

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1709 Session of 1993

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AND STURLA, MAY 28, 1993

AS REPORTED FROM COMMITTEE ON BUSINESS AND ECONOMIC DEVELOPMENT,
HOUSE OF REPRESENTATIVES, AS AMENDED, JUNE 7, 1993

AN ACT

1 ~~Creating the Pennsylvania Manufacturing and Technology~~ <—
2 ~~Consortium and providing for its powers; establishing the~~
3 ~~Pennsylvania Manufacturing and Technology Consortium Fund;~~
4 CREATING THE IRC/BEN FRANKLIN PARTNERSHIP AND PROVIDING FOR ITS <—
5 POWERS; ESTABLISHING THE IRC/BEN FRANKLIN PARTNERSHIP FUND;
6 providing for certification of industrial resource centers,
7 for certification of Ben Franklin technology centers and for
8 certain transfers; and making repeals.

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20 The General Assembly of the Commonwealth of Pennsylvania
21 hereby enacts as follows:
22 Section 1. Short title.
23 This act shall be known and may be cited as the ~~Pennsylvania~~ <—
24 ~~Manufacturing and Technology~~ IRC/BEN FRANKLIN PARTNERSHIP Act. <—
25 Section 2. Legislative findings and policy.
26 (a) Findings.--The General Assembly finds as follows:
27 (1) A growing base of successful, small-to-medium-sized
28 Commonwealth manufacturing companies is essential to the
29 economic strength and vitality of this Commonwealth.
30 (2) The existence and growth of small-to-medium-sized

1 Commonwealth manufacturing companies depends on the ability
2 of these companies to:

3 (i) Reorient management practices toward modern
4 manufacturing techniques and technologies.

5 (ii) Successfully compete in both domestic and
6 foreign markets.

7 (iii) Identify, bench mark and adopt the best and
8 most efficient practices and technologies.

9 (iv) Locate and hire a trained work force.

10 (3) There is a need to inform the body politic, the
11 press, the academic and business communities and the
12 population at large about the significance of a successful,
13 competitive United States manufacturing industry to the
14 quality of life, security and economic strength.

15 (4) There is a continuing need to promote, stimulate and
16 encourage within this Commonwealth basic and applied
17 scientific research and development and scientific and
18 technological education.

19 (5) University-based consortia between business,
20 universities and government provide these entities with the
21 advanced technology research and development, training and
22 education necessary to diversify this Commonwealth's economy
23 and thereby stimulate this Commonwealth's economic growth.

24 (6) The industrial resource centers were created to
25 support the modernization efforts of this Commonwealth's
26 small-to-medium-sized manufacturing companies through
27 collaborative initiatives and individual projects that apply
28 and deploy advanced manufacturing management and production
29 philosophies and techniques in such areas as:

30 (i) Production, planning and inventory control.

1 (ii) Quality improvement.

2 (iii) Plant layouts.

3 (iv) Factory and office automation.

4 (v) Technology improvements.

5 (vi) Work force development and other training
6 programs.

7 (vii) Manufacturing strategies.

8 (7) The Ben Franklin technology centers were created to
9 build partnerships and provide direct assistance to help
10 firms develop and creatively apply techniques and related
11 practices to such activities as:

12 (i) Help companies to form and grow through the
13 development and commercialization of innovative products
14 and services.

15 (ii) Help manufacturers to develop and innovatively
16 apply new technologies and practices that make them more
17 competitive in the global market economy.

18 (iii) Facilitate and support consortia of private
19 companies, academic institutions and government agencies
20 to collaboratively advance the state of knowledge and
21 practices.

22 (iv) Facilitate and support the availability of
23 services and collaborative activities throughout this
24 Commonwealth to provide business and technical
25 assistance.

26 (v) Select firms with potential for growth and
27 facilitate and support collaborative activities and
28 individual initiatives designed to address the needs of
29 manufacturing and technology-oriented companies for a
30 well-trained work force.

1 (b) Policy.--It is hereby declared to be the policy of the
2 Commonwealth to promote the health, safety, morals and general
3 welfare of its inhabitants through its Department of Commerce
4 by:

5 (1) The creation of the ~~Pennsylvania Manufacturing and~~ <—
6 ~~Technology Consortium~~ IRC/BEN FRANKLIN PARTNERSHIP, which <—
7 shall exist for the purpose of promoting competitiveness of
8 Commonwealth companies through interaction of technology
9 development, modernization and training programs.

10 (2) The certification of industrial resource centers,
11 which shall exist for the purpose of strengthening the
12 competitive position of small-to-medium-sized Commonwealth
13 manufacturing companies through the promotion, demonstration
14 and transmission of modern manufacturing techniques and
15 technologies.

16 (3) The certification of Ben Franklin technology
17 centers, which shall exist for the purpose of identifying,
18 generating, developing and refining technology innovation
19 opportunities for Commonwealth businesses.

20 These purposes are hereby declared to be public purposes for
21 which public money may be spent.

22 Section 3. Definitions.

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

26 "Advisory board." The ~~Pennsylvania Manufacturing and~~ <—
27 ~~Technology Consortium~~ IRC/BEN FRANKLIN PARTNERSHIP Advisory <—
28 Board.

29 "Ben Franklin technology center." A nonprofit corporation,
30 incorporated for the purposes of identifying and generating

1 technology innovation opportunities among Commonwealth
2 businesses.

3 "Centers." The Ben Franklin technology centers and the
4 industrial resource centers.

5 ~~"Consortium." The Pennsylvania Manufacturing and Technology~~ <—
6 ~~Consortium.~~

7 ~~"Consortium board." The board of the Pennsylvania~~
8 ~~Manufacturing and Technology Consortium.~~

9 "Department." The Department of Commerce of the
10 Commonwealth.

11 "Industrial resource center." A nonprofit corporation,
12 incorporated for the purposes of enhancing and supporting the
13 competitive ability of Commonwealth manufacturers by helping
14 them take advantage of and benefit from the transmission of
15 production techniques and technologies.

16 "Manufacturing." The giving of new shapes, new qualities or
17 new combinations to matter by the application of skill and labor
18 thereto.

19 "PARTNERSHIP." THE IRC/BEN FRANKLIN PARTNERSHIP. <—

20 "PARTNERSHIP BOARD." THE BOARD OF DIRECTORS OF THE IRC/BEN
21 FRANKLIN PARTNERSHIP.

22 "Private sector funds." Monetary or in-kind support from
23 private businesses, corporations, individuals, trade
24 associations, foundations and federally and locally supported
25 grant programs.

26 "Secretary." The Secretary of Commerce of the Commonwealth.

27 "Small-to-medium-sized Commonwealth manufacturing company."
28 A Pennsylvania manufacturing company which meets the small
29 business size standards established by the United States Small
30 Business Administration.

1 Section 4. ~~Pennsylvania Manufacturing and Technology Consortium~~ <—

2 IRC/BEN FRANKLIN PARTNERSHIP. <—

3 (a) Creation.--A body corporate and politic, to be known as
4 the ~~Pennsylvania Manufacturing and Technology Consortium~~ IRC/BEN <—
5 FRANKLIN PARTNERSHIP, is hereby created as a public authority
6 and instrumentality of the Commonwealth. This authority shall
7 exercise the powers of the Commonwealth as an agency of the
8 Commonwealth.

9 (b) Members.--The ~~consortium~~ PARTNERSHIP shall be composed <—
10 of the following members:

11 (1) The secretary.

12 (2) A representative of the Governor's Office with
13 responsibilities for technology to be appointed by the
14 Governor.

15 (3) ~~Four~~ FIVE representatives from the manufacturing or <—
16 advanced technology business sector to be appointed by the
17 Governor, at least two of whom shall be representatives of
18 small-to-medium-sized businesses.

19 (4) Two representatives from the education sector to be
20 appointed by the Governor, one of whom shall be a president
21 or board member of a four-year college or university and one
22 of whom shall be a president or board member of an
23 institution that provides vocational instruction.

24 (5) A representative from organized labor to be
25 appointed by the Governor.

26 (6) THE CHAIRMAN OF THE MILRITE COUNCIL. <—

27 (7) FOUR REPRESENTATIVES OF THE GENERAL ASSEMBLY
28 APPOINTED AS FOLLOWS:

29 (I) ONE REPRESENTATIVE APPOINTED BY THE PRESIDENT
30 PRO TEMPORE OF THE SENATE.

(II) ONE REPRESENTATIVE APPOINTED BY THE MINORITY
LEADER OF THE SENATE.

(III) ONE REPRESENTATIVE APPOINTED BY THE SPEAKER OF
THE HOUSE OF REPRESENTATIVES.

(IV) ONE REPRESENTATIVE APPOINTED BY THE MINORITY
LEADER OF THE HOUSE OF REPRESENTATIVES.

(c) Chair.--The secretary shall chair the ~~consortium~~
PARTNERSHIP board and shall be authorized to designate an
officer or employee within the department ~~to chair consortium~~ IN
ACCORDANCE WITH SECTION 6(C) TO CHAIR PARTNERSHIP board meetings
in his absence.

~~(d) Terms. The secretary and the representative of the
Governor's Office with responsibilities for technology shall,
for as long as they hold their respective positions, serve on
the consortium board for terms of four years, the terms to run
concurrently with that of the Governor. Those remaining members
of the consortium board initially appointed by the Governor
shall serve for the following term of years:~~

~~(1) The two representatives from the private sector, one
representative from the education sector and the labor
representative shall serve terms of four years.~~

~~(2) One representative from the private sector and one
representative from the education sector shall serve for
terms of three years.~~

~~(3) One representative from the private sector shall
serve a term of two years.~~

(D) TERMS.--

(1) THE SECRETARY AND THE REPRESENTATIVE OF THE
GOVERNOR'S OFFICE WITH RESPONSIBILITIES FOR TECHNOLOGY SHALL,
FOR AS LONG AS THEY HOLD THEIR RESPECTIVE POSITIONS, SERVE ON

1 THE PARTNERSHIP BOARD FOR TERMS OF FOUR YEARS, THE TERMS TO
2 RUN CONCURRENTLY WITH THAT OF THE GOVERNOR.

3 (2) THOSE REMAINING MEMBERS OF THE PARTNERSHIP BOARD
4 INITIALLY APPOINTED BY THE GOVERNOR SHALL SERVE FOR THE
5 FOLLOWING TERM OF YEARS:

6 (I) THE TWO REPRESENTATIVES FROM THE PRIVATE SECTOR,
7 ONE REPRESENTATIVE FROM THE EDUCATION SECTOR AND THE
8 LABOR REPRESENTATIVE SHALL SERVE TERMS OF FOUR YEARS.

9 (II) TWO REPRESENTATIVES FROM THE PRIVATE SECTOR AND
10 ONE REPRESENTATIVE FROM THE EDUCATION SECTOR SHALL SERVE
11 FOR TERMS OF THREE YEARS.

12 (III) ONE REPRESENTATIVE FROM THE PRIVATE SECTOR
13 SHALL SERVE A TERM OF TWO YEARS.

14 (3) THE REPRESENTATIVES OF THE GENERAL ASSEMBLY SHALL
15 SERVE TERMS OF TWO YEARS, SUCH TERMS TO RUN CONCURRENTLY WITH
16 THE TERM OF THE LEGISLATIVE SESSION.

17 All of their respective successors shall serve for terms of four
18 years or until their respective successors shall be duly
19 appointed by the Governor. Any member appointed to fill a
20 vacancy created otherwise than by expiration of term shall be
21 appointed for the unexpired term of the member whom he is to
22 succeed.

23 (e) Compensation.--The members shall receive no compensation
24 for their services but shall be reimbursed for their expenses
25 actually incurred by them in the performance of their duties
26 under this act.

27 Section 5. Powers and duties of ~~consortium~~ PARTNERSHIP. <—

28 ~~The consortium~~ (A) GENERAL RULE.--THE PARTNERSHIP shall have <—
29 the following powers and duties:

30 (1) To promote, stimulate and encourage competitiveness

1 through interaction of technology development, deployment,
2 modernization and education and training programs.

3 (2) To monitor the development of State and regional
4 plans to maximize coordination and cooperation between the
5 centers.

6 (3) To ensure that the activities of the centers are
7 coordinated to the greatest possible extent with other
8 organizations responsible for these four spheres of business
9 assistance:

10 (i) Technology assistance.

11 (ii) Business finance.

12 (iii) Business development.

13 (iv) Education and training.

14 (4) To coordinate efforts to identify and pursue Federal
15 and State funding opportunities, including opportunities to
16 assist defense-based firms in converting to nondefense
17 activities.

18 (5) To adopt bylaws, regulations and guidelines dealing
19 with the organization, meetings, activities and other
20 considerations as it may deem appropriate and consistent.

21 (6) To make contracts of every name and nature and to
22 execute all instruments necessary or convenient for the
23 carrying on of its business.

24 (7) To conduct examinations and investigations on any
25 relevant material for its information.

26 (8) To review the financial and disclosure information
27 submitted by the centers and request an independent audit of
28 the center's records.

29 (9) To appoint subcommittees, as needed.

30 (10) To sue and be sued, implead and be impleaded,

complain and defend in all courts.

(11) To approve funding allocations to centers.

(12) To accept funds from various sources, including,
but not limited to:

(i) Separate State appropriations to the Ben
Franklin technology centers.

(ii) Separate State appropriations to the industrial
resource centers.

(iii) Any other State appropriations, Federal funds,
royalties, gifts, grants, bequests, devises and private
funds.

(13) To comply with Federal legislation and regulations.

(B) DEBT RESTRICTION.--NOTWITHSTANDING ANY OTHER PROVISIONS
OF THIS ACT, THE PARTNERSHIP SHALL NOT HAVE THE AUTHORITY TO
ISSUE ANY BONDS, NOTES OR ANY OTHER OBLIGATION EVIDENCING A DEBT
OR LIABILITY OF THE PARTNERSHIP, THE COMMONWEALTH OR ANY OF ITS
POLITICAL SUBDIVISIONS.

Section 6. ~~Consortium~~ PARTNERSHIP board.

(a) Organization.--The powers of the ~~consortium~~ PARTNERSHIP
shall be exercised by a board consisting of the members of the
~~consortium~~ PARTNERSHIP. Within 90 days after the effective date
of this act, the ~~consortium~~ PARTNERSHIP board shall meet and
organize. The secretary and his successor in office shall be the
chair and chief executive officer. The ~~consortium~~ PARTNERSHIP
board shall elect a secretary and treasurer from their number.
At the first meeting in each year thereafter, they shall elect
from their number a secretary and treasurer.

~~(b) Quorum. A majority of the members shall constitute a
quorum of the consortium board for the purpose of organizing the
consortium and conducting the business thereof, and all action~~

1 ~~may be taken by a vote of a majority of the members present,~~
2 ~~unless specified otherwise in the bylaws of the consortium or in~~
3 ~~this act.~~

4 (B) QUORUM.--A MAJORITY OF THE MEMBERS SHALL CONSTITUTE A <—
5 QUORUM OF THE PARTNERSHIP BOARD FOR THE PURPOSE OF ORGANIZING
6 THE PARTNERSHIP AND CONDUCTING THE BUSINESS THEREOF, AND ALL
7 ACTION SHALL BE TAKEN BY A VOTE OF A MAJORITY OF THE MEMBERS
8 PRESENT, UNLESS SPECIFIED OTHERWISE IN THE BYLAWS OF THE
9 PARTNERSHIP OR IN THIS ACT. ONLY MEMBERS OR THEIR DESIGNEES WHO
10 ARE PHYSICALLY PRESENT AT A MEETING SHALL COUNT TOWARD A QUORUM
11 OF THE PARTNERSHIP BOARD.

12 (C) DESIGNEES.--EACH PUBLIC OFFICER OF THE PARTNERSHIP BOARD
13 MAY DESIGNATE AN OFFICER OR EMPLOYEE OF THE COMMONWEALTH TO
14 REPRESENT HIM AT MEETINGS OF THE PARTNERSHIP BOARD. EACH
15 DESIGNEE MAY LAWFULLY VOTE AND OTHERWISE ACT ON BEHALF OF THE
16 MEMBER OF THE PARTNERSHIP BOARD FOR WHOM HE CONSTITUTES THE
17 DESIGNEE. THE DESIGNATION SHALL BE IN WRITING DELIVERED TO THE
18 PARTNERSHIP AND SHALL CONTINUE IN EFFECT UNTIL REVOKED OR
19 AMENDED IN WRITING DELIVERED TO THE PARTNERSHIP.

20 ~~(e)~~ (D) Staff services.--The department shall provide an <—
21 executive director and staff services to the ~~consortium~~ <—
22 PARTNERSHIP for its administration of this act, including review <—
23 of the proposals submitted to the ~~consortium~~ PARTNERSHIP by the <—
24 advisory board.

25 Section 7. Fund.

26 (a) Establishment.--There is hereby established in the State
27 Treasury a special fund to be known as the ~~Pennsylvania~~ <—
28 ~~Manufacturing and Technology Consortium~~ IRC/BEN FRANKLIN <—
29 PARTNERSHIP Fund into which shall be deposited any State
30 appropriations to the centers, any other State appropriations

1 for a purpose related to this act, Federal funds, royalties,
2 gifts, grants, bequests, devises, private funds and funds from
3 any other source for the purposes of this act. FUNDS <—
4 APPROPRIATED BY THE GENERAL ASSEMBLY FOR THE BEN FRANKLIN
5 PARTNERSHIP PROGRAM WILL BE USED SOLELY FOR THE BEN FRANKLIN
6 PARTNERSHIP PROGRAM AND FUNDS APPROPRIATED BY THE GENERAL
7 ASSEMBLY FOR THE INDUSTRIAL RESOURCE CENTERS WILL BE USED SOLELY
8 FOR THE INDUSTRIAL RESOURCE CENTERS. ANY OTHER MONEYS, INCLUDING
9 FEDERAL FUNDS, WHICH ARE EARMARKED FOR A SPECIFIC PROGRAM OR
10 PURPOSE MUST BE ALLOCATED TO THAT PROGRAM OR PURPOSE.

11 (b) Appropriation of moneys.--Moneys in the fund, including
12 Federal funds, are hereby appropriated out of the fund with the
13 approval of the Governor for the purposes set forth in this act.

14 Section 8. ~~Pennsylvania Manufacturing and Technology Consortium~~ <—

15 IRC/BEN FRANKLIN PARTNERSHIP Advisory Board. <—

16 (a) Creation.--There is hereby created within the department
17 the ~~Pennsylvania Manufacturing and Technology Consortium~~ IRC/BEN <—
18 FRANKLIN PARTNERSHIP Advisory Board.

19 (b) Members.--The advisory board shall be composed of the
20 following members:

21 (1) The chair of the board of each industrial resource
22 center.

23 (2) The chair of the board of each of the Ben Franklin
24 technology centers.

25 (3) The chair of the board of the Economic Planning and
26 Development Council.

27 (4) The State director of the small business development
28 centers.

29 (5) The president of the Pennsylvania Economic
30 Development Association.

1 (c) Chair.--The advisory board shall be chaired by two
2 representatives, one of whom shall be selected by the chairs of
3 the boards of the industrial resource centers and one of whom
4 shall be selected by the chairs of the boards of the Ben
5 Franklin technology centers. These cochairs shall attend and
6 fully participate in the discussions held at all ~~consortium~~ <—
7 PARTNERSHIP board meetings, in order to convey to the ~~consortium~~ <—
8 PARTNERSHIP board the views of the advisory board. <—

9 (d) Votes.--For voting purposes, there shall exist 11 total
10 votes. Four of the votes shall be equally divided among the
11 industrial resource center chairs. Four of the votes shall be
12 equally divided among the Ben Franklin technology center chairs.
13 The three remaining votes shall be equally divided among the
14 chair of the board of the Economic Planning and Development
15 Commission, the State director of the small business development
16 centers and the president of the Pennsylvania Economic
17 Development Association.

18 (e) Term.--All members of the advisory board shall serve for
19 as long as they continue to hold the positions outlined above.

20 (f) Compensation.--The advisory board members shall receive
21 no compensation for their services but shall be reimbursed for
22 their expenses actually incurred by them in the performance of
23 their duties under this act.

24 (g) Purpose.--The advisory board shall facilitate discussion
25 among the organizations represented to promote better
26 coordination of services and opportunities.

27 (h) Staff support.--The staff to the ~~consortium~~ PARTNERSHIP <—
28 shall provide staff support to the advisory board.

29 Section 9. Duties of advisory board.

30 The advisory board shall:

- 1 (1) Make recommendations to the ~~consortium~~ PARTNERSHIP. <—
2 (2) Issue periodic reports.
3 (3) Sponsor and conduct conferences and studies.
4 (4) Collect and disseminate information.
5 (5) Develop strategies designed to coordinate the
6 efforts of the centers, promote joint funding proposals for
7 each of the centers and develop strategies designed to
8 facilitate the sharing of information and the best and most
9 efficient manufacturing practices.

10 The duties of the advisory board shall not include the review
11 and approval of annual funding proposals and allocations for
12 each of the centers.

13 Section 10. Industrial resource centers.

14 An industrial resource center shall:

- 15 (1) Serve manufacturing industries in this Commonwealth.
16 (2) Offer manufacturers comprehensive assistance which
17 may include, but is not limited to:

18 (i) The capacity to help manufacturing firms
19 evaluate those elements which are critical to their
20 competitive ability, such as the need for implementation
21 of process technology, the need for continuous
22 improvement in quality and understanding the nature of
23 existing and future global markets.

24 (ii) The ability to assist companies in identifying
25 and applying appropriate technologies.

26 (iii) The ability to transmit products and
27 techniques to improve the manufacturing process.

28 (iv) An information service designed to provide
29 manufacturers with practical data on the availability and
30 capability of commercially available processes and

1 technologies.

2 (v) The development of demonstration sites which
3 manufacturers can visit to learn about and evaluate
4 technologies.

5 (vi) Providing manufacturers with services designed
6 to help them better understand as well as apply modern
7 manufacturing techniques and concepts.

8 (vii) Working with the department and other State
9 agencies and local or regional organizations in the
10 implementation of economic development plans.

11 (viii) Providing manufacturers with marketing
12 strategies and assistance in training and workforce
13 development.

14 (3) Represent a consortium of interest designed to meet
15 the needs of industry in its particular region.

16 (4) Be an independent nonprofit institution overseen by
17 a regional board of directors comprising private industry,
18 economic development and university representatives, with at
19 least 50% representation from private industry.

20 (5) Complement and cooperate with every other center and
21 shall make every effort to share expertise and clientele to
22 develop a strong Statewide network.

23 Section 11. Ben Franklin technology centers.

24 A Ben Franklin technology center shall:

25 (1) Act to assist companies and regions to identify and
26 develop local technology opportunities which make significant
27 contributions to this Commonwealth's economy.

28 (2) Offer businesses comprehensive assistance which may
29 include, but not be limited to:

30 (i) Development and strengthening of joint research

1 and development efforts, including facilities for
2 advanced technologies activities, equipment, personnel,
3 land and related activities, which will lead to new
4 technologies which will create or preserve jobs.

5 (ii) Providing training and curriculum development
6 related to advanced technology in order to provide a
7 skilled work force to secure employment in advanced
8 technology industries.

9 (iii) Technical assistance and technology transfer
10 activities on an areawide or Statewide basis to transfer
11 research and development activities into the marketplace.

12 (iv) Assistance through small business incubators,
13 including, but not limited to, space services and
14 technical assistance.

15 (v) Market development, feasibility studies and
16 other activities related to increasing jobs in advanced
17 technology industries.

18 (vi) Staff support for advanced technology councils
19 or other mechanisms to encourage labor, business,
20 university and government linkages in promoting advanced
21 technology industrial diversification.

22 (vii) Facilitate establishment of technology parks,
23 which will serve as locations for facilities devoted to
24 research and development and technology-intensive light
25 manufacturing.

26 (3) Represent a consortium of interest designed to meet
27 the needs of businesses in their particular regions.

28 (4) Be an independent nonprofit institution overseen by
29 a regional board of directors comprising economic
30 development, university and private industry participants,

1 with at least 50% representation from private industry.

2 (5) Complement and cooperate with every other center and
3 shall make every effort to share expertise and clientele to
4 develop a strong Statewide network.

5 Section 12. Certification.

6 (a) Power to review and certify.--The ~~consortium~~ PARTNERSHIP <—
7 shall have the power to review and certify all applications for
8 regional industrial resource centers, industry-specific
9 industrial resource centers and Ben Franklin technology centers.
10 The standards for certification of each type of center shall be
11 developed by the ~~consortium~~ PARTNERSHIP by regulation. <—

12 (b) Existing centers.--Centers in existence and in receipt
13 of funds from the department as of the date this act becomes
14 effective are hereby deemed certified.

15 (c) Modification or revocation.--The ~~consortium~~ PARTNERSHIP <—
16 shall have the power to certify centers or to modify or revoke
17 their certifications consistent with the rules and regulations
18 to be promulgated by the ~~consortium~~. The ~~consortium~~ PARTNERSHIP. <—
19 THE PARTNERSHIP also shall have the power to change the number
20 of regions or change the minimum service boundary within a given
21 region. These actions shall require a two-thirds majority vote
22 of the ~~consortium~~ PARTNERSHIP board. <—

23 Section 13. Applications for and approval of grants to centers.

24 The ~~consortium~~ PARTNERSHIP is hereby authorized to make <—
25 grants to certified centers; however, before any grant may be
26 made, the certified center shall submit a funding proposal to
27 the ~~consortium~~, and the ~~consortium~~ PARTNERSHIP, AND THE <—
28 PARTNERSHIP shall determine that the funding proposal is
29 consistent with the purposes of this act. APPROVAL BY THE <—
30 PARTNERSHIP OF A CERTIFIED CENTER'S INDIVIDUAL RESEARCH AND

1 DEVELOPMENT OR CONSULTING PROJECTS, OR FINANCIAL ASSISTANCE WILL
2 NOT BE REQUIRED, PROVIDED SUCH PROJECTS OR FINANCIAL ASSISTANCE
3 ARE APPROVED BY THE BOARD OF THE CERTIFIED CENTER AND MEET THE
4 REQUIREMENTS SET FORTH IN THIS ACT AND IN REGULATIONS AND
5 GUIDELINES ESTABLISHED BY THE PARTNERSHIP.

6 Section 14. Requirement of matching funds.

7 Funds in the form of a grant made to an industrial resource
8 center or to a Ben Franklin technology center by the ~~consortium~~ <—
9 PARTNERSHIP pursuant to this act shall be matched by private <—
10 sector funds on a minimum basis to be established by the <—
11 ~~consortium and published as a notice in the Pennsylvania~~
12 ~~Bulletin~~ REGULATION. Private matching funds shall include, but <—
13 not be limited to, monetary or in-kind support from private
14 businesses, corporations, individuals, trade associations,
15 foundations and federally and locally subsidized grants. For Ben
16 Franklin technology centers only, private matching funds shall
17 also include machinery and equipment. Private matching funds
18 shall not include any fees received by an industrial resource
19 center or a Ben Franklin technology center for direct business
20 services relating to a project subsidized by the ~~consortium~~ <—
21 PARTNERSHIP or interest accrued on proceeds from any State <—
22 grant.

23 Section 15. Records.

24 Centers shall permit authorized employees or agents of the
25 ~~consortium~~ PARTNERSHIP or the Commonwealth to inspect the <—
26 center's books and records during regular business hours, upon
27 the reasonable request of the ~~consortium~~ PARTNERSHIP. <—

28 Section 16. Reporting requirements.

29 Centers shall be required to annually submit to the
30 ~~consortium~~ PARTNERSHIP the following: <—

1 (1) The center's current mailing address and telephone
2 number.

3 (2) A copy of the center's current articles of
4 incorporation and bylaws if they are amended during the
5 previous year.

6 (3) A list of the center's current officers and
7 directors.

8 (4) Financial information as the ~~consortium~~ PARTNERSHIP <—
9 may require.

10 (5) Disclosure information of the center's officers and
11 directors as the ~~consortium~~ PARTNERSHIP may require to ensure <—
12 the integrity of this act.

13 Section 17. Rules and regulations.

14 The ~~consortium~~ PARTNERSHIP shall promulgate rules and <—
15 regulations to carry out the purposes of this act.

16 Section 18. Transfers.

17 All allocations, appropriations, equipment, files, records,
18 contracts, agreements, obligations and other materials which are
19 used, employed or expended in connection with the powers, duties
20 or functions of the board of the Ben Franklin Partnership Fund
21 under the provisions of the act of April 9, 1929 (P.L.177,
22 No.175), known as The Administrative Code of 1929, and the
23 department in connection with the industrial resource centers
24 are hereby transferred to the ~~consortium~~ PARTNERSHIP created by <—
25 this act with the same force and effect as if the allocations
26 and appropriations have been made to and the items had been the
27 property of the ~~consortium~~ PARTNERSHIP in the first instance and <—
28 as if the contracts, agreements and obligations had been
29 incurred or entered into by the ~~consortium~~ PARTNERSHIP. <—

30 Section 19. References.

1 All references to the board of the Ben Franklin Partnership
2 Fund existing in law and not repealed by this act shall
3 hereinafter be deemed to refer to the ~~consortium~~ PARTNERSHIP <—
4 created by this act.

5 Section 20. Repeals.

6 As much of section 203 as refers to the board of the Ben
7 Franklin Partnership Fund and sections 448(n), 448(n.1) and
8 2503-B of the act of April 9, 1929 (P.L.177, No.175), known as
9 The Administrative Code of 1929, are repealed.

10 SECTION 21. SUNSET. <—

11 THE IRC/BEN FRANKLIN PARTNERSHIP, TOGETHER WITH ITS STATUTORY
12 FUNCTIONS AND DUTIES, SHALL TERMINATE AND GO OUT OF EXISTENCE ON
13 DECEMBER 31, 2000, UNLESS REESTABLISHED OR CONTINUED BY THE
14 GENERAL ASSEMBLY. THE LEGISLATIVE BUDGET AND FINANCE COMMITTEE
15 SHALL BE REQUIRED TO PRESENT TO THE GENERAL ASSEMBLY A REPORT
16 EVALUATING THE PARTNERSHIP BY DECEMBER 31, 1999. THIS REPORT
17 SHALL PROVIDE THE GENERAL ASSEMBLY WITH A RECOMMENDATION AS TO
18 WHETHER THE PARTNERSHIP IS TO BE CONTINUED AND, IF SO, THE
19 CHANGES WHICH ARE SUGGESTED BY THE COMMITTEE TO IMPROVE THE
20 OPERATION OF THE PARTNERSHIP.

21 Section ~~21~~ 22. Effective date. <—

22 This act shall take effect immediately.