

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 997

Session of  
1987

INTRODUCED BY STEWART, APRIL 7, 1987

REFERRED TO COMMITTEE ON BUSINESS AND COMMERCE, APRIL 7, 1987

AN ACT

1 Amending the act of August 23, 1967 (P.L.251, No.102), entitled,  
2 as amended, "An act providing for the incorporation as public  
3 instrumentalities of the Commonwealth and as bodies corporate  
4 and politic of industrial and commercial development  
5 authorities for municipalities, counties and townships;  
6 prescribing the rights, powers and duties of such authorities  
7 hereafter incorporated; authorizing such authorities to  
8 acquire, by gift or purchase, to construct, improve and  
9 maintain industrial, specialized, or commercial development  
10 projects including projects for the elimination or prevention  
11 of blight and the control of air and water pollution, and to  
12 borrow money and issue bonds therefor; providing for the  
13 payment of such bonds and giving security therefor, and  
14 prescribing the rights of the holders of such bonds;  
15 authorizing the lease or sale of industrial, specialized, or  
16 commercial development projects to industrial, specialized,  
17 or commercial enterprises; authorizing any county,  
18 municipality or township to transfer or convey to such  
19 authorities, any facilities or property available for  
20 industrial, specialized, or commercial development projects;  
21 exempting the property and securities of such authorities  
22 from taxation; authorizing such authorities to enter into  
23 contracts with and to accept grants from the Federal  
24 Government or any agency thereof; and providing for approval  
25 by the Secretary of Commerce of the proceedings relating to  
26 industrial, specialized, or commercial development projects  
27 of such authorities," authorizing the creation of regional  
28 authorities.

29 The General Assembly of the Commonwealth of Pennsylvania  
30 hereby enacts as follows:

1 Section 1. The act of August 23, 1967 (P.L.251, No.102),  
2 known as the Industrial and Commercial Development Authority  
3 Law, is amended by adding a section to read:

4 Section 4.1. Method of Regional Incorporation.--(a)  
5 Whenever the majority of each of the county commissioners of two  
6 or more contiguous counties shall desire to organize a regional  
7 authority under this act, they shall each adopt a resolution or  
8 ordinance signifying their intention to do so, and shall have  
9 the power to select a name for the authority at their discretion  
10 to identify their geographic location in the Commonwealth.

11 Thereafter, the county commissioners of each county shall  
12 cause a notice of such resolution or ordinance to be published  
13 at least one time in the legal periodical of the county in which  
14 such authority is to be organized, and at least one time in the  
15 newspaper, published and of general circulation, in such county.  
16 Said notice shall contain a brief statement of the substance of  
17 said resolution or ordinance, including the substance of  
18 articles of incorporation making reference to this act, and  
19 shall state that on a day certain, not less than three days  
20 after publication of said notice, articles of incorporation of  
21 the proposed authority will be filed with the Secretary of the  
22 Commonwealth of Pennsylvania. The publication of such notice as  
23 aforesaid shall be the only publication required, any law to the  
24 contrary notwithstanding.

25 (b) On or before the day specified in said notice the county  
26 commissioners shall file with the Secretary of the Commonwealth  
27 articles of incorporation together with proof of publication of  
28 the notice as aforesaid. Said articles of incorporation shall  
29 set forth:

30 (1) The name of the authority;

1     (2) A statement that such authority is formed under this  
2 act;

3     (3) The names of the incorporating counties, together with  
4 the names and addresses of the county commissioners;

5     (4) The names, addresses and term of office of the first  
6 members of the board of said authority; and

7     (5) The term of existence of the authority which shall not  
8 exceed fifty years; all of which matters shall be determined in  
9 accordance with the provisions of this act. Said articles of  
10 incorporation shall be executed by the county commissioners by  
11 their proper officers and under their county seals.

12     (c) The Secretary of the Commonwealth shall forthwith, but  
13 not prior to the date specified in the aforesaid notice, and  
14 when all proper fees and charges have been paid, file the  
15 articles and issue a certificate of incorporation, a copy of  
16 which shall be delivered to the secretary. Upon the issuance of  
17 such certificate of incorporation by the Secretary of the  
18 Commonwealth, the corporate existence of said authority shall  
19 begin. Said certificate of incorporation shall be conclusive  
20 evidence of the fact that such authority has been incorporated.

21     (d) Such regional authorities shall have the power to accept  
22 grants from any agency, department, corporation or  
23 instrumentality heretofore or hereafter created, designated or  
24 established by the Government of the United States of America or  
25 the Commonwealth of Pennsylvania.

26     Section 2. This act shall take effect immediately.