

nine hundred fifty-three (Pamphlet Laws 554), is hereby further amended to read as follows:

Section 902. Size of Vehicles and Loads.—

\* \* \* \* \*

(g) No truck tractor and semi-trailer, coupled together, except fire department equipment, shall exceed a total maximum length, inclusive of load and bumpers, of five hundred forty (540) inches, excepting that until, but not after, January first, one thousand nine hundred forty-one, any truck tractor and semi-trailer, properly registered in this Commonwealth on the effective date of this act, may, when coupled together, be of a total maximum length not exceeding seventy (70) feet, excepting further that nothing in this subsection shall prohibit the transportation of articles impossible of dismemberment, which do not exceed seventy (70) feet: *Provided, however, That any combination of a truck tractor and a semi-trailer designed exclusively for carrying motor vehicles may exceed such total maximum length by not more than thirty (30) inches.*

Section 2. This act shall be effective immediately upon its final enactment. Act effective immediately.

APPROVED—The 27th day of September, A. D. 1955.

GEORGE M. LEADER

No. 162

AN ACT

Amending the act of June twelve, one thousand nine hundred nineteen (Pamphlet Laws 466), entitled "An act to provide for the incorporation and regulation of cooperative agricultural associations not having a capital stock and not conducted for profit, and defining agriculture so as to include persons engaged in agriculture, dairying, livestock raising, poultry raising, beekeeping, and horticulture", changing the required contents of the articles of association, providing for additional methods in electing directors, changing the vote for amendment of articles and dissolution of association, and eliminating auditing committee service in certain cases.

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

Section 1. Clause VI of section four and section twelve, act of June twelve, one thousand nine hundred nineteen (Pamphlet Laws 466), entitled "An act to provide for the incorporation and regulation of cooperative \*agricultural associations not having a capital stock and not conducted for profit, and defining agri-

Cooperative agricultural associations.

Clause VI. of section 4 and section 12, act of June 12, 1919, P. L. 466, amended May 1, 1929, P. L. 1201, further amended.

\* agricultural in original.

culture so as to include persons engaged in agriculture, dairying, livestock raising, poultry raising, beekeeping, and horticulture," amended May one, one thousand nine hundred twenty-nine (Pamphlet Laws 1201), are amended to read:

Section 4. The articles of association of an intended association must be subscribed by five or more persons, three of whom must be citizens of this Commonwealth, and shall set forth:

\* \* \* \* \*

VI. The number of its directors *for the first year*, not less than five, and the names and residences of those who are chosen for directors for the first year, and the name and residence of the treasurer.

\* \* \* \* \*

Section 12. Within thirty days after the recording of the articles of association in the office of the recorder of deeds as prescribed in section four of this act, a call, signed by not less than a majority of the directors, shall be issued for a meeting of the members. At such meeting, or any adjourned session or sessions thereof, by-laws regulating and conducting the management of the association shall be adopted. Such by-laws shall, within the limits of this act, prescribe:

1. The time, place and manner of calling and holding meetings.

2. The number and qualification of members, the conditions under which membership shall be granted and terminated, rules governing the exercise of the privileges of members and the issuance, transfer and cancellation of membership certificates, and the manner of ascertaining the interest of members in the assets, if any, of the association.

3. The number of directors, the time and manner of their election and removal, their powers and duties, the number, not less than a majority, necessary to the exercise of their powers, and the method of fixing their compensation, if any. *The by-laws may provide a system for the nomination of directors by a representative advisory body or council, or otherwise, and for their election, either at large or by districts, by votes cast by members in district or local meetings, the return of such votes to be made to the central office for tabulation.*

4. The officers, their terms of office, the time and manner of their appointment and removal, their powers, duties, and the method of fixing their compensation, if any.

5. The manner of fixing and collecting fees, dues, and other assessments, or charges for services to its members.

6. Any other provisions proper and necessary to carry out the purposes for which the association was formed.

The by-laws of such association, so created under the provisions of this statute, shall be deemed to be taken as the law, subordinate to this [statue] *statute*, the articles of association of the same, and letters patent issued thereon, the Constitution and laws of this Commonwealth, and the Constitution and laws of the United States.

Section 2. Section fourteen of the act, amended May twenty, one thousand nine hundred thirty-one (Pamphlet Laws 141), is amended to read:

Section 14, act of June 12, 1919, P. L. 466, amended May 20, 1931, P. L. 141, further amended.

Section 14. The board of directors of each association shall consist of not less than five members. At the first regular meeting of the association, a quorum as specified by the by-laws being present, the members shall elect from among themselves directors for [the] *such* term [of one year. At the expiration of the terms of directors so elected, their successors shall be elected in like manner for terms of one year: Provided, That certain directors may be elected for terms longer than one year, so that thereafter one-third, as nearly as possible, of such directors may be elected every year for terms of three years.] *as the by-laws may prescribe. The by-laws of the association may provide a method by which directors shall be nominated and elected, and may provide that the territory in which the association has members shall be divided into districts, and may apportion the directors to be elected in the respective districts on the basis either of the member or members, or the quantity of the commodities produced for sale through the association in the respective districts, and the members' meeting for the nomination and election of directors may be held either at the principal office of the association, or at district or local meetings of the members held at the usual meeting places of local groups of members that are organized for administrative purposes in the several communities, or by delegates or representatives chosen for that purpose by the members in meetings assembled in the several local communities, as the by-laws may direct.* Directors shall hold office until their successors have been elected and qualified and until their successors shall enter upon the discharge of their duties. Vacancies shall be filled for the unexpired terms *by the board of directors* at any regular meeting or at any special meeting called for the purpose [by the board of directors]. The board of directors shall manage the affairs of the association, and shall perform such other duties as may be specifically imposed upon the board by

this act. *The board of directors may be a continuing body, the term of one-third or as near as may be of whom shall expire each year, and by-laws of the association may so regulate the terms of directors, including the terms of additional directors that may be authorized, from time to time, as to make effective this principle.*

First paragraph, section 18, act of June 12, 1919, P. L. 466, amended July 29, 1953, P. L. 1016, further amended.

Section 3. The first paragraph of section eighteen of the act amended July twenty-nine, one thousand nine hundred fifty-three (Pamphlet Laws 1016), is amended to read:

Section 18. Every association *having a gross annual income not exceeding two thousand dollars (\$2,000)* shall, from time to time, appoint an auditing committee of three persons, who shall not be directors, officers, agents or employes of the association, but who may or may not be members of said association. Said committee shall, at [least once in] *the close of each fiscal year of such association, examine its records and property, and, within one month after such examination, report in writing the results thereof to the association. At the close of each fiscal year, in associations having a gross annual income exceeding two thousand dollars (\$2,000), a complete audit of the operations of the association shall be made* [, in the case of associations having a gross annual income not exceeding two thousand dollars by said committee, in all other cases] by a qualified accountant or accountants employed by the board of directors, the written report of whom shall include statements of services rendered by the association, the balance sheet, the receipts and disbursements, and the assets and liabilities, the members admitted and withdrawn, the total number of members, and other proper information, and shall be submitted to the members at the next regular meeting. Within three months after the expiration of the fiscal year for which made, the secretary of said association shall file a summary of the statistical information contained in the report of audit with the Secretary of Agriculture of this Commonwealth and with the Dean of the [School] *College of Agriculture of the Pennsylvania State [College] University, upon a form prescribed by the Secretary of Agriculture with the approval of the Dean of the [School] College of Agriculture.*

\* \* \* \* \*

Sections 19 and 20, act of June 12, 1919, P. L. 466, amended.

Section 4. Sections nineteen and twenty of the act are amended to read:

Section 19. The articles of association may, pursuant to an affirmative vote of two-thirds of all the members *in attendance*, be amended at any regular meeting or at a special, *general, district or local* meeting called for

the purpose, due notice of the time, place, and object of which regular or special, *general, district or local* meeting shall have been given as prescribed in the by-laws. A copy of such amendment, signed and acknowledged by not less than three of the directors, shall be presented to the Governor of the State of Pennsylvania, who shall examine the same, and, if he finds it in proper form, he shall indorse his approval thereon. Said amendment shall then be recorded in the office of the Secretary of the Commonwealth in a book to be by him kept for the purpose. The said amendment, together with the indorsements thereon, shall then be recorded in the office for the recording of deeds in the county where the principal place of business is situate.

Section 20. Any association may, at any regular meeting or at any special, *general, district or local* meeting called for the purpose, due notice of the time, place, and object of which regular or special, *general, district or local* meeting shall have been given as prescribed in the by-laws, by a vote of [two-thirds] a majority of all its members, discontinue its operations and settle its affairs. Whereupon it shall designate a committee of three members, who shall, on behalf of the association and within a time fixed and designated or any extension thereof, liquidate its assets, pay its debts and expenses, and divide any surplus among the members as may be entitled to under the article of association or by-laws. Upon final settlement by such committee, the association shall be deemed dissolved, and shall cease to exist under the act. The committee shall make a report of the proceedings under this section, which shall be signed by its members, and duly acknowledged by them, which report shall be filed and recorded with the Secretary of the Commonwealth and with the recorder of deeds of the proper county. The members of said association, so discontinuing its affairs and operations, may, in the designation of said committee, provide that the members of said association shall receive a compensation for their services as may be provided in said designation. Said compensation to be fixed by vote of not less than two-thirds of all the members.

Section 5. This act shall take effect immediately.

Act effective  
immediately.

APPROVED—The 27th day of September, A. D. 1955.

GEORGE M. LEADER