



Senate Box 203078  
Harrisburg, PA 17120-3078  
(717) 787-7680  
Fax (717) 772-4524  
lgc@palegislature.us  
www.lgc.state.pa.us

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**SB 766 (Printer's No. 867) Analysis**

**Date: June 14, 2023**

**Amending the Administrative Code of 1929 to add a representative to the State Planning Board from the Pennsylvania Emergency Management Agency and the Pennsylvania Historical and Museum Commission**

**Prime Sponsor: Senator Comitta**

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**A. Synopsis of Bill**

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This bill amends the Administrative Code of 1929 to add a representative to the State Planning Board from the Pennsylvania Emergency Management Agency and the Pennsylvania Historical and Museum Commission.

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**B. Summary and Analysis of Bill**

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- I. This bill amends Section 451(b)(1) (Members of the State Planning Board) to add the Director of the Pennsylvania Emergency Management Agency and the Executive Director of the Pennsylvania Historical and Museum Commission.
- II. This bill amends Section 451(b)(2) (Quorum) by increasing the number of members constituting a quorum from thirteen (13) to fourteen (14).

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**C. Relevant Current Law**

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The Administrative Code of 1929 provides for the State Planning Board to consist of, among other members, six (6) ex officio members – the Secretaries from the Departments of Agriculture, Community and Economic Development, Environmental Protection, Conservation and Natural Resources, Human Services and Transportation. A quorum for the Board is fifty-one percent (51%), or thirteen (13) members.

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**D. Background of Bill**

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In recent years, Pennsylvania has experienced ongoing and increased occurrences of flooding, many to a devastating degree. Relatedly, controlling the volume and velocity of stormwater provides important flood risk management. Construction of buildings, parking lots and roadways alters the volume and velocity of natural runoff, leaving significant need to properly convey stormwater. Moreover, the Pennsylvania General Assembly recently passed House Bill 336 (Act 70 of 2021) to transition floodplain management (the Flood Plain Management Act) and the National Flood Insurance Program from the Department of Community and Economic Development to the Pennsylvania Emergency Management Agency. The Pennsylvania Emergency Management Agency will be able to coordinate more easily with the counties.

The State Planning Board's study of economic and development trends to prepare strategic plans, including land use and growth reports encompasses the identification and conservation of Pennsylvania's historic heritage. To this end, the State Planning Board identified the need for assistance from the agencies added to the State Planning Board by this bill that would provide valuable guidance and information for the Board's recommendations on infrastructure and strategic community development.

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**E. Effect of Bill**

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This bill would add the representatives from the two agencies that would provide the necessary expertise in the areas of flood control and strategic planning that is beneficial to reports and recommendations from the State Planning Board. This bill also increases the number necessary for a quorum, such that the percentage for a quorum remains the same. Any additional taxpayer expense as a result of adding the two (2) agency representatives to the State Planning Board is negligible – potential reimbursement for board meeting travel if/when meetings are in-person.

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**C. Issues, Policy Questions and Stakeholder Feedback**

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This proposal was shared with representatives from the State Planning Board, Pennsylvania Emergency Management Agency and Pennsylvania Historical and Museum Commission. Constructive feedback from several organizations was incorporated into the final language.

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**D. Bill History**

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In the 2021-2022 Session, this bill was introduced as Senate Bill 1175. Senate Bill 1175 was re-referred to the Senate Appropriations Committee after second consideration in the Senate, where it remained upon sine die adjournment. This legislation was also introduced in the House during the 2021-2022 session as House Bill 2493. House Bill 2493 was re-referred to the House Appropriations Committee after second consideration in the House, where it remained upon sine die adjournment.