

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 31

Session of
1993

INTRODUCED BY LLOYD, DeWEESE, CARONE, CLYMER, PETRARCA,
MIHALICH, FEE, PESCI, COWELL, LAUGHLIN, STEELMAN, BATTISTO,
SURRA, KING, McCALL, CESSAR, FAJT, GERLACH, WOZNIAK, STAIRS,
PISTELLA, FARGO, TANGRETTI, STEIGHNER, LUCYK AND KASUNIC,
JANUARY 27, 1993

AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES,
FEBRUARY 2, 1993

AN ACT

1 Amending the act of May 17, 1956 (1955 P.L.1609, No.537),
2 entitled "An act to promote the welfare of the people of the
3 Commonwealth by the reduction of unemployment in certain
4 areas of the Commonwealth determined to be critical economic
5 areas; providing for the establishment of industrial
6 development projects in such areas; creating The Pennsylvania
7 Industrial Development Authority as a body corporate and
8 politic with power to allocate funds for and make secured
9 loans to industrial development agencies for the payment of a
10 part of the cost of industrial development projects in
11 critical economic areas; authorizing the Authority to enter
12 into agreements with the Government of the United States or
13 any Federal agency or industrial development agency;
14 empowering the Authority to take title to, sell, convey and
15 lease industrial development projects where necessary to
16 protect loans made by the Pennsylvania Industrial Development
17 Authority on industrial development projects; providing that
18 no debt of the Commonwealth, its municipalities or political
19 subdivisions shall be incurred in the exercise of any powers
20 granted by this act; and providing for the examination of the
21 accounts and affairs of the Authority; and making an
22 appropriation," providing preferential Pennsylvania
23 Industrial Development Authority loans for the use of coal
24 produced in Pennsylvania.

25 The General Assembly of the Commonwealth of Pennsylvania

26 hereby enacts as follows:

27 Section 1. The act of May 17, 1956 (1955 P.L.1609, No.537),

known as the Pennsylvania Industrial Development Authority Act,
is amended by adding a section to read:

Section 6.1. Powers of the Authority; Encouragement of Use
of Pennsylvania-Produced Coal.--(a) Whenever the board of the
Authority grants a loan for an industrial development project,
the interest rate on the loan shall not exceed the lowest
interest rate established by the board for any other loans,
applicants or industrial development projects, if the industrial
development project for which the loan is granted involves:

(1) the construction of a facility which would burn coal
either to heat the facility or as part of the industrial process
carried out in the facility;

(2) the expansion of a facility which would burn coal either
to heat the expanded portion of the facility or as part of the
industrial process carried out in the expanded portion of the
facility; or

(3) the renovation of a facility which, because of the
renovation, would burn coal either to heat the renovated
facility or as part of the industrial process carried out in the
renovated facility.

(b) For the purpose of this section "coal" means coal
produced from mines in Pennsylvania or any mixture or synthetic
derived in whole or in part from coal produced from mines in
Pennsylvania.

(c) For the purposes of this section the phrase "mixture
derived in whole or in part from coal" includes, but is not
limited to, both the intermittent and the simultaneous burning
of natural gas with coal or a coal derivative if the
intermittent or simultaneous burning of natural gas would:

(1) lower the cost of using coal or a coal derivative

1 produced from mines in Pennsylvania; or

2 (2) enable coal or a coal derivative produced from mines in
3 Pennsylvania to be burned in compliance with present and
4 reasonably anticipated environmental laws and regulations.

5 (D) THIS SECTION SHALL NOT BE APPLICABLE TO ANY LOAN GRANTED <—
6 FOR AN INDUSTRIAL DEVELOPMENT PROJECT INVOLVING AN ELECTRIC
7 GENERATING STATION.

8 ~~(d)~~ (E) This section shall not be applicable to any loan <—
9 granted on or after three years from the effective date of this
10 ~~section: Provided, That no later than thirty months from the~~ <—
11 effective SECTION. <—

12 (F) NOT LATER THAN THIRTY MONTHS FROM THE EFFECTIVE date of
13 this section the board shall submit to the General Assembly a
14 report on the effect of this section on increasing the use of
15 coal mined in Pennsylvania.

16 Section 2. This act shall take effect in 60 days.