



# HOUSE COMMITTEE ON APPROPRIATIONS

## FISCAL NOTE

SENATE BILL NO. 720

PRINTERS NO. 2358

PRIME SPONSOR: Baker

### COST / (SAVINGS)

FUND	FY 2014/15	FY 2015/16
General Fund	See Fiscal Impact	See Fiscal Impact

**SUMMARY:** Senate Bill 720, Printer's Number 2358, amends Title 35 (Health and Safety) to confer the power of arrest as part of disaster emergency response and establish the Disaster Emergency Assistance Act and Public Disaster Assistance Grant Program.

**ANALYSIS:** This bill amends Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes to provide for additional responses and powers related to the declaration of a disaster emergency by the Governor. The bill inserts additional language under Section 7301 related to the General Authority of the Governor, which specifically extends the powers of arrest for out-of-state law enforcement personnel, but only where there is a Governor's Declaration of Emergency that has invoked the provisions of the Emergency Management Assistance Compact (EMAC) with surrounding states. Such arrest powers shall expire when the declaration of disaster emergency is terminated.

Title 35 is amended by creating new Chapter 79, which establishes the Disaster Emergency Assistance Act and Public Disaster Assistance Grant program. The Pennsylvania Emergency Management Agency (PEMA) is provided powers and duties to administer the program by promulgating any regulations necessary, developing additional procedures and methods to evaluate and prioritize projects, and provide grants to political subdivisions and municipal authorities. Grants will be available to local governments that incur infrastructure damage during a natural or man-made disaster, and such damage does not qualify for Federal disaster assistance.

The bill specifies that grant funding shall be made from funds appropriated by the General Assembly for the program and from other Federal or State funds the agency may receive for the program. PEMA may use up to three percent of the available program funds for administration of the program. No grant application shall be in excess of 25% of available program funds. If the amount of approved grant applications exceeds available program funds, grants shall be awarded on a pro rata basis.

Grants used under this program may be used to assist in the repair or replacement of public facilities due to disaster-related damages. Funds may also be used for disaster-related debris removal or to demolish a public facility if the facility was made unsafe by the disaster.

It also outlines the use and issuance of grants as follows:

- Grants will only cover the financial balance remaining after any private insurance or Federal/State grants or loans are used for disaster damage.
- Grants are only awarded for a "Disaster Emergency Area" that has been identified under a Governor's Declaration of Disaster Emergency.
- An application for a disaster grant must be made within sixty days after a Governor's Declaration, and PEMA must make an eligibility determination within thirty days of receipt of such application.
- The maximum grant allowed is fifty percent of the adjusted loss as verified by PEMA.

This legislation would take effect immediately upon enactment.

**FISCAL IMPACT:** Enactment of this bill is not expected to adversely impact Commonwealth funds. The bill specifies that grant funding shall be made from funds appropriated by the General Assembly and from other Federal and State funds the agency receives. The agency may use up to three percent of the available program funds for administration of the program. PEMA estimates that administrative and operational costs related to implementing such a program would be approximately \$275,000.

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House Appropriations Committee (R)

**DATE:** October 15, 2014

*Estimates are calculated using the best information available. Actual costs and revenue impact incurred may vary from estimates.*