
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2261 Session of
2008

INTRODUCED BY WOJNAROSKI, SEIP, GOODMAN, KORTZ, McILHATTAN,
GEORGE, HORNAMAN, SIPTROTH, PETRONE, MUSTIO, GIBBONS, SWANGER
AND GALLOWAY, OCTOBER 3, 2008

REFERRED TO COMMITTEE ON EDUCATION, OCTOBER 3, 2008

AN ACT

1 Amending the act of August 7, 1963 (P.L.549, No.290), entitled,
2 as amended, "An act creating the Pennsylvania Higher
3 Education Assistance Agency; defining its powers and duties;
4 conferring powers and imposing duties on the Governor,
5 President Pro Tempore of the Senate, Speaker of the House of
6 Representatives, Superintendent of Public Instruction and the
7 Department of Auditor General; and making appropriations,"
8 further providing for the composition of the board of
9 directors.

10 The General Assembly of the Commonwealth of Pennsylvania
11 hereby enacts as follows:

12 Section 1. Section 3 of the act of August 7, 1963 (P.L.549,
13 No.290), referred to as the Pennsylvania Higher Education
14 Assistance Agency Act, amended January 18, 1968 (1967 P.L.952,
15 No.424), is amended to read:

16 Section 3. Governing Bodies.--(a) Such agency shall be
17 governed and all of its corporate powers exercised by a board of
18 directors which shall consist of twenty members[, nineteen of
19 whom shall be appointed as hereinafter provided, and the
20 Superintendent of Public Instruction. Three members shall be
21 appointed by the Governor, eight shall be appointed by the

1 President Pro Tempore of the Senate, and eight shall be
2 appointed by the Speaker of the House of Representatives.] as
3 follows:

4 (1) The Secretary of Education.

5 (2) The Secretary of Banking.

6 (3) The Secretary of Community and Economic Development.

7 (4) The chancellor of the State System of Higher Education.

8 (5) Members appointed by the Governor as follows:

9 (i) Four members, one of whom shall be a full-time
10 postsecondary student.

11 (ii) The following members, subject to Senate confirmation:

12 (A) One member to represent State-related universities.

13 (B) One member to represent postsecondary vocational or
14 trade schools.

15 (C) One member to represent independent colleges and
16 universities from a list of nominations submitted by the
17 Association of Independent Colleges and Universities of
18 Pennsylvania.

19 (D) One member to represent community colleges from a list
20 of nominations submitted by the Pennsylvania Commission for
21 Community Colleges.

22 (6) Four members appointed by the President pro tempore of
23 the Senate, who shall be members of the Senate, two from the
24 majority party and two from the minority party.

25 (7) Four members appointed by the Speaker of the House of
26 Representatives, who shall be members of the House of
27 Representatives, two from the majority party and two from the
28 minority party.

29 (a.1) All appointed members shall be of full age, citizens
30 of the United States and residents of the State, and shall be

1 appointed for terms of six years each, except [that of the
2 members first appointed by the Governor, one shall be appointed
3 for a term which shall expire on June 30, 1965, one for a term
4 which shall expire on June 30, 1967, and one for a term which
5 shall expire on June 30, 1969, and of the members first
6 appointed by the President Pro Tempore of the Senate, one shall
7 be appointed for a term which shall expire on June 30, 1965, one
8 for a term which shall expire on June 30, 1967, and one for a
9 term which shall expire on June 30, 1969, and of the members
10 first appointed by the Speaker of the House of Representatives,
11 one shall be appointed for a term which shall expire on June 30,
12 1965, one for a term which shall expire on June 30, 1967, and
13 one for a term which shall expire on June 30, 1969; and of the
14 five additional members to be appointed by the President Pro
15 Tempore of the Senate under this amendment, one shall be
16 appointed for a term which shall expire on June 30, 1969, two
17 for a term which shall expire on June 30, 1971, one for a term
18 which shall expire on June 30, 1973 and one for a term which
19 shall expire on June 30, 1975, and of the five additional
20 members to be appointed by the Speaker of the House of
21 Representatives under this amendment, one shall be appointed for
22 a term which shall expire on June 30, 1969, two for a term which
23 shall expire on June 30, 1971, one for a term which shall expire
24 on June 30, 1973 and one for a term which shall expire on June
25 30, 1975. The eight members appointed by the President Pro
26 Tempore of the Senate shall be members of the Senate, four of
27 whom shall be of the majority party and four of the minority
28 party, and the eight members appointed by the Speaker of the
29 House of Representatives shall be members of the House of
30 Representatives, four of whom shall be of the majority party and

1 four of the minority party, and any] as set forth under
2 subsection (a.2).

3 (a.2) (1) Of the members first appointed by the Governor
4 after the effective date of this clause, one shall be appointed
5 for a term which shall expire June 30, 2010, one shall be
6 appointed for a term which shall expire June 30, 2012, and one
7 shall be appointed for a term which shall expire June 30, 2014.
8 The term of the full-time postsecondary student appointee shall
9 begin upon appointment and shall expire six years thereafter or
10 upon the student's graduation from a postsecondary institution.
11 Of the members first appointed by the President pro tempore of
12 the Senate after the effective date of this clause, one shall be
13 appointed for a term which shall expire June 30, 2010, one shall
14 be appointed for a term which shall expire June 30, 2012, one
15 shall be appointed for a term which shall expire June 30, 2014,
16 and one shall be appointed for a term which shall expire June
17 30, 2016. Of the members first appointed by the Speaker of the
18 House of Representatives, after the effective date of this
19 clause, one shall be appointed for a term which shall expire
20 June 30, 2010, one shall be appointed for a term which shall
21 expire June 30, 2012, one shall be appointed for a term which
22 shall expire June 30, 2014, and one shall be appointed for a
23 term which shall expire June 30, 2016.

24 (2) Any member of the Senate or House of Representatives
25 hereafter appointed shall serve on the board only so long as he
26 is a member of the particular body of the General Assembly from
27 which he was appointed to the board, in which event he shall be
28 ineligible to continue as a member of the board as a legislative
29 appointee and a vacancy shall exist. In such a case the
30 President Pro Tempore of the Senate or the Speaker of the House

1 of Representatives shall fill the vacancy for the unexpired term
2 in the same manner as original appointments. A member of the
3 board of directors who becomes ineligible to serve as a
4 legislative appointee shall be eligible for appointment by the
5 Governor. The board of directors shall elect from its own
6 members each year a chairman and vice chairman who shall serve
7 for terms of one year and who shall be eligible for reelection
8 for successive terms. Vacancies shall be filled for the
9 unexpired terms in the same manner as original appointments.
10 Directors shall receive no compensation for their services, but
11 shall be reimbursed for their expenses actually and necessarily
12 incurred by them in the performance of their duties under this
13 act.

14 (b) The board of directors shall provide for the holding of
15 regular and special meetings. Six directors attending shall
16 constitute a quorum for the transaction of any business and,
17 unless a greater number is required by the by-laws of the
18 agency, the act of a majority of the directors present at any
19 meeting shall be deemed the act of the board.

20 (c) The board of directors shall adopt by-laws for the
21 agency and may appoint such officers and employes as it deems
22 advisable and may fix their compensation and prescribe their
23 duties.

24 (d) The board of directors may elect an executive committee
25 of not less than five members who, in intervals between meetings
26 of the board, may transact such business of the agency as the
27 board may from time to time authorize. Unless otherwise provided
28 by the by-laws, a majority of the whole of such committee
29 attending shall constitute a quorum for the transaction of any
30 business and the act of a majority of the members of the

1 executive committee present at any meeting thereof shall be the
2 act of such committee.

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