

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1101 Session of  
2004

INTRODUCED BY LOGAN, APRIL 29, 2004

REFERRED TO FINANCE, APRIL 29, 2004

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.

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

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

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

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

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

24 (5) Whenever a vacancy occurs among the appointed  
25 members on the board, whether prior to or on the expiration  
26 of a term, the appointing authority who originally appointed  
27 the board member whose seat has become vacant shall appoint a  
28 successor member within 30 days of the vacancy. A member  
29 appointed by an appointing authority to fill a vacancy  
30 occurring prior to the expiration of a term shall serve the

unexpired term.

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

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

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