

No. 2004-151

AN ACT

SB 1112

Establishing the Board of Directors of the Rouse Estate; and making repeals.

WHEREAS, The act of April 5, 1862 (P.L.407, No.410), entitled "An act incorporating Commissioners of the Rouse estate, in Warren county," the act of April 18, 1864 (P.L.438, No.375), entitled "An act to provide for the purchase of land, and the erection of buildings, for the support and employment of the poor of Warren county," and the act of April 1866 (1867 P.L.1412, No.1322), entitled "An act to abolish the office of directors of the Rouse Hospital of Warren county," incorporated the Commissioners of Warren County into a body corporate and politic, known as the Commissioners of the Rouse Estate and also known as the Rouse Estate, in order to administer certain proceeds of the estate of Henry R. Rouse for the use of the poor of Warren County and directed the establishment of an almshouse known as the Rouse Hospital of Warren County; and

WHEREAS, The almshouse has evolved into an institution which provides a long-term care facility, known as the Rouse Warren County Home, supplemented by a certain assisted living facility and a day-care center and which seeks to respond to community needs in a manner consistent with its governmental and charitable purposes; and

WHEREAS, The General Assembly has determined that the Commissioners of the Rouse Estate would benefit from a modification of its governing body in order to promote continuity of leadership.

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

Section 1. Short title.

This act shall be known and may be cited as the Board of Directors of the Rouse Estate Act.

Section 2. Definitions.

The following words and phrases when used in this act shall have the meanings given to them in this section unless the context clearly indicates otherwise:

"Board." The Board of Directors of the Rouse Estate.

Section 3. Board.

(a) Members.—The Board of Directors of the Rouse Estate is hereby established and shall consist of the county commissioners of Warren County and two members of the community of Warren County. The board shall be a continuation of the Commissioners of the Rouse Estate originally established under the act of April 5, 1862 (P.L.407, No.410), entitled "An act incorporating Commissioners of the Rouse estate, in Warren county."

(b) Community positions.—Each community member of the board, upon appointment or election, shall serve a term of four years noncoincident with the terms of the county commissioners and shall be entitled to serve for one or more succeeding terms. Prior to the expiration of the term of a community member or upon a vacancy in a position of community member, the entire governing board by majority vote, which majority shall include at least two votes of the sitting commissioners of Warren County, shall elect a successor community member. If the board is unable to choose a successor community member, the chief executive officer of the Rouse Estate shall petition the Court of Common Pleas of Warren County, Orphans' Court Division, to appoint the successor community member.

(c) Initial appointments.—The board's community positions shall initially be filled by appointment by the county commissioners of Warren County. The initial terms of the community members may be less than four years or otherwise staggered to enhance continuity of board membership, as determined by the county commissioners.

Section 4. Bylaws.

The board shall adopt bylaws for its governance consistent with this act.

Section 5. Construction.

This act shall be interpreted in a manner which shall preserve the status of the long-term care facility known as the Rouse Warren County Home as a county nursing facility within the meaning of that term under 55 Pa. Code § 1187.2 (relating to definitions).

Section 6. Transitional provisions.

The provisions of this act shall not affect any act done, liability incurred or right accrued or vested or affect any suit pending or to be instituted to enforce any right or penalty in accordance with the authority granted by law to the Commissioners of the Rouse Estate.

Section 7. Repeals.

(a) Absolute.—The following acts and parts of acts are repealed:

Act of April 4, 1866 (1867 P.L.1412, No.1322), entitled "An act to abolish the office of directors of the Rouse Hospital of Warren county."

(b) Inconsistent.—The following acts are repealed insofar as they are inconsistent with this act:

Act of April 5, 1862 (P.L.407, No.410), entitled "An act incorporating Commissioners of the Rouse estate, in Warren county."

Act of April 18, 1864 (P.L.438, No.375), entitled "An act to provide for the purchase of land, and the erection of buildings, for the support and employment of the poor of Warren county."

Section 8. Effective date.

This act shall take effect immediately.

APPROVED—The 23rd day of November, A.D. 2004.

EDWARD G. RENDELL