

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 450

Session of
1977

INTRODUCED BY MESSRS. GEORGE, A. K. HUTCHINSON, DeMEDIO, RENWICK, LAUDADIO, D. R. WRIGHT, BITTINGER, LIVENGOD, YAHNER, PETRARCA, STEWART, McLANE, WARGO, ZITTERMAN, WANSACZ, McCALL, MANDERINO, ENGLEHART, IRVIS, LETTERMAN, GREENFIELD, DIETZ, HALVERSON, WASS, PIEVSKY, OLIVER, JOHNSON, DOMBROWSKI, BOYLE, FEE, MRS. GILLETTE, MESSRS. GOODMAN, ITKIN, KOLTER, M. P. MULLEN, MUSTO, PRENDERGAST, RAPPAPORT, SHUPNIK, SELTZER, BITTLE, GALLEN, HAMILTON, HASKELL, MEBUS, O'CONNELL, PARKER, L. E. SMITH, WILSON, J. L. WRIGHT, STUBAN, D. M. O'BRIEN, SCHMITT, COLE, SHUMAN, GALLAGHER, MADIGAN, GRIECO, BROWN, PICCOLA, CIMINI, MANMILLER, BUTERA, MRS. HARPER, MESSRS. D. S. HAYES, BURD, SALVATORE, CIANCIULLI, FLAHERTY, GARZIA, HELFRICK, GIAMMARCO, LINCOLN, WILLIAMS, BERLIN, POTT, MRKONIC, HOPKINS, DUFFY, CESSAR, REED, PRATT, MILLIRON, CASSIDY, LYNCH, MRS. KELLY, MESSRS. COHEN, CALTAGIRONE, D. M. FISHER, M. M. MULLEN, RHODES, MISCEVICH, ABRAHAM AND TRELLO, MARCH 2, 1977

AS REPORTED FROM COMMITTEE ON APPROPRIATIONS, HOUSE OF REPRESENTATIVES, AS AMENDED, JULY 25, 1977

AN ACT

1 Reenacting and amending the act of July 6, 1961 (P.L.515,
2 No.265), entitled, as amended, "An act authorizing the
3 Governor to provide for disaster and emergency relief under
4 certain circumstances; authorizing him to transfer certain
5 funds in the General Fund for these purposes, and making an
6 appropriation," adding reasons for and changing the amount
7 that may be transferred for disaster and emergency purposes
8 AND PROVIDING FOR DISPOSITION OF FEDERAL FUNDS FOR DISASTER
9 ASSISTANCE OR RELIEF. <—

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

12 Section 1. The act of July 6, 1961 (P.L.515, No.265),
13 entitled, as amended, "An act authorizing the Governor to

1 provide for disaster and emergency relief under certain
2 circumstances; authorizing him to transfer certain funds in the
3 General Fund for these purposes, and making an appropriation,"
4 amended August 8, 1969 (P.L.228, No.92), is reenacted and
5 amended to read:

6 Section 1. Whenever the Governor finds as a fact that a
7 natural disaster or civil disorder threatens or has occurred and
8 that conditions of extreme emergency exist in all or a part or
9 parts of Pennsylvania, he shall have power to transfer any
10 unused funds which may have been appropriated for the ordinary
11 expenses of the government in the General Fund to such State
12 agencies as he may direct to be expended for relief of disaster
13 or civil disorder in such manner as the Governor shall approve,
14 and such funds are hereby appropriated to the Governor for such
15 purposes. The total of such transfers shall never exceed [one
16 million dollars (\$1,000,000)] ~~three million dollars (\$3,000,000)~~ <—
17 FIVE MILLION DOLLARS (\$5,000,000) in any one year except by <—
18 action of the General Assembly.

19 Section 2. As used in this act, conditions of extreme
20 emergency shall mean those conditions which may by investigation
21 made, be found, actually or likely, to (i) affect seriously the
22 safety, health or welfare of a substantial number of citizens of
23 the Commonwealth or preclude the operation or use of essential
24 public facilities; (ii) be of such magnitude or severity as to
25 render essential State supplementation of county and local
26 efforts or resources exerted or utilized in alleviating the
27 danger, damage, suffering or hardship faced; and (iii) have been
28 caused by forces beyond the control of man, by reason of civil
29 disorder, riot or disturbance, or by factors not foreseen and
30 not known to exist when appropriation bills were enacted.

1 Section 3. No funds shall be transferred or expended under
2 authority contained in this act unless the Governor, based on
3 investigation made, shall officially have proclaimed that
4 conditions of extreme emergency exist throughout the State or in
5 one or more political subdivisions thereof. Such conditions
6 shall be deemed to continue to exist until such time as the
7 Governor shall officially have proclaimed that they have ceased
8 to exist.

9 Section 4. In the event the Governor of the Commonwealth
10 declares a State of emergency because of natural disasters such
11 as heavy snows, prolonged periods of sub-freezing weather or
12 floods, officials of any municipality shall have the authority
13 to clear such roadways as are necessary for the health, safety
14 and welfare of residents, even though such roadways are not
15 officially the responsibility of the borough or township. The
16 Governor shall allocate a sufficient amount from the fund to the
17 Department of Transportation to administer the reimbursement of
18 the actual costs of such clearing.

19 Section 5. In the event the water system of a municipality
20 or authority is damaged, destroyed, interrupted, or made
21 inoperable as a direct cause of a natural disaster such as
22 freezing or floods, said municipalities or authorities shall
23 have the authority to lease or hire such personnel and equipment
24 that are needed to effect restoration of the water system. The
25 Governor shall allocate a sufficient amount from the fund to the
26 Department of Community Affairs to administer the reimbursement
27 for such services.

28 Section 6. In addition to the other provisions of this act,
29 the Governor is hereby authorized to use any civil defense unit
30 or units and the Pennsylvania National Guard to accomplish the

1 purposes of this act.

2 SECTION 7. ALL MONEYS RECEIVED FROM THE FEDERAL GOVERNMENT <—
3 FOR THE PURPOSE OF DISASTER ASSISTANCE OR RELIEF SHALL BE PAID
4 INTO THE GENERAL FUND AND ARE HEREBY APPROPRIATED OUT OF THE
5 GENERAL FUND TO THE DEPARTMENTS, BOARDS, COMMISSIONS OR AGENCIES
6 DESIGNATED BY THE GOVERNOR.

7 Section 2. This act shall take effect immediately.