
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 1170 Session of
1983

INTRODUCED BY SHOWERS, BALDWIN, RUDY AND COY, JUNE 8, 1983

REFERRED TO COMMITTEE ON BUSINESS AND COMMERCE, JUNE 8, 1983

AN ACT

1 Establishing a governmental agency to conduct a Statewide
2 program for stimulating economic activity and developing
3 potential for economic growth within the Commonwealth.

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

6 Section 1. Short title.

7 This act shall be known and may be cited as the State
8 Planning and Development Act.

9 Section 2. Declaration of purpose.

10 The purpose of this act is to establish a Commonwealth agency
11 to conduct a Statewide program for stimulating economic activity
12 and developing potential for economic growth within the
13 Commonwealth. To this end, the objectives of this agency shall
14 be to:

15 (1) Maintain a well-balanced and managed economic
16 development and growth program for the Commonwealth. Both the
17 needs and the resources of the State vary drastically from
18 one region to another and even from one community to another.

1 The State's development strategy, therefore, must take into
2 account these distinctions. The development program for small
3 towns and rural areas and that for the State's larger
4 communities and metropolitan areas must be different. Thus,
5 the board's policy and involvement will vary depending upon
6 the area of the Commonwealth.

7 (2) Conserve, restore and develop natural, physical,
8 human, social, economic and productive resources of the
9 Commonwealth.

10 (3) Coordinate functions and activities of various
11 agencies within the Commonwealth and act as the official
12 liaison office between State, Federal and local planning,
13 research and development agencies.

14 (4) Promote and coordinate State and local activities in
15 planning public works projects.

16 (5) Promote the public interest in the development of
17 the State through cooperation with public agencies, private
18 enterprises and charitable and social institutions.

19 (6) Promote and encourage industrial development,
20 private business and commercial enterprise, agricultural
21 production, transportation and the utilization and investment
22 of capital within the Commonwealth.

23 (7) Assist the development of State, interstate and
24 foreign trade, along with commerce and markets for
25 Pennsylvania goods by removing barriers to industrial,
26 commercial and agricultural development.

27 (8) Assist in insuring stability in employment and
28 increase the opportunities for employment of Pennsylvania
29 citizens and to devise means to raise the living standards of
30 the people of this Commonwealth.

1 (9) Advance the general welfare of the people.

2 Section 3. Definitions.

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

6 "Agency." Any State officer, department, board, commission,
7 committee, institution, bureau, division, person or functional
8 group that is authorized to exercise or does exercise any
9 executive or administrative function of government in the State.

10 "Board." The State Development Board.

11 "Director." The Director of the State Development Board.

12 "Federal agency." Any agency of the Government of the United
13 States.

14 "Local agency." Local political subdivisions of the State.

15 "State." The Commonwealth of Pennsylvania.

16 Section 4. State Development Board; appointment of members and
17 officers; terms and vacancies.

18 The State Development Board shall be governed by a board
19 consisting of 15 members appointed by the Governor with the
20 advice and consent of two-thirds of the members of the Senate
21 who are residents of the Commonwealth at the time of their
22 appointment and qualification, and have been qualified electors
23 for a period of at least one year preceding their appointment.
24 Six members of the board shall be appointed from the State at
25 large. One of the members appointed from the State at large
26 shall be designated by the Governor to serve as chairman of the
27 board. The remaining nine members shall be designated as county
28 representatives and one member shall be appointed from each of
29 the nine classes of counties. The members of the board appointed
30 by the Governor shall continue in office for a term of one to

1 five years. Three members shall be appointed to each term,
2 respectively, from the date of their appointment until their
3 respective successors shall be duly appointed and qualified. The
4 term for each appointed member shall be designated by the
5 Governor at the time of their appointment. Successors shall be
6 appointed for a term of five years, except that any person
7 appointed to fill a vacancy shall serve only for the unexpired
8 term. Any appointed member of the board shall be eligible for
9 reappointment.

10 Section 5. Qualification; compensation of members of the board.

11 No member of the board shall hold any public office or
12 employment. Members of the board shall be compensated for their
13 services at the regular per diem rate established by the General
14 Assembly for other State boards and shall be reimbursed for
15 actual and necessary expenses incurred in connection with their
16 work as members of the board.

17 Section 6. Meetings of board; procedure and records.

18 All regular meetings of the board shall be public. The board
19 shall adopt its own rules of procedure and keep adequate records
20 of its proceedings. The director shall act as secretary of the
21 board but shall have no vote.

22 Section 7. Director of development.

23 The board shall appoint a director to serve at the discretion
24 of the board. The director shall be responsible to the board for
25 the operation of the program outlined by the board and, subject
26 to the approval of the board, shall have the authority to
27 select, direct, control and remove all members of his staff and
28 other personnel required for the operation of the board.

29 Section 8. Divisions; division chiefs.

30 The board shall consist of divisions for research, planning,

1 development or any other divisions as the board may establish by
2 resolution. Each division shall be governed by a chief of the
3 division selected on the basis of their technical and
4 administrative qualifications and experience to perform the
5 duties required by their position.

6 Section 9. Duties and powers of the board.

7 The board shall have power and its duty shall be to:

8 (1) Advise and make recommendations to the Governor and
9 the General Assembly on all matters concerning its
10 objectives.

11 (2) Cooperate with other agencies of the Commonwealth in
12 the development of plans to insure the correlation of such
13 plans into a master plan designed to consider the natural,
14 physical, social and economic needs of the Commonwealth.

15 (3) Have access to records and studies of each agency
16 pertaining to the objectives of the board.

17 (4) Conduct studies on its own initiative pertaining to
18 any of its objectives and others at the request of the
19 Governor, the General Assembly or State or local agencies.

20 (5) Study area problems, establish local agencies and
21 furnish staff or financial aid as may be deemed advisable.

22 (6) Stimulate and encourage all local, State and Federal
23 governmental agencies with similar and related objectives and
24 purposes and to cooperate with local, regional and Federal
25 planning and development programs.

26 (7) Publish and distribute its findings, through written
27 reports, brochures, magazines, newspapers, television, radio,
28 periodicals and other recognized forms of advertising,
29 personal interviews, exhibits and displays in order that
30 governmental agencies, corporations and individual citizens

1 may become acquainted with the planning and development
2 programs.

3 (8) Advertise the advantages of industrial, agricultural
4 and commercial development by means of paid publicity.

5 (9) Provide information to and make contact with private
6 business enterprises and local, State and Federal
7 governmental agencies by any form of communication for the
8 purpose of dispensing information regarding industrial,
9 commercial and agricultural opportunities in the Commonwealth
10 and for the purpose of encouraging the establishment of new
11 or the expansion of existing industries and enterprises.

12 (10) Provide advice, upon request, by local, State and
13 Federal agencies, and by the private citizens and business
14 and commercial enterprises upon matters of economic
15 development, industrial and business expansion and
16 agricultural activity upon which its knowledge, sources of
17 information and findings and decisions of the board qualify
18 it to speak.

19 Section 10. Transfer of duties.

20 The powers and duties of the Department of Commerce are
21 hereby transferred to the State Development Board which shall
22 have the authority to:

23 (1) Investigate, study and undertake means of promoting
24 and encouraging economic development and protecting the
25 legitimate interests and welfare of Pennsylvania business,
26 industry and commerce within and without the Commonwealth.

27 (2) Investigate, study and undertake means of expanding
28 markets and promoting and developing new markets for
29 Pennsylvania products.

30 (3) Promote and encourage the location and development

1 of new business, industries and commerce within the
2 Commonwealth.

3 (4) Investigate and study conditions affecting
4 Pennsylvania business, industry and commerce, to collect and
5 disseminate information and engage in technical studies,
6 scientific investigations, statistical research and
7 educational activities.

8 (5) Cooperate with and assist persons, firms,
9 associations, corporations, cooperative associations,
10 organizations and political subdivisions of the Commonwealth.

11 (6) Make recommendations to the General Assembly, for
12 improvement and elimination of restrictions and burdens which
13 adversely affect or retard the development or expansion of
14 business, industry or commerce.

15 (7) Initiate, promote, conduct or cause to be conducted,
16 research designed to further new and more extensive uses and
17 consumption of resources and their by-products; and to enter
18 into contracts and agreements with research laboratories
19 maintained by educational or endowed institutions in this
20 Commonwealth and to expand appropriations made to the board
21 for such purposes.

22 (8) Investigate and study conditions of unemployment, by
23 recommending specific remedies for the alleviation of such
24 conditions and aid in restoring employment in affected
25 communities.

26 (9) Eliminate unfair competition and trade practices
27 tending to impair stability which are harmful to the
28 financial soundness of business, industry, commerce, wages
29 and working conditions.

30 (10) Encourage and develop commerce with other states

1 and foreign countries, by removing trade barriers hampering
2 the free flow of commerce.

3 (11) Cooperate with interstate commissions engaged in
4 formulating and promoting the adoption of interstate compacts
5 and agreements helpful to business, industry and commerce.

6 Section 11. Advisory councils.

7 At the discretion of the board an advisory council or
8 councils may be appointed to advise with respect to each board
9 function which may be the responsibility of the board. Each
10 advisory council shall consist of a group of not more than nine
11 members, consisting of State and local officials and private
12 individuals of outstanding ability in a particular field of
13 enterprise. The members shall receive no salary or per diem but
14 may be compensated for actual expenses incurred in the
15 performance of their duties. The members shall serve for a term
16 established by resolution of the board and may be removed by the
17 board. Governmental officials shall serve on councils for a
18 period of one year and may be reappointed for successive terms
19 by the board. Terms of governmental officials shall end with the
20 termination of their office.

21 Section 12. Confidential information.

22 Confidential information submitted to any agency as required
23 by law shall not be published in any manner which will directly
24 or indirectly discredit or damage the reputation of business
25 activity of any individual or corporation.

26 Section 13. Effective date.

27 This act shall take effect in 90 days.