

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1948 Session of  
1974

INTRODUCED BY FINEMAN, BENNETT, A. K. HUTCHINSON, KOLTER, SHANE,  
JOHNSON AND MARTINO, FEBRUARY 20, 1974

REFERRED TO COMMITTEE ON BUSINESS AND COMMERCE, FEBRUARY  
20, 1974

AN ACT

1 Amending the act of August 23, 1967 (P.L.251, No.102), entitled,  
2 as amended, "An act providing for the incorporation as public  
3 instrumentalities of the Commonwealth and as bodies corporate  
4 and politic of industrial and commercial development  
5 authorities for municipalities, counties and townships;  
6 prescribing the rights, powers and duties of such authorities  
7 hereafter incorporated; authorizing such authorities to  
8 acquire, by gift or purchase, to construct, improve and  
9 maintain industrial or commercial development projects  
10 including projects for the elimination or prevention of  
11 blight and the control of air and water pollution, and to  
12 borrow money and issue bonds therefor; providing for the  
13 payment of such bonds and giving security therefor, and  
14 prescribing the rights of the holders of such bonds;  
15 authorizing the lease or sale of industrial or commercial  
16 development projects to industrial, commercial, manufacturing  
17 or research and development enterprises; authorizing any  
18 county, municipality or township to transfer or convey to  
19 such authorities, any facilities or property available for  
20 industrial or commercial development projects; exempting the  
21 property and securities of such authorities from taxation;  
22 authorizing such authorities to enter into contracts with and  
23 to accept grants from the Federal Government or any agency  
24 thereof; and providing for approval by the Secretary of  
25 Commerce of the proceedings relating to industrial or  
26 commercial development projects of such authorities,"  
27 defining "energy conservation," "product line conversion,"  
28 and "energy production" projects and providing for sponsoring  
29 and acceptance thereof.

30 The General Assembly of the Commonwealth of Pennsylvania  
31 hereby enacts as follows:

Section 1. Section 3, act of August 23, 1967 (P.L.251,  
No.102), known as the "Industrial and Commercial Development  
Authority Law," is amended by adding clauses to read:

Section 3. Definitions.--As used in this act:

\* \* \*

(22) "Energy conservation projects" means any undertaking to  
substantially reduce the amount of energy consumed in the  
operation of an industrial or commercial enterprise, including  
but not limited to the installation of insulation,  
weatherproofing, energy saving or recycling equipment and  
devices, and any energy source conversion project, such as from  
oil to coal, which are necessitated by a lack of availability of  
an energy-producing resource, when such a lack of availability  
is declared to exist by the Governor of the Commonwealth. A  
"substantial" reduction in the amount of energy consumed shall  
be fifteen percent or more.

(23) "Product line conversion projects" means any  
undertaking to alter or replace equipment or buildings in order  
to continue the operations of an industrial enterprise when such  
conversion is necessitated by a lack of availability of a raw  
materials component of the existing product line: Provided, That  
the lack of availability of the raw material must first be  
declared to exist by the Governor of the Commonwealth.

(24) "Energy production projects" means any undertaking to  
create, extract, transmit, or store energy or energy producing  
substances, including, but not limited to coal mine operations,  
oil and gas operations, solar, nuclear, or geothermal energy  
operations.

Section 2. Subsection (b) of section 6 of the act is amended  
by adding a clause to read:

1 Section 6. Purposes and Powers; General.\* \* \*

2 (b) Every authority is hereby granted, and shall have and  
3 may exercise all powers necessary or convenient for the carrying  
4 out of the aforesaid purposes, including but without limiting  
5 the generality of the foregoing, the following rights and  
6 powers:

7 \* \* \*

8 (17) An authority created hereunder may sponsor energy  
9 conservation projects, product line conversion projects, and  
10 energy production projects.

11 \* \* \*

12 Section 3. Clause (4) of subsection (d) of section 6 of the  
13 act, amended December 29, 1971 (P.L.647, No.171), is amended to  
14 read:

15 Section 6. Purposes and Powers; General.--\* \* \*

16 (d) An authority created hereunder shall have no power to:

17 \* \* \*

18 (4) Finance machinery or equipment except in conjunction  
19 with the construction of a new, or the improvement of an  
20 existing industrial or commercial development project, but such  
21 prohibition shall not relate to the financing of pollution  
22 control facilities, energy conservation projects, product line  
23 conversion projects, or energy production projects;or

24 \* \* \*