

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 766 Session of 2001

INTRODUCED BY THOMPSON, ROBBINS, CONTI, STOUT AND WOZNIAK, APRIL 3, 2001

AS REPORTED FROM COMMITTEE ON LOCAL GOVERNMENT, HOUSE OF REPRESENTATIVES, AS AMENDED, JANUARY 23, 2002

AN ACT

1 Amending the act of June 24, 1931 (P.L.1206, No.331), entitled
2 "An act concerning townships of the first class; amending,
3 revising, consolidating, and changing the law relating
4 thereto," further providing for certain reimbursement, FOR
5 MEMBERS OF THE CIVIL SERVICE COMMISSION AND FOR ORGANIZATION
6 AND QUORUM OF THE COMMISSION.

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7 The General Assembly of the Commonwealth of Pennsylvania
8 hereby enacts as follows:

9 Section 1. Sections 611 and 622 of the act of June 24, 1931
10 (P.L.1206, No.331), known as The First Class Township Code,
11 reenacted and amended May 27, 1949 (P.L.1955, No.569) and
12 amended January 28, 1988 (P.L.17, No.8), are amended to read:

13 Section 611. Membership of Associations; Expenses of
14 Members.--The township commissioners and other officers of the
15 township designated by the township commissioners shall attend
16 such conventions, conferences, institutes or schools whenever
17 possible. Each township officer attending such convention,
18 conference, institute or school shall receive a certificate,
19 signed by the presiding officer and secretary or acting

1 secretary of the association, attesting his presence at the  
2 convention, conference, institute, or school. Such certificate  
3 shall entitle him to collect from the township treasurer  
4 expenses which shall be limited to the registration fee, mileage  
5 for use of personal vehicle or reimbursement of actual  
6 transportation expense going to and returning from such meeting  
7 plus all other actual expenses that the township commissioners  
8 may have agreed to pay. Every delegate attending the annual  
9 meeting shall submit to the township commissioners an itemized  
10 account of expenses incurred thereat. The township commissioners  
11 may authorize township employes to be compensated at their  
12 regular employe rate during their attendance at the annual  
13 meeting. The board of township commissioners may authorize a  
14 commissioner who is not employed by the township to receive  
15 total or partial reimbursement for lost wages or salary while  
16 attending the annual meeting provided that sufficient  
17 documentation of such wages or salary is presented to the board  
18 of township commissioners to justify the reimbursement. The  
19 expenses of holding any such convention shall be paid pro rata  
20 by the townships joining therein.

21 Section 622. Expenses of Delegates Paid by Townships.--Each  
22 delegate and other officer attending the annual meeting of the  
23 State association shall be allowed expenses which shall be  
24 limited to the registration fee, mileage for use of personal  
25 vehicle or reimbursement of actual transportation expense going  
26 to and returning from such meeting plus all other actual  
27 expenses that the township commissioners may have agreed to pay.  
28 Every delegate attending the annual meeting shall submit to the  
29 township commissioners an itemized account of expenses incurred  
30 thereat. The township commissioners may authorize township

1 employees to be compensated at their regular employe rate during  
2 their attendance at the annual meeting. The board of township  
3 commissioners may authorize a commissioner who is not employed  
4 by the township to receive total or partial reimbursement for  
5 lost wages or salary while attending the annual meeting provided  
6 that sufficient documentation of such wages or salary is  
7 presented to the board of township commissioners to justify the  
8 reimbursement. No delegate shall receive expenses for more than  
9 four days including the time employed in traveling thereto and  
10 therefrom, together with mileage going to and returning from the  
11 meeting. These expenses shall be paid by the respective  
12 townships.

13 SECTION 2. SECTIONS 626 AND 628 OF THE ACT ARE AMENDED TO <—  
14 READ:

15 SECTION 626. CIVIL SERVICE COMMISSION CREATED; APPOINTMENTS;  
16 VACANCIES.--THERE IS HEREBY CREATED IN EACH TOWNSHIP WHERE A  
17 POLICE FORCE OR PAID FIRE APPARATUS OPERATORS AS HEREINBEFORE  
18 PROVIDED ARE BEING MAINTAINED, A CIVIL SERVICE COMMISSION,  
19 HEREINAFTER REFERRED TO AS THE COMMISSION. THE COMMISSION SHALL  
20 CONSIST OF THREE COMMISSIONERS WHO SHALL BE QUALIFIED ELECTORS  
21 OF THE TOWNSHIP AND SHALL BE APPOINTED BY THE TOWNSHIP  
22 COMMISSIONERS INITIALLY TO SERVE FOR THE TERMS OF TWO, FOUR AND  
23 SIX YEARS, AND AS TERMS THEREAFTER EXPIRE SHALL BE APPOINTED FOR  
24 TERMS OF SIX YEARS.

25 ANY VACANCY OCCURRING IN ANY COMMISSION FOR ANY REASON  
26 WHATSOEVER SHALL BE FILLED FOR THE UNEXPIRED TERM WITHIN THE  
27 PERIOD OF THIRTY DAYS AFTER SUCH VACANCY OCCURS.

28 EACH MEMBER OF THE COMMISSION CREATED BY THIS SUBDIVISION,  
29 BEFORE ENTERING UPON THE DISCHARGE OF THE DUTIES OF HIS OFFICE,  
30 SHALL TAKE AN OATH OR AFFIRMATION TO SUPPORT THE CONSTITUTION OF

1 THE UNITED STATES AND OF THE COMMONWEALTH OF PENNSYLVANIA AND TO  
2 PERFORM HIS OFFICIAL DUTIES WITH FIDELITY.

3 THE TOWNSHIP COMMISSIONERS MAY APPOINT NO MORE THAN THREE  
4 QUALIFIED ELECTORS OF THE TOWNSHIP TO SERVE AS ALTERNATE MEMBERS  
5 OF THE COMMISSION. THE TERM OF OFFICE OF THE ALTERNATE MEMBERS  
6 SHALL BE SIX YEARS. WHEN SEATED PURSUANT TO SECTION 628, AN  
7 ALTERNATE SHALL BE ENTITLED TO PARTICIPATE IN ALL PROCEEDINGS  
8 AND DISCUSSIONS OF THE COMMISSION TO THE SAME AND FULL EXTENT AS  
9 PROVIDED BY LAW FOR COMMISSION MEMBERS, INCLUDING SPECIFICALLY  
10 THE RIGHT TO CAST A VOTE AS A VOTING MEMBER DURING THE  
11 PROCEEDINGS, AND SHALL HAVE ALL THE POWERS AND DUTIES SET FORTH  
12 IN THIS ACT AND AS OTHERWISE PROVIDED BY LAW. ALTERNATES SHALL  
13 HOLD NO OTHER OFFICE IN THE TOWNSHIP. ANY ALTERNATE MAY  
14 PARTICIPATE IN ANY PROCEEDING OR DISCUSSION OF THE COMMISSION  
15 BUT SHALL NOT BE ENTITLED TO VOTE AS A MEMBER OF THE COMMISSION  
16 UNLESS DESIGNATED AS A VOTING ALTERNATE MEMBER PURSUANT TO  
17 SECTION 628.

18 SECTION 628. ORGANIZATION OF COMMISSION; QUORUM.--THE  
19 COMMISSION FIRST APPOINTED SHALL ORGANIZE WITHIN TEN DAYS OF ITS  
20 APPOINTMENT AND SHALL ELECT ONE OF ITS MEMBERS AS THE CHAIRMAN  
21 AND ONE AS THE SECRETARY. THE COMMISSION SHALL THEREAFTER MEET  
22 AND ORGANIZE ON THE FIRST MONDAY OF EACH EVEN-NUMBERED YEAR.  
23 EACH COMMISSIONER SHALL BE NOTIFIED IN WRITING OF EACH AND EVERY  
24 MEETING. [TWO] THREE MEMBERS OF THE COMMISSION SHALL CONSTITUTE  
25 A QUORUM [AND NO]. IF, BY REASON OF ABSENCE OR DISQUALIFICATION  
26 OF A MEMBER, A QUORUM IS NOT REACHED, THE CHAIRMAN SHALL  
27 DESIGNATE AS MANY ALTERNATE MEMBERS OF THE COMMISSION TO SIT ON  
28 THE COMMISSION AS MAY BE NEEDED TO PROVIDE A QUORUM. ANY  
29 ALTERNATE MEMBER OF THE COMMISSION SHALL CONTINUE TO SERVE ON  
30 THE COMMISSION IN ALL PROCEEDINGS INVOLVING THE MATTER OR CASE

1 FOR WHICH THE ALTERNATE WAS INITIALLY APPOINTED UNTIL THE  
2 COMMISSION HAS MADE A FINAL DETERMINATION OF THE MATTER OR CASE.  
3 DESIGNATION OF AN ALTERNATE PURSUANT TO THIS SECTION SHALL BE  
4 MADE ON A CASE-BY-CASE BASIS IN ROTATION ACCORDING TO DECLINING  
5 SENIORITY AMONG ALL ALTERNATES. NO ACTION OF THE COMMISSION  
6 SHALL BE VALID UNLESS IT SHALL HAVE THE CONCURRENCE OF AT LEAST  
7 TWO MEMBERS.

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

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