

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 220 Session of
1997

INTRODUCED BY CORMAN, STOUT, THOMPSON AND SLOCUM
JANUARY 27, 1997

AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES,
MARCH 11, 1998

AN ACT

1 Amending the act of August 9, 1955 (P.L.323, No.130), entitled
2 "An act relating to counties of the third, fourth, fifth,
3 sixth, seventh and eighth classes; amending, revising,
4 consolidating and changing the laws relating thereto,"
5 PROVIDING FOR THE ABOLITION OF JURY COMMISSIONERS IN COUNTIES <—
6 OF THE THIRD CLASS HAVING A POPULATION UNDER THE FEDERAL
7 DECENNIAL CENSUS IN EXCESS OF 337,000 RESIDENTS, BUT LESS
8 THAN 341,000 RESIDENTS; further providing for the collection
9 of county taxes during vacancies in the office of elected tax
10 collectors in municipalities; AND PROVIDING FOR AN EXCISE TAX <—
11 IN CERTAIN COUNTIES, FOR APPROPRIATIONS FOR RADIO
12 BROADCASTING COMPANIES AND FOR COURTHOUSE HOURS AND
13 CALENDARS.

14 The General Assembly of the Commonwealth of Pennsylvania
15 hereby enacts as follows:

16 Section 1. ~~Section~~ SECTIONS 401 AND 1701.1 of the act of <—
17 August 9, 1955 (P.L.323, No.130), known as The County Code, ~~is~~ <—
18 ARE amended by adding a ~~subsection~~ SUBSECTIONS to read: <—

19 SECTION 401. ENUMERATION OF ELECTED OFFICERS.--* * * <—

20 (D) THE OFFICE OF JURY COMMISSIONER MAY BE ABOLISHED AT THE
21 OPTION OF EACH COUNTY BY REFERENDUM, WHENEVER ELECTORS EQUAL TO
22 AT LEAST FIVE PER CENTUM OF THE HIGHEST VOTE CAST FOR ANY OFFICE

1 IN THE COUNTY AT THE LAST PRECEDING GENERAL ELECTION SHALL FILE
2 A PETITION WITH THE COUNTY BOARD OF ELECTIONS OF THE COUNTY, OR
3 THE GOVERNING BODY OF THE COUNTY ADOPTS, BY A MAJORITY VOTE, A
4 RESOLUTION TO PLACE SUCH A QUESTION ON THE BALLOT AND A COPY OF
5 THE RESOLUTION IS FILED WITH THE BOARD OF ELECTIONS OF THE
6 COUNTY FOR A REFERENDUM ON THE QUESTION OF ABOLISHING THE OFFICE
7 OF JURY COMMISSIONER. PROCEEDINGS UNDER THIS SUBSECTION SHALL BE
8 IN ACCORDANCE WITH THE PROVISIONS OF THE ACT OF JUNE 3, 1937
9 (P.L.1333, NO.320), KNOWN AS THE "PENNSYLVANIA ELECTION CODE."
10 AS USED IN THIS SUBSECTION, THE FOLLOWING WORDS AND PHRASES
11 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SUBSECTION:

12 "COUNTY." ANY COUNTY WHICH ON THE EFFECTIVE DATE OF THIS ACT
13 IS A COUNTY OF THE THIRD CLASS HAVING A POPULATION UNDER THE
14 1990 FEDERAL DECENNIAL CENSUS IN EXCESS OF 337,000 RESIDENTS,
15 BUT LESS THAN 341,000 RESIDENTS.

16 Section 1701.1. Billing and Collection of Third, Fourth,
17 Fifth, Sixth, Seventh and Eighth Class County Taxes.--* * *

18 (b.2) Notwithstanding any law to the contrary, if, as a
19 result of a vacancy in the office of elected tax collector in a
20 municipality within a county of the third, fourth, fifth, sixth,
21 seventh or eighth class, an employe or paid official of the
22 municipality is appointed or directed by the governing body of
23 the municipality to assume the duties of tax collector, the
24 county commissioners may, by resolution, provide, until a
25 successor tax collector is elected in accordance with law, for
26 ~~either of~~ the following:

27 (1) ~~The~~ THE county treasurer to have the duties and
28 responsibilities of billing and collecting all county and county
29 institution DISTRICT taxes levied within the municipality;

30 (2) ~~Payment~~ PAYMENT to the municipality, rather than the

employe or paid official appointed or directed by the governing
body of the municipality to assume the duties of tax collector,
the compensation that otherwise would be attributable to the
billing and collecting of county and county institution DISTRICT
taxes levied within the municipality; OR

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(3) AN AGREEMENT WITH THE TAX COLLECTOR IN AN ADJOINING OR
CONVENIENTLY LOCATED MUNICIPALITY TO ASSUME THE DUTIES OF THE
TAX COLLECTOR AND RECEIVE THE COMPENSATION THAT OTHERWISE WOULD
BE ATTRIBUTABLE TO THE BILLING AND COLLECTING OF COUNTY AND
COUNTY INSTITUTION DISTRICT TAXES LEVIED WITHIN THE
MUNICIPALITY.

SECTION 2. THE DEFINITION OF "COUNTY" IN SECTION 1770.2(F)
OF THE ACT, ADDED JUNE 18, 1997 (P.L.179, NO.18), IS AMENDED TO
READ:

SECTION 1770.2. AUTHORIZATION OF EXCISE TAX.--* * *

(F) AS USED IN THIS SECTION, THE FOLLOWING WORDS AND PHRASES
SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SUBSECTION:

* * *

"COUNTY." ANY COUNTY WHICH IS ON THE EFFECTIVE DATE OF THIS
ACT A COUNTY OF THE THIRD CLASS HAVING A POPULATION UNDER THE
1990 FEDERAL DECENNIAL CENSUS IN EXCESS OF 337,000 RESIDENTS,
BUT LESS THAN 341,000 RESIDENTS, OR A COUNTY OF THE FOURTH CLASS
HAVING A POPULATION UNDER THE 1990 FEDERAL DECENNIAL CENSUS IN
EXCESS OF 159,000 RESIDENTS, BUT LESS THAN 175,000 RESIDENTS, OR
A COUNTY OF THE FIFTH CLASS HAVING A POPULATION UNDER THE 1990
FEDERAL DECENNIAL CENSUS IN EXCESS OF 123,000 RESIDENTS[.], OR A
COUNTY OF THE SIXTH CLASS HAVING A POPULATION UNDER THE 1990
FEDERAL DECENNIAL CENSUS IN EXCESS OF 87,000 RESIDENTS.

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SECTION 3. SECTION 1943 OF THE ACT IS AMENDED TO READ:

1 SECTION 1943. APPROPRIATIONS FOR RADIO BROADCASTING
2 STATION.--THE BOARD OF COMMISSIONERS OF ANY COUNTY MAY
3 [APPROPRIATE ANNUALLY A SUM NOT IN EXCESS OF FIVE HUNDRED
4 DOLLARS (\$500)] MAKE AN APPROPRIATION FOR THE PURPOSE OF
5 ASSISTING ANY NAVAL RESERVE UNIT OR AMATEUR RADIO LEAGUE IN
6 MAINTAINING, EQUIPPING AND OPERATING A SHORT WAVE RADIO
7 BROADCASTING STATION OR CABLE TELEVISION COMMUNITY ACCESS
8 STATIONS GEARED TO PUBLIC ACCESS, EDUCATIONAL ACCESS OR
9 GOVERNMENTAL ACCESS, WHICH SHALL BE AVAILABLE [AT ALL TIMES] FOR
10 PUBLIC USE IN THE EVENT OF EMERGENCY OR DISASTER.

11 SECTION 4. SECTION 2301.1 OF THE ACT, AMENDED JUNE 1, 1972
12 (P.L.328, NO.90), IS AMENDED TO READ:

13 SECTION 2301.1. DAYS AND HOURS OF COURT HOUSE AND OFFICES.--
14 [THE] SUBJECT TO THE POWER OF THE COURT OF COMMON PLEAS TO
15 CONDUCT JUDICIAL FUNCTIONS AND TO ADOPT A COURT CALENDAR, THE
16 COUNTY COMMISSIONERS SHALL DETERMINE WHEN THE COUNTY COURT HOUSE
17 AND ALL COUNTY OFFICES LOCATED ELSEWHERE SHALL BE OPEN, EXCEPT
18 THAT VOTERS' REGISTRATION OFFICES SHALL BE OPEN DURING ORDINARY
19 BUSINESS HOURS ON THE TWO SATURDAYS PRIOR TO TERMINATION OF
20 REGISTRATION PERIOD TO THE PRIMARY AND GENERAL AND MUNICIPAL
21 ELECTIONS.

22 SECTION 5. UPON APPROVAL OF THE REFERENDUM THE OFFICE OF
23 JURY COMMISSIONER IN AFFECTED COUNTIES SHALL EXPIRE AT THE
24 COMPLETION OF THE CURRENT JURY COMMISSIONERS' TERMS OF OFFICE.

25 SECTION 6. THE REFERENDUM PROVIDED FOR IN SECTION 401(D) OF
26 THE ACT SHALL TAKE PLACE IN ANY YEAR IN WHICH THE OFFICE OF JURY
27 COMMISSIONER IS NOT ON THE BALLOT.

28 Section ~~2~~ 7. This act shall take effect in 60 days.

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