

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1454 Session of 2023

INTRODUCED BY WARNER, JAMES, HAMM, JOZWIAK, KAUFFMAN AND BERNSTINE, JUNE 21, 2023

REFERRED TO COMMITTEE ON EDUCATION, JUNE 21, 2023

AN ACT

1 Amending the act of February 22, 1855 (P.L.46, No.50), entitled  
 2 "An act to incorporate the Farmers' High School of  
 3 Pennsylvania," further providing for management by board of  
 4 trustees, for membership of board of trustees, name and style  
 5 of board and power of board to take and dispose of property  
 6 and for first meeting of trustees, term of office and  
 7 election to choose successors.

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

10 Section 1. Sections 2, 3 and 5 of the act of February 22,  
 11 1855 (P.L.46, No.50), entitled "An act to incorporate the  
 12 Farmers' High School of Pennsylvania," are amended to read:

13 Section 2. Management by board of trustees

14 The said institution shall be under the management and  
 15 government of a board of trustees[, of whom there shall be  
 16 thirteen, and seven of whom shall be a quorum, competent to  
 17 perform the duties hereinafter authorized and required.]. The  
 18 following apply:

19 (1) The board of trustees shall be composed of thirty-seven  
 20 trustees, which shall include thirty-four voting trustees and

1 three nonvoting trustees who serve ex officio. The composition  
2 of the board of trustees shall be as follows:

3 (i) The Governor, the Secretary of Education and the  
4 Secretary of Agriculture shall serve as the ex officio members  
5 of the board of trustees.

6 (ii) Twelve of the trustees shall be designated Commonwealth  
7 trustees and appointed as follows:

8 (A) Four of the trustees shall be appointed by the Governor,  
9 with the advice and consent of two-thirds of all of the members  
10 of the Senate.

11 (B) Four of the trustees shall be appointed by the President  
12 pro tempore of the Senate.

13 (C) Four of the trustees shall be appointed by the Speaker  
14 of the House of Representatives.

15 (D) Within six months after the effective date of this  
16 clause, for each of the appointing authorities under this  
17 subparagraph, one appointment shall be made for a term of four  
18 years, one appointment shall be made for a term of three years,  
19 one appointment shall be made for a term of two years and one  
20 appointment shall be made for a term of one year. Annually  
21 thereafter, for each of the appointing authorities under this  
22 subparagraph, one appointment shall be made for a term of four  
23 years.

24 (iii) Twenty-two trustees shall be elected annually under  
25 the terms and conditions as provided by the by-laws of the  
26 institution.

27 (2) The Lieutenant Governor, Attorney General, Auditor  
28 General, State Treasurer and the President of The Pennsylvania  
29 State University shall be prohibited from serving on the board  
30 of trustees during their terms of office.

1     (3) A simple majority of the voting members of the board of  
2 trustees shall constitute a quorum and shall be required prior  
3 to any official action to be taken by the board of trustees.

4     Section 3. [Membership of board of trustees; name] Name and  
5 style of board of trustees; power of board to take and dispose  
6 of property

7     The [Governor, Secretary of the Commonwealth, the President  
8 of the Pennsylvania State Agricultural Society, and the  
9 principal of the institution, shall each be ex officio a member  
10 of the board of trustees, which said trustees, and their  
11 successors in office, are hereby elected and declared to be]  
12 board of trustees shall be a body politic and corporate in law,  
13 with perpetual succession, by the name, style and title of the  
14 Farmers' High School of Pennsylvania, by which name and title  
15 the said trustees, and their successors, shall be able and  
16 capable in law to take by gift, grant, sale or conveyance, by  
17 bequest, devise or otherwise, any estate in any lands, tenements  
18 and hereditaments, goods, chattels or effects, and at pleasure  
19 to alien or otherwise dispose of the same to and for the uses  
20 and purposes of the said institution: provided, however, that  
21 the annual income of the said State, so held, shall at no time  
22 exceed twenty-five thousand dollars; and the said corporation  
23 shall by the same name have power to sue and be sued, and  
24 generally to do and transact all and every business touching or  
25 concerning the premises, or which shall be necessarily  
26 incidental thereto, and to hold, enjoy and exercise all such  
27 powers, authorities and jurisdiction as are customary in the  
28 colleges within this Commonwealth.

29     [Section 5. First meeting of trustees; term of office;  
30 election to choose successors]

1 At the first meeting of the board of trustees, the nine names  
2 who are not ex officio members, shall by themselves and by lot  
3 be divided into three classes, of three each, numbered one, two,  
4 and three; the appointment hereby made of class number one shall  
5 terminate on the first Monday of October, 1856, number two on  
6 the first Monday of October, 1857, and number three on the first  
7 Monday of October, 1858; and upon the termination of the office  
8 of such directors, to-wit: on the first Monday of October in  
9 every year, an election shall be held at the institution to  
10 supply their place, and such election shall be determined by the  
11 votes of the members of the executive committee of the  
12 Pennsylvania State Agricultural Society, and the votes of three  
13 representatives duly chosen by each county agricultural society  
14 in this Commonwealth, which shall have been organized at least  
15 three months preceding the time of election, and it shall be the  
16 duty of the said board of trustees to appoint two of their  
17 number as judges to hold the said election, to receive and count  
18 the votes, and return the same to the board of trustees, with  
19 their certificate of the number of votes cast, and for whom,  
20 whereupon the said board shall determine who have received the  
21 highest number of votes, and who are thereby elected.]

22 Section 2. All acts or parts of acts are repealed to the  
23 extent that they are inconsistent with this act.

24 Section 3. This act shall take effect in 60 days.