

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,
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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, TRELLO, B.
F. O'BRIEN, LOGUE AND RAVENSTAHL, MARCH 2, 1977

SENATOR NOLAN, RULES AND EXECUTIVE NOMINATIONS, IN SENATE, AS
AMENDED, JULY 27, 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)] five million dollars (\$5,000,000)
17 in any one year except by action of the General Assembly.

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

30 Section 3. No funds shall be transferred or expended under

1 authority contained in this act unless the Governor, based on
2 investigation made, shall officially have proclaimed that
3 conditions of extreme emergency exist throughout the State or in
4 one or more political subdivisions thereof. Such conditions
5 shall be deemed to continue to exist until such time as the
6 Governor shall officially have proclaimed that they have ceased
7 to exist.

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

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

27 ~~Section 6 4. In addition to the other provisions of this~~ <—
28 ~~act, the Governor is hereby authorized to use any civil defense~~
29 ~~unit or units and the Pennsylvania National Guard to accomplish~~
30 ~~the purposes of this act.~~

1 Section 7 5. All moneys received from the Federal Government <—
2 for the purpose of disaster assistance or relief shall be paid
3 into the General Fund and are hereby appropriated out of the
4 General Fund to the departments, boards, commissions or agencies
5 designated by the Governor.

6 Section 2. This act shall take effect immediately.