

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1888 Session of  
1999

INTRODUCED BY BUNT, CLYMER, COY, CAPPABIANCA, LEH, BELFANTI,  
ARMSTRONG, CHADWICK, ADOLPH, CORRIGAN, ARGALL, DAILEY, DALLY,  
DeWEESE, DRUCE, FAIRCHILD, FICHTER, FREEMAN, GODSHALL,  
GORDNER, GRUCELA, HARHART, HASAY, HERMAN, HERSHEY, JOSEPHS,  
KREBS, LUCYK, MAJOR, MARKOSEK, MASLAND, McCALL, McILHINNEY,  
MELIO, NAILOR, PESCI, PHILLIPS, PLATTS, ROBERTS, ROHRER,  
SATHER, SCHRODER, SEYFERT, SHANER, B. SMITH, SNYDER, SOLOBAY,  
STABACK, STEELMAN, STERN, E. Z. TAYLOR, TRUE, WILLIAMS, WILT,  
WOJNAROSKI, YOUNGBLOOD, ZUG, ALLEN, BARD, BARRAR, BROWNE,  
CALTAGIRONE, CAWLEY, CLARK, DeLUCA, DEMPSEY, EGOLF, FEESE,  
GEORGE, GLADECK, HANNA, HARHAI, HENNESSEY, HESS, LAUGHLIN,  
LEDERER, LESCOVITZ, TRELLO, MAITLAND, MANDERINO, MANN,  
McGILL, MICOZZIE, R. MILLER, NICKOL, PETRARCA, RAMOS,  
REINARD, ROSS, SAYLOR, BAKER, STAIRS, STEIL, STRITTMATTER,  
STURLA, SURRA, TANGRETTI, THOMAS, TRAVAGLIO, VAN HORNE,  
WALKO, WRIGHT, YUDICHAK, L. I. COHEN, DALEY, VANCE, BASTIAN,  
ZIMMERMAN AND SEMMEL, SEPTEMBER 29, 1999

REFERRED TO COMMITTEE ON AGRICULTURE AND RURAL AFFAIRS,  
SEPTEMBER 29, 1999

AN ACT

1 Providing for emergency drought relief as a result of weather  
2 conditions in 1999; and making an appropriation.

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

5 Section 1. Short title.

6 This act shall be known and may be cited as the Emergency  
7 Drought Relief Act.

8 Section 2. Legislative findings and purpose.

9 The General Assembly finds and declares as follows:

10 (1) Production agriculture is a mainstay of this

Commonwealth's economy, with nearly 50,000 family farms generating \$44,000,000,000 in economic activity each year.

(2) The prolonged drought of 1999 is an unprecedented natural disaster which caused an estimated \$500,000,000 in crop losses and threatens to destroy not only the profitability of our farmers, but also the existence of farmland in this Commonwealth.

(3) It is in the public interest, from the standpoint of the economic well-being of this Commonwealth, to offer financial support to maintain the viability of this critical industry.

### 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:

"Crop." Includes:

(1) Field crops, including corn, wheat, oats, rye, barley, hay, potatoes, tobacco and dry beans.

(2) Fruits, including apples, peaches, grapes, cherries and berries.

(3) Vegetables, including tomatoes, snap beans, cabbage, carrots, beets, onions, peppers and mushrooms.

(4) Horticultural specialties, including nursery stock, ornamental shrubs, ornamental trees, Christmas trees and flowers.

(5) Pasture.

(6) Timber, wood and other wood products derived from trees.

"Department." The Department of Agriculture of the Commonwealth.

1 "Fund." The Emergency Drought Relief Fund established in  
2 section 4.

3 "PASS." The Pennsylvania Agricultural Statistics Service.

4 "Producer." A person engaged in the business of producing  
5 crops within this Commonwealth.

6 "USDA-FSA." The United States Department of Agriculture-Farm  
7 Service Agency.

8 Section 4. Fund.

9 (a) Establishment.--The Emergency Drought Relief Fund is  
10 established.

11 (b) Source.--The source of the fund shall be appropriations.

12 (c) Purpose.--The purpose of the fund is to provide grants  
13 under section 6.

14 (d) Administration.--The fund shall be administered by the  
15 department under section 5(2).

16 Section 5. Department.

17 The department has the following powers and duties:

18 (1) Promulgate, within 30 days of the effective date of  
19 this act, regulations to administer this act. Initial  
20 regulations under this paragraph shall not be subject to the  
21 act of June 25, 1982 (P.L.633, No.181), known as the  
22 Regulatory Review Act.

23 (2) Administer the fund. Up to .08% of the money in the  
24 fund may be used by the department for administrative  
25 expenses.

26 (3) Enter into agreements with Federal and State  
27 agencies as necessary to implement this act.

28 Section 6. Grants.

29 (a) Amounts.--Proceeds from the fund shall be used to  
30 provide grants to producers for losses sustained due to the 1999

1 drought. Individual grants shall be in the amount of:

2       (1) Using only crop yield and crop loss data and  
3       irrespective of other requirements, 20% of the amount of the  
4       loan for which the producer would be eligible under the USDA-  
5       FSA Emergency Loan Assistance Program or other Federal loan  
6       assistance program intended to provide crop loss relief. If a  
7       producer does not have sufficient individual crop yield and  
8       other data available, then the department shall determine,  
9       using average county crop yields, crop losses and crop values  
10      provided by PASS and USDA-FSA, the loan amount for which the  
11      producer would otherwise be eligible.

12      (2) Twenty percent of the value of the crop loss of  
13      crops not eligible for assistance under any USDA-FSA disaster  
14      relief program. This loss shall be documented using  
15      procedures determined to be a fair loss evaluation by the  
16      department, using average county yields, crop losses and crop  
17      values as determined by PASS and USDA-FSA.

18      (b) Eligibility.--Eligibility for or receipt of other  
19      drought relief assistance, whether Federal or State, shall not  
20      invalidate a producer's eligibility for assistance under this  
21      act.

## 22 Section 7. Appropriation.

23      The sum of \$100,000,000 is appropriated to the Emergency  
24      Drought Relief Fund. The money in the fund is continuously  
25      appropriated to the fund to carry out the purposes of this act.  
26      This appropriation shall not lapse at the end of any fiscal  
27      year.

## 28 Section 8. Effective date.

29      This act shall take effect immediately.