

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 516 Session of  
1989

INTRODUCED BY SHAFFER, CORMAN, HOPPER, PETERSON, WENGER,  
GREENWOOD, JUBELIRER, SHUMAKER, FATTAH, O'PAKE, LOEPER,  
AFFLERBACH, HELFRICK, ANDREZESKI, REGOLI, SALVATORE,  
ARMSTRONG, WILT, LEMMOND, BAKER AND PUNT, FEBRUARY 13, 1989

AS RE-REPORTED FROM COMMITTEE ON APPROPRIATIONS, HOUSE OF  
REPRESENTATIVES, AS AMENDED, NOVEMBER 13, 1990

AN ACT

1 ~~Providing grants to Pennsylvania businesses participating in~~ <—  
2 ~~international trade fairs; and making an appropriation.~~  
3 APPROPRIATING MONEY FROM THE SUNNY DAY FUND TO THE DEPARTMENT OF <—  
4 COMMERCE FOR VARIOUS PROJECTS THROUGHOUT THIS COMMONWEALTH  
5 FOR FISCAL YEAR 1990-1991.

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

8 ~~Section 1. Short title.~~ <—

9 ~~This act shall be known and may be cited as the International~~  
10 ~~Trade Fair Grant Act.~~

11 ~~Section 2. Definitions.~~

12 ~~The following words and phrases when used in this act shall~~  
13 ~~have the meanings given to them in this section unless the~~  
14 ~~context clearly indicates otherwise:~~

15 ~~"Department." The Department of Commerce of the~~  
16 ~~Commonwealth.~~

17 ~~"Program." The Trade Fair Assistance Program.~~

1 ~~Section 3. Establishment of grant program.~~

2 ~~The Trade Fair Assistance Program is hereby established in~~  
3 ~~the Department of Commerce to provide grants to Pennsylvania~~  
4 ~~businesses to reimburse eligible expenses of participating in~~  
5 ~~international trade fairs. The department shall develop~~  
6 ~~regulations to implement the program.~~

7 ~~Section 4. Amount of grant.~~

8 ~~Grants may not exceed \$4,000 or 50% of eligible expenses,~~  
9 ~~whichever is less.~~

10 ~~(1) No business may receive more than one grant per~~  
11 ~~State fiscal year.~~

12 ~~(2) Only businesses having fewer than 500 employees are~~  
13 ~~eligible to receive grants under this act.~~

14 ~~Section 5. Conditions of grant.~~

15 ~~(a) Attendance at trade show. The grantee shall have in~~  
16 ~~attendance at the trade show at least one full time employee of~~  
17 ~~the participant.~~

18 ~~(b) Exhibit. A photograph or drawing of the grantee's~~  
19 ~~exhibit and any samples to be distributed shall be made~~  
20 ~~available to the department.~~

21 ~~(c) Report. The grantee shall provide the department with a~~  
22 ~~report on the results of the grantee's participation in the~~  
23 ~~trade fair. The report will be kept confidential unless the~~  
24 ~~grantee states otherwise. The report shall include the number of~~  
25 ~~leads generated, agents and distributors signed and sales~~  
26 ~~figures, as well as whether the grantee's objectives were met.~~

27 ~~Section 6. Eligible expenses.~~

28 ~~(a) Types of expenses.~~

29 ~~(1) Reimbursement is limited to the following types of~~  
30 ~~expenses: space rental; booth design and construction; booth~~

1 ~~equipment; transportation of equipment and exhibit materials~~  
2 ~~to the participant's booth and return; booth utility costs;~~  
3 ~~seminar room and audio visual rental costs; and any other~~  
4 ~~costs directly related to participation in an overseas trade~~  
5 ~~fair approved at the sole discretion of the department.~~

6 ~~(2) Personal expenses of participants, such as airfare,~~  
7 ~~hotel and lodging and meals, shall not be reimbursable.~~

8 ~~(b) Budget. At the time of application for a grant, the~~  
9 ~~grantee shall forward to the department a detailed estimated~~  
10 ~~budget for trade fair participation.~~

11 ~~(c) Reimbursement. Expenses shall not be reimbursed by the~~  
12 ~~department until the participating business demonstrates that it~~  
13 ~~has paid for all eligible expenses through actual receipts.~~

14 ~~Section 7. Appropriation.~~

15 ~~The sum of \$40,000, or as much thereof as may be necessary,~~  
16 ~~is hereby appropriated to the Department of Commerce for fiscal~~  
17 ~~year July 1, 1989, to June 30, 1990, to fund grants under this~~  
18 ~~act.~~

19 ~~Section 8. Effective date.~~

20 ~~This act shall take effect July 1, 1989.~~

21 SECTION 1. THE SUMS SET FORTH IN THIS ACT, OR AS MUCH <—  
22 THEREOF AS MAY BE NECESSARY, ARE HEREBY SPECIFICALLY  
23 APPROPRIATED FROM THE SUNNY DAY FUND TO THE DEPARTMENT OF  
24 COMMERCE FOR THIS FISCAL YEAR JULY 1, 1990, TO JUNE 30, 1991,  
25 FOR THE PROJECTS LISTED TO ENHANCE ECONOMIC DEVELOPMENT AND THE  
26 CREATION OF JOBS IN THIS COMMONWEALTH IN ACCORDANCE WITH THE  
27 PROVISIONS OF CHAPTER 1 OF THE ACT OF JULY 1, 1985 (P.L.120,  
28 NO.32), KNOWN AS THE SUNNY DAY FUND ACT.

29 SECTION 2. THE FOLLOWING AMOUNTS ARE APPROPRIATED TO THE  
30 DEPARTMENT OF COMMERCE TO INDUCE COMPANIES TO LOCATE LARGE

INDUSTRIAL, MANUFACTURING OR RESEARCH AND DEVELOPMENT  
ENTERPRISES WITHIN THIS COMMONWEALTH:

(1) FOR THE PURPOSE OF MAKING A LOAN TO  
KOPPEL STEEL CORPORATION FOR MACHINERY AND  
EQUIPMENT FOR THE KOPPEL STEEL WORKS AND  
AMBRIDGE ROLLING MILL FACILITIES FORMERLY  
OPERATED BY BABCOCK & WILCOX, IN KOPPEL AND  
AMBRIDGE, BEAVER COUNTY. IT IS ESTIMATED THAT  
THIS PROJECT WILL CREATE A TOTAL OF 650 NEW  
JOBS AT THE TWO FACILITIES WITHIN THREE YEARS  
OF OPERATION..... \$ 4,000,000

(2) FOR THE PURPOSE OF MAKING A LOAN FOR  
CONSTRUCTION OF OR FOR LEASEHOLD IMPROVEMENTS  
TO A FACILITY TO BE OCCUPIED BY CONSOLIDATED  
RAIL CORPORATION AS A CUSTOMER SERVICE CENTER  
IN ALLEGHENY COUNTY. IT IS ESTIMATED THAT  
WITHIN THREE YEARS OF OPERATION THIS PROJECT  
WILL CREATE MORE THAN 800 JOBS OF WHICH 400  
WILL BE NEW JOBS..... \$ 2,500,000

SECTION 3. IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT THE  
APPROPRIATIONS IN SECTION 2 SHALL BE LOANED AT AN ANNUAL  
INTEREST RATE THAT IN NO CASE SHALL BE LESS THAN THE  
PENNSYLVANIA INDUSTRIAL DEVELOPMENT AUTHORITY'S RATE FOR THE  
AREA IN WHICH THE PROJECT IS LOCATED AND FOR A TERM THAT SHALL  
BE NO GREATER THAN THE TERM FOR AN EQUIVALENT PENNSYLVANIA  
INDUSTRIAL DEVELOPMENT AUTHORITY PROJECT. PRIVATE COMPANIES  
WHICH RECEIVE SUNNY DAY FUND ASSISTANCE BUT FAIL TO MAKE THE  
INVESTMENT IN THE ENTERPRISE DEVELOPMENT AS SPECIFIED IN SECTION  
2 SHALL BE LIABLE FOR THE REPAYMENT OF ALL SUNNY DAY FUND  
MONEYS, INCLUDING ANY ACCRUED INTEREST THEREON AND ANY PENALTIES

1 AS PROVIDED IN THE LOAN DOCUMENTS OR AS MAY BE SET BY THE  
2 SECRETARY OF COMMERCE. PRIVATE COMPANIES WHICH RECEIVE SUNNY DAY  
3 FUND ASSISTANCE BUT FAIL TO CREATE THE NUMBER OF JOBS SPECIFIED  
4 IN THE APPROVED LOAN OR OTHER AGREEMENTS WITH THE COMMONWEALTH  
5 SHALL BE LIABLE FOR A PENALTY EQUAL TO AN INCREASE IN THE  
6 INTEREST CHARGED TO 2% GREATER THAN THE CURRENT PRIME INTEREST  
7 RATE FOR THE REMAINDER OF THE LOAN, UNLESS THE PENALTY IS WAIVED  
8 BY THE SECRETARY OF COMMERCE BECAUSE THE FAILURE IS DUE TO  
9 CIRCUMSTANCES OUTSIDE THE CONTROL OF THE PRIVATE COMPANY. THE  
10 PRIME INTEREST RATE SHALL BE THE HIGHEST RATE KNOWN OR DECLARED  
11 TO BE PRIME BY THOSE BANKING INSTITUTIONS LOCATED WITHIN THIS  
12 COMMONWEALTH WITH ASSETS IN EXCESS OF \$3,000,000,000 AS OF THE  
13 DATE THE PENALTY IS ASSESSED. THE SECRETARY OF COMMERCE SHALL  
14 CONSULT WITH THE CHAIRMEN OF THE APPROPRIATIONS COMMITTEE OF THE  
15 SENATE AND THE APPROPRIATIONS COMMITTEE OF THE HOUSE OF  
16 REPRESENTATIVES PRIOR TO THE ESTABLISHMENT OF WAIVER OF  
17 PENALTIES.

18 SECTION 4. FOR A PERIOD EQUAL TO THE TERM OF ASSISTANCE  
19 PROVIDED EACH PROJECT APPROVED UNDER THIS ACT, THE DEPARTMENT OF  
20 COMMERCE SHALL PROVIDE A WRITTEN REPORT ON THE STATUS OF EACH  
21 PROJECT TO THE SECRETARY OF THE SENATE AND THE CHAIRMAN OF THE  
22 APPROPRIATIONS COMMITTEE OF THE SENATE AND TO THE CHIEF CLERK OF  
23 THE HOUSE OF REPRESENTATIVES AND THE CHAIRMAN OF THE  
24 APPROPRIATIONS COMMITTEE OF THE HOUSE OF REPRESENTATIVES BY JUNE  
25 30 OF EACH YEAR. THIS REPORT SHALL CONTAIN, AT A MINIMUM,  
26 INFORMATION PERTAINING TO THE SPECIFIC USE OF THE SUNNY DAY FUND  
27 MONEY, THE INTEREST RATE AND TERM OF THE SUNNY DAY FUND LOAN,  
28 THE AMOUNT OF PRINCIPAL OUTSTANDING AND INTEREST DUE ON THE  
29 LOAN, AND THE NUMBER OF JOBS CREATED BY THE PROJECT. ALL  
30 RECIPIENTS OF FUNDS UNDER THIS ACT SHALL BE REQUIRED TO PROVIDE

1 ANY AND ALL INFORMATION REQUIRED BY THE DEPARTMENT OF COMMERCE  
2 FOR THE PURPOSE OF THIS ACT.

3 SECTION 5. NO FUNDS UNDER THIS ACT SHALL BE AWARDED BY THE  
4 DEPARTMENT OF COMMERCE AFTER JUNE 30, 1991. ANY FUNDS FROM THIS  
5 APPROPRIATION REMAINING UNEXPENDED OR UNENCUMBERED ON JUNE 30,  
6 1992, SHALL AUTOMATICALLY LAPSE INTO THE SUNNY DAY FUND.

7 SECTION 6. THIS ACT SHALL TAKE EFFECT IMMEDIATELY.