

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 197

Session of
1973

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O'CONNELL, GRING, WEIDNER, WHITTLESEY, WELLS AND GLEASON,
JANUARY 29, 1973

REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, JANUARY 29, 1973

AN ACT

1 Authorizing the establishment of conservation commissions by
2 certain political subdivisions.

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

5 Section 1. The governing body of any city, borough,
6 township, or incorporated town, or group of two or more such
7 political subdivisions, may by ordinance establish a
8 conservation commission for the promotion, conservation,
9 protection and development of natural resources, including
10 watershed resources, located within its or their territorial
11 limits. The county conservation districts shall coordinate the
12 activities of the conservation commission in matters of county
13 concern.

14 Section 2. A conservation commission shall be composed of no
15 less than three nor more than seven residents of the political

1 subdivision establishing the commission, who shall be appointed
2 and all vacancies filled by the governing body of the political
3 subdivision. Where two or more political subdivisions jointly
4 establish a conservation commission the members shall be
5 appointed in the same manner, by each of the respective
6 political subdivisions establishing the commission, each
7 constituent political subdivision to have equal membership on
8 the joint commission. Duly appointed commission members shall
9 serve for a term of three years except that initial appointments
10 shall be so staggered that the terms of approximately one-third
11 of the membership will expire each year, the terms of their
12 successors to be of three years each. Members shall receive no
13 compensation for their services, but shall be reimbursed for the
14 expenses actually and necessarily incurred by them in the
15 performance of their duties. The appointing authority shall
16 designate the chairman of the commission except that in joint
17 commissions the chairman will be elected by the duly selected
18 members. Whenever possible, one member shall also be a member of
19 the municipal planning board.

20 Section 3. A conservation commission organized under this
21 act shall have power to develop plans and programs for the
22 promotion and conservation of the natural resources and for the
23 protection and improvement of the quality of the environment
24 within its territorial limits; to conduct research into the use
25 and possible use of the open land areas of the political
26 subdivision or political subdivisions within its territorial
27 limits; to coordinate the activities of unofficial bodies
28 organized for similar purposes; to advertise, prepare, print and
29 distribute books, maps, charts, plans and pamphlets as necessary
30 for its purposes; to keep an index of all open areas, publicly

1 or privately owned, including open marshlands, swamps and other
2 wetlands and waters for the purpose of obtaining information on
3 the proper use of such areas; and to recommend from time to time
4 to the planning commission or, if none, to the chief executive
5 officer or officers, or to the governing body or bodies plans
6 and programs for the implementation of such purposes.

7 Subject to the approval of the governing body or bodies
8 within its territorial limits, a conservation commission may
9 acquire property, both real and personal, in the name of the
10 political subdivision or political subdivisions, by gift,
11 purchase, grant, bequest, easement devise or lease for any of
12 its purposes and shall administer the same for such purposes
13 subject to the terms of the conveyance, gift or lease.

14 Section 4. A conservation commission shall keep records of
15 its meetings and activities and shall make an annual report
16 which shall be printed in the annual municipal report or, if
17 none, otherwise made known and available.

18 Section 5. The governing body of any political subdivision
19 establishing a conservation commission may appropriate funds for
20 the expenses incurred by the conservation commission.
21 Appropriations may be expended for such administrative, clerical
22 and legal services as may from time to time be required and as
23 shall be within the limit of funds appropriated to the
24 conservation commission. The whole or any part of any funds so
25 appropriated in any year may be placed in a conservation fund,
26 allowed to accumulate from year to year, or be expended in any
27 year.

28 Section 6. Nothing in this act shall be construed to require
29 a political subdivision which has heretofore constituted a shade
30 tree commission or its counterpart to abolish such commission,

1 and any such commission heretofore established may continue to
2 operate as originally established.

3 Section 7. The Secretary of the Department of Environmental
4 Resources, in cooperation with the Secretary of the Department
5 of Community Affairs, shall establish a program of assistance to
6 conservation commissions with and through county conservation
7 districts in acquiring land and in planning for its protection,
8 management use and development. Such a program shall include,
9 but shall not be limited to educational services, exchange of
10 information, assignment of technical personnel for natural
11 resource planning assistance, and the coordination of State and
12 local conservation activities.

13 Section 8. This act shall take effect immediately.