

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1379 Session of  
1984

INTRODUCED BY BRIGHTBILL, WENGER, STAPLETON, SNYDER, ANDREZESKI  
AND O'PAKE, MAY 9, 1984

AS RE-REPORTED FROM COMMITTEE ON APPROPRIATIONS, HOUSE OF  
REPRESENTATIVES, AS AMENDED, SEPTEMBER 26, 1984

AN ACT

1 ~~Amending the act of April 7, 1982 (P.L.228, No.74), entitled "An~~ <—  
2 ~~act relating to noxious weeds; creating a Noxious Weed~~  
3 ~~Control Committee and defining its powers and duties;~~  
4 ~~imposing powers and duties on the Secretary of Agriculture~~  
5 ~~and municipalities; providing penalties; and making a~~  
6 ~~repeal," adding additional noxious weeds to the control list.~~  
7 PROVIDING FOR THE ADMINISTRATION AND ALLOCATION OF CERTAIN <—  
8 FEDERAL BLOCK GRANTS.

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

11 ~~Section 1. Section 8 of the act of April 7, 1982 (P.L.228,~~ <—  
12 ~~No.74), known as the Noxious Weed Control Law, is amended to~~  
13 ~~read:~~

14 ~~Section 8. Noxious weed control list.~~

15 ~~The noxious weed control list shall include but not be~~  
16 ~~limited to the following weeds:~~

17 ~~(1) Cannabis sativa, commonly known as marihuana.~~

18 ~~(2) Cichorium intybus, commonly known as chicory or~~  
19 ~~succory or blue daisy.~~

~~(3) Cirsium arvense, commonly known as Canadian thistle.~~

~~(4) Rosa multiflora, commonly known as multiflora rose.~~

~~(5) Sorghum halepense, commonly known as Johnson grass.~~

~~(6) Cirsium vulgare, commonly known as bull thistle or  
spear thistle.~~

~~Section 2. This act shall take effect immediately.~~

SECTION 1. DECLARATION OF PURPOSE.

<—

THE PURPOSE OF THIS ACT IS TO ESTABLISH AN ANNUAL COMMUNITY DEVELOPMENT BLOCK GRANT ENTITLEMENT FOR CERTAIN CITIES, BOROUGH, TOWNS AND TOWNSHIPS AND FOR 54 COUNTIES TO BE USED BY SAID COUNTIES PRINCIPALLY IN BOROUGH, TOWNS AND TOWNSHIPS WHICH ARE NOT ALLOCATED ANNUAL ENTITLEMENTS. ASSURED ANNUAL FUNDING WILL PERMIT MEANINGFUL PROGRAMS TO BE DEVELOPED AND LOCAL STAFF CAPACITY TO BE CREATED AND MAINTAINED. BOROUGH, TOWNS AND TOWNSHIPS WILL ALSO HAVE THE OPPORTUNITY TO OBTAIN ANNUALLY DISCRETIONARY FUNDING FOR PROJECTS FOR COMMUNITY DEVELOPMENT ACTIVITIES WHICH ARE ELIGIBLE UNDER THE HOUSING AND COMMUNITY DEVELOPMENT ACT. INITIALLY, IT WILL PUT 54 COUNTIES AND CERTAIN MUNICIPALITIES ON A COMPARABLE BASIS WITH THE 12 URBAN COUNTIES AND 28 CITIES, BOROUGH AND TOWNSHIPS WHICH RECEIVE DIRECT ANNUAL COMMUNITY DEVELOPMENT BLOCK GRANT ENTITLEMENTS FROM THE FEDERAL DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.

SECTION 2. SHORT TITLE.

THIS ACT SHALL BE KNOWN AND MAY BE CITED AS THE COMMUNITY DEVELOPMENT BLOCK GRANT ENTITLEMENT PROGRAM FOR NONURBAN COUNTIES AND CERTAIN OTHER MUNICIPALITIES.

SECTION 3. 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:

1 "COUNTY'S NET POPULATION." THE BALANCE REMAINING AFTER  
2 SUBTRACTING THE POPULATIONS OF ALL METROPOLITAN CITIES AND  
3 ELIGIBLE CITIES, BOROUGH, INCORPORATED TOWNS AND TOWNSHIPS  
4 SITUATE WITHIN THE COUNTY FROM ITS TOTAL POPULATION.

5 "DEPARTMENT." THE DEPARTMENT OF COMMUNITY AFFAIRS.

6 "ELIGIBLE CITY, BOROUGH, INCORPORATED TOWN AND TOWNSHIP." ALL  
7 CITIES, BOROUGH, INCORPORATED TOWNS AND TOWNSHIPS WHICH ARE  
8 ELIGIBLE TO RECEIVE AND WHICH APPLY DIRECTLY OR THROUGH A COUNTY  
9 OR A DESIGNATED LOCAL PUBLIC AGENCY FOR FUNDS WHICH ARE  
10 AVAILABLE TO THE COMMONWEALTH PURSUANT TO THE HOUSING AND  
11 COMMUNITY DEVELOPMENT ACT AND WHICH ARE NOT ELIGIBLE AS A  
12 METROPOLITAN CITY AND WHICH WERE NOT CONSIDERED IN FEDERAL  
13 FISCAL YEAR 1984 AS PART OF AN URBAN COUNTY'S FEDERALLY FUNDED  
14 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM. IN ADDITION, A  
15 BOROUGH, INCORPORATED TOWN AND TOWNSHIP TO BE ELIGIBLE MUST HAVE  
16 A POPULATION ACCORDING TO THE LATEST DECENNIAL CENSUS OF  
17 POPULATION OF 4,000 OR MORE AND AT THE TIME OF FILING FOR THE  
18 ANNUAL ENTITLEMENT GRANT AND MUST ALSO MEET THE CURRENT MINIMUM  
19 STANDARDS OF PHYSICAL AND ECONOMIC DISTRESS FOR THE FEDERAL  
20 URBAN DEVELOPMENT ACTION GRANT PROGRAM AS DETERMINED BY THE  
21 SECRETARY OF HOUSING AND URBAN DEVELOPMENT PURSUANT TO SECTION  
22 119 OF THE HOUSING AND COMMUNITY DEVELOPMENT ACT. ALL ELIGIBLE  
23 ENTITLEMENT MUNICIPALITIES MUST ALSO MEET THE GENERAL  
24 QUALIFICATIONS CRITERIA OF THIS SECTION.

25 "ELIGIBLE COUNTY." THOSE COUNTIES WHICH ARE ELIGIBLE TO  
26 RECEIVE AND WHICH APPLY FOR FUNDS AVAILABLE TO THE COMMONWEALTH  
27 PURSUANT TO THE HOUSING AND COMMUNITY DEVELOPMENT ACT AND WHICH  
28 ARE NOT ELIGIBLE AS AN URBAN COUNTY. ALL ELIGIBLE ENTITLEMENT  
29 COUNTIES MUST ALSO MEET THE GENERAL QUALIFICATIONS CRITERIA OF  
30 THIS SECTION.

1 "ELIGIBLE ENTITLEMENT ENTITY." ANY ELIGIBLE COUNTY OR ANY  
2 ELIGIBLE CITY, BOROUGH, INCORPORATED TOWN AND TOWNSHIP.

3 "GENERAL QUALIFICATIONS CRITERIA."

4 (1) AN ELIGIBLE ENTITLEMENT ENTITY MUST HAVE THE LEGAL  
5 CAPACITY TO UNDERTAKE ASSISTED HOUSING PROGRAMS AND COMMUNITY  
6 DEVELOPMENT ACTIVITIES. THE DESIGNATION OF A HOUSING OR  
7 REDEVELOPMENT AUTHORITY TO UNDERTAKE ASSISTED HOUSING  
8 PROGRAMS IN THE ENTITLEMENT ENTITY'S JURISDICTION SHALL BE  
9 CONSIDERED PRIMA FACIE EVIDENCE OF CAPACITY TO UNDERTAKE  
10 ASSISTED HOUSING PROGRAMS. EVERY ELIGIBLE ENTITLEMENT ENTITY  
11 SHALL ADOPT A THREE-YEAR COMMUNITY DEVELOPMENT PLAN AND  
12 IDENTIFY THE ACTIVITIES TO BE UNDERTAKEN AND THE PROJECTED  
13 USE OF FUNDS FOR THE YEAR FOR WHICH FUNDING IS APPLIED. THE  
14 ENTITLEMENT ENTITY SHALL ALSO CERTIFY THAT IT HAS THE LEGAL  
15 CAPACITY TO CARRY OUT THE COMMUNITY DEVELOPMENT PROGRAM  
16 EITHER DIRECTLY, OR THROUGH THE DESIGNATION OF A LOCAL PUBLIC  
17 AGENCY.

18 (2) HOWEVER, IN THE CASE OF AN ELIGIBLE BOROUGH,  
19 INCORPORATED TOWN OR TOWNSHIP WHICH IS UNDER 10,000 IN  
20 POPULATION, IT SHALL BE DEEMED TO HAVE MET THE GENERAL  
21 QUALIFICATIONS CRITERIA, IF THE COUNTY IN WHICH IT IS LOCATED  
22 AND WHICH RECEIVES THE ANNUAL GRANT ON BEHALF OF THE ELIGIBLE  
23 ENTITLEMENT ENTITY MEETS THE CRITERIA. FURTHER, ANY BOROUGH,  
24 INCORPORATED TOWN OR TOWNSHIP WITH A POPULATION OF 10,000 OR  
25 MORE AND WHICH BY RESOLUTION DESIGNATES THE ELIGIBLE COUNTY  
26 TO RECEIVE ITS GRANT ON ITS BEHALF SHALL ALSO BE DEEMED TO  
27 HAVE MET THE GENERAL QUALIFICATIONS CRITERIA IF SAID COUNTY  
28 MEETS THE CRITERIA.

29 (3) THE DEPARTMENT SHALL REVIEW AND APPROVE THE THREE-  
30 YEAR COMMUNITY DEVELOPMENT PLAN AND THE PROJECTED USE OF

FUNDS, IN WHOLE OR IN PART, WITHIN 30 DAYS OF RECEIPT. AN  
ACTIVITY OR USE OF FUNDS MAY ONLY BE DISAPPROVED IF  
INELIGIBLE OR IF THE DEPARTMENT DEEMS THE SCOPE OF THE  
PROJECT TO BE INADEQUATE TO MEET THE COMMUNITY'S NEEDS. TO  
THE EXTENT AN ACTIVITY OR USE OF FUNDS IS DEEMED INELIGIBLE  
OR INADEQUATE, THE COMMUNITY SHALL BE ELIGIBLE TO SUBMIT AN  
AMENDED PROPOSAL FOR REVIEW AND APPROVAL WITHIN 30 DAYS OF  
RECEIPT.

"HOUSING AND COMMUNITY DEVELOPMENT ACT." TITLE I OF THE  
FEDERAL HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974 (PUBLIC  
LAW 93-383), AS AMENDED.

"LOCAL PUBLIC AGENCY." A REDEVELOPMENT AUTHORITY UNDER THE  
ACT OF MAY 24, 1945 (P.L.991, NO.385), KNOWN AS THE URBAN  
REDEVELOPMENT LAW, OR A HOUSING AUTHORITY UNDER THE ACT OF MAY  
28, 1937 (P.L.955, NO.265), KNOWN AS THE HOUSING AUTHORITIES  
LAW.

"METROPOLITAN CITY." A METROPOLITAN CITY AS DEFINED IN  
SECTION 102(A)(4) OF THE HOUSING AND COMMUNITY DEVELOPMENT ACT.

"POPULATION." THE NUMBER OF INHABITANTS AS REFLECTED IN THE  
LATEST DECENNIAL CENSUS.

"URBAN COUNTY." AN URBAN COUNTY AS DEFINED IN SECTION  
102(A)(6) OF THE HOUSING AND COMMUNITY DEVELOPMENT ACT.

#### SECTION 4. ALLOCATION OF FUNDS FOR 1986 AND THEREAFTER.

THE FUNDS WHICH THE COMMONWEALTH RECEIVES PURSUANT TO THE  
HOUSING AND COMMUNITY DEVELOPMENT ACT SHALL BE ALLOCATED BY THE  
DEPARTMENT IN ACCORDANCE WITH THE FOLLOWING FORMULA:

(1) AN AMOUNT OF 2% OF THE FUNDS SHALL BE USED BY THE  
DEPARTMENT FOR ADMINISTRATIVE COSTS.

(2) AN ADDITIONAL AMOUNT OF 13% OF THE FUNDS MAY BE USED  
BY THE DEPARTMENT FOR DISCRETIONARY PROJECTS IN BOROUGHs,

1 TOWNS AND TOWNSHIPS WHICH ARE NOT ELIGIBLE ENTITLEMENT  
2 ENTITIES, FOR URGENT NEED PROJECTS, PLANNING PROJECTS,  
3 ECONOMIC DEVELOPMENT PROJECTS AND OTHER PROJECTS ELIGIBLE  
4 UNDER THE HOUSING AND COMMUNITY DEVELOPMENT ACT.

5 (3) THE BALANCE OF THE FUNDS WHICH REMAIN AFTER  
6 SUBTRACTING THE ADMINISTRATIVE COSTS OF THE DEPARTMENT AND  
7 THE AMOUNT RESERVED BY THE DEPARTMENT FOR DISCRETIONARY  
8 PROJECTS SHALL BE ALLOCATED AS FOLLOWS:

9 (I) THIRTY-EIGHT PERCENT TO ELIGIBLE COUNTIES.

10 (II) THIRTY-EIGHT PERCENT TO ELIGIBLE BOROUGH,  
11 INCORPORATED TOWNS AND TOWNSHIPS.

12 (III) TWENTY-FOUR PERCENT TO ELIGIBLE CITIES.

13 (IV) THE AMOUNT OF FUNDS ALLOCATED TO AN ENTITLEMENT  
14 ENTITY AND WHICH ARE NOT AWARDED TO THE ENTITLEMENT  
15 ENTITY WHETHER DUE TO FAILURE TO TIMELY APPLY FOR THE  
16 FUNDS OR DUE TO A FAILURE TO MEET THE GENERAL  
17 QUALIFICATIONS CRITERIA SHALL, FOR THAT FUNDING YEAR BE  
18 ADDED TO THE FUNDS AVAILABLE TO THE CLASS OF WHICH THE  
19 ENTITY IS A PART AND ALLOCATED TO OTHER MEMBERS OF THE  
20 CLASS IN ACCORDANCE WITH THE PROVISIONS FOR ADDITIONAL  
21 GRANTS PURSUANT TO SECTION 6 OR 7 UNLESS PROVISIONS OF  
22 SECTION 7(C) ARE OPERATIVE.

23 SECTION 5. MINIMUM GRANTS FOR 1986 AND THEREAFTER.

24 (A) AMOUNTS.--EACH ELIGIBLE ENTITLEMENT ENTITY SHALL RECEIVE  
25 A MINIMUM ANNUAL GRANT OF \$200,000 IF A COUNTY; \$300,000 IF A  
26 CITY; AND \$50,000 IF A BOROUGH, INCORPORATED TOWN OR TOWNSHIP.

27 (B) DIVISION OF INSUFFICIENT FUNDS.--IN ANY YEAR IN WHICH  
28 THE AMOUNT OF FEDERAL FUNDS WHICH ARE AVAILABLE TO THE  
29 COMMONWEALTH PURSUANT TO THE HOUSING AND COMMUNITY DEVELOPMENT  
30 ACT ARE INSUFFICIENT TO PROVIDE IN FULL ALL OF THE MINIMUM

1 GRANTS PROVIDED FOR BY SUBSECTION (A), EACH ELIGIBLE ENTITLEMENT  
2 ENTITY SHALL RECEIVE AN ANNUAL GRANT WHICH SHALL BE EQUAL TO THE  
3 SUM WHICH IS OBTAINED BY MULTIPLYING THE MINIMUM GRANT IT IS  
4 AUTHORIZED PURSUANT TO SUBSECTION (A) TIMES A FRACTION, THE  
5 NUMERATOR OF WHICH SHALL BE THE AMOUNT OF FEDERAL MONEY  
6 AVAILABLE TO THE CLASS OF WHICH IT IS A PART AND THE DENOMINATOR  
7 OF WHICH SHALL BE THE TOTAL AMOUNT OF FUNDS WHICH WOULD BE  
8 NECESSARY TO PROVIDE EACH ELIGIBLE ENTITLEMENT ENTITY OF THE  
9 CLASS OF WHICH IT IS A PART WITH A GRANT IN AN AMOUNT IN  
10 ACCORDANCE WITH SUBSECTION (A).

11 SECTION 6. ADDITIONAL GRANTS FOR COUNTIES FOR 1986 AND  
12 THEREAFTER.

13 (A) BASIC GRANT.--EACH ELIGIBLE COUNTY SHALL RECEIVE AN  
14 ANNUAL GRANT, IN ADDITION TO THE MINIMUM ANNUAL GRANT PROVIDED  
15 UNDER SECTION 5, WHICH SHALL BE EQUAL TO THE SUM WHICH IS  
16 OBTAINED BY MULTIPLYING THE BALANCE OF FUNDS AVAILABLE TO  
17 ELIGIBLE COUNTIES BY A FRACTION, THE NUMERATOR OF WHICH SHALL BE  
18 EACH ELIGIBLE COUNTY'S NET POPULATION AND THE DENOMINATOR OF  
19 WHICH SHALL BE THE TOTAL NET POPULATION FOR ALL ELIGIBLE  
20 COUNTIES.

21 (B) INCLUSIONS.--TO THE TOTAL ANNUAL GRANT TO THE COUNTY  
22 DETERMINED BY SECTIONS 5 AND 6(A) SHALL BE ADDED THE ANNUAL  
23 GRANTS OF EACH BOROUGH, INCORPORATED TOWN AND TOWNSHIP LOCATED  
24 IN THE ELIGIBLE COUNTY WHOSE POPULATION IS LESS THAN 10,000.  
25 THERE SHALL ALSO BE ADDED TO THE ANNUAL GRANTS OF THE COUNTY,  
26 THE ANNUAL GRANTS OF EACH BOROUGH, INCORPORATED TOWN AND  
27 TOWNSHIP WITH A POPULATION OF 10,000 OR MORE PROVIDED SUCH  
28 ELIGIBLE ENTITLEMENT ENTITY SPECIFICALLY DESIGNATES THE COUNTY  
29 TO APPLY FOR THE GRANT ON ITS BEHALF. THESE ADD-ON GRANTS  
30 PURSUANT TO THIS SUBSECTION MUST BE EXPENDED BY THE COUNTY ON

1 BEHALF OF THE ELIGIBLE BOROUGH, INCORPORATED TOWN OR TOWNSHIP  
2 FOR ELIGIBLE ACTIVITIES DESIGNATED BY SAID ELIGIBLE ENTITY. THE  
3 COUNTY SHALL, HOWEVER, HAVE THE RIGHT TO SUBTRACT FROM SUCH ADD-  
4 ON GRANT THE PROPORTIONATE SHARE OF APPLICATION, ENVIRONMENTAL  
5 COMPLIANCE, ADMINISTRATION, MONITORING AND AUDIT COSTS INCURRED  
6 BY THE COUNTY UP TO THE AMOUNT ALLOWED UNDER FEDERAL LAW.

7 SECTION 7. ADDITIONAL GRANTS FOR CITIES, BOROUGH, INCORPORATED  
8 TOWNS AND TOWNSHIPS FOR 1986 AND THEREAFTER.

9 (A) AMOUNT.--EACH ELIGIBLE CITY, BOROUGH, INCORPORATED TOWN  
10 AND TOWNSHIP SHALL RECEIVE AN ANNUAL GRANT, IN ADDITION TO THE  
11 MINIMUM ANNUAL GRANT PROVIDED BY SECTION 5, WHICH SHALL BE EQUAL  
12 TO THE SUM WHICH IS OBTAINED BY MULTIPLYING THE BALANCE OF FUNDS  
13 AVAILABLE TO ELIGIBLE CITIES, IN THE CASE OF CITIES AND THE  
14 BALANCE OF FUNDS AVAILABLE TO ELIGIBLE BOROUGH, INCORPORATED  
15 TOWNS AND TOWNSHIPS IN THE CASE OF SUCH ELIGIBLE ENTITIES, BY A  
16 FRACTION THE NUMERATOR OF WHICH SHALL BE EACH ELIGIBLE CITY'S,  
17 BOROUGH'S, INCORPORATED TOWN'S AND TOWNSHIP'S POPULATION AND THE  
18 DENOMINATOR OF WHICH SHALL BE THE TOTAL POPULATION IN THE CASE  
19 OF A CITY, FOR ALL ELIGIBLE CITIES; AND IN THE CASE OF A  
20 BOROUGH, INCORPORATED TOWN OR TOWNSHIP, THE NET POPULATION OF  
21 ALL ELIGIBLE BOROUGH, INCORPORATED TOWNS AND TOWNSHIPS.

22 (B) DISCRETIONARY PROJECTS.--A NONENTITLEMENT BOROUGH, TOWN  
23 OR TOWNSHIP MAY APPLY TO THE DEPARTMENT ANNUALLY FOR FUNDS  
24 RESERVED BY THE DEPARTMENT UNDER SECTION 4 FOR DISCRETIONARY  
25 PROJECTS. THE DEPARTMENT SHALL MAKE THESE FUNDS AVAILABLE ON A  
26 NONCOMPETITIVE DEMONSTRATED NEED BASIS. EACH ELIGIBLE  
27 MUNICIPALITY MAY AUTHORIZE AN ELIGIBLE ENTITLEMENT ENTITY OR ITS  
28 DESIGNATED LOCAL PUBLIC AGENCY TO APPLY TO, AND CONTRACT WITH  
29 THE DEPARTMENT FOR SUCH FUNDS AND ADMINISTER THE PROJECT ON ITS  
30 BEHALF.



1 (C) UNUSED GRANTS.--IF AN ELIGIBLE COUNTY FAILS TO APPLY FOR  
2 AN ANNUAL GRANT AND, IF THERE IS AN ELIGIBLE ENTITLEMENT  
3 BOROUGH, INCORPORATED TOWN OR TOWNSHIP WITHIN SAID COUNTY, THE  
4 ELIGIBLE ENTITLEMENT ENTITY MAY APPLY FOR THE COUNTY'S GRANT AND  
5 ITS OWN GRANT AND USE THE TOTAL GRANT FOR ANY ELIGIBLE ACTIVITY  
6 IT SELECTS. IF THERE ARE MORE THAN ONE SUCH ELIGIBLE ENTITLEMENT  
7 ENTITIES WITHIN SAID COUNTY, EACH SHALL SHARE IN THE COUNTY'S  
8 ALLOCATION IN PROPORTION TO THEIR POPULATION AND EACH MAY  
9 UTILIZE ITS SHARE OF THE COUNTY ALLOCATION FOR ANY ELIGIBLE  
10 ACTIVITY IT SELECTS.

11 SECTION 8. USE OF FUNDS FOR 1986 AND THEREAFTER.

12 (A) USE.--THE FUNDS WHICH ARE ALLOCATED TO ELIGIBLE  
13 ENTITLEMENT ENTITIES BY THE DEPARTMENT IN ACCORDANCE WITH THIS  
14 ACT SHALL BE USED ONLY FOR ELIGIBLE ACTIVITIES WHICH ARE  
15 PERMITTED IN ACCORDANCE WITH THE HOUSING AND COMMUNITY  
16 DEVELOPMENT ACT.

17 (B) PROPORTION.--THOSE FUNDS WHICH ARE ALLOCATED TO COUNTIES  
18 MUST BE USED BY THE COUNTY TO BENEFIT BOROUGHES AND TOWNSHIPS,  
19 WHICH ARE NOT ENTITLEMENT ENTITIES PURSUANT TO THIS ACT NOR  
20 CONSIDERED A METROPOLITAN CITY, IN PROPORTION TO THE TOTAL  
21 POPULATION AS REFLECTED IN THE LATEST AVAILABLE DECENNIAL CENSUS  
22 OF POPULATIONS. THE PROPORTIONAL BENEFIT NEED NOT BE ACHIEVED IN  
23 ANY GIVEN YEAR PROVIDED IT IS ACHIEVED IN EACH THREE-YEAR CYCLE  
24 OF THE COUNTY'S PROGRAM. A DEVIATION OF LESS THAN 10% FROM THE  
25 PROPORTIONAL REQUIREMENT SHALL BE DEEMED TO MEET THE  
26 REQUIREMENT. THE PROPORTIONAL BENEFIT REQUIREMENT OF THIS  
27 SUBSECTION SHALL BE CONSIDERED MET EVEN IF ALL THE EXPENDITURES  
28 ARE MADE IN, AND BENEFIT, IN THE CASE OF TOWNSHIPS, ONLY ONE  
29 TOWNSHIP, AND IN THE CASE OF BOROUGHES, ONLY ONE BOROUGH. FOR THE  
30 PURPOSE OF THIS SECTION, THE TERM "BOROUGH" SHALL INCLUDE

1 INCORPORATED TOWNS.

2 (C) ECONOMIC DEVELOPMENT PROJECTS.--IN THE CASE OF AN  
3 ECONOMIC DEVELOPMENT PROJECT, THE REQUIREMENTS OF SUBSECTION (B)  
4 SHALL NOT APPLY TO A COUNTY IF THE COUNTY'S EXPENDITURES FOR THE  
5 PROJECT ARE MATCHED BY EXPENDITURES BY CITIES, BOROUGHs,  
6 INCORPORATED TOWNS OR TOWNSHIPS AND THE COUNTY'S EXPENDITURES  
7 FOR THE PROJECT DO NOT EXCEED 25% OF ITS TOTAL ALLOCATIONS FOR A  
8 THREE-YEAR PERIOD. IN THE CASE OF A PROJECT FOR THE BENEFIT OF A  
9 UNIT OF LOCAL GOVERNMENT WHICH IS CONSIDERED DISTRESSED AS  
10 DETERMINED BY THE SECRETARY OF HOUSING AND URBAN DEVELOPMENT  
11 PURSUANT TO THE CRITERIA OF SECTION 119 OF THE HOUSING AND  
12 COMMUNITY DEVELOPMENT ACT, THE REQUIREMENTS OF SUBSECTION (B)  
13 SHALL NOT APPLY.

14 (D) LOCATION.--THE SITUS OF ANY COUNTYWIDE OR AREAWIDE  
15 PROJECT MAY BE IN ANY CITY, BOROUGH, INCORPORATED TOWN OR  
16 TOWNSHIP WITHIN THE COUNTY. HOWEVER, IF A COUNTYWIDE OR AN  
17 AREAWIDE PROJECT BENEFITS AN ELIGIBLE ENTITLEMENT CITY OR  
18 METROPOLITAN CITY, THE PROPORTIONAL COST OF THE PROJECT  
19 BENEFITING THE ELIGIBLE ENTITLEMENT CITY OR METROPOLITAN CITY  
20 SHALL BE MET BY FUNDS NOT ALLOCATED TO THE COUNTY UNDER SECTIONS  
21 5 AND 6. THE COUNTYWIDE OR AREAWIDE PROJECT SHALL BE CONSIDERED  
22 MEETING THE PROPORTIONALITY REQUIREMENT OF SUBSECTION (B).

23 (E) AUTHORITY.--

24 (1) FUNDS ALLOCATED TO AN ELIGIBLE ENTITLEMENT BOROUGH,  
25 INCORPORATED TOWN OR TOWNSHIP, AND WHICH ARE ADDED ON TO THE  
26 COUNTY'S ANNUAL GRANT PURSUANT TO SECTION 6(B), SHALL BE  
27 SPENT, LESS THE COUNTY'S PROPORTIONATE SHARE OF APPLICATION,  
28 ENVIRONMENTAL, ADMINISTRATIVE, MONITORING AND AUDIT COSTS,  
29 SOLELY FOR ELIGIBLE PROJECTS SPECIFICALLY DESIGNATED BY  
30 RESOLUTION BY THE ELIGIBLE BOROUGH, INCORPORATED TOWN OR

1 TOWNSHIP.

2 (2) FURTHER, IF AN ELIGIBLE BOROUGH, INCORPORATED TOWN  
3 OR TOWNSHIP WISHES TO UNDERTAKE AN ELIGIBLE PROJECT AT A COST  
4 WHICH EXCEEDS THE AMOUNT OF THE ANNUAL ALLOCATION GRANT, THE  
5 ELIGIBLE BOROUGH, INCORPORATED TOWN OR TOWNSHIP MAY  
6 TEMPORARILY WAIVE, IN WHOLE OR IN PART, ITS ANNUAL ALLOCATION  
7 IN ORDER TO AGGREGATE A LARGER AMOUNT BY COMBINING THE AMOUNT  
8 OF THE TEMPORARILY WAIVED GRANT WITH A GRANT ANTICIPATED FOR  
9 RECEIPT IN THE SECOND AND/OR THIRD YEAR OF ANY THREE-YEAR  
10 CYCLE. TEMPORARY WAIVER OF AN ANNUAL ALLOCATION GRANT SHALL  
11 BE ACCOMPLISHED BY RESOLUTION BY THE ELIGIBLE BOROUGH,  
12 INCORPORATED TOWN OR TOWNSHIP.

13 (3) IN THE EVENT OF A TEMPORARY WAIVER THE AMOUNT OF THE  
14 WAIVED GRANT SHALL BE CONSIDERED A COUNTY GRANT FOR SAID YEAR  
15 OR YEARS AND EXPENDED BY THE COUNTY IN ACCORDANCE WITH  
16 SUBSECTIONS (B), (C) AND (D).

17 (4) THE COUNTY IN THE SUBSEQUENT YEAR OR YEARS SHALL  
18 FIRST USE THE FUNDS ALLOCATED TO IT FOR NONENTITLEMENT  
19 ENTITIES TO REIMBURSE THE TEMPORARILY WAIVED GRANT OR GRANTS  
20 OF THE ELIGIBLE BOROUGH, INCORPORATED TOWN OR TOWNSHIP TO BE  
21 USED FOR THE PURPOSES DESIGNATED BY SAID ELIGIBLE ENTITY.

22 (5) IF THE TOTAL AMOUNT OF THE TEMPORARILY WAIVED GRANTS  
23 IN ANY YEAR IS ADEQUATE TO FUND ANY OF THE ANTICIPATED  
24 PROJECTS, THEN THE COUNTY SHALL IMMEDIATELY FUND THOSE  
25 PROJECTS FOR WHICH SUFFICIENT FUNDING IS AVAILABLE. ANY  
26 ELIGIBLE BOROUGH, INCORPORATED TOWN OR TOWNSHIP WHICH  
27 RECEIVES A GRANT PURSUANT TO THIS PARAGRAPH SHALL FOREGO  
28 FUTURE FUNDING, IN WHOLE OR IN PART, UNTIL THE AMOUNT OF THE  
29 ADVANCED GRANT, IN EXCESS OF THE COMMUNITY'S ENTITLEMENT, IS  
30 RETURNED TO THE COUNTY.

1 SECTION 9. ALLOCATION OF FUNDS FOR 1985.

2 THE FUNDS WHICH THE COMMONWEALTH RECEIVES PURSUANT TO THE  
3 HOUSING AND COMMUNITY DEVELOPMENT ACT FOR FEDERAL FISCAL YEAR  
4 1985 SHALL BE ALLOCATED BY THE DEPARTMENT AS FOLLOWS:

5 (1) AN AMOUNT OF 2% SHALL BE USED BY THE DEPARTMENT FOR  
6 ADMINISTRATIVE COSTS.

7 (2) THE BALANCE OF FUNDS SHALL BE DISTRIBUTED ON A  
8 COMPETITIVE BASIS IN ACCORDANCE WITH SECTIONS 10, 11 AND 12.

9 SECTION 10. GRANTS TO CITIES FOR 1985.

10 (A) FUNDING LIMIT.--TOTAL GRANTS TO ALL CITIES WHICH WILL BE  
11 ENTITLEMENT ENTITIES IN 1986 AND THEREAFTER ACCORDING TO  
12 SECTIONS 4, 5, 7 AND 8 SHALL BE EQUAL TO THE TOTAL AMOUNT ALL  
13 SUCH CITIES WOULD HAVE RECEIVED HAD THE ENTITLEMENT PROGRAM BEEN  
14 IN PLACE FOR 1985, PLUS OR MINUS 15% OF THE SUM OF ALL SUCH  
15 GRANTS.

16 (B) REPAYMENT OF EXCESS.--CITIES RECEIVING A GRANT UNDER THE  
17 1985 PROGRAM WHICH IS IN EXCESS OF WHAT THEY WOULD HAVE RECEIVED  
18 HAD THE ENTITLEMENT PROGRAM BEEN IN PLACE SHALL REPAY THAT  
19 EXCESS, IN THIRDS, IN THE FORM OF A REDUCED ENTITLEMENT DURING  
20 THE FOLLOWING THREE YEARS.

21 (C) ADDITIONAL AMOUNT FOR UNDERPAYMENT.--ENTITLEMENT CITIES  
22 NOT RECEIVING A GRANT UNDER THE 1985 PROGRAM OR RECEIVING A  
23 GRANT WHICH IS LESS THAN THEY WOULD HAVE RECEIVED HAD THE  
24 ENTITLEMENT PROGRAM BEEN IN PLACE SHALL RECEIVE THE AMOUNT  
25 NECESSARY TO MATCH THE AMOUNT THEY WOULD HAVE RECEIVED HAD THE  
26 ENTITLEMENT PROGRAM BEEN IN PLACE, IN THIRDS, IN THE FORM OF AN  
27 INCREASED ENTITLEMENT DURING THE FOLLOWING THREE YEARS.

28 (D) LIMITATION.--NO GRANT TO ANY CITY SHALL EXCEED FOUR  
29 TIMES THE AMOUNT THAT SUCH CITY WOULD HAVE RECEIVED HAD THE  
30 ENTITLEMENT PROGRAM BEEN IN PLACE.

SECTION 11. GRANTS TO BOROUGH, INCORPORATED TOWNS AND  
TOWNSHIPS FOR 1985.

(A) FUNDING LIMIT.--THE SUM OF THE GRANTS TO BOROUGH,  
INCORPORATED TOWNS AND TOWNSHIPS WHICH WILL BE ENTITLEMENT  
ENTITIES IN 1986 AND THEREAFTER ACCORDING TO SECTIONS 4, 5, 7  
AND 8 SHALL BE EQUAL TO THE TOTAL AMOUNT ALL SUCH MUNICIPALITIES  
WOULD HAVE RECEIVED HAD THE ENTITLEMENT PROGRAM BEEN IN PLACE  
FOR 1985, PLUS OR MINUS 15% OF THE SUM OF ALL SUCH GRANTS.

(B) REPAYMENT OF EXCESS.--MUNICIPALITIES RECEIVING A GRANT  
UNDER THE 1985 PROGRAM WHICH IS IN EXCESS OF WHAT THEY WOULD  
HAVE RECEIVED HAD THE ENTITLEMENT PROGRAM BEEN IN PLACE SHALL  
REPAY THAT EXCESS, IN THIRDS, IN THE FORM OF A REDUCED  
ENTITLEMENT DURING THE FOLLOWING THREE YEARS.

(C) ADDITIONAL AMOUNT FOR UNDERPAYMENT.--ENTITLEMENT  
MUNICIPALITIES NOT RECEIVING A GRANT UNDER THE 1985 PROGRAM OR  
RECEIVING A GRANT WHICH IS LESS THAN THEY WOULD HAVE RECEIVED  
HAD THE ENTITLEMENT PROGRAM BEEN IN PLACE SHALL RECEIVE THE  
AMOUNT NECESSARY TO MATCH THE AMOUNT THEY WOULD HAVE RECEIVED  
HAD THE ENTITLEMENT PROGRAM BEEN IN PLACE, IN THIRDS, IN THE  
FORM OF AN INCREASED ENTITLEMENT DURING THE FOLLOWING THREE  
YEARS.

(D) LIMITATION.--NO GRANT TO ANY MUNICIPALITY SHALL EXCEED  
FOUR TIMES THE AMOUNT THAT SUCH MUNICIPALITY WOULD HAVE RECEIVED  
HAD THE ENTITLEMENT PROGRAM BEEN IN PLACE.

SECTION 12. GRANTS TO NONENTITLEMENT COMMUNITIES FOR 1985.

(A) FUNDING LIMIT.--TOTAL GRANTS TO MUNICIPALITIES WHICH  
WILL NOT BE ENTITLEMENT ENTITIES IN 1986 AND THEREAFTER  
ACCORDING TO SECTIONS 4, 5, 7 AND 8 IN EACH COUNTY SHALL BE  
EQUAL TO THE AMOUNT THAT COUNTY WOULD HAVE RECEIVED TO MAKE  
GRANTS TO SUCH MUNICIPALITIES HAD THE ENTITLEMENT PROGRAM BEEN

1 IN PLACE FOR 1985, PLUS OR MINUS 15% OF THE AMOUNT EACH COUNTY  
2 WOULD RECEIVE UNDER THE ENTITLEMENT PROGRAM.

3 (B) REPAYMENT OF EXCESS.--IF TOTAL GRANTS UNDER THIS SECTION  
4 ARE IN EXCESS OF THE SUM OF THE GRANTS COUNTIES WOULD HAVE  
5 RECEIVED HAD THE ENTITLEMENT PROGRAM BEEN IN PLACE, SUCH EXCESS  
6 SHALL BE REPAID, IN THIRDS, IN THE FORM OF A REDUCTION IN THE  
7 ADMINISTRATIVE AND DISCRETIONARY POOL PROVIDED IN SECTION 4  
8 DURING THE FOLLOWING THREE YEARS.

9 SECTION 13. USE OF LOCAL PUBLIC AGENCIES.

10 ANY ENTITLEMENT ENTITY, WHICH IS ELIGIBLE TO RECEIVE AN  
11 ANNUAL GRANT DIRECTLY AND WHICH HAS NOT DESIGNATED A COUNTY TO  
12 APPLY FOR A GRANT ON ITS BEHALF, AND THOSE MUNICIPALITIES UNDER  
13 SECTIONS 10, 11 AND 12, MAY DESIGNATE ANY LOCAL PUBLIC AGENCY TO  
14 ADMINISTER ANY PROGRAM OR PROJECT ON ITS BEHALF AND MAY  
15 AUTHORIZE THE AGENCY TO APPLY TO THE DEPARTMENT AND CONTRACT  
16 WITH THE DEPARTMENT FOR ITS ANNUAL ENTITLEMENT. FURTHER, IN THE  
17 CASE OF AN ELIGIBLE ENTITLEMENT BOROUGH OR TOWNSHIP WHICH IS  
18 LOCATED IN AN URBAN COUNTY, IT MAY APPLY AND ADMINISTER ITS  
19 GRANT IN ITS OWN NAME OR IT MAY DESIGNATE A COUNTY LOCAL PUBLIC  
20 AGENCY.

21 SECTION 14. REGULATIONS.

22 (A) AUTHORITY.--THE DEPARTMENT MAY ADOPT REGULATIONS TO  
23 CARRY OUT THE PROVISIONS OF THIS ACT. SUCH REGULATIONS, UNLESS  
24 SPECIFICALLY REQUIRED BY FEDERAL OR STATE LAW, SHALL NOT BE MORE  
25 RESTRICTIVE OR MORE BURDENSOME THAN THE FEDERAL REGULATIONS  
26 WHICH ARE APPLICABLE TO URBAN COUNTIES AND METROPOLITAN CITIES  
27 WHICH RECEIVE FUNDING DIRECTLY FROM THE FEDERAL GOVERNMENT UNDER  
28 THE HOUSING AND COMMUNITY DEVELOPMENT ACT. THE DEPARTMENT SHALL  
29 MAKE PROMPT REVIEW OF APPLICATIONS FOR FUNDS AND AMENDMENTS  
30 THERETO AND RELY ON LOCAL CERTIFICATIONS UNLESS INDEPENDENT

1 EVIDENCE IS AVAILABLE WHICH TENDS TO CHALLENGE IN A SUBSTANTIAL  
2 MANNER THE CERTIFICATIONS. THE DEPARTMENT SHALL NOT REQUIRE AN  
3 ENTITLEMENT ENTITY TO OBTAIN THE DEPARTMENT'S PRIOR CONCURRENCE  
4 IN CONTRACTS EXECUTED BY AN ENTITLEMENT ENTITY WITH THIRD  
5 PARTIES. PRIOR TO THE EFFECTIVE DATE OF THE GRANT AGREEMENT  
6 BETWEEN THE DEPARTMENT AND THE ENTITLEMENT ENTITY, THE  
7 ENTITLEMENT ENTITY MAY INCUR COSTS FOR THE PURPOSES OF  
8 ENVIRONMENTAL ASSESSMENTS, FOR PLANNING, APPLICATION AND  
9 ADMINISTRATIVE COSTS, FOR ENGINEERING AND DESIGN COSTS  
10 ASSOCIATED WITH AN ELIGIBLE ACTIVITY AND FOR THE PROVISION OF  
11 INFORMATION AND OTHER RESOURCES TO RESIDENTS. AFTER THE  
12 EFFECTIVE DATE OF THE GRANT AGREEMENT, THE ENTITLEMENT ENTITY  
13 MAY BE REIMBURSED WITH FUNDS FROM ITS GRANT TO COVER SUCH  
14 PREAGREEMENT COSTS PROVIDED SUCH ACTIVITIES WERE OTHERWISE  
15 PROPERLY UNDERTAKEN.

16 (B) TIME.--THE DEPARTMENT SHALL ISSUE REGULATIONS FOR FILING  
17 FOR FUNDS ALLOCATED TO ENTITLEMENT ENTITIES UNDER THIS ACT  
18 WITHIN 30 DAYS OF THE EFFECTIVE DATE OF THIS ACT. IF, FOR ANY  
19 REASON THE DEPARTMENT FAILS TO ISSUE SUCH REGULATIONS WITHIN THE  
20 30 DAYS, AN ELIGIBLE ENTITLEMENT ENTITY SHALL FOLLOW THE  
21 PRESUBMISSION AND SUBMISSION REQUIREMENTS OF THE FEDERAL  
22 REGULATIONS CONTAINED IN SUBPART D - ENTITLEMENT GRANTS OF TITLE  
23 24 PART 570, COMMUNITY DEVELOPMENT BLOCK GRANTS. HOWEVER, WHERE  
24 "HUD" IS CONTAINED IN SAID REGULATIONS, THE DEPARTMENT SHALL BE  
25 SUBSTITUTED IN ITS PLACE; AND THE REQUIREMENTS OF 24 CFR §  
26 570.306 FOR HOUSING ASSISTANCE PLAN SHALL NOT BE APPLICABLE.  
27 SECTION 15. APPLICABILITY.

28 THIS ACT SHALL APPLY TO THE DISTRIBUTION OF FEDERAL COMMUNITY  
29 DEVELOPMENT BLOCK GRANT FUNDS WHICH ARE AVAILABLE TO THE  
30 COMMONWEALTH BEGINNING WITH THE FEDERAL FISCAL YEAR 1985 AND

1 THEREAFTER PURSUANT TO THE HOUSING AND COMMUNITY DEVELOPMENT ACT  
2 AND ANY AMENDMENTS THERETO. THE STATE SHALL NOT BE LIABLE FOR  
3 ANY COMMITMENT OR FOR COMPLETION OF ANY PARTIALLY COMPLETED OR  
4 PARTIALLY FUNDED PROJECT WHICH CAN NOT BE COMPLETED DUE TO THE  
5 UNAVAILABILITY FOR FEDERAL FUNDS OR FUTURE FEDERAL  
6 APPROPRIATIONS.  
7 SECTION 16. EFFECTIVE DATE.  
8 THIS ACT SHALL TAKE EFFECT IMMEDIATELY.