

No. 2019-113

AN ACT

SB 733

Providing for the Pennsylvania Gaming Economic Development and Tourism Fund Capital Budget for 2019; itemizing projects to be assisted by the Department of Community and Economic Development, together with their estimated financial costs; authorizing recurring payments for certain projects; and making appropriations.

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 Pennsylvania Gaming Economic Development and Tourism Fund Capital Budget Itemization Act of 2019.

Section 2. Authorizations from Pennsylvania Gaming Economic Development and Tourism Fund.

Grants for projects, including capital, debt and operational expenses itemized in section 3 from the current revenues of the Pennsylvania Gaming Economic Development and Tourism Fund by the Department of Community and Economic Development, or its successors or assigns, are hereby authorized pursuant to 4 Pa.C.S. § 1407 (relating to Pennsylvania Gaming Economic Development and Tourism Fund) as specified in this act. The total amount authorized to be financed under this act from the revenues of the Pennsylvania Gaming Economic Development and Tourism Fund shall be \$20,000,000.

Section 3. Itemization of Pennsylvania Gaming Economic Development and Tourism Fund projects.

The projects to be financed from the current revenues of the Pennsylvania Gaming Economic Development and Tourism Fund are hereby itemized, together with their respective project allocations, as follows:

Project	Project Allocation
<p>(1) To a regional economic development corporation located in two contiguous counties of the third class where a city of the third class is located in both counties of the third class for debt service on the construction of the Da Vinci Science Center in a city of the third class with a population of between 115,000 and 120,000 based upon the 2010 Federal decennial census located at: ALL THAT CERTAIN lot or parcel of ground being situated on the West side of North 8th Street, being in the 4th Ward of the City of Allentown, Lehigh County, Pennsylvania and being bounded and described as follows: BEGINNING at a point on the West side of North 8th Street, said point being located at the Northeast corner of 12-16 North 8th Street owned now or formerly by Yuyi</p>	

Income Tax Services, thence FROM THE PLACE OF BEGINNING along the lands of Yuyi Income Tax Services the following courses and distances: In a Westerly direction for a distance of 48.92' more or less to a point; thence in a Southerly direction for a distance of 46.43' more or less to a point on the North line of Howe Street; thence along Howe Street the following courses and distances:

In a Westerly direction for a distance of 100.41' more or less to a point; thence in a Southerly direction for a distance of 5.00' more or less to a point on the North line of the lands of Allentown Commercial Industrial Development Authority; thence along the North line of the lands of Allentown Commercial Industrial Development Authority in a Westerly direction for a distance of 90.80' more or less to a point on the lands of The Plaza at 835 W. Hamilton Street L.P. (being the center line of that now vacated portion of Lumber Street by City Ordinance No. 13814); thence along the East line of the lands of The Plaza at 835 W. Hamilton Street L.P. in a Northerly direction for a distance of 115.62' more or less to a point on the South line of Court Street; thence along the line of Court Street the following courses and distances:

In a Easterly direction for a distance of 10.00' more or less to a point; thence in a Northerly direction for a distance of 69.13' more or less to a point at the Southwest corner of 31-33 North Lumber Street being other lands of the Allentown Parking Authority; thence along other lands of the Allentown Parking Authority in a Easterly direction for a distance of 230.10' more or less to a point on the West line of North 8th Street; thence along the West line of North 8th Street in a Southerly direction for a distance of 134.16' more or less to the place of BEGINNING.

CONTAINING 40,756 square feet more or less. 20,000,000

(Base Project Allocation - \$20,000,000)

(2) (Reserved).

Section 4. Duration of payments.

Notwithstanding any other provisions of law:

(1) The amount allocated to the project described in section 3(1) shall be paid in annual amounts of not less than \$2,000,000 for 10 years, subject to section 5.

(2) (Reserved).

Section 5. Limitation on expenditures.

(a) General rule.—Beginning in fiscal year 2019-2020, or the first fiscal year in which the indebtedness described under section 3 is incurred, whichever occurs later, it shall be mandatory, not directory, that payments pursuant to section 4(1) shall be made each year from the Pennsylvania Gaming Economic Development and Tourism Fund by the Department of Community and Economic Development.

(b) Proportionate reduction.—In any year that the Department of Community and Economic Development determines for any reason that there are not sufficient funds to make the mandatory payment, the amount of the mandatory payment shall be proportionately reduced in an amount equal to the shortfall in the Pennsylvania Gaming Economic Development and Tourism Fund.

(c) Total expenditures.—Total expenditures under this act for the projects referred to in section 4 shall not exceed the total amount authorized for each project in section 3.

Section 6. Limitation on use of allocation.

No more than one-tenth of 1% of the amount of a grant allocated under section 3 may be used for administrative costs incurred by the regional economic development corporation described in section 3 for which the allocation was authorized.

Section 7. Appropriations.

The sums necessary for the annual amounts itemized in sections 3 and 4 are hereby appropriated from the Pennsylvania Gaming Economic Development and Tourism Fund to the Department of Community and Economic Development, upon approval of the Governor, for the projects itemized in this act.

Section 8. Report.

The Secretary of the Budget shall, within 10 days of the expiration of each quarter of each fiscal year, electronically provide to the chair and minority chair of the Appropriations Committee of the Senate and the chair and minority chair of the Appropriations Committee of the House of Representatives a report relating to the authorized projects described in section 3 which includes at least all of the following:

(1) The authorized project approved for release in the preceding quarter.

(2) An estimate of the amount of funds remaining available to be committed for additional projects under 4 Pa.C.S. Pt. II (relating to gaming).

Section 9. Effective date.

This act shall take effect immediately.

APPROVED—The 27th day of November, A.D. 2019

TOM WOLF