

No. 148

AN ACT

HB 197

Authorizing the establishment of environmental advisory councils by certain political subdivisions.

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

Section 1. The governing body of any city, borough, township, or incorporated town, or group of two or more such political subdivisions, may by ordinance establish an Environmental Advisory Council to advise other local governmental agencies, including, but not limited to, the planning commission, park and recreation boards and elected officials, on matters dealing with protection, conservation, management, promotion and use of natural resources, including air, land and water resources, located within its or their territorial limits.

Section 2. An Environmental Advisory Council shall be composed of no less than three nor more than seven residents of the political subdivision establishing the council, who shall be appointed and all vacancies filled by the governing body of the political subdivision. Where two or more political subdivisions jointly establish an Environmental Advisory Council the members shall be appointed in the same manner, by each of the respective political subdivisions establishing the council, each constituent political subdivision to have equal membership on the joint council. Duly appointed council members shall serve for a term of three years except that initial appointments shall be so staggered that the terms of approximately one-third of the membership shall expire each year, the terms of their successors to be of three years each. Members shall receive no compensation for their services, but shall be reimbursed for the expenses actually and necessarily incurred by them in the performance of their duties. The appointing authority shall designate the chairman of the council except that in joint councils the chairman shall be elected by the duly selected members. Whenever possible, one member shall also be a member of the municipal planning board.

Section 3. An Environmental Advisory Council organized under this act shall have power to identify environmental problems and recommend plans and programs to the appropriate agencies for the promotion and conservation of the natural resources and for the protection and improvement of the quality of the environment within its territorial limits; to make recommendations as to the possible use of open land areas of the political subdivisions within its territorial limits; to promote a community environmental program; to keep an index of all open areas, publicly or privately owned, including but not limited to flood-prone areas, swamps, and other unique natural areas, for the purpose of obtaining information

on the proper use of such areas; and to advise the appropriate local governmental agencies, including but not limited to, the planning commission and recreation and park board or, if none, to the elected governing body or bodies within its territorial limits in the acquisition of property, both real and personal, by gift, purchase, grant, bequest, easement, devise or lease in matters dealing with the purposes of this act.

An Environmental Advisory Council shall not exercise any powers or perform any duties which by law are conferred or imposed upon a State agency.

Section 4. An Environmental Advisory Council shall keep records of its meetings and activities and shall make an annual report which shall be printed in the annual municipal report or, if none, otherwise made known and available.

Section 5. The governing body of any political subdivision establishing an Environmental Advisory Council may appropriate funds for the expenses incurred by the Environmental Advisory Council. Appropriations may be expended for such administrative, clerical, printing and legal services as may from time to time be required and as shall be within the limit of funds appropriated to the Environmental Advisory Council. The whole or any part of any funds so appropriated in any year may be placed in a conservation fund, allowed to accumulate from year to year, or be expended in any year.

Section 6. Nothing in this act shall be construed to require a political subdivision to abolish any existing commissions with a related responsibility or to prevent its establishment.

Section 7. The State Conservation Commission in the Department of Environmental Resources shall establish a program of assistance to environmental advisory councils that may include educational services, exchange of information, assignment of technical personnel for natural resources planning assistance, and the coordination of State and local conservation activities.

Section 8. The Secretary of Community Affairs shall establish a program of assistance to environmental advisory councils in planning for the management, use and development of open space and recreation areas.

Section 9. This act shall take effect immediately.

APPROVED—The 21st day of December, A. D. 1973.

MILTON J. SHAPP

The foregoing is a true and correct copy of Act of the General Assembly
No. 148.

A handwritten signature in black ink, reading "C. McLaughlin Tucker". The signature is written in a cursive style with a large initial "C" and a prominent "T" at the end.

Secretary of the Commonwealth.