

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1560 Session of
1998

INTRODUCED BY SCHWARTZ, STOUT, MUSTO, COSTA, O'PAKE, BODACK,
TARTAGLIONE, MELLOW, AFFLERBACH AND BELAN, OCTOBER 6, 1998

REFERRED TO COMMUNITY AND ECONOMIC DEVELOPMENT, OCTOBER 6, 1998

AN ACT

1 Amending the act of July 11, 1996 (P.L.677, No.116), entitled
2 "An act providing for an infrastructure development program,
3 for grants and loans for infrastructure improvements in
4 relation to private developer investment, for duties of the
5 Department of Community and Economic Development and for
6 eligibility requirements and application procedures; and
7 making repeals," expanding the Infrastructure Development
8 Program to include projects located on long-term vacant
9 commercial sites.

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

12 Section 1. The definition of "infrastructure improvements"
13 in section 2 of the act of July 11, 1996 (P.L.677, No.116),
14 known as the Infrastructure Development Act, is amended and the
15 section is amended by adding definitions to read:

16 Section 2. Definitions.

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

20 * * *

21 "Commercial property." Either of the following:

1 (1) A building, structure or facility, or portion
2 thereof, which is used, occupied or is intended, arranged or
3 designed to be used or occupied for the purpose of operating
4 a business, office, manufactory or public accommodation.

5 (2) Vacant land offered for sale, lease or held for the
6 purpose of constructing or locating thereon a building,
7 structure or facility for the purpose of operating a
8 business, office, manufactory or public accommodation.

9 * * *

10 "Infrastructure improvements." The term includes the
11 following:

12 (1) The construction or rehabilitation of the following:

13 (i) Drainage systems.

14 (ii) Energy facilities which generate and distribute
15 power.

16 (iii) Sewer systems, including, but not limited to,
17 the construction or repair of sewage collection lines and
18 sewage treatment facilities.

19 (iv) Transportation facilities directly affecting
20 the site of the proposed private investment, including:

21 (A) Roads providing access to the site.

22 (B) Parking facilities.

23 (C) Sidewalks.

24 (D) Bridges.

25 (E) Rails, including, but not limited to, the
26 construction or rehabilitation of rail switches and
27 signals, rail crossings and intermodal facilities.

28 (F) Ports, including, but not limited to,
29 docking facilities, bulkheads and intermodal
30 facilities, but not warehouses.

1 (G) Waterways, including, but not limited to,
2 channel realignment, dredging and the construction or
3 rehabilitation of locks.

4 (H) Airports, including, but not limited to, the
5 construction or rehabilitation of runways, but not
6 airport buildings.

7 (I) Pipelines transporting natural gas, but not
8 vehicles associated with the operation of the
9 pipelines.

10 (J) Facilities for the transmission of
11 information, including, but not limited to, fiber-
12 optic telecommunication lines.

13 (v) Water supply facilities, including, but not
14 limited to, water lines and water storage, treatment and
15 distribution facilities.

16 (2) The acquisition of land, rights-of-way and easements
17 necessary to construct eligible infrastructure improvements.

18 (3) At former industrial sites:

19 (i) The acquisition of land and buildings by private
20 developers.

21 (ii) The construction of new multitenant industrial
22 or manufacturing buildings by developers.

23 (iii) The conversion of existing industrial or
24 manufacturing buildings into multitenant buildings by
25 private developers.

26 (3.1) At long-term vacant commercial sites:

27 (i) The acquisition of land and buildings by private
28 developers.

29 (ii) The construction of new buildings for
30 commercial use by developers.

1 (iii) The conversion of existing commercial
2 buildings or structures by private developers.

3 (4) The demolition of buildings.

4 (5) The clearing and preparation of land.

5 (6) The cleanup of hazardous waste materials.

6 (7) The engineering, design and inspection costs
7 associated with other eligible infrastructure improvements.

8 "Long-term vacant commercial site." Commercial property
9 which has been unoccupied and unused for at least one year prior
10 to the date of application.

11 * * *

12 Section 2. Sections 5 and 11 of the act are amended to read:

13 Section 5. Application procedure.

14 (a) Letter of intent.--An application for a grant, grant-to-
15 loan or loan shall be initiated by a private company or private
16 developer through a letter of intent to locate, expand, build or
17 renovate a facility. The letter of intent shall be submitted to
18 an applicant whose service area includes, at least in part, the
19 site of the facility.

20 (b) Application.--Upon receipt of the letter of intent, an
21 applicant may submit the letter of intent along with a request
22 for an application to the department. Upon receipt of this
23 information and a preliminary indication of project eligibility,
24 the department shall provide an applicant with the application
25 materials.

26 (c) Evaluation.--Upon receipt of a complete application, the
27 department shall review the application based on the following
28 criteria:

29 (1) The number of full-time equivalent jobs that will be
30 created and retained and the amount of additional State and

1 local tax revenue that will be directly generated by the
2 private company's or private developer's new or expanded
3 investment.

4 (2) In the case of a grant-to-loan or loan, the ability
5 of the applicant, private company or private developer to
6 repay the interest and principal.

7 (3) The increase in the Commonwealth's share of domestic
8 and international commerce.

9 (4) For former industrial sites and long-term vacant
10 commercial sites, the creation of opportunities to develop
11 new facilities or expand existing facilities for private
12 companies by eliminating, reducing or otherwise alleviating
13 blight at the site.

14 Section 11. Restrictions on funding.

15 (a) Counties.--No more than 20% of funds available under the
16 Infrastructure Development Program in any fiscal year shall be
17 loaned or granted for projects in any county.

18 (b) Certain green field projects.--No more than 10% of the
19 funds available under the Infrastructure Development Program in
20 any fiscal year shall be loaned or granted to applicants for
21 green field projects not involving private companies.

22 (c) Dollar amount.--No individual grant, grant-to-loan or
23 loan shall exceed \$1,250,000.

24 (d) Former industrial sites.--A minimum of 20% of the funds
25 available under the Infrastructure Development Program in any
26 fiscal year shall be approved for a grant, grant-to-loan or loan
27 for projects located on a former industrial site.

28 (e) Long-term vacant commercial sites.--A minimum of 10% of
29 the funds available under the Infrastructure Development Program
30 in any fiscal year shall be approved for a grant, grant-to-loan

1 or loan for projects located on a long-term vacant commercial
2 site.

3 Section 3. This act shall take effect in 60 days.