

Section 1. The court of common pleas of each county of the Commonwealth (except counties of the [first and] second class) may, in its discretion, issue writs of venire for the empanelling and summoning of persons for service as jurors (except grand jurors) in any of the courts, civil or criminal, in the county.

Courts of common pleas empowered to issue writs of venire.

Section 2. This act shall take effect immediately.

Act effective immediately.

APPROVED—The 14th day of September, A. D. 1961.

DAVID L. LAWRENCE

No. 569

AN ACT

Reenacting and amending the act of May 21, 1943 (P. L. 340), entitled as amended, "An act empowering counties of the third, fourth, fifth, sixth, seventh and eighth classes municipality authorities, cities of the third class, boroughs, incorporated towns and townships, adjoining each other, to co-operate with each other through joint agreements in the exercise of their governmental powers, duties and functions," extending the provisions of the act to counties of the second class and to local governmental units outside of the Commonwealth, changing procedure for agreements, contracts and further regulating joint purchases; providing for the supply and exchange of certain services, and the appointment of optional joint advisory boards and prescribing their powers and duties.

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

Cooperation between certain municipalities in the exercise of certain governmental powers.

Section 1. The title and sections 1, 2 and 2.1, act of May 21, 1943 (P. L. 340), entitled, as amended, "An act empowering *counties of the third, fourth, fifth, sixth, seventh and eighth classes, municipality authorities, cities of the third class, boroughs, incorporated towns and townships, adjoining each other, to co-operate with each other through joint agreements in the exercise of their governmental powers, duties and functions," reenacted and amended July 18, 1961 (Act No. 345), are reenacted and amended to read:

Title and sections 1, 2, and 2.1, act of May 21, 1943, P. L. 340, reenacted and amended July 18, 1961, Act No. 345, further reenacted and amended.

AN ACT

New title.

Empowering [counties of the third, fourth, fifth, sixth, seventh and eighth classes] municipality authorities, cities of the third class, boroughs, incorporated towns and townships, adjoining each other, *and counties other than counties of the first and second class*, to co-operate with each other *and with adjoining local governmental units in other states* through joint agree-

* "counties of the third, fourth, fifth, sixth, seventh and eighth classes" not in original.

ments in the exercise of their governmental powers, duties and functions.

Definition.

Section 1. The word "municipality" as used in this act shall include [counties of the third, fourth, fifth, sixth, seventh and eighth classes] municipality authorities subject to the act of May 2, 1945 (P. L. 382), known as the "Municipality Authorities Act of 1945," *counties other than counties of the first and second class*, cities of the third class, boroughs, incorporated towns and townships in this Commonwealth, and any local governmental unit having the power to levy taxes located in any other state.

Functions of each may be performed jointly by agreement.

Section 2. Two or more adjoining municipalities in this Commonwealth or any such municipality and the county in which it is located may jointly co-operate, or any such municipality or adjoining municipalities may jointly co-operate with any adjoining municipality or municipalities located in any other state, in the *exercise and in the performance of their respective governmental powers, duties and functions and in carrying into effect provisions of law relating to [said] subjects which are common to all such joining municipalities, and which each may, under existing law, separately exercise and perform. Municipal services and functions which may be separately exercised and performed under such existing provisions of law may be supplied or exchanged by municipalities under the joint agreements. For the purpose of carrying the provisions of this act into effect the municipalities joining shall enter into such joint agreements as may be deemed appropriate for such purposes.

Optional Joint Advisory Board: establishment, membership, compensation and appointment to vacancy.

Section 2.1. (a) Municipalities may establish optional joint advisory boards to aid and advise them in ways and means of effectuating the purposes authorized by this act. Whenever such an advisory board is established, the governing body of each municipality shall, by majority vote, select one of its number to act as its representative on the board. Each representative shall serve without compensation but shall be entitled to receive traveling and other necessary expenses actually incurred in the performance of his duties. Any vacancy on the board caused by death, resignation or otherwise shall be filled for the remainder of the unexpired term in the same manner as the original appointment was made.

Agreement provisions.

(b) Any agreement creating an optional joint advisory board shall contain, but not be limited to, provisions relating to—

* "exercise" in original.

(1) The nature and scope of activities with respect to which the board shall make studies, recommend programs and policies, and give advice to the cooperating municipalities;

(2) The manner in which the board shall make reports;

(3) The furnishing by the cooperating municipalities of office space, facilities, equipment and supplies, and such professional technical or clerical personnel as may be required in the work of the board;

(4) Sharing of expenses of the board; and

(5) Any other provisions that may be appropriate and desirable to govern the establishment, functioning and termination of the board.

Section 2. The act is amended by adding, after section 2.1, a new section to read:

Act amended by adding a new section 2.2.

Section 2.2. (a) The Taxing body of any municipality in this Commonwealth, by resolution, upon its own volition or upon invitation of any other municipality expressed by resolution of its taxing body, may appoint a committee of from one to three members to meet with similar committees of other municipalities and discuss the possibility of jointly cooperating in the exercise of certain specified powers or in the performance of certain specified activities or functions. Each such committee shall have power to enter into joint agreements on behalf of its municipality with any one or more adjoining municipalities in this Commonwealth or any other state. Such agreements shall have no validity unless later adopted, by ordinance or resolution, as hereinafter provided.

Appointment of committees of municipalities to meet with other committees of other municipalities.

Validity of agreement.

(b) The procedure outlined in this section for instituting proceedings for possible cooperative agreements is not exclusive and shall not in any manner restrict municipalities or persons from employing other methods in attempting to secure joint cooperative agreements under this act.

Procedure outlined not exclusive.

Section 3. Sections 3 and 4 of this act, reenacted and amended July 18, 1961 (Act No. 345) are reenacted to read:

Sections 3 and 4 of the act, reenacted and amended July 18, 1961, Act No. 345, reenacted.

Section 3. Any joint agreement shall be deemed in force as to any particular municipality, when the same has been adopted by ordinance, or in the case of townships of the second class or municipality authorities, by resolution. After adoption, any such agreement shall become binding upon the municipality, and the covenants thereof may be enforced by appropriate remedy by any one or more municipalities against any other municipality party thereto.

Agreements binding and enforceable.

Terms of agreement.

Section 4. Every such agreement shall set forth, inter alia, the particulars relating to the manner of cooperation, the means by and through which such cooperation shall be effectuated, including, if any, the employment of joint personnel, the employment and retaining of planning engineers or consultants, the contracting for professional planning services and the purchase of personal property and materials for the joint use of the municipalities, the allocation of the costs and expenses connected with the administration of the joint agreement upon an equitable basis, the term for which the agreement shall be in force, and the manner in which the same may be removed for another term, and the manner in which joint property shall be disposed of or shared upon the termination of the agreement. Amendments to any agreement shall be adopted in the same manner as the original agreement.

Act amended by adding a new section 4.1.

Section 4. The act is amended by adding, after section 4, a new section to read:

Duty to file certified copy with Department of Internal Affairs.

Section 4.1. When any municipality in this Commonwealth enters into a joint agreement under the provisions of this act with a municipality located in any other state, the clerk or secretary thereof shall forthwith submit to the Department of Internal Affairs a certified copy of the agreement.

Section 5 of the act, reenacted and amended July 18, 1961, Act No. 345, further reenacted and amended.

Section 5. Section 5 of the act, reenacted and amended July 18, 1961 (Act No. 345) is reenacted and amended to read:

Joint purchases and expenditures.

Section 5. All joint purchases involving an expenditure of more than one thousand dollars (\$1,000), shall be made by contract, in writing, only after notice for bids once a week for two weeks in at least one and not more than two newspapers of general circulation circulating generally in the joining municipalities. All contracts shall be let to the lowest responsible bidder.

Section 6 of the act, reenacted and amended July 18, 1961, Act No. 345, further reenacted.

Section 6. Section 6 of the act, reenacted and amended July 18, 1961 (Act No. 345), is reenacted to read:

Limitations.

Section 6. This act shall not be construed to authorize one municipality to delegate any of its powers, duties and functions to another municipality, nor to authorize one municipality to exercise such powers, duties or functions on behalf of another municipality.

General repeal.

Section 7. All acts and parts of acts are repealed in so far as they are inconsistent herewith.

Section 8. This act shall take effect immediately.

Act effective immediately.

APPROVED—The 14th day of September, A. D. 1961.

DAVID L. LAWRENCE

No. 570

AN ACT

Amending the act of December 5, 1936 (1937, P. L. 2897), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," redefining State, excluding remuneration from a family enterprise as wages, and modifying certain provisions as to eligibility of individuals while in training or when permanently separated.

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

Unemployment Compensation Law.

Section 1. Subsection (r) of section 4, act of December 5, 1936 (1937, P. L. 2897), known as the "Unemployment Compensation Law," amended May 23, 1949 (P. L. 1738), is amended to read:

Subsection (r), section 4, act of December 5, 1936 (1937, P. L. 2897), amended May 23, 1949, P. L. 1738, further amended.

Section 4. Definitions.—The following words and phrases, as used in this act, shall have the following meanings, unless the context clearly requires otherwise.

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(r) "State" includes [Alaska, Hawaii,] *Puerto Rico*, *Virgin Islands* and the District of Columbia.

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Section 2. Subsection (u) of section 4, amended December 17, 1959 (P. L. 1893), is amended and subsection (x) of said section is amended by adding, at the end thereof, a new paragraph to read:

Subsection (u), section 4, amended December 17, 1959, P. L. 1893, further amended and subsection (x) of said section amended by adding a new paragraph (10).

Section 4. Definitions.—The following words and phrases, as used in this act, shall have the following meanings, unless the context clearly requires otherwise.

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(u) "Unemployed".—An individual shall be deemed unemployed (I) with respect to any week (i) during