

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL**No. 494**Session of
1973

INTRODUCED BY MESSRS. O'CONNELL, O'BRIEN, SHUPNIK, R. MUSTO,
HASAY, USTYNOSKI, WORRILOW, KESTER, GEKAS, DININNI,
ZIMMERMAN, LETTERMAN, GRIECO, NOYE, W. D. HUTCHINSON AND
KLINGAMAN, FEBRUARY 26, 1973

AS REPORTED FROM COMMITTEE ON APPROPRIATIONS, HOUSE OF
REPRESENTATIVES, AS AMENDED, APRIL 2, 1973

AN ACT

1 Providing for grants to individual non-farm owners of homes or
2 personal property damaged or destroyed by certain floods;
3 establishing the amount of the grants and making an
4 appropriation.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. Upon receipt and approval of a sworn application
8 by a non-farm owner of a home or personal property damaged or
9 destroyed by the floods of September, 1971 or June, 1972, the
10 Office of the Governor may make a grant to cover a portion of
11 the loss on the following basis:

12 (1) The total loss of both real and personal property
13 combined may be ascertained in accordance with the amount
14 approved by a Small Business Administration or Farmers Home
15 Administration Disaster Loan as provided in U.S. P.L.92-385
16 known as the Civil Disaster Relief Act of 1970 but shall not
17 include any pre-flood indebtedness which has been consolidated

1 with the property loss, nor shall it include any loss covered by
2 an insurance policy, as any business loss as defined by the
3 Small Business Administration.

4 (2) An adjusted loss shall be ascertained by deducting the
5 amount of the Federal forgiveness from the figure arrived at in
6 clause (1).

7 (3) For the first five thousand dollars (\$5,000) of the
8 adjusted loss, the grant shall be twenty-five per cent thereof.

9 (4) For the second five thousand dollars (\$5,000) of the
10 adjusted loss, the grant shall be fifteen per cent thereof.

11 (5) For the third five thousand dollars (\$5,000) of the
12 adjusted loss, the grant shall be ten per cent thereof.

13 (6) For the balance of the adjusted loss the grant shall be
14 five per cent thereof but the total grant shall not exceed three
15 thousand dollars (\$3,000).

16 (7) Six per cent shall be added to all grants.

17 Section 2. If real property was condemned under eminent
18 domain proceedings and where measure of damages is calculated
19 under section 602 of the act of June 22, 1964 (P.L.84, No.6),
20 known as the "Eminent Domain Code," said ~~real property shall not~~ ←
21 ~~be taken into consideration in ascertaining the amount of the~~
22 ~~grant~~ OWNER SHALL NOT BE ELIGIBLE FOR THE GRANT PROVIDED in ←
23 section 1 hereof.

24 Section 3. The owner making application for a grant shall,
25 in his application, authorize the Commonwealth to apply the
26 grant to any monthly obligation that he may have on account of a
27 Small Business Administration or Farmers Home Administration
28 loan until such time as the amount of the grant has been
29 expended or the loan repaid, whichever shall first occur. If the
30 loan is repaid prior to the expenditure of the entire amount of

1 the grant, or there is no indebtedness, the balance thereof
2 shall be paid to the owner.

3 Section 4. All grants under this act shall be administered
4 by the Pennsylvania Department of Community Affairs, and all
5 applications for grants shall be submitted to that department
6 within one hundred twenty days after the effective date of this
7 act. If sufficient funds are not allocated herein, distribution
8 of grants shall be on a pro rata basis. ANY FUNDS UNENCUMBERED ←
9 OR UNEXPENDED AFTER ALL CLAIMS UNDER THIS ACT HAVE BEEN FINALLY
10 DETERMINED SHALL BE RETURNED TO THE EMERGENCY DISASTER RELIEF
11 FUND FOR FURTHER ASSISTANCE TO VICTIMS OF THE FLOOD OF JUNE 1972
12 AND THE STORM OF SEPTEMBER 1971.

13 Section 5. A sum not to exceed forty million dollars
14 (\$40,000,000) may be allocated by the Governor for the purpose
15 of administering and implementing this act from funds made
16 available under the Emergency Disaster Relief Act of July 7,
17 1972 (No.18-A).

18 Section 6. Any person making a false claim under the
19 provisions of this act shall be subject to a penalty in the
20 amount of three times the amount of the grant with interest at
21 the rate of six per cent from the date of the grant. Such a
22 penalty may be enforced by the Commonwealth in an assumpsit
23 action and collected in the manner that other debts due and
24 owing the Commonwealth are collected.

25 Section 7. This act shall take effect immediately.