

No. 2002-189

AN ACT

HB 2729

Providing for the establishment of the Pennsylvania Travel and Tourism Partnership and imposing powers and duties on the Department of Community and Economic Development related to tourism promotion.

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

Section 1. Short title.

This act shall be known and may be cited as the Travel and Tourism Act.

Section 2. Definitions.

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

“Department.” The Department of Community and Economic Development of the Commonwealth.

“Partnership.” The Pennsylvania Travel and Tourism Partnership established in section 4.

“Secretary.” The Secretary of Community and Economic Development of the Commonwealth.

Section 3. Establishment.

There is hereby established within the department an office to be known as the Pennsylvania Travel and Tourism Office.

Section 4. Partnership.

(a) Establishment.—Within the office there is established an advisory board to be known as the Pennsylvania Travel and Tourism Partnership.

(b) Composition.—The partnership shall consist of 35 members appointed as follows:

(1) The secretary.

(2) The chairman and minority chairman of the Community and Economic Development Committee of the Senate.

(3) The chairman and minority chairman of the Tourism and Recreational Development Committee of the House of Representatives.

(4) Seven members representing State government to be appointed by the Governor as follows:

(i) One member from the Department of Agriculture.

(ii) One member from the Department of Conservation and Natural Resources.

(iii) One member from the Pennsylvania Historical and Museum Commission.

(iv) One member from the Department of Transportation.

(v) One member from the Pennsylvania Game Commission.

- (vi) One member from the Pennsylvania Fish and Boat Commission.
- (vii) One member from the Pennsylvania Turnpike Commission.
- (5) Three members from county tourism promotion agencies to be appointed by the Governor as follows:
 - (i) One member from a county of the first, second or second class A.
 - (ii) One member from a county of the third, fourth or fifth class.
 - (iii) One member from a county of the sixth, seventh or eighth class.
 - (6) One member representing the private sector tourism industry to be appointed by the Governor.
 - (7) Thirteen members to be appointed by the Governor as follows:
 - (i) One member from the hotel/motel industry.
 - (ii) One member from the skiing or snowmobiling sector.
 - (iii) One member from the amusement parks or attractions sector.
 - (iv) One member from the private parks or campgrounds sector.
 - (v) One member from the museum or historical attractions sector.
 - (vi) One member from the arts or theater sector.
 - (vii) One member from the motor coach or travel agent industry.
 - (viii) One member from the hunting, fishing or boating sector.
 - (ix) One member from the food and beverage industry.
 - (x) One member from the shopping/outlet shopping industry.
 - (xi) One member from the outdoor recreation sector.
 - (xii) One member from the wine industry.
 - (xiii) One member from a State-designated heritage park area.
 - (8) One member from the Pennsylvania Council on the Arts to be appointed by the Governor.
 - (9) One member from the Pennsylvania Rural Development Council to be appointed by the Governor.
 - (10) One member from a State-owned or State-related university in this Commonwealth which offers a degree program in tourism, culinary arts or hotel or restaurant management to be appointed by the Governor.
 - (11) One member from the County Commissioners Association of Pennsylvania to be appointed by the Governor.
 - (12) One member from the National Park Service to be appointed by the Governor.
 - (13) One member at large to be appointed by the Governor.
- (c) Chair.—The secretary shall chair the partnership and appoint a vice chairman to chair partnership meetings in the absence of the secretary. The secretary shall inform the Governor when a vacancy occurs.
- (d) Terms.—The secretary shall serve *ex officio*. Members of the Senate and the House of Representatives shall serve two years, such terms to run concurrently with the term of the legislative session. All other members of the partnership initially appointed by the Governor shall continue in office

for terms of two or three years from the date of their appointment, the term of each appointed member to be designated by the Governor at the time of the appointment. Successor members of the partnership shall be appointed for a term of three years. Should a vacancy occur on the partnership, the Governor shall appoint a successor to serve the duration of the unexpired term. Any person appointed to fill a vacancy for a period of less than two years may be eligible for appointment to a full three-year term. A member of the partnership who serves a full term or fills a vacancy for a period of two years or more shall not be eligible for reappointment to the partnership until a period of three years expires.

(e) Compensation.—Members shall serve without compensation but shall receive reimbursement for all reasonable and necessary expenses incurred in connection with the performance of their duties as members of the partnership.

(f) Meetings and quorum.—The partnership shall meet at least quarterly and at any other time designated by the secretary. Meetings may be held anywhere within this Commonwealth. A majority of the members of the partnership shall constitute a quorum for the transaction of business at a meeting.

(g) Forfeiture of membership.—A member appointed by the Governor in accordance with subsection (b)(5), (6), (7) and (11) shall forfeit membership if the member does any of the following:

(1) Fails to attend three consecutive meetings unless the chairman, upon written request of the member, finds that the member should be excused from attending a meeting because of personal illness or the illness or death of a family member.

(2) No longer holds a position where the member is directly involved with the industry the member was appointed to represent. A vacancy occurs when the appointed member forfeits his membership.

Section 5. Partnership responsibilities.

The partnership shall do all of the following:

(1) Review and make recommendations regarding the Commonwealth's five-year strategic master plan for tourism development on an annual basis.

(2) Review and make recommendations regarding the Commonwealth's tourism and marketing plan on an annual basis.

(3) Advise the department on policies, procedures, legislation and regulations affecting tourism in this Commonwealth, including the following areas:

- (i) Marketing.
- (ii) Hospitality.
- (iii) Cultural and heritage tourism.
- (iv) Outdoor tourism.
- (v) Communication.

(4) Advise the Governor on policy, event financing and targeting, marketing materials and tourism-related infrastructure projects.

(5) Serve as an advisory panel for all requests for proposals for services valued at over \$5,000,000 which pertain to marketing and promotional efforts.

Section 6. Cooperation of State agencies.

The partnership may request and receive from any department, division, board, bureau, commission or any other agency of the State or any political subdivision or authority such cooperation, assistance, information and data necessary to properly carry out its powers and duties.

Section 7. Effective date.

This act shall take effect in 60 days.

APPROVED—The 9th day of December, A.D. 2002.

MARK S. SCHWEIKER