

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 506 Session of
1989

INTRODUCED BY BATTISTO, McCALL, STABACK, BRANDT, BIRMELIN,
VROON, OLASZ, B. D. CLARK, NOYE, CARN, EVANS, OLIVER,
KOSINSKI, J. TAYLOR AND BURNS, FEBRUARY 15, 1989

REFERRED TO COMMITTEE ON BUSINESS AND COMMERCE,
FEBRUARY 15, 1989

AN ACT

1 Amending the act of April 28, 1961 (P.L.111, No.50), entitled
2 "An act providing for assistance to agencies promoting
3 tourist travel and vacation business in Pennsylvania;
4 authorizing the Department of Commerce to make grants and
5 provide assistance to properly designated tourist promotion
6 agencies; conferring powers and imposing duties on the
7 governing bodies of certain political subdivisions," further
8 defining "eligible costs" and "regional tourist promotion
9 agency."

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

12 Section 1. Section 3 of the act of April 28, 1961 (P.L.111,
13 No.50), known as the Tourist Promotion Law, amended October 9,
14 1986 (P.L.1442, No.139), is amended to read:

15 Section 3. Definitions.--The following words and phrases
16 when used in this act shall have the meanings given to them in
17 this section unless the context clearly indicates otherwise:

18 (1) "County tourist promotion agency." A nonprofit
19 corporation, organization, association or agency which is
20 designated by ordinance in cities of the first class and by

1 proper resolution of the governing body of a county, concurred
2 in by resolution of the governing bodies of cities, boroughs,
3 towns or townships within the county which have an aggregate of
4 more than fifty per centum of the total population of the
5 county, as determined by the most recently completed decennial
6 United States Census, as the agency authorized to make
7 application to and receive grants from the Department of
8 Commerce of the Commonwealth for the purpose of representing a
9 single governmental entity in accordance with this act, except
10 as otherwise provided in paragraph (6).

11 (2) "Department." The Department of Commerce of the
12 Commonwealth.

13 (3) "Eligible costs." [Expenses]

14 (i) The term includes promotional expenses incurred by a
15 tourist promotion agency in connection with marketing and
16 advertising [and promotional] activities, including, but not
17 limited to, [consultants and contractual services, travel,
18 postage, printing and reproduction, advertising, promotion and
19 public relations The term does not include overhead expenses,
20 including, but not limited to, salaries, benefits, wages, rent,
21 utilities, office supplies, insurance and vehicle expenses.] all
22 of the following:

23 (A) Consultants and contractual services, (including
24 contracts for fulfillment services or advertising).

25 (B) Travel.

26 (C) Postage.

27 (D) Printing and reproduction.

28 (E) Advertising.

29 (F) Public relations.

30 (G) A maximum of fifty per centum of the salaries and wages

1 of persons employed by a tourist promotion agency who are
2 responsible for fulfillment services as determined by the
3 department.

4 (H) All toll-free telephone services and a maximum of eighty
5 per centum of expenses associated with other telephone services.

6 (I) Salaries, benefits and wages of persons employed by a
7 tourist promotion agency for the sole purpose of staffing an
8 information center which is located at the central office or
9 headquarters of the tourist promotion agency and is approved by
10 the department.

11 (J) Salaries, benefits and wages of persons employed by a
12 tourist promotion agency to staff, and rent and utilities and
13 insurance associated with, an information center operated by the
14 tourist promotion agency which is not located at the central
15 office or headquarters of the tourist promotion agency.

16 (ii) Except as otherwise provided in subparagraph (i), the
17 term does not include operational expenses, including, but not
18 limited to, salaries, benefits, wages, rent, utilities, office
19 supplies, equipment, insurance and vehicle expenses.

20 (3.1) "Fulfillment services." All activities required to be
21 performed in order to respond to travel and tourism inquiries,
22 including, but not limited to, answering and responding to
23 telephone and mail inquiries, stuffing envelopes, gathering
24 requested material and distributing brochures.

25 (4) "Governing bodies." The elected unit empowered to enact
26 ordinances or adopt resolutions in order to govern a particular
27 county, city, borough, town or township.

28 (5) "Governmental entity." A city of the first class or a
29 county.

30 (6) "Regional tourist promotion agency." A nonprofit

1 corporation, organization, association or agency which is
2 designated [in accordance with the provisions of paragraph (1)]
3 by ordinance in cities of the first class and by proper
4 resolution of the governing body of a county or counties as the
5 agency to make application to and receive grants from the
6 department for the purpose of representing any of the following
7 in accordance with this act:

8 (i) Two or more governmental entities.

9 (ii) A county of the second class.

10 (iii) A city of the first class.

11 (7) "Tourist promotion agency." Either a county or regional
12 tourist promotion agency, as defined in this section.

13 Section 2. Section 5 of the act is amended by adding a
14 subsection to read:

15 Section 5. Applications for and Approval of Grants to
16 Tourist Promotion Agencies.--

17 * * *

18 (f) As used in this section, the term "expended" shall
19 include commitments by a tourist promotion agency in the fourth
20 quarter of a fiscal year to the extent that the commitments do
21 not exceed the contract balance amount, as determined by the
22 department.

23 Section 3. This act shall take effect immediately.