

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2823 Session of  
2020

INTRODUCED BY DOWLING, GAINNEY, JAMES, KULIK, SCHMITT, O'NEAL,  
KAIL, MIHALEK, ORTITAY, DAVANZO, A. DAVIS, MARSHALL, DUNBAR,  
BERNSTINE, READSHAW, GREEN, MIZGORSKI AND SNYDER,  
AUGUST 31, 2020

REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, AUGUST 31, 2020

AN ACT

1 Amending the act of December 14, 1992 (P.L.818, No.133),  
2 entitled "An act establishing the Port of Pittsburgh  
3 Commission; providing for its powers and duties; and making a  
4 repeal," further providing for commission and governing body.

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

7 Section 1. Section 3(b)(2) of the act of December 14, 1992  
8 (P.L.818, No.133), known as the Port of Pittsburgh Commission  
9 Act, is amended and subsection (b) is amended by adding  
10 paragraphs to read:

11 Section 3. Commission and governing body.

12 \* \* \*

13 (b) Governing body.--

14 \* \* \*

15 [(2) The governing body shall be composed of 15 members  
16 who shall be appointed in the following manner and who shall  
17 be residents of this Commonwealth and serve at the pleasure  
18 of their respective appointing authority:

1 (i) One member shall be appointed by the President  
2 pro tempore of the Senate for a term concurrent with the  
3 term of such appointing authority.

4 (ii) One member shall be appointed by the Minority  
5 Leader of the Senate for a term concurrent with the term  
6 of such appointing authority.

7 (iii) One member shall be appointed by the Speaker  
8 of the House of Representatives for a term concurrent  
9 with the term of such appointing authority.

10 (iv) One member shall be appointed by the Minority  
11 Leader of the House of Representatives for a term  
12 concurrent with the term of such appointing authority.

13 (v) Four members initially appointed by the Governor  
14 for terms of one, two, three and four years,  
15 respectively, provided that their respective successors  
16 shall each be appointed for a term of four years. The  
17 initial term of each member shall be designated by the  
18 Governor at the time of appointment.

19 (vi) Seven members appointed by the Governor for a  
20 term of four years, provided that one member shall be  
21 appointed from each list of at least three nominees  
22 submitted to the Governor respectively by the Waterways  
23 Association of Pittsburgh, the River Terminal Operator's  
24 Association, the Association for the Development of  
25 Inland Navigation in America's Ohio Valley and the county  
26 commissioners jointly of those counties within the port  
27 district which are not members of the Southwestern  
28 Pennsylvania Regional Planning Commission; and three  
29 members shall be appointed from a list of at least five  
30 nominees submitted to the Governor by the Southwestern

1 Pennsylvania Regional Planning Commission. Each list  
2 shall be submitted to the Governor within 30 days of the  
3 effective date of this act, and the Governor shall select  
4 a member from each list within 30 days of receipt of each  
5 list or else may request one substitute list of nominees  
6 from any entity who prepares a list. If each entity  
7 permitted to submit a list fails to submit a list of  
8 nominees within 30 days of the effective date of this act  
9 or fails to submit a substitute list within 30 days of  
10 receipt of a request to do so, the Governor may appoint  
11 at his discretion such member or members for which a list  
12 of nominees was not submitted. Whenever a vacancy occurs  
13 prior to the completion of the term of office of a member  
14 appointed pursuant to this paragraph, the entity which  
15 prepared the list for the board member whose seat has  
16 become vacant shall submit a list of nominees to replace  
17 that member to the Governor who shall select a person to  
18 fill the vacancy in the manner provided for in this  
19 paragraph for the selection of original appointments.]

20 (2.1) The governing body shall be composed of the  
21 following members, who must be individuals at least 18 years  
22 of age and residents of this Commonwealth, who shall serve at  
23 the pleasure of the respective appointing authority, and who  
24 shall be appointed in the following manner:

25 (i) Four members appointed by the Governor for a  
26 term of four years.

27 (ii) Three members shall be appointed by the  
28 Governor from a list of at least five nominees submitted  
29 to the Governor by the Southwestern Pennsylvania Regional  
30 Planning Commission for a term of two years and until re-

1 appointed or a successor is appointed.

2 (iii) One member appointed by the Governor from a  
3 list of at least three nominees submitted to the Governor  
4 by the Port of Pittsburgh Commission Board for a term of  
5 two years and until re-appointed or a successor is  
6 appointed

7 (iv) One member appointed by the President pro  
8 tempore of the Senate for a term concurrent with the term  
9 of the appointing authority.

10 (v) One member appointed by the Minority Leader of  
11 the Senate for a term concurrent with the term of the  
12 appointing authority.

13 (vi) One member appointed by the Speaker of the  
14 House of Representatives for a term concurrent with the  
15 term of the appointing authority.

16 (vii) One member appointed by the Minority Leader of  
17 the House of Representatives for a term concurrent with  
18 the term of the appointing authority.

19 (viii) One member nominated by the Port of  
20 Pittsburgh Executive Committee and appointed by the Port  
21 of Pittsburgh Commission Board for a term of two years  
22 and until re-appointed or a successor is appointed.

23 (2.2) If each entity permitted to submit a list  
24 under paragraph (2.1) fails to submit a list of nominees  
25 within 30 days of the effective date of this paragraph or  
26 fails to submit a substitute list within 30 days of  
27 receipt of a request to do so, the Governor may appoint  
28 the member or members for which a list of nominees was  
29 not submitted. Whenever a vacancy occurs prior to the  
30 completion of the term of office of a member appointed

1           under this paragraph, the entity which prepared the list  
2           for the board member whose seat has become vacant shall  
3           submit a list of nominees to replace that member to the  
4           Governor, and the Governor shall select a person to fill  
5           the vacancy in the manner provided for in this paragraph  
6           for the selection of original appointments.

7           \* \* \*

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