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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 433 Session of  
2023

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INTRODUCED BY BAKER, LANGERHOLC, MASTRIANO, BROOKS, PENNYCUICK,  
PHILLIPS-HILL, ROTHMAN, YAW, LAUGHLIN, BARTOLOTTA AND MARTIN,  
FEBRUARY 24, 2023

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REFERRED TO VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS,  
FEBRUARY 24, 2023

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AN ACT

1 Amending Title 35 (Health and Safety) of the Pennsylvania  
2 Consolidated Statutes, in Pennsylvania Emergency Management  
3 Agency, further providing for organization.

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

6 Section 1. Section 7312(a) and (e) of Title 35 of the  
7 Pennsylvania Consolidated Statutes are amended to read:

8 § 7312. Organization.

9 This agency shall consist of and be organized substantially  
10 as follows:

11 (a) Council.--Primary responsibility for overall policy and  
12 direction of a Statewide civil defense and disaster program and  
13 response capability of the type hereinafter prescribed shall be  
14 vested in a body legally known as the Pennsylvania Emergency  
15 Management Council, which shall be composed of: the Governor,  
16 Lieutenant Governor, Adjutant General, Secretary of Health,  
17 Attorney General, General Counsel, Secretary of [Community

1 Affairs] Community and Economic Development, Secretary of  
2 Environmental Protection, Secretary of Transportation, Secretary  
3 of Agriculture, Secretary of [Public Welfare] Human Services,  
4 Commissioner of the Pennsylvania State Police, Chairman of the  
5 Public Utility Commission, State Fire Commissioner, Speaker of  
6 the House of Representatives, President pro tempore of the  
7 Senate, Minority Leader of the Senate and Minority Leader of the  
8 House of Representatives. The Speaker of the House of  
9 Representatives, President pro tempore of the Senate, Minority  
10 Leader of the Senate and Minority Leader of the House of  
11 Representatives may authorize a member of their respective  
12 Houses of the General Assembly to serve in their stead. The  
13 Governor may authorize up to two representatives of business and  
14 industry, up to two representatives of labor, up to two public  
15 members at large and one representative respectively of the  
16 Pennsylvania State Association of County Commissioners, the  
17 Pennsylvania State Association of Township Commissioners, the  
18 Pennsylvania State Association of Township Supervisors, the  
19 Pennsylvania League of Cities and the Pennsylvania State  
20 Association of Boroughs to be nonvoting members of the council.  
21 The Governor may designate a member to serve as chairman. Five  
22 members shall constitute a quorum.

23 \* \* \*

24 (e) State director.--To supervise the work and activities  
25 comprising the State Civil Defense and Disaster Program, the  
26 Governor shall appoint, subject to the consent of a majority of  
27 the members elected to the Senate, an individual to act, on a  
28 full-time basis, as director of the agency. The director shall  
29 perform all such fiscal, planning, administrative, operational  
30 and other duties as may be assigned to him by the council and

1 shall act as the chairman's principal assistant in civil defense  
2 and disaster matters. The director or the director's designee is  
3 also the State coordinating officer responsible to coordinate  
4 and supervise the Commonwealth and local disaster response  
5 effort following a presidential declaration of an emergency or a  
6 major disaster.

7 \* \* \*

8 Section 2. The amendment of 35 Pa.C.S. § 7312(e) shall apply  
9 to directors of the Pennsylvania Emergency Management Agency who  
10 are appointed after the effective date of this section.

11 Section 3. This act shall take effect immediately.