
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2177 Session of
2014

INTRODUCED BY JAMES, SWANGER, MILLARD, BARRAR, STERN, GINGRICH,
SAYLOR, HARPER, BOBACK, R. MILLER, LONGIETTI, BAKER,
SCHREIBER, KAUFFMAN, GODSHALL, REED, MAJOR, QUINN, MARSHALL,
GIBBONS, CARROLL, HAGGERTY, HEFFLEY, PETRI, PICKETT, FLYNN,
HARHART, KAVULICH, REESE, FARINA, MURT, LUCAS, FLECK, REGAN,
CALTAGIRONE, CAUSER, PAINTER, HENNESSEY, NEILSON, ROZZI,
ROEBUCK, TOPPER AND PEIFER, APRIL 10, 2014

REFERRED TO COMMITTEE ON ENVIRONMENTAL RESOURCES AND ENERGY,
APRIL 10, 2014

AN ACT

1 Establishing the Heritage Area Program to identify, protect,
2 enhance and promote the historic, recreational, natural,
3 cultural and scenic resources of this Commonwealth and to
4 stimulate community revitalization and economic development
5 through regional heritage conservation, recreation, tourism
6 and partnerships; and repealing provisions in the Fiscal Code
7 relating to heritage areas.

8 The General Assembly of the Commonwealth of Pennsylvania
9 hereby enacts as follows:

10 Section 1. Short title.

11 This act shall be known and may be cited as the Heritage Area
12 Program Act.

13 Section 2. Declaration of policy.

14 The General Assembly finds and declares as follows:

15 (1) The act of June 28, 1995 (P.L.89, No.18), known as
16 the Conservation and Natural Resources Act, created the
17 Department of Conservation and Natural Resources and

1 empowered the department to administer State heritage
2 conservation programs, such as the Pennsylvania Heritage
3 Parks Program.

4 (2) The Pennsylvania Heritage Parks Program consists of
5 heritage areas, which are multicounty regions located in this
6 Commonwealth and designated by gubernatorial action that
7 promotes an appreciation of the history and heritage of the
8 regions.

9 (3) Since 1989, heritage areas assist communities in
10 developing, restoring, preserving and conserving nationally,
11 State and locally significant historic, cultural, natural and
12 recreational resources through capital and programmatic
13 investments.

14 (4) Heritage areas have successfully demonstrated the
15 ability to create public, private and nonprofit investment
16 partnerships leveraging significant investments for every
17 dollar of Commonwealth funds.

18 (5) Heritage areas are a key catalyst in regions of this
19 Commonwealth for economic growth and community development
20 strategies and investments resulting in tourism promotion,
21 small business development and the creation of jobs.

22 (6) The Commonwealth's program has long been recognized,
23 studied and replicated by other states and the National Park
24 Service as a model for successful heritage and community
25 conservation and development.

26 (7) Due to the success of the program, a targeted effort
27 should be made to promote this Commonwealth's heritage areas
28 by providing dedicated funding.

29 Section 3. Definitions.

30 The following words and phrases when used in this act shall

1 have the meanings given to them in this section unless the
2 context clearly indicates otherwise:

3 "Committee." The Heritage Partnerships Advisory Committee.

4 "Department." The Department of Conservation and Natural
5 Resources of the Commonwealth.

6 "Heritage area." A Commonwealth-designated region, managed
7 by a nonprofit organization or governmental entity, which
8 conserves nationally and State significant landscapes and
9 develops, protects, interprets and promotes its historic,
10 cultural, natural and recreational resources to stimulate
11 economic and community development.

12 "Program." The Heritage Area Program.

13 "Secretary." The Secretary of the Department of Conservation
14 and Natural Resources of the Commonwealth.

15 Section 4. Heritage Area Program.

16 (a) Establishment.--The Heritage Area Program is established
17 within the department to identify, protect, develop, enhance and
18 promote the historic, recreational, natural, cultural and scenic
19 resources of this Commonwealth and to stimulate community
20 revitalization and economic development through regional
21 heritage conservation, recreation, tourism and partnerships.

22 (b) Administration.--The department shall adopt guidelines
23 and policies for the implementation and administration of the
24 program with input from the nonprofit organizations or
25 governmental entities that manage heritage areas.

26 (c) Funding.--The department shall, under subsection (f),
27 allocate funds appropriated to the department to the program for
28 the following purposes:

29 (1) Management, administration, operation and marketing
30 of heritage areas.

1 (2) Planning, implementation, technical assistance and
2 educational projects and programs related to heritage areas.

3 (3) Development, construction, rehabilitation, repair,
4 acquisition, preservation and enhancement of lands, buildings
5 and other structures related to heritage areas.

6 (4) Protection, documentation, interpretation and
7 promotion of the cultural, natural, scenic, recreational and
8 historic resources of heritage areas.

9 (5) Establishment of partnerships and coalitions of
10 governmental and nongovernmental agencies and organizations
11 to assist heritage areas with the implementation of
12 management action plans.

13 (6) Any other activities deemed appropriate by the
14 department.

15 (d) Use.--A heritage area may use the funding allocated by
16 the department to provide a grant and loan to another entity and
17 organization, including a county, municipality, authority,
18 nonprofit organization, other authorized organization, private
19 sector firm and business, if the purpose of the grant or loan
20 meets the requirements of subsection (c).

21 (e) Eligibility.--In addition to any other funding provided
22 to a heritage area, a heritage area shall be eligible to apply
23 for a grant and loan program administered by the department or
24 other Federal or State agency or entity.

25 (f) Amount.--The department shall allocate all funds
26 appropriated annually by the General Assembly for the program in
27 equal amounts to each heritage area.

28 (g) Administrative use.--The department may use no more than
29 5% of the funding appropriated annually for the program for
30 administrative purposes, including the development of a

1 strategic plan or other appropriate initiative related to the
2 administration of the program.

3 Section 5. Heritage Partnerships Advisory Committee.

4 (a) Establishment.--The department shall establish a
5 Heritage Partnerships Advisory Committee to provide cooperation
6 and coordination among other Commonwealth agencies, commissions
7 and organizations to promote heritage areas in this
8 Commonwealth.

9 (b) Composition.--The committee shall consist of the
10 following members:

11 (1) Six members to be appointed by the Governor as
12 follows:

13 (i) The secretary or the secretary's designee.

14 (ii) The Secretary of Community and Economic
15 Development or the secretary's designee.

16 (iii) The Secretary of Transportation or the
17 secretary's designee.

18 (iv) One member from the Pennsylvania Historical and
19 Museum Commission.

20 (v) One member from a heritage area.

21 (vi) One member from the Center for Rural
22 Pennsylvania.

23 (vii) One member from Preservation Pennsylvania.

24 (2) Four members of the General Assembly as follows:

25 (i) The chairman and minority chairman of the
26 Community, Economic and Recreational Development
27 Committee of the Senate.

28 (ii) The chairman and minority chairman of the
29 Tourism and Recreational Development Committee of the
30 House of Representatives.

1 (c) Chair.--The secretary or the secretary's designee shall
2 chair the committee and shall appoint a vice chairman to chair a
3 committee meeting in the absence of the secretary or the
4 secretary's designee. The secretary shall inform the Governor if
5 a vacancy occurs.

6 (d) Terms.--

7 (1) The secretary or the secretary's designee shall
8 serve ex officio.

9 (2) The following shall apply:

10 (i) A member of the Senate and the House of
11 Representatives shall serve a two-year term which shall
12 run concurrently with the term of the legislative
13 session.

14 (ii) Except for a member under subparagraph (i), a
15 member of the committee initially appointed by the
16 Governor shall continue in office for terms of two or
17 three years from the date of appointment, as designated
18 by the Governor at the time of the appointment.

19 (3) A successor member of the committee shall be
20 appointed for a term of three years.

21 (4) If a vacancy occurs on the committee, the Governor
22 shall appoint a successor to serve the duration of the
23 unexpired term. A person appointed to fill a vacancy for a
24 period of less than two years may be eligible for appointment
25 to a full three-year term. A member who serves a full term or
26 fills a vacancy for a period of two years or more shall not
27 be eligible for reappointment until a period of three years
28 expires.

29 (e) Compensation.--A member shall:

30 (1) Except as provided under paragraph (2), serve

1 without compensation.

2 (2) Receive reimbursement for a reasonable and necessary
3 expense incurred in connection with the performance of the
4 member's duties.

5 (f) Meeting and quorum.--The committee shall meet at least
6 quarterly and at any other time designated by the secretary. A
7 meeting may be held anywhere within this Commonwealth. A
8 majority of the members of the committee shall constitute a
9 quorum for the transaction of business at a meeting.

10 (g) Responsibilities.--The committee shall provide the
11 following:

12 (1) Expertise on a program and issue related to a
13 member's agency or organization as it relates to the program.

14 (2) Assistance in obtaining additional funds through
15 grants and loans available from the Federal Government,
16 Commonwealth agencies and other sources.

17 (3) Coordination of funding of an application for a
18 project and program to maximize the leveraging of State funds
19 and the efficiency of State spending.

20 (4) Technical assistance and guidance to the department
21 and each heritage area.

22 (h) Promotion.--Members of the committee are encouraged to
23 incorporate and promote heritage areas within the mission, goal
24 and priority of the member's respective agencies and
25 organizations and throughout this Commonwealth.

26 Section 6. Repeal and continuation.

27 (a) Repeal.--Repeals are as follows:

28 (1) The General Assembly declares that the repeal under
29 paragraph (2) is necessary to effectuate this act.

30 (2) Article XVI-J of the act of April 9, 1929 (P.L.343,

1 No.176), known as The Fiscal Code, is repealed.

2 (b) Continuation.--This act is a continuation of Article
3 XVI-J of The Fiscal Code. Except as otherwise provided in this
4 act, all activities initiated under Article XVI-J of The Fiscal
5 Code shall continue and remain in full force and effect and may
6 be completed under this act. Orders, regulations, rules and
7 decisions which were made under Article XVI-J of The Fiscal Code
8 and which are in effect on the effective date of subsection (a)
9 (2) shall remain in full force and effect until revoked, vacated
10 or modified under this act. Contracts, obligations and
11 collective bargaining agreements entered into under Article XVI-
12 J of The Fiscal Code are not affected nor impaired by the repeal
13 of Article XVI-J of The Fiscal Code.

14 Section 7. Effective date.

15 This act shall take effect immediately.