

No. 319

AN ACT

HB 1441

Amending the act of August 9, 1955 (P. L. 323), entitled "An act relating to counties of the third, fourth, fifth, sixth, seventh and eighth classes; amending, revising, consolidating and changing the laws relating thereto," authorizing counties to create or join with other counties in the creation of tourist promotion agencies and to appropriate funds for that purpose.

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

Section 1. Article XIX, act of August 9, 1955 (P. L. 323), known as "The County Code," is amended by adding, at the end thereof, a new subdivision to read:

ARTICLE XIX

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¹(w) Tourist Promotion Agencies

Section ²1999d. Tourist Promotion Agencies; Appropriations.—The board of commissioners of any county may create or may join with other counties in the creation of a tourist promotion agency for the purpose of making studies, surveys and investigations and for planning and carrying out promotional programs and projects designed to stimulate and increase the volume of tourist, visitor and vacation business within such county or counties and may appropriate funds for such purposes.

APPROVED—The 21st day of October, A. D. 1965.

WILLIAM W. SCRANTON

 No. 320

AN ACT

HB 1918

Amending the act of July 6, 1961 (P. L. 509), entitled "An act authorizing the Commonwealth of Pennsylvania, through the Department of Commerce and The Pennsylvania Industrial Development Authority to cooperate with and implement the program of the Federal Government as established by the Federal Area Redevelopment Act for economic assistance to redevelopment areas in the Commonwealth suffering from substantial and persistent unemployment and underemployment; authorizing The Pennsylvania Industrial Development Authority to

¹ (s) in original.

² 1999 in original.

participate with any Federal agency in the financing of industrial development projects in redevelopment areas and authorizing The Pennsylvania Industrial Development Authority to make loans to industrial development agencies for the establishment of industrial parks in redevelopment areas and critical economic areas," changing and adding definitions, and further providing for loans to industrial development agencies for the establishment of industrial parks or multiple-tenancy building projects.

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

Section 1. Clauses (d), (e) and (f) of section 3, act of July 6, 1961 (P. L. 509), known as the "Pennsylvania Redevelopment Area Economic Cooperation and Implementation Act," are amended to read:

Section 3. Definitions.—The following terms, whenever used or referred to in this act, shall have the following meanings, except in those instances where the context clearly indicates otherwise:

* * *

(d) The term "industrial development agency" shall mean any incorporated organization, foundation, association or agency, regardless of the particular name, and to whose members or shareholders no profit shall enure, which shall have as [its primary function] a purpose the promotion, encouragement and development of commercial, industrial, [and] manufacturing and research and development enterprises in a redevelopment area or a critical economic area.

(e) The term "industrial development project" shall mean any land, site, structure, facility or undertaking (including in cases of demonstrated need, machinery and equipment) comprising or being connected with or being a part of a commercial, industrial, [or] manufacturing or research and development enterprise established or to be established by an industrial development agency in a redevelopment area or a critical economic area.

(f) The term "industrial parks" shall mean land areas acquired (including existing buildings previously erected thereon), said land areas (excluding existing buildings, if any), improved and prepared by industrial development agencies in accordance with plans and specifications as approved by the Authority as sites for the establishment thereon of two or more industrial development projects by industrial development agencies in a redevelopment area or a critical economic area.

* * *

Section 2. Section 3 of the act is amended by adding, at the end thereof, three new clauses to read:

Section 3. Definitions.—The following terms, whenever used or referred to in this act, shall have the following meanings, except in those instances where the context clearly indicates otherwise:

* * *

(h) The term “multiple-tenancy building project” shall mean any land, site, structure, facility or undertaking acquired or constructed for occupancy by two or more (i) industrial enterprises, (ii) manufacturing enterprises; or (iii) research and development enterprises (as those terms are defined in the Pennsylvania Industrial Development Authority Act) established or to be established by an industrial development agency in a critical economic area.

(i) The term “critical economic area” shall mean the area of the Commonwealth defined as such critical economic area by the Pennsylvania Industrial Development Authority Act.

(j) The term “Pennsylvania Industrial Development Authority Act” shall mean the act of May 17, 1956 (P. L. 1609) as heretofore and hereafter amended and supplemented.

Section 3. Section 6 of the act is amended to read:

Section 6. In the further encouragement of the economic development in redevelopment areas and in critical economic areas [as that term is defined in the Pennsylvania Industrial Development Authority Act], the Authority is further authorized and empowered to [make and] exercise all powers granted it herein or by [said act] the Pennsylvania Industrial Development Authority Act, either with or without Federal agency participation, to make loans to industrial development agencies for the establishment of industrial parks [Provided, however, That such loans made in any fiscal year of the Commonwealth shall not exceed in the aggregate amount the sum of \$1,000,000: And provided further, That such loans only shall be made where the Authority receives as security therefor a first mortgage on such industrial park or is a participant in a first mortgage thereon, subject to the exception that where a Federal agency is participating in the financing of an industrial park, the Authority may take a mortgage as security for its participation therein junior in lien only to that of the Federal agency.] or for multiple-tenancy building projects, subject however, to the following conditions:

(a) Industrial parks.

(1) Loans made in any fiscal year of the Commonwealth shall not exceed in the aggregate amount the sum of one million dollars (\$1,000,000).

(2) Loans shall only be made where the said loan of the Authority is secured by a first mortgage on such industrial park or is secured by a participation in a first mortgage thereon, subject to the exception that where a Federal agency is participating in the financing of an industrial park, the Authority may take as security for its loan a mortgage on such industrial park junior in lien only to that of the mortgage given to the Federal agency.

(b) Multiple-tenancy building projects.

(1) The cost of the project shall include only those items of cost set forth in the definition of "cost of establishing an industrial development project" in the Pennsylvania Industrial Development Authority Act.

(2) Where the Pennsylvania Industrial Development Authority Act otherwise would empower the Authority to contract to loan an amount up to forty percent of the cost of the project, the Authority may only contract to loan such an amount if the loan of the Authority is secured by a first mortgage or a participation in a first mortgage on said project; otherwise the Authority may contract to loan an amount not in excess of thirty percent of the cost of the project.

Where making a loan in the financing of an industrial park or a multiple-tenancy building project, the requirements of the Pennsylvania Industrial Development Authority Act shall apply unless otherwise provided herein, except the [requirement] requirements of the Pennsylvania Industrial Development Authority Act as to the proposed industrial, research and development or manufacturing enterprise to be placed thereon or therein, the proposed employment to be derived therefrom and the existence of a responsible buyer or responsible tenant therefor shall not apply.

APPROVED—The 21st day of October, A. D. 1965.

WILLIAM W. SCRANTON