

No. 1986-144

AN ACT

SB 1145

Amending the act of April 13, 1972 (P.L.184, No.62), entitled "An act giving municipalities the right and power to adopt home rule charters or one of several optional plans of government and to exercise the powers and authority of local self-government subject to certain restrictions and limitations; providing procedures for such adoption and defining the effect thereof," providing for election district amendments and for questions on the ballot.

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

Section 1. Section 221 of the act of April 13, 1972 (P.L.184, No.62), known as the Home Rule Charter and Optional Plans Law, amended December 13, 1974 (P.L.958, No.314), is amended to read:

Section 221. *(a)* The procedure for amending a home rule charter or optional plan of government shall be through the initiative procedure and referendum or ordinance of the governing body as hereinafter provided for in this act.

(b) **Changes in the method of election of a municipal governing body from at-large elections to elections by district, maintain at-large elections or a combination of at-large elections and elections by district may be implemented by amending a home rule charter or optional plan without creation of a government study commission.**

(c) **If two or more questions appear on the ballot at the same election and such questions are in conflict and more than one receives the approval of the voters, the question which receives the largest number of affirmative votes shall prevail over the others.**

(d) **If the referendum on the question results in the approval by the voters to amend the home rule charter or optional plan to provide for the election of the governing body of such municipality either by districts or partially by districts and partially at large or in a change in the number of members of the governing body, the initial apportionment of the districts shall be made by an apportionment commission consisting of seven members, all of whom shall reside in such municipality. Two members of the apportionment commission shall be appointed by the mayor of such municipality. Two members of the apportionment commission shall be appointed by the governing body of such municipality; one shall be appointed by the mayor from a list of at least three qualified persons recommended by the municipal committee of the political party whose mayoral candidate received the highest number of votes cast in the most recent mayoral election; one shall be appointed by the mayor from a list of at least three qualified persons recommended by the municipal committee of the political party whose mayoral candidate received the second highest votes in the most recent mayoral election. The seventh member of the commission shall be elected at**

large by a majority vote of the other six members and shall serve as chairman of the commission.

Section 2. This act shall take effect January 1, 1987.

APPROVED—The 25th day of November, A. D. 1986.

DICK THORNBURGH