

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL**No. 728** Session of
1999

INTRODUCED BY ARGALL, FREEMAN, McILHINNEY, L. I. COHEN, FARGO,
PHILLIPS, E. Z. TAYLOR, TANGRETTI, MANDERINO, WILLIAMS,
BATTISTO, BELFANTI, BROWNE, FAIRCHILD, GEORGE, GORDNER,
HALUSKA, HARHAI, HENNESSEY, LEVDANSKY, MANN, MAYERNIK,
McCALL, PLATTS, RAMOS, READSHAW, ROSS, SAINATO, SATHER,
SCHRODER, STEELMAN, STERN, STURLA, TRELLO, VAN HORNE,
YOUNGBLOOD, ZUG, WOJNAROSKI, PIPPY, LEH, BELARDI, HUTCHINSON,
GRUCELA AND DAILEY, MARCH 8, 1999

AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES,
DECEMBER 6, 1999

AN ACT

1 Encouraging State agencies to locate facilities in a downtown
2 area; and providing for report to General Assembly.

3 The General Assembly of the Commonwealth of Pennsylvania
4 hereby enacts as follows:

5 Section 1. Short title.

6 This act shall be known and may be cited as the Downtown
7 Location Law.

8 Section 2. Legislative findings.

9 The General Assembly finds that:

10 (1) This Commonwealth has lost over 4,000,000 acres of
11 farmland to development in the last 40 years.

12 (2) The phenomenon of urban flight and sprawl has led to
13 a decline of traditional central and neighborhood business
14 districts throughout this Commonwealth.

1 (3) The decline of these districts has a clear linkage
2 to many problems facing our communities: crime, unemployment,
3 shrinking tax bases and decaying infrastructure.

4 (4) It is in the best interest of this Commonwealth to
5 facilitate the revitalization of traditional central and
6 neighborhood business districts within our communities.

7 (5) Federal agencies already have established a policy
8 to use downtown locations.

9 Section 3. Definitions.

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

13 "Department." The Department of General Services of the
14 Commonwealth.

15 "Downtown area." The central business district of a city,
16 borough, incorporated town or township, or any commercial area,
17 within a neighborhood of a city, borough, incorporated town or
18 township, in every case that has served as a commercial center
19 within that community of this Commonwealth.

20 "SATELLITE OFFICE FACILITY." A SUBORDINATE LOCATION OF A ←
21 STATE AGENCY OFFICE THAT OPERATES FEWER HOURS EACH DAY OR FEWER
22 HOURS EACH WEEK THAN THE MAIN STATE AGENCY OFFICE, OFFERS
23 DIFFERENT SERVICES THAN THE MAIN OFFICE OR OTHERWISE DIFFERS IN
24 ITS OPERATIONS FROM THE MAIN STATE AGENCY OFFICE AND IS
25 MAINTAINED FOR THE CONVENIENCE OF PATRONS OR OTHERWISE TO
26 IMPROVE THE DELIVERY OF SERVICES BY A STATE AGENCY.

27 "Secretary." The Secretary of General Services of the
28 Commonwealth.

29 "State agency." An executive agency or independent agency as
30 those terms are defined in 62 Pa.C.S. § 103 (relating to

1 definitions). THE TERM INCLUDES THE TEAM PENNSYLVANIA HUMAN <—
2 RESOURCES INVESTMENT COUNCIL AND ANY LOCAL WORK FORCE INVESTMENT
3 BOARD WHICH WORKS WITH THE COUNCIL.

4 Section 4. Powers and duties.

5 (a) Guidelines.--The department shall establish guidelines
6 to encourage State agencies to locate all new office facilities
7 AND NEW SATELLITE OFFICE FACILITIES in downtown areas. The <—
8 guidelines shall include consideration of the following factors:

- 9 (1) The requirements of the agency.
- 10 (2) Servicing clientele needs.
- 11 (3) Local economic considerations.
- 12 (4) The availability of suitable space in a downtown
13 area.
- 14 (5) Competitiveness in the marketplace.
- 15 (6) Cost to the Commonwealth.
- 16 (7) THE AVAILABILITY OF PUBLIC TRANSPORTATION. <—

17 (b) Leases.--Prior to a State agency entering into a lease
18 of real estate for office purposes, the State agency shall, in
19 accordance with the department guidelines, consider locating the
20 office facilities in a downtown area.

21 (c) Construction.--Whenever a State agency is planning to
22 construct a building to be used for office purposes, the State
23 agency shall, in accordance with the department's guidelines:

- 24 (1) Consider the rehabilitation, reuse, or both, of
25 existing structures within a downtown area. Consideration may
26 include reasonable efforts to:
 - 27 (i) Rehabilitate or rebuild the structure's facade,
28 if appropriate, in a way which maintains the
29 architectural integrity of the building and streetscape
30 according to the United States Secretary of the

1 Interior's standards for rehabilitation in Federal
2 regulations.

3 (ii) Ensure that the structure meets the
4 requirements of the Americans with Disabilities Act of
5 1990 (Public Law 101-336, 104 Stat. 327) in a manner
6 which respects the architectural integrity of the
7 building.

8 (2) Consider new construction on available land within a
9 downtown area. Consideration may include reasonable efforts
10 to:

11 (i) Have the scale and facade of the new structure
12 maintain the architectural integrity of the existing
13 streetscape.

14 (ii) Ensure that the structure meets the
15 requirements of the Americans with Disabilities Act of
16 1990 in a manner which respects the architectural
17 integrity of the neighboring building.

18 Section 5. Report to General Assembly.

19 (a) Report.--Four years after the effective date of this
20 act, and every year thereafter, the department shall submit a
21 report to the Urban Affairs and Housing Committee of the Senate
22 and the Urban Affairs Committee of the House of Representatives
23 concerning the implementation and effectiveness of this act.

24 (b) Baseline.--Within 90 days after the effective date of
25 this act, the department shall prepare a list of all office
26 facilities currently owned or leased by State agencies. The list
27 shall identify those office facilities located in a downtown
28 area.

29 (c) Contents.--This report shall include, but not be limited
30 to, the following:

1 (1) The total number of office facilities currently
2 owned or leased by State agencies. The list shall identify
3 those office facilities located in a downtown area as defined
4 by this act. This list shall be compared with the total
5 number of office facilities owned or leased by State agencies
6 on the effective date of this act.

7 (2) The total number of leased and State-constructed
8 office facilities reviewed by the department during the prior
9 year and of that total:

10 (i) The number of leased and State-constructed
11 facilities which were located in downtown areas as
12 defined by this act.

13 (ii) The number of leases and State-constructed
14 office facilities that included the restoration and reuse
15 of an existing structure.

16 (iii) The number of leases and State-constructed
17 office facilities that were not located in downtown areas
18 and the reasons for not locating in a downtown area.

19 Section 6. Effective date.

20 This act shall take effect in 60 days.