

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 773 Session of
1989

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LUCYK, CALTAGIRONE, BLACK, KASUNIC, BURD AND JADLOWIEC,
MARCH 14, 1989

REFERRED TO COMMITTEE ON CONSERVATION, MARCH 14, 1989

AN ACT

1 Providing for improvements and development at State parks and
2 historic properties and facilities; providing for limited
3 private sector development at selected State parks in
4 accordance with a strategic development plan; and providing
5 for grants-in-aid to certain nonprofit organizations and
6 institutions for capital improvements to non-State-owned
7 historic properties and facilities.

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

10 Section 1. Short title.

11 This act shall be known and may be cited as the Project 110
12 Recreation and Historic Facilities Improvement Act.

13 Section 2. Legislative intent.

14 The General Assembly finds and declares as follows:

15 (1) Pennsylvania's 114 State parks and 61 historic
16 properties and facilities, as well as more than 900 non-

1 State-owned historic properties and facilities, are
2 significant assets of this Commonwealth and are an important
3 part of tourism and recreation in Pennsylvania.

4 (2) Tourism is now regarded as this Commonwealth's
5 second leading economic contributor and may become an even
6 more significant economic factor in the future.

7 (3) Pennsylvania's State park system and its historic
8 properties and facilities are in need of capital improvements
9 and maintenance.

10 (4) Our neighboring states are expanding their state
11 parks and related facilities in an effort to attract tourism
12 from other states.

13 (5) In order to facilitate the improvement of our State
14 park system and the historic properties and facilities
15 located within this Commonwealth, it is necessary to make
16 substantial expenditures for capital improvements for State
17 parks and for State-owned and non-State-owned historic
18 properties and facilities.

19 Section 3. Definitions.

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

23 "Commission." The Pennsylvania Historical and Museum
24 Commission.

25 "Department." The Department of Environmental Resources of
26 the Commonwealth.

27 Section 4. Capital improvements to State parks.

28 (a) Funding of projects.--The department shall prepare
29 annually a priority schedule of State park capital improvement
30 projects which shall be submitted to the Governor and to the

1 General Assembly. The total cost of all projects included in the
2 department's priority schedule shall approximate at least
3 \$18,000,000 annually for a period of five years from the
4 effective date of this act.

5 (b) Project approval.--Only those projects previously
6 authorized in a capital budget act approved by the General
7 Assembly shall be included in the department's priority
8 schedule.

9 Section 5. Strategic State park development plan.

10 (a) Plan preparation.--Within six months following the
11 effective date of this act, the department shall complete a
12 State park development plan which shall include:

13 (1) Identification of selected State parks that are
14 candidates for the development of recreation facilities by
15 the private sector and the type of development considered
16 appropriate at each selected park site. Facilities that may
17 be developed by the private sector could include, but are not
18 limited to, hotels, lodges, restaurants, conference centers,
19 marinas, golf courses, tennis courts and swimming pools.

20 There shall be a minimum of three but no more than five State
21 parks identified as candidates for private sector development
22 that includes hotels and conference centers.

23 (2) A detailed assessment of personnel needs required to
24 adequately operate and maintain the State park system.

25 (b) Plan review.--The department shall submit the completed
26 State park development plan to the Environmental Quality Board
27 which shall have 90 days to review and make recommendations
28 pertaining to subsection (a)(1).

29 Section 6. Development of recreation facilities by the private
30 sector.

1 (a) Departmental requirement.--Within one year from the
2 effective date of this act, the department shall issue a request
3 for proposals for the development of recreation facilities at
4 selected State parks by the private sector consistent with the
5 strategic State park development plan provisions of section
6 5(a)(1).

7 (b) Selection of projects.--The department shall establish
8 the criteria for the selection of projects to be constructed and
9 operated by private entities in State parks.

10 (c) Terms of projects.--The site on which any privately
11 owned project is constructed shall be owned by the Commonwealth
12 and leased to the operator for a term not exceeding 99 years.
13 The department shall have the right of first refusal in the
14 event that the project is to be sold or transferred by the
15 private operator or the right to disapprove any sale or
16 transfer.

17 Section 7. Capital improvements to State-owned historic sites
18 and facilities.

19 (a) Funding of projects.--The commission shall prepare
20 annually a priority schedule of improvement projects at State-
21 owned historic sites and facilities which shall be submitted to
22 the Governor and to the General Assembly. The total cost of all
23 projects included in the commission's priority schedule shall
24 approximate at least \$2,000,000 annually for a period of five
25 years from the effective date of this act.

26 (b) Project approval.--Only those projects previously
27 authorized in a capital budget act approved by the General
28 Assembly shall be included in the commission's priority
29 schedule.

30 Section 8. Grants to non-State-owned historic properties and

1 facilities.

2 (a) General provisions.--From moneys appropriated annually
3 by the General Assembly, the commission shall make grants-in-aid
4 to eligible nonprofit organizations and institutions for capital
5 improvements to non-State-owned historic properties and
6 facilities.

7 (b) Amount for grants and administrative costs of the
8 commission.--The amount of grants and the administrative costs
9 for operating the grant program shall not exceed the following:

10 (1) First year - \$1,000,000.

11 (2) Second year - \$1,500,000.

12 (3) Third year - \$2,000,000.

13 (4) Fourth year - \$2,500,000.

14 (5) Fifth year - \$3,000,000.

15 (c) Eligibility.--The following nonprofit organizations
16 shall be eligible to apply to the commission for grants-in-aid
17 for capital improvements:

18 (1) Historical societies.

19 (2) Colleges and universities.

20 (3) Museums.

21 (4) Other historical organizations, including, but not
22 limited to, libraries.

23 (d) Application and criteria for awarding grants.--The
24 commission shall establish the methods and procedures for making
25 an application for a grant and the criteria to carry out the
26 purpose of this section on which it will base its approval.

27 Section 9. Repeals.

28 (a) Specific.--Section 1906-A(4) of the act of April 9, 1929
29 (P.L.177, No.175), known as The Administrative Code of 1929, is
30 repealed only to the extent it is inconsistent with the

1 provisions of section 6(c) and only for those projects which
2 qualify under section 6(c).

3 (b) General.--All acts and parts of acts are repealed
4 insofar as they are inconsistent with this act.

5 Section 10. Effective date.

6 This act shall take effect in 60 days.