



JAN 28 2011

Senate of Pennsylvania

**DATE:** January 27, 2011  
**TO:** All Senators  
**FROM:** Senator John R. Gordner  
**SUBJECT:** **Transfer of property from a municipality to a COG legislation**

I intend to introduce legislation which will amend the Second Class Township Code, Sections 1503 and 1504, relating to personal property, and Section 3102, relating to the letting of contracts by allowing a township to sell or lease real or personal property to a council of governments (COG), consortium, cooperative or other similar entity created pursuant to the Intergovernmental Cooperation Law, without going through the advertising and competitive bidding requirements imposed by the Code.

Under current law, the above sections waive advertising and bidding requirements for sales or leases of real or personal property, and the letting of contracts generally to other political subdivisions. What the Second Class Township Code does not currently authorize is the transfers of real or personal properties to COGs without going through the advertising and bidding requirements. I believe that if a Second Class Township can lease or sell real or personal property to a political subdivision without advertising and bidding, then they should be able to do the same for a consortium of political subdivisions.

This legislation is identical to SB144 of last session which was unanimously reported out of the Senate Local Government Committee on April 28, 2009. This measure was cosponsored by Senators Eichelberger, Baker, Orié, Wozniak, Fontana, Costa, M.J. White, Ferlo, Earll and Waugh.

The Pennsylvania State Association of Township Supervisors (PSATS) has indicated that they are in support of this legislation.

Please call my office at 787-8928 if you wish to cosponsor this legislation.