

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1074 Session of 2019

INTRODUCED BY TURZAI, HENNESSEY, RYAN, BERNSTINE, PICKETT, PYLE, ROTHMAN, STAATS, MEHAFFIE, BARRAR, MILLARD, B. MILLER, LAWRENCE, JONES, MOUL, WARNER, SCHMITT, O'NEAL, MIZGORSKI, PUSKARIC, ORTITAY, DOWLING, REESE, KAIL, WALSH AND MIHALEK, APRIL 5, 2019

AS REPORTED FROM COMMITTEE ON LOCAL GOVERNMENT, HOUSE OF REPRESENTATIVES, AS AMENDED, APRIL 29, 2019

AN ACT

1 Amending Title 53 (Municipalities Generally) of the Pennsylvania
2 Consolidated Statutes, in municipal authorities, providing
3 for governing bodies of airport authorities located in
4 counties of the second class.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. Title 53 of the Pennsylvania Consolidated
8 Statutes is amended by adding a section to read:

9 § 5610.1. Governing bodies of airport authorities located in
10 counties of the second class.

11 (a) General rule.--An airport authority established under
12 this chapter that operates in a county of the second class shall
13 have a board composed of 13 members.

14 (b) Terms of existing members.--

15 (1) The terms of members serving on the board on the
16 effective date of this subsection shall expire in 60 days.

17 (2) Nothing in this subsection shall be construed to

1 prohibit a current member from being reappointed by an
2 appointing authority under this chapter.

3 (c) Membership.--The board shall be composed of the
4 following members:

5 (1) One member appointed by the Governor.

6 (2) Four members appointed by officers of the General
7 Assembly as follows:

8 (i) One individual shall be appointed by the
9 President pro tempore of the Senate.

10 (ii) One individual shall be appointed by the
11 Minority Leader of the Senate.

12 (iii) One individual shall be appointed by the
13 Speaker of the House of Representatives.

14 (iv) One individual shall be appointed by the
15 Minority Leader of the House of Representatives.

16 (3) Eight members appointed by the county executive of
17 the county where the authority is located.

18 (d) Terms of members.--

19 (1) The member appointed by the Governor under
20 subsection (c) (1) shall serve a four-year term.

21 (2) The members appointed by the President pro tempore
22 of the Senate and the Minority Leader of the Senate under
23 subsection (c) (2) shall serve a four-year term.

24 (3) The members appointed by the Speaker of the House of
25 Representatives and the Minority Leader of the House of
26 Representatives shall serve an initial three-year term
27 immediately following the effective date of this section, to
28 be followed thereafter by a four-year term.

29 (4) The members appointed by the county executive shall
30 serve an initial term as follows to be immediately followed

1 thereafter by a four-year term:

2 (i) Four appointees under subsection (c)(3) shall
3 serve an initial term of two years, as designated by the
4 county executive.

5 (ii) Four appointees under subsection (c)(3) shall
6 serve an initial term of three years, as designated by
7 the county executive.

8 (e) Residency requirements.--Except for an appointee under
9 subsection (c)(1) who must be a resident of this Commonwealth,
10 appointees must be residents of the county where the authority
11 is located and have expertise or substantial experience in
12 budgeting, finance, economic development, aviation or airport
13 operations.

14 (f) Time for initial appointments.--

15 (1) Appointing authorities shall appoint initial members
16 within 60 days of the effective date of this section.

17 (2) The terms of initial members shall commence 60 days
18 following the effective date of this subsection.

19 (g) Term limitations.--No member APPOINTED IN ACCORDANCE <--
20 WITH SUBSECTION (D) shall serve more than three consecutive
21 terms, including initial terms.

22 (h) Compensation and expenses.--A member shall be entitled
23 to compensation consistent with the provisions of section
24 5607(d)(8) (relating to purposes and powers) for the member's
25 services and shall be entitled to the necessary expenses,
26 including traveling expenses incurred in the performance of the
27 member's duties.

28 (i) Organizational structure and meetings.--

29 (1) Within 90 days after the effective date of this
30 section, the board shall meet and organize by electing from

1 their number a chairman, a vice chairman and other officers
2 as the board may determine.

3 (2) The board may employ a secretary, an executive
4 director, counsel and legal staff, technical experts and
5 other agents and employees, permanent or temporary, as the
6 board may require, and may determine the qualifications and
7 fix the compensation of those persons.

8 (3) Seven members of the board shall constitute a quorum
9 for the board's meetings.

10 (4) The consent of at least ~~eight~~ SEVEN members of the <--
11 board shall be necessary to take action on behalf of the
12 authority.

13 ~~(5) Board action on the following matters shall be~~ <--
14 ~~tabled upon motion and seconded by the two board members~~
15 ~~appointed under subsection (c) (2) by officers of the General~~
16 ~~Assembly who are not of the same political party affiliation~~
17 ~~as the county executive:~~

18 ~~(i) Adopting bylaws.~~

19 ~~(ii) Appointing a chief executive officer.~~

20 ~~(iii) Authorizing bonds, other borrowing and leases.~~

21 ~~(iv) Approving contracts that entail expenditures in~~
22 ~~excess of \$5,000,000.~~

23 ~~(6) (5) Members of the board shall not be liable~~ <--
24 personally on the bonds or other obligations of the
25 authority, and the rights of creditors shall be solely
26 against the authority.

27 ~~(7) (6) The board may delegate to one or more of its~~ <--
28 agents or employees powers as the board deems necessary to
29 carry out the purposes of this chapter, subject to the
30 supervision and control of the board.

1 ~~(8)~~ (7) The board shall have the authority to make <--
2 bylaws as provided under section 5607(d)(7).

3 ~~(9)~~ (8) Copies of bylaws, rules and regulations shall be <--
4 filed with the county council of the county.

5 (j) Removal of members.--A member APPOINTED UNDER SUBSECTION <--
6 (C) (1) OR (2) MAY BE REMOVED WITH OR WITHOUT CAUSE BY THE
7 APPOINTING AUTHORITY. A MEMBER APPOINTED UNDER SUBSECTION (C) (3)
8 may be removed for cause by the court of common pleas of the
9 county in which the authority is located after having been
10 provided with a copy of the charges against the member for at
11 least 10 days and a full hearing by the court.

12 (k) Vacancy of members.--If a vacancy occurs by reason of
13 the death, resignation or removal of a member, the designated
14 appointing authority shall appoint a successor to fill the
15 unexpired term within 60 days.

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