
8 IN JANUARY NEXT SUCCEEDING THE DATE OF INCORPORATION
9 OR AMENDMENT.

10 (E) THEREAFTER, WHENEVER A VACANCY HAS OCCURRED
11 BY REASON OF THE EXPIRATION OF THE TERM OF ANY
12 MEMBER, THE ORIGINAL APPOINTING OFFICIAL SHALL
13 APPOINT A MEMBER OF THE BOARD FOR A TERM OF FOUR
14 YEARS FROM THE DATE OF EXPIRATION OF THE PRIOR TERM
15 TO SUCCEED THE MEMBER WHOSE TERM HAS EXPIRED.

16 (F) NO PERSON MAY SERVE MORE THAN TWO FOUR-YEAR
17 TERMS ON THE BOARD.

18 (2) This subsection shall apply to all authorities that
19 own or operate an airport located in a county of the third
20 class regardless of their date of incorporation. The articles
21 of incorporation of such an authority existing on the
22 effective date of this subsection and subject to this
23 subsection are superseded to the extent of an inconsistency
24 with the provisions of this subsection.

25 (3) A board member appointed prior to the effective date
26 of this subsection may continue to serve only until 60 days
27 after the effective date of this subsection.

28 * * *

29 Section 3. This act shall take effect immediately.