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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 1605 Session of  
2015

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INTRODUCED BY JAMES, BAKER, BARRAR, BIZZARRO, CALTAGIRONE,  
CARROLL, CAUSER, CORBIN, DIGIROLAMO, EVERETT, FLYNN, FREEMAN,  
HARHART, A. HARRIS, HEFFLEY, HELM, HENNESSEY, KAUFFMAN,  
KAVULICH, MACKENZIE, MAHER, McNEILL, MENTZER, MILLARD, MURT,  
PETRI, QUINN, REESE, REGAN, ROEBUCK, SAYLOR, SCHWEYER,  
TOEPEL, TOPPER, WARD AND WATSON, OCTOBER 7, 2015

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REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, OCTOBER 7, 2015

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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  
18 empowered the department to administer State heritage

1 conservation programs, such as the Pennsylvania Heritage  
2 Parks Program.

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

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

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

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

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

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

28 Section 3. Definitions.

29 The following words and phrases when used in this act shall  
30 have the meanings given to them in this section unless the

1 context clearly indicates otherwise:

2 "Department." The Department of Conservation and Natural  
3 Resources of the Commonwealth.

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

10 "Program." The Heritage Area Program.

11 "Secretary." The Secretary of the Department of Conservation  
12 and Natural Resources of the Commonwealth.

13 Section 4. Heritage Area Program.

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

20 (b) Administration.--

21 (1) The department shall adopt program guidelines and  
22 policies for the implementation and administration of the  
23 program.

24 (2) The department shall consult with the heritage areas  
25 on an annual basis to discuss program goals, guidelines and  
26 policies.

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

30 (1) Management, administration, operation and marketing

1 of heritage areas.

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

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

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

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

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

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

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

26 (f) Amount.--

27 (1) The department shall distribute funds to the program  
28 based on established program goals, guidelines and policies.

29 (2) The department shall allocate all funds appropriated  
30 annually for the program and each State-designated heritage

1 area shall receive a minimum amount established by the  
2 program goals, guidelines and policies.

3 (g) Administrative use.--The department may use no more than  
4 5% of the funding appropriated annually for the program for  
5 administrative expenses, including the development of a  
6 strategic plan or other appropriate initiative related to the  
7 administration of the program.

8 Section 5. Repeal and continuation.

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

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

12 (2) Article XVI-J of the act of April 9, 1929 (P.L.343,  
13 No.176), known as The Fiscal Code, is repealed.

14 (b) Continuation.--This act is a continuation of Article  
15 XVI-J of The Fiscal Code. Except as otherwise provided in this  
16 act, all activities initiated under Article XVI-J of The Fiscal  
17 Code shall continue and remain in full force and effect and may  
18 be completed under this act. Orders, regulations, rules and  
19 decisions which were made under Article XVI-J of The Fiscal Code  
20 and which are in effect on the effective date of subsection (a)  
21 (2) shall remain in full force and effect until revoked, vacated  
22 or modified under this act. Contracts, obligations and  
23 collective bargaining agreements entered into under Article XVI-  
24 J of The Fiscal Code are not affected nor impaired by the repeal  
25 of Article XVI-J of The Fiscal Code.

26 Section 6. Effective date.

27 This act shall take effect immediately.