

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 2103 Session of
1986

INTRODUCED BY YANDRISEVITS, MANDERINO, IRVIS, PIEVSKY, ITKIN,
DOMBROWSKI, D. R. WRIGHT, SEVENTY, PETRONE, GRUITZA, LLOYD,
CAWLEY, VEON, COWELL, STABACK, BELFANTI, CALTAGIRONE, TRELLO,
PETRARCA, VAN HORNE, COLE, DeLUCA, FREEMAN, GRUPPO, STEWART,
CAPPABIANCA, KASUNIC, TELEK, MRKONIC, WAMBACH, GEORGE,
LINTON, LUCYK, LESCOVITZ, McCALL, DUFFY, MICHLOVIC, WOZNIAK,
MORRIS, BATTISTO, COLAFELLA, PRESTON, STEIGHNER, GALLAGHER,
COY, DEAL, OLASZ, MAYERNIK AND RUDY, FEBRUARY 4, 1986

SENATOR TILGHMAN, APPROPRIATIONS, IN SENATE, RE-REPORTED AS
AMENDED, JUNE 30, 1986

AN ACT

1 ~~Establishing a program to coordinate efforts to revitalize~~ <—
2 ~~distressed industries; providing for an analysis of eligible~~
3 ~~industries and for reports; and making an appropriation.~~

4 ESTABLISHING A PROGRAM WITHIN THE DEPARTMENT OF COMMERCE TO <—
5 PROVIDE TECHNICAL AND FINANCIAL ASSISTANCE TO MANUFACTURERS
6 TO ENABLE THEM TO REMAIN TECHNOLOGICALLY COMPETITIVE IN THEIR
7 FIELDS; AND PROVIDING FUNDS FOR TECHNOLOGY ASSESSMENTS AND <—
8 PROFESSIONAL SERVICES, AND LOANS FOR TECHNOLOGICAL
9 IMPROVEMENTS; ~~AND CONDUCTING TECHNOLOGY INFORMATION OUTREACH.~~ <—

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

12 ~~Section 1. Short title.~~ <—

13 ~~This act shall be known and may be cited as the Distressed~~
14 ~~Industry Assistance Act.~~

15 ~~Section 2. Legislative findings and intent.~~

16 ~~(a) Findings. The General Assembly finds and declares that:~~

17 ~~(1) There exists within this Commonwealth certain~~

~~industries which have, in the past, employed many more
citizens of this Commonwealth than they do today.~~

~~(2) This decline in employment in these industries has
created hardship to individuals and families due to long term
unemployment and underemployment.~~

~~(3) The continued, unchecked decline of these industries
will cause greater and greater hardship on even more
Commonwealth citizens.~~

~~(4) While the decline of many of these industries cannot
be stemmed by the action of State government, it has been
found that a minimal amount of assistance, particularly for
modernization of machinery, may save many jobs and possibly
create many more.~~

~~(b) Legislative intent. It is the intent of the General
Assembly to provide a program that will coordinate efforts to
revitalize those distressed industries within this Commonwealth
through the targeting of State assistance to industries which
are found to be in a position where State aid will enable the
industry to continue to expand within this Commonwealth.~~

~~Section 3. Definitions.~~

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

~~"Board." The Pennsylvania Economic and Infrastructure
Development Board established by the act of (P.L., No.).~~

~~"Distressed industry." An industry with a standard
industrial classification of two, three or four digits as
created and updated by the Federal Department of Labor, which
has had an employment decline of at least 15% in the most recent
ten years for which data is available.~~

1 ~~Section 4.— Establishment of program.~~

2 ~~There is hereby established, under the direction of the~~
3 ~~board, a program to be known as the Distressed Industry Aid~~
4 ~~Program, for the purpose of analyzing industries to determine~~
5 ~~whether State aid can make a difference in the viability of that~~
6 ~~industry in Pennsylvania.~~

7 ~~Section 5.— Industry selection.~~

8 ~~(a) Selection of eligible industries.— The board shall~~
9 ~~create a list of all industries whose employment loss will~~
10 ~~qualify the industry for inclusion as a distressed industry. The~~
11 ~~list shall also contain the number of plant sites in each~~
12 ~~classification and an estimate of the number of vacant plant~~
13 ~~sites within this Commonwealth which, if still in operation,~~
14 ~~would be considered part of that particular classification. The~~
15 ~~Department of Labor and Industry and the Department of Commerce~~
16 ~~shall provide the board with any assistance and data requested~~
17 ~~by the board.~~

18 ~~(b) Analysis of eligible industries.— The board shall~~
19 ~~analyze the list of eligible industries to determine those which~~
20 ~~should be targeted for State aid by using the following~~
21 ~~criteria:~~

22 ~~(1) Interest shown by either labor organizations,~~
23 ~~management or management organizations in the program.~~

24 ~~(2) The size of capital needed to modernize, retool or~~
25 ~~otherwise change in order to remain or expand within this~~
26 ~~Commonwealth.~~

27 ~~(3) The market viability of the particular product.~~

28 ~~(4) The past history of the industry, including past~~
29 ~~attempts at capital formation and the results.~~

30 ~~(5) The number of citizens of this Commonwealth who are~~

1 ~~unemployed or underemployed and have the skills necessary, or~~
2 ~~whose skill can be easily upgraded, to work in the particular~~
3 ~~industry.~~

4 ~~(c) Consultation and contracts. In determining the list of~~
5 ~~targeted industries the board shall consult members of the~~
6 ~~industry, academics and any other persons acquainted with the~~
7 ~~problems of the industry. The board may also contract with~~
8 ~~experts in the particular industry from within or outside this~~
9 ~~Commonwealth for the purpose of performing market and economic~~
10 ~~research aimed at assessing the viability of the particular~~
11 ~~industry in Pennsylvania.~~

12 ~~Section 6. Final determination.~~

13 ~~If the board determines that an industry can be made more~~
14 ~~competitive, the board shall forward the recommendation, along~~
15 ~~with supporting documentation, to the Governor, the Secretary of~~
16 ~~the Senate and the Chief Clerk of the House of Representatives.~~
17 ~~The recommendation shall include suggestions for the type of new~~
18 ~~program or law, or changes to the old program or law, that will~~
19 ~~be necessary to assist the industry.~~

20 ~~Section 7. Yearly report.~~

21 ~~By March 1 of each year the board shall provide a written~~
22 ~~report of the assistance provided under this act to the~~
23 ~~Governor, the Secretary of the Senate and the Chief Clerk of the~~
24 ~~House of Representatives. This report shall contain, at a~~
25 ~~minimum, the following:~~

26 ~~(1) The list of eligible industries.~~

27 ~~(2) A list of those industries analyzed, but not~~
28 ~~recommended for assistance, and supporting documentation for~~
29 ~~this decision.~~

30 ~~(3) Recommendations for changes to this and any other~~

~~State economic development program.~~

~~Section 8. Appropriation.~~

~~The sum of \$500,000 is hereby appropriated from the
Pennsylvania Economic Revitalization Fund to the Pennsylvania
Economic and Infrastructure Development Board for the fiscal
year July 1, 1986, to June 30, 1987, for determining industries
to be targeted for State assistance as specified in this act.~~

~~Section 9. Effective date.~~

~~This act shall take effect immediately.~~

SECTION 1. SHORT TITLE.

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THIS ACT SHALL BE KNOWN AND MAY BE CITED AS THE TECHNOLOGY
ASSESSMENT PROGRAM ACT.

SECTION 2. DECLARATION OF POLICY.

IT IS HEREBY DETERMINED AND DECLARED THAT:

(1) EXISTING BUSINESSES ARE THE PRIMARY SOURCE OF
PRESENT EMPLOYMENT IN THIS COMMONWEALTH AND WILL ALSO BE A
MAJOR SOURCE OF EMPLOYMENT IN THE FUTURE.

(2) IN ORDER FOR BUSINESSES TO REMAIN IN THIS
COMMONWEALTH AND GROW, THEY MUST BE COMPETITIVE WITH OTHER
COMPANIES IN THEIR INDUSTRY.

(3) EXISTING BUSINESSES CAN OFTEN USE NEW MANUFACTURING
TECHNOLOGIES TO IMPROVE THEIR ABILITY TO COMPETE WITH FOREIGN
COMPANIES AND COMPANIES IN OTHER STATES.

(4) RESOURCES AND EXPERTISE TO IDENTIFY TECHNOLOGICAL
IMPROVEMENTS THAT WILL ENHANCE COMPETITIVENESS ARE NOT
READILY AVAILABLE TO MANY COMPANIES, PARTICULARLY SMALLER
MANUFACTURING FIRMS.

(5) BUSINESSES SEEKING IMPROVEMENTS IN THEIR
COMPETITIVENESS THROUGH THE USE OF NEWER TECHNOLOGIES MAY
NEED ASSISTANCE IN FINANCING THE IMPROVEMENTS.

1 SECTION 3. DEFINITIONS.

2 THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS ACT SHALL
3 HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE
4 CONTEXT CLEARLY INDICATES OTHERWISE:

5 "DEPARTMENT." THE DEPARTMENT OF COMMERCE OF THE
6 COMMONWEALTH.

7 "LOCAL ADMINISTRATIVE AGENCY." AN ORGANIZATION WHICH ENTERS
8 INTO A WRITTEN AGREEMENT WITH THE DEPARTMENT TO ADMINISTER
9 FINANCING ASSISTANCE PURSUANT TO THIS ACT, INCLUDING A
10 MUNICIPALITY, A COUNTY, A LOCAL DEVELOPMENT DISTRICT OF THE
11 APPALACHIAN REGIONAL COMMISSION, AN INDUSTRIAL DEVELOPMENT
12 CORPORATION ORGANIZED AND EXISTING UNDER THE ACT OF MAY 17, 1956
13 (1955 P.L.1609, NO.537), KNOWN AS THE PENNSYLVANIA INDUSTRIAL
14 DEVELOPMENT AUTHORITY ACT, OR ANY OTHER NONPROFIT ECONOMIC
15 DEVELOPMENT ORGANIZATION DESIGNATED BY THE SECRETARY.

16 "MANUFACTURING FIRM." AN ENTERPRISE ENGAGED IN GIVING NEW
17 SHAPES, NEW QUALITIES OR NEW COMBINATIONS TO MATTER BY THE
18 APPLICATION OF SKILL AND LABOR.

19 "PROFESSIONAL SERVICES." DETAILED TECHNICAL AND MANAGEMENT
20 SERVICES, PROVIDED BY CONSULTANTS, THAT ASSIST A MANUFACTURING
21 FIRM IN IMPLEMENTING TECHNOLOGY ASSESSMENTS.

22 "SECRETARY." THE SECRETARY OF COMMERCE OF THE COMMONWEALTH.

23 "SMALL BUSINESS." A PARTICULAR CORPORATION, PARTNERSHIP OR
24 PROPRIETORSHIP WHICH, TOGETHER WITH ITS PARENTS, AFFILIATES AND
25 SUBSIDIARIES, EMPLOYS, IN THE AGGREGATE, LESS THAN 50 FULL-TIME
26 EMPLOYEES.

27 "TECHNOLOGY ASSESSMENT." AN ONSITE ANALYSIS OF THE LEVEL OF
28 ADVANCED MANUFACTURING PROCESSES USED BY A FIRM IN COMPARISON TO
29 THAT USED BY OTHER FIRMS, BOTH DOMESTIC AND FOREIGN, IN THE
30 INDUSTRY. AREAS EXAMINED WITHIN A FIRM MAY INCLUDE, BUT ARE NOT

1 LIMITED TO, OFFICE AND ADMINISTRATION, ENGINEERING, DATA
2 PROCESSING, SALES AND MARKETING, ACCOUNTING, PRODUCTION PLANNING
3 AND INVENTORY CONTROL, MANUFACTURING, WAREHOUSING, SHIPPING AND
4 RECEIVING.

5 "TECHNOLOGY ASSESSMENT SPONSOR." AN ORGANIZATION THAT ENTERS
6 INTO A WRITTEN AGREEMENT WITH THE DEPARTMENT TO ADMINISTER
7 TECHNICAL ASSISTANCE PURSUANT TO THIS ACT, INCLUDING AN ACADEMIC
8 INSTITUTION, A LOCAL DEVELOPMENT DISTRICT OF THE APPALACHIAN
9 REGIONAL COMMISSION, AN ASSOCIATION OF MANUFACTURERS, AND ANY
10 OTHER PRIVATE FOR-PROFIT OR NONPROFIT ORGANIZATION OR GROUP OF
11 SUCH ORGANIZATIONS.

12 SECTION 4. PURPOSE.

13 IT IS THE PURPOSE OF THIS ACT TO PROVIDE ASSISTANCE TO
14 PENNSYLVANIA MANUFACTURERS TO REMAIN TECHNOLOGICALLY COMPETITIVE
15 AND, IN TURN, RETAIN OR INCREASE THEIR SHARE OF THE MARKET BY
16 LOWERING COSTS THROUGH THE INTRODUCTION AND USE OF MORE
17 EFFICIENT PRODUCTION TECHNIQUES OR NEWER TECHNOLOGIES. ADVANCED
18 MANUFACTURING TECHNOLOGIES ARE OFTEN AVAILABLE TO PENNSYLVANIA
19 FIRMS BUT MAY NOT BE ADOPTED FOR A VARIETY OF REASONS, INCLUDING
20 LACK OF INFORMATION, COMPLEXITY, NEAR-TERM CORPORATE PLANNING
21 HORIZON, AND LIMITED AVAILABILITY OF AFFORDABLE FINANCING.

22 SECTION 5. TECHNOLOGY ASSESSMENT PROGRAM ESTABLISHMENT.

23 THERE IS HEREBY ESTABLISHED, UNDER THE DIRECTION OF THE
24 DEPARTMENT, A PROGRAM TO BE KNOWN AS THE TECHNOLOGY ASSESSMENT
25 PROGRAM.

26 SECTION 6. TECHNOLOGY ASSESSMENTS GRANTS.

27 (A) USE OF TECHNOLOGY ASSESSMENT SPONSORS.--THE DEPARTMENT
28 IS AUTHORIZED TO MAKE GRANTS AND ENTER INTO CONTRACTS WITH
29 TECHNOLOGY ASSESSMENT SPONSORS TO PERFORM TECHNOLOGY ASSESSMENTS
30 AND PROVIDE PROFESSIONAL SERVICES REQUESTED BY INDIVIDUAL

1 MANUFACTURING FIRMS IN THIS COMMONWEALTH. THE DEPARTMENT SHALL
2 ISSUE ONE OR MORE REQUESTS FOR PROPOSALS (RFP) TO CONTRACT WITH
3 TECHNOLOGY ASSESSMENT SPONSORS TO PROVIDE TECHNOLOGY ASSESSMENTS
4 AND PROFESSIONAL SERVICES. THE APPLICATIONS SHALL BE RESPONSIVE
5 TO THE RFP AND CONTAIN, AT A MINIMUM:

6 (1) THE NAME OF THE ORGANIZATION WHICH WILL CONDUCT THE
7 TECHNOLOGY ASSESSMENTS AND PROVIDE PROFESSIONAL SERVICES AND
8 A DESCRIPTION OF THE PRIOR EXPERIENCE OF THE ORGANIZATION AND
9 ITS EMPLOYEES AND CONSULTANTS IN CONDUCTING TECHNOLOGY
10 ASSESSMENTS, ITS FAMILIARITY WITH THE MANUFACTURING FIELDS TO
11 BE EXAMINED AND A DISCLOSURE OF ANY POTENTIAL CONFLICT OF
12 INTEREST WITH MACHINERY AND EQUIPMENT SUPPLIERS THAT MIGHT BE
13 RECOMMENDED AS AN OUTCOME OF TECHNOLOGY ASSESSMENTS.

14 (2) THE TYPES OF FIRMS AND LOCATIONS OF THE FACILITIES
15 THAT WILL BE PROVIDED TECHNOLOGY ASSESSMENTS.

16 (B) ELIGIBILITY.--FOR-PROFIT MANUFACTURING FIRMS LOCATED IN
17 THIS COMMONWEALTH MAY REQUEST TECHNOLOGY ASSESSMENT SPONSORS TO
18 CONDUCT TECHNOLOGY ASSESSMENTS AND PROVIDE PROFESSIONAL
19 SERVICES. THE DEPARTMENT MAY ESTABLISH PRIORITIES FOR SPONSORS
20 TO USE IN PROVIDING SUCH SERVICES.

21 (C) USES.--TECHNOLOGY ASSESSMENT SPONSORS MAY PROVIDE THE
22 FOLLOWING SERVICES:

23 (1) CONDUCT TECHNOLOGY ASSESSMENTS AND PREPARE
24 TECHNOLOGY IMPLEMENTATION PLANS FOR INDIVIDUAL FIRMS. AT A
25 MINIMUM, THIS TECHNOLOGY ASSESSMENT SHOULD:

26 (I) ANALYZE THE CURRENT LEVEL OF TECHNOLOGY USED IN
27 THE FIRM.

28 (II) COMPARE THE LEVEL OF TECHNOLOGY USED BY THE
29 FIRM WITH THAT USED BY ITS DOMESTIC AND FOREIGN
30 COMPETITORS.

1 (III) MAKE RECOMMENDATIONS ON THE ALTERNATIVE TYPES
2 OF ADVANCED TECHNOLOGIES THAT COULD BE USED IN THE FIRM'S
3 FACILITIES.

4 (IV) DEVELOP WITH THE FIRM A LONG-RANGE PLAN FOR THE
5 APPROPRIATE INCORPORATION OF ADVANCED TECHNOLOGY INTO THE
6 FIRM, INCLUDING IDENTIFICATION OF SPECIFIC EQUIPMENT
7 NEEDS.

8 (2) PROVIDE PROFESSIONAL SERVICES TO IMPLEMENT THE
9 TECHNOLOGY ASSESSMENT, INCLUDING:

10 (I) ASSISTING THE FIRM TO CONDUCT FEASIBILITY
11 STUDIES FOR THE IMPLEMENTATION OF ADVANCED TECHNOLOGY
12 INTO THE FIRM.

13 (II) ASSISTING THE FIRM TO SECURE FINANCING TO
14 ACQUIRE AND INSTALL NEW SYSTEMS.

15 (D) NOTIFICATION OF POTENTIAL CONFLICT OF INTEREST.--IT
16 SHALL BE THE DUTY OF EACH TECHNOLOGY ASSESSMENT SPONSOR TO
17 NOTIFY THE FIRM FOR WHICH IT PROVIDES SERVICES OF ANY
18 RELATIONSHIP THAT IT, OR ANY OWNER OF THE SPONSOR, MAY HAVE WITH
19 A PROVIDER OF TECHNOLOGY THAT MIGHT BE PART OF A PLAN,
20 RECOMMENDATION OR ANY OTHER SERVICE PROVIDED BY THE SPONSOR
21 PURSUANT TO THIS ACT. FAILURE TO PROVIDE SUCH INFORMATION SHALL
22 BE GROUNDS FOR THE DEPARTMENT TO VOID ITS CONTRACT WITH THE
23 SPONSOR.

24 SECTION 7. TECHNOLOGY IMPROVEMENT FINANCING.

25 (A) AUTHORIZATION TO ADVANCE FUNDS.--THE DEPARTMENT IS
26 AUTHORIZED TO ADVANCE FUNDS TO LOCAL ADMINISTRATIVE AGENCIES FOR
27 THE PURPOSE OF PROVIDING LOANS TO INDUSTRIAL AND MANUFACTURING
28 ENTERPRISES, AS DEFINED IN SECTION 3 OF THE ACT OF MAY 17, 1956
29 (1955 P.L.1609, NO.537), KNOWN AS THE PENNSYLVANIA INDUSTRIAL
30 DEVELOPMENT AUTHORITY ACT, FOR IMPROVING THE TECHNOLOGY LEVEL OF

1 SUCH ENTERPRISES.

2 (B) USES.--

3 (1) ELIGIBLE PROJECT COSTS SHALL BE LIMITED TO THE
4 PURCHASE, UPGRADING AND INSTALLATION OF MACHINERY AND
5 EQUIPMENT.

6 (2) LOANS MAY BE MADE IN AN AMOUNT NOT EXCEED 50% OF THE
7 ELIGIBLE PROJECT COSTS, OR \$500,000, WHICHEVER IS LESS,
8 PROVIDED THAT NO LOANS SHALL BE MADE WHICH EXCEED \$15,000 FOR
9 EACH JOB CREATED OR RETAINED BY THE PROJECT.

10 (3) LOCAL ADMINISTRATIVE AGENCIES MAY ESTABLISH AND
11 CHARGE REASONABLE FEES FOR PROCESSING LOANS, WITH THE
12 APPROVAL OF THE SECRETARY.

13 (4) ALL LOANS SHALL BE SECURED BY LIEN POSITIONS ON
14 COLLATERAL AT THE HIGHEST LEVEL OF PRIORITY WHICH CAN
15 ACCOMMODATE THE BORROWER'S ABILITY TO RAISE SUFFICIENT DEBT
16 AND EQUITY CAPITAL AND BE MADE FOR SUCH A PERIOD AND SHALL
17 BEAR SUCH INTEREST RATE AS MAY BE DETERMINED BY THE
18 SECRETARY.

19 (5) A TECHNOLOGY ASSESSMENT AS PROVIDED IN SECTION 6, OR
20 AN EQUIVALENT DOCUMENT DEMONSTRATING A SUBSTANTIAL PROSPECT
21 FOR JOB RETENTION OR FUTURE JOB GROWTH, IS REQUIRED TO
22 RECEIVE A LOAN. GENERAL ADHERENCE TO THE PLAN RESULTING FROM
23 THE TECHNOLOGY ASSESSMENT IS REQUIRED TO RECEIVE FUNDING.

24 (6) NO LOANS SHALL BE MADE WHICH WOULD DO ANY OF THE
25 FOLLOWING:

26 (I) CAUSE, AID OR ASSIST IN, DIRECTLY OR INDIRECTLY,
27 THE RELOCATION OF ANY BUSINESS OPERATIONS FROM ONE PART
28 OF THIS COMMONWEALTH TO ANOTHER, UNLESS THERE IS AT LEAST
29 A 25% INCREASE IN NET EMPLOYMENT.

30 (II) SUPPLANT FUNDING THAT IS OTHERWISE AVAILABLE

1 EXPEDITIOUSLY FROM PRIVATE SECTOR SOURCES ON COMMERCIALY
2 REASONABLE TERMS.

3 (III) BE FOR THE PURPOSE OF REFINANCING ANY PORTION
4 OF THE TOTAL PROJECT COST OR OTHER EXISTING LOANS OR
5 DEBT.

6 (IV) BE FOR THE PURPOSE OF FINANCING PROJECTS
7 LOCATED OUTSIDE THE GEOGRAPHIC BOUNDARIES OF THIS
8 COMMONWEALTH.

9 (V) BE FOR THE PURPOSE OF PAYING OFF AN EXISTING
10 CREDITOR.

11 (VI) PROVIDE FUNDS, DIRECTLY OR INDIRECTLY, FOR
12 PAYMENT, DISTRIBUTION OR AS A LOAN TO OWNERS, PARTNERS OR
13 SHAREHOLDERS OF THE SMALL BUSINESS ENTERPRISE, EXCEPT AS
14 ORDINARY COMPENSATION FOR SERVICES RENDERED.

15 (VII) BE FOR THE PURPOSE OF REPAYING A DEBT OWED TO
16 A SMALL BUSINESS INVESTMENT COMPANY.

17 (VIII) PROVIDE FUNDS FOR SPECULATION IN ANY KIND OF
18 PROPERTY, REAL OR PERSONAL, TANGIBLE OR INTANGIBLE.

19 SECTION 8. CRITERIA FOR EVALUATING LOAN APPLICATIONS.

20 THE LOCAL ADMINISTRATIVE AGENCIES AND THE DEPARTMENT SHALL
21 EVALUATE APPLICATIONS FOR TECHNOLOGY IMPROVEMENT FINANCING BASED
22 ON THE FOLLOWING CRITERIA:

23 (1) NUMBER OF JOBS RETAINED OR CREATED IN RELATION TO
24 THE SIZE OF THE LOAN.

25 (2) ABILITY OF THE APPLICANT TO REPAY THE LOAN AND THE
26 LIKELIHOOD OF RETAINING OR CREATING JOBS.

27 (3) EVIDENCE OF OTHER PRIVATE FINANCIAL COMMITMENTS.

28 (4) THE EXTENT TO WHICH A FIRM EMPLOYS A SIGNIFICANT
29 NUMBER OF EMPLOYEES OR REPRESENTS A SIGNIFICANT PORTION OF
30 EMPLOYMENT IN THE COMMUNITY.

1 (5) RELEVANT CRIMINAL AND CREDIT HISTORY AND RATINGS OF
2 THE APPLICANT AS DETERMINED FROM OUTSIDE CREDIT REPORTING
3 SERVICES AND OTHER SOURCES.

4 (6) THE EXTENT TO WHICH THE INVESTMENT SIGNIFICANTLY
5 IMPROVES THE LEVEL OF TECHNOLOGY UTILIZED IN THE APPLICANT
6 FIRM.

7 (7) THE EXTENT TO WHICH ASSISTANCE REQUESTED WILL
8 IMPROVE THE COMPETITIVENESS OF MANUFACTURING PROCESSES OF THE
9 FIRM.

10 (8) EVIDENCE THAT PRIVATE FINANCING IS NOT AVAILABLE AT
11 RATES OR TERMS SUFFICIENT TO MAKE THE PROJECT VIABLE.

12 (9) PREFERENCE SHALL BE GIVEN TO SMALL BUSINESSES.

13 (10) ANY ADDITIONAL CRITERIA SPECIFIED BY THE
14 DEPARTMENT.

15 ~~SECTION 9. TECHNOLOGY INFORMATION OUTREACH.~~ <—

16 ~~(A) INFORMATION. THE DEPARTMENT SHALL INFORM PENNSYLVANIA~~
17 ~~MANUFACTURING FIRMS ABOUT THE TECHNOLOGY ASSESSMENT PROGRAM IN~~
18 ~~THE MANNER DEEMED MOST APPROPRIATE. THE DEPARTMENT SHALL ALSO~~
19 ~~DEVELOP A PROGRAM TO INFORM MANUFACTURING FIRMS OF THE BENEFITS~~
20 ~~OF INCORPORATING ADVANCED TECHNOLOGY PROCESSES INTO PRODUCTION~~
21 ~~AND MANAGEMENT SYSTEMS, AND ENCOURAGE FIRMS TO ADOPT TECHNOLOGY~~
22 ~~ENHANCEMENT INVESTMENTS TO IMPROVE THEIR COMPETITIVE POSITION.~~

23 ~~(B) FUNDING. UP TO \$50,000 OF THE FUNDS APPROPRIATED FOR~~
24 ~~THE TECHNOLOGY ASSESSMENT PROGRAM MAY BE USED FOR CONTRACTS TO~~
25 ~~IMPLEMENT THIS SECTION.~~

26 ~~SECTION 10 9. ADDITIONAL POWERS AND DUTIES OF DEPARTMENT.~~ <—

27 THE DEPARTMENT MAY PRESCRIBE APPLICATION FORMS, PROMULGATE
28 AND PUBLISH PROGRAM MANUALS AND PROCEDURES, REQUEST INFORMATION
29 AND PROMULGATE SUCH RULES, REGULATIONS, STATEMENTS OF POLICY AND
30 GUIDELINES AS MAY BE NECESSARY TO CARRY OUT THE PROVISIONS OF

1 THIS ACT. ON OR BEFORE MARCH 1 OF EACH YEAR, THE DEPARTMENT <—
2 SHALL REPORT TO THE GENERAL ASSEMBLY REGARDING THE
3 IMPLEMENTATION OF THIS PROGRAM, INCLUDING, BUT NOT LIMITED TO, A
4 LIST OF FIRMS RECEIVING ASSISTANCE UNDER THIS PROGRAM.

5 SECTION ~~11~~ 10. EFFECTIVE DATE. <—

6 THIS ACT SHALL TAKE EFFECT IMMEDIATELY.