
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL
No. 642

Session of
1985

INTRODUCED BY O'CONNELL, ZEMPRELLI, SALVATORE, BRIGHTBILL,
LOEPER, MELLOW, FUMO, LYNCH, STAPLETON AND ANDREZESKI,
MARCH 27, 1985

AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES,
JUNE 23, 1986

AN ACT

1 ~~Providing for a community services block grant program; and~~ <—
2 ~~further providing for powers and duties of the Department of~~
3 ~~Community Affairs.~~

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3 AMENDING THE ACT OF MARCH 28, 1986 (P.L.75, NO.25), ENTITLED "AN <—
4 ACT PROVIDING FOR GRANTS TO PERSONS FOR PROPERTY DAMAGED OR
5 DESTROYED BY TORNADO OR FLOOD; ESTABLISHING THE BASIS FOR THE
6 GRANTS; AND MAKING AN APPROPRIATION," EXTENDING THE
7 PROVISIONS OF THIS ACT TO CERTAIN DISASTERS OCCURRING IN
8 CALENDAR YEARS 1984 AND 1986; PROVIDING A MORATORIUM ON
9 CERTAIN ASSESSMENTS; AND MAKING ~~AN APPROPRIATION~~ <—
10 APPROPRIATIONS TO THE GOVERNOR AND THE PENNSYLVANIA EMERGENCY <—
11 MANAGEMENT AGENCY FOR DISASTER RELIEF AND FOR ALLOCATIONS TO
12 VARIOUS MUNICIPALITIES IN WESTMORELAND, SOMERSET AND FAYETTE
13 COUNTIES FOR REIMBURSEMENT FOR FLOOD DAMAGES.

14 The General Assembly of the Commonwealth of Pennsylvania
15 hereby enacts as follows:

16 ~~Section 1. Short title.~~ <—

17 ~~This act shall be known and may be cited as the Community~~
18 ~~Services Act.~~

19 ~~Section 2. Declaration of policy.~~

20 ~~The General Assembly finds and declares as follows:~~

21 ~~(1) It is the intention of the General Assembly as a~~
22 ~~matter of public policy to affirm the commitment of the~~
23 ~~Commonwealth to ameliorating the causes and effect of poverty~~
24 ~~by:~~

25 ~~(i) Providing a range of services and activities~~
26 ~~having a measurable and potentially major impact on the~~
27 ~~causes of poverty in the community and establishing~~
28 ~~grants for organizations providing services to migrant~~
29 ~~and seasonal farmworkers.~~

30 ~~(ii) Providing activities designed to assist low~~
31 ~~income participants in obtaining employment, education,~~
32 ~~housing, emergency assistance, transportation and other~~
33 ~~necessities.~~

34 ~~(iii) Providing, on an emergency basis, for the~~
35 ~~provision of such supplies and services, nutritious~~

~~foodstuffs and related services as may be necessary to
counteract conditions of starvation and malnutrition
among the poor.~~

~~(iv) Coordinating and establishing linkages between
governmental and other social service programs to assure
the effective delivery of services to low income
individuals.~~

~~(v) Encouraging the use of entities in the private
sector in efforts to ameliorate poverty in the community.~~

~~(2) It is also the intention of the General Assembly to
stimulate a better focusing of human and financial resources
on the goal of eliminating poverty by providing for the
continuity of programs which presently exist throughout this
Commonwealth for this stated purpose.~~

~~(3) By so doing, it is the intention of the General
Assembly to set forth the policies which shall govern the
administration of the community services block grant or
subsequent funding mechanisms established for similar
purposes. This block grant was created by the Omnibus Budget
Reconciliation Act of 1981 (Public Law 97-35, 95 Stat. 357)
and follows the provisions defined in that act.~~

~~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:~~

~~"Community action agency." Any organization which was
officially designated by county commissioners or mayors as such
under the Omnibus Budget Reconciliation Act of 1981 (Public Law
97-35, 95 Stat. 357) or established pursuant to this act, whose
structure and functions are further defined in sections 4 and 5.~~

1 ~~"Community services block grant." A program authorized by~~
2 ~~the Omnibus Budget Reconciliation Act of 1981 which follows the~~
3 ~~provision defined in Title XVII, Subtitle C, Chapter 2, which is~~
4 ~~intended to be used by the Commonwealth for programs to~~
5 ~~ameliorate the causes and effects of poverty.~~

6 ~~"Community Services Block Grant Advisory Task Force." An~~
7 ~~advisory panel established by the department pursuant to the~~
8 ~~Omnibus Budget Reconciliation Act of 1981 to:~~

9 ~~(1) coordinate and establish linkages between~~
10 ~~governmental and other social services programs as~~
11 ~~established by this act to assure the effective delivery of~~
12 ~~such services to low income individuals; and~~

13 ~~(2) encourage the use of entities in the private sector~~
14 ~~of the community to ameliorate poverty.~~

15 ~~"Department." The Department of Community Affairs of the~~
16 ~~Commonwealth, or the designated agency responsible for the~~
17 ~~administration of community service block grant funds.~~

18 ~~"Eligible entity." Any agency or organization designated in~~
19 ~~the Omnibus Budget Reconciliation Act of 1981 as an eligible~~
20 ~~recipient of community services block grant funds, including a~~
21 ~~limited purpose agency and a Statewide migrant and seasonal~~
22 ~~farmworkers' organization.~~

23 ~~"Limited purpose agency." An agency that was funded under~~
24 ~~Title II of the Economic Opportunity Act of 1964 (Public Law 88-~~
25 ~~452, 78 Stat. 508) for a limited functional or geographical~~
26 ~~purpose and recognized as a community action program under the~~
27 ~~Omnibus Budget Reconciliation Act of 1981.~~

28 ~~"Secretary." The Secretary of Community Affairs of the~~
29 ~~Commonwealth, or the designated individual responsible for the~~
30 ~~administration of community service block grant funds.~~

~~Section 4.— Eligibility for community services block grant funds
and designation of community action agencies.~~

~~(a) Community action agency receives block grants.— Each
county and first and second class city within this Commonwealth
to receive funds under this act shall have a community action
agency designated to receive community services block grant
funds. These community action agencies may be an arm of the
designating unit of government or nonprofit private community
organization, constituted so that one third of the members of
the board of directors are elected public officials currently
holding offices or their representatives, except that if the
number of elected officials reasonably available and willing to
serve is less than one third of the board membership, membership
on the board of appointive officials may be counted in meeting
such one third requirement; at least one third are persons
chosen in accordance with democratic selection procedures
adequate to assure that they are representative of the poor in
the area served; and the remainder of the members are officials
or members of business, industry, labor, religious, welfare,
education, or other major groups and interests in the community.~~

~~(b) Present agencies included for eligibility.— This
designation includes all present community action agencies and
other eligible entities established under the Omnibus Budget
Reconciliation Act of 1981 (Public Law 97-35, 95 Stat. 357). In
counties and first and second class cities where there is no
community action agency, the department shall provide services
through another eligible agency, which shall receive community
service block grant funds specifically for this purpose.~~

~~Section 5.— Community action agencies and board.~~

~~(a) Powers of agency.— Each community action agency~~

~~designated and created pursuant to the criteria set forth in
section 4 shall:~~

~~(1) Develop and implement programs and projects designed
in accordance with Federal regulations established under the
Omnibus Budget Reconciliation Act of 1981 (Public Law 97-35,
95 Stat. 357) to serve the poor or low income areas with
maximum feasible participation of residents of the areas and
members of the groups served, so as to best stimulate and
take full advantage of capabilities for self advancement and
assure that those programs and projects are otherwise
meaningful to and widely utilized by their intended
beneficiaries.~~

~~(2) Be a continuing and effective mechanism for securing
broad community involvement in the programs assisted under
this act.~~

~~(3) Provide effective coordination of existing community
action programs with other Federal and State funds provided
within the jurisdictional area targeted to the low income
population to avoid duplication of efforts within the area.~~

~~(b) Functions of agency. In exercising its powers and
carrying out its overall responsibility for a community action
program, a community action agency shall have, subject to the
purposes of this act, at least the following functions:~~

~~(1) Planning systematically for and evaluating the
programs, including actions to develop information as to the
problems and causes of poverty in the community; determining
how much and how effectively assistance is being provided to
deal with those problems and causes; and establishing
priorities among projects, activities and areas as needed for
the best and most efficient use of resources.~~

1 ~~(2) Encouraging agencies engaged in activities related~~
2 ~~to the community action program to plan for, secure and~~
3 ~~administer assistance available under this act or from other~~
4 ~~sources on a common or cooperative basis; providing planning~~
5 ~~or technical assistance to those agencies; and generally, in~~
6 ~~cooperation with community agencies and officials,~~
7 ~~undertaking actions to improve existing efforts to attack~~
8 ~~poverty, such as improving day to day communication, closing~~
9 ~~service gaps, focusing resources on the most needy and~~
10 ~~providing additional opportunities to low income individuals~~
11 ~~for regular employment or participation in the programs or~~
12 ~~activities for which those community agencies and officials~~
13 ~~are responsible.~~

14 ~~(3) Initiating and sponsoring projects responsive to~~
15 ~~needs of the poor which are not otherwise being met, with~~
16 ~~particular emphasis on providing central or common services~~
17 ~~that can be drawn upon by a variety of related programs;~~
18 ~~developing new approaches or new types of services that can~~
19 ~~be incorporated into other programs; and filling gaps pending~~
20 ~~the expansion or modification of those programs.~~

21 ~~(4) Establishing effective procedures by which the poor~~
22 ~~and area residents concerned will be enabled to influence the~~
23 ~~character of programs affecting their interests, and~~
24 ~~providing technical and other support needed to enable the~~
25 ~~poor and neighborhood groups to secure on their own behalf~~
26 ~~available assistance from public and private sources.~~

27 ~~(5) Joining with and encouraging business, labor and~~
28 ~~other private groups and organizations to undertake, together~~
29 ~~with public officials and agencies, activities in support of~~
30 ~~the community action program which will result in the~~

~~additional use of private resources and capabilities, with a view to such things as developing new employment opportunities, stimulating investment that will have a measurable impact in reducing poverty among residents of areas of concentrated poverty, and providing methods by which residents of those areas can work with private groups, firms and institutions in seeking solutions to problems of common concern.~~

~~(c) Prohibition of activities. No community action agency or limited purpose agency receiving funds pursuant to this act may use those funds to engage in organized political activity, including, but not limited to, endorsement of candidates for public office, political fundraising, activities to provide voters and prospective voters with transportation to the polls or provide similar assistance in connection with an election or any voter registration activity or lobbying efforts at the local, State or Federal level.~~

~~Section 6. Financial assistance for community services block grant program.~~

~~(a) Apportionment of appropriations. To help meet the department's objective of establishing community action agencies to provide services to all counties within this Commonwealth, the sum appropriated under the community services block grant shall be distributed as follows:~~

~~(1) No greater than 5% shall be allotted to the department for the administration of program operations.~~

~~(2) No less than 5% may be allotted at the discretion of the secretary in a manner consistent with this act.~~

~~(3) Of the remaining 90%, no greater than 5% may be allotted to establish community action agencies in those areas~~

1 ~~currently unserved; no less than 85% shall be reserved for~~
2 ~~existing community action agencies and other eligible~~
3 ~~entities as defined in section 3.~~

4 ~~(4) A formula basis shall be established for the~~
5 ~~distribution of funds reserved for community action agencies.~~
6 ~~The formula shall include consideration of the number of~~
7 ~~persons below the poverty level and the number of persons~~
8 ~~unemployed, as determined annually by the United States~~
9 ~~Department of Labor, and shall include a minimum funding~~
10 ~~level of community services block grant funds for existing~~
11 ~~community action agencies meeting the requirements of the~~
12 ~~Omnibus Budget Reconciliation Act of 1981 (Public Law 97-35,~~
13 ~~95 Stat. 357) and a Statewide migrant and seasonal~~
14 ~~farmworkers' organization approved by the secretary.~~

15 ~~(5) A minimum funding level of only community service~~
16 ~~block grant funds shall be set at \$150,000.~~

17 ~~(6) In the event Federal funds are insufficient to meet~~
18 ~~the minimum funding levels, the determination of annual~~
19 ~~funding levels shall be made by the secretary based on input~~
20 ~~from the local agencies and the Community Services Block~~
21 ~~Grant Advisory Task Force.~~

22 ~~(b) Grant prerequisite. The secretary shall require, as a~~
23 ~~condition of assistance, that each community action agency or~~
24 ~~other eligible agency designated for funding adopt a systematic~~
25 ~~approach for achieving the functions stated in section 5(b) and~~
26 ~~for utilizing the funds provided under this act. Such an~~
27 ~~approach shall encompass a planning and implementation process~~
28 ~~which seeks to identify the problems and causes of poverty in~~
29 ~~the community, seeks to mobilize and coordinate relevant public~~
30 ~~and private resources, establishes program priorities, links~~

~~program components with one another and with other relevant programs and provides for evaluation.~~

~~(c) Program priorities. The secretary may establish Statewide priorities for the offering of specific services or type of services. In establishing these priorities, the secretary shall consider the recommendations of the Community Services Block Grant Advisory Task Force.~~

~~(d) Determination of local services. To promote local responsibility and initiatives, decisions regarding which of the qualified services shall be provided shall be established through a local planning process administered by the local agency. The plan should be based on the recommendations of the local board and the public at large and the Statewide priorities established by the secretary. Each local agency shall submit its plan to the department for review to ensure eligibility of proposed services under the provision of Federal law and regulations and consistency, to the extent possible, with the Statewide priorities.~~

~~Section 7. Monitoring of community action agency.~~

~~(a) Monitoring procedures. It shall be the policy of the department to monitor the community action agencies to assure compliance with all contractual obligations and to assess the effectiveness of local agencies in meeting the objectives of this act as outlined in section 2, and to assess the impact of Statewide priorities on local services. Monitoring procedures shall be established annually by the department and published as part of the State plan.~~

~~(b) Onsite visits. If determined to be necessary by the department, the department may conduct an agency onsite visit. The department may conduct an onsite visit to clarify~~

~~discrepancies that may result from monitoring procedures, to review agency records regarding programs funded pursuant to this act, interview agency personnel and board members, and interview agency constituents and other local human services agencies.~~

~~(c) Preparation of report. The department shall prepare a report, using the findings of the monitoring procedures and onsite visits, if conducted, which identifies agency strengths and weaknesses and any required remedial actions. A copy of the report shall be forwarded by certified mail to the community action agency. The agency may request a conference with the department to discuss the report.~~

~~Section 8. Fiscal control and fund accounting.~~

~~Under the provisions of the Omnibus Budget Reconciliation Act of 1981 (Public Law 97-35, 95 Stat. 357), the department shall:~~

~~(1) Provide that fiscal control and fund accounting procedures be established as may be necessary to assure the proper disbursement of and accounting for Federal funds paid to the Commonwealth. This includes procedures which may be necessary for monitoring the assistance provided to community action agencies and other eligible agencies under the provisions of that act.~~

~~(2) Provide that at least once a year the department shall prepare an audit of its expenditures of amounts received and transferred to carry out the purposes of this section. If the auditing and monitoring procedures result in any audit exceptions or disallowed costs on the part of any local agency, the local agency shall reimburse the department for said audit exceptions and disallowed costs from non State and non Federal funds.~~

~~(3) Permit and cooperate with Federal investigations~~

~~undertaken pursuant to section 679 of the Omnibus Budget
Reconciliation Act of 1981.~~

~~Section 9. Remedies.~~

~~(a) Notice of discrepancy or violation. If a discrepancy or
violation of this act is discovered through monitoring and
auditing activities of the department, the department shall
notify the community action agency of the discrepancy or
violation immediately.~~

~~(b) Agency response. The agency shall respond to the
department's notice of discrepancy or violation within two weeks
of receipt of said notice by written correspondence to, or by
requesting a meeting with, the department to negotiate or
clarify facts.~~

~~(c) Agency noncompliance. If the community action agency is
found to have been in noncompliance with the provisions of this
act, the department shall have the power to do any of the
following:~~

~~(1) Demand that the community action agency comply with
this act.~~

~~(2) Place the community action agency on probation until
the agency complies with this act.~~

~~(d) Agency violation. Notwithstanding subsection (b), if
the department determines that a violation has occurred with
willful disregard for this act, the department may do any of the
following:~~

~~(1) Suspend the operation of the community action agency
for a designated period of time. The agency must then rectify
the violation and reestablish itself as competent as
determined by the department to carry out those
responsibilities enumerated in this statute for a community~~

1 ~~action agency.~~

2 ~~(2) Close out the operation of the community action~~
3 ~~agency through the process of defunding, in accordance with~~
4 ~~Federal law and regulations. If closeout is approved by the~~
5 ~~secretary, a minimum of 30 days' notice shall be given to the~~
6 ~~agency. The department shall oversee agency equipment~~
7 ~~inventory transfer to other agencies.~~

8 ~~(c) Right of appeal. The community action agency shall, at~~
9 ~~all times, retain the right to appeal any departmental~~
10 ~~adjudications concerning this program as otherwise provided by~~
11 ~~law.~~

12 ~~Section 10. Waivers.~~

13 ~~If a determination is made by the Department of Health and~~
14 ~~Human Services that any provisions of this act are in violation~~
15 ~~of Federal law or regulations and would jeopardize Federal~~
16 ~~funding, the secretary shall have the right to waive those~~
17 ~~sections, or portions thereof, whose enforcement constitutes~~
18 ~~said violations.~~

19 ~~Section 11. Expiration.~~

20 ~~This act shall expire in three years unless extended by~~
21 ~~statute.~~

22 ~~Section 12. Effective date.~~

23 ~~This act shall take effect immediately.~~

24 SECTION 1. THE TITLE AND SECTIONS 1, 2 AND 3 OF THE ACT OF <—
25 MARCH 28, 1986 (P.L.75, NO.25), ENTITLED "AN ACT PROVIDING FOR
26 GRANTS TO PERSONS FOR PROPERTY DAMAGED OR DESTROYED BY TORNADO
27 OR FLOOD; ESTABLISHING THE BASIS FOR THE GRANTS; AND MAKING AN
28 APPROPRIATION," ITEM VETOED IN PART, ARE AMENDED TO READ:

29 AN ACT
30 PROVIDING FOR GRANTS TO PERSONS FOR PROPERTY DAMAGED OR

DESTROYED BY TORNADO OR FLOOD; ESTABLISHING THE BASIS FOR THE
GRANTS AND TAX MORATORIA; AND MAKING [AN APPROPRIATION]
APPROPRIATIONS.

SECTION 1. [POWER TO ADMINISTER EMERGENCY FUNDS TO DISASTER-
STRICKEN COUNTIES.

(A) THE GENERAL ASSEMBLY HEREBY FINDS AND DECLARES THAT:

(1) DURING 1985, TORNADOES AND FLOODING OCCURRED IN
SEVERAL COUNTIES OF THIS COMMONWEALTH, CAUSING SUBSTANTIAL
DAMAGES, IN EXCESS OF \$60,000,000, TO PRIVATE HOMES, IN
ADDITION TO THE DAMAGE TO BUSINESSES, INDUSTRY AND PUBLIC
FACILITIES.

(2) FEDERAL EMERGENCY DECLARATIONS DESIGNATED CERTAIN
AREAS AS ELIGIBLE FOR EMERGENCY RELIEF.

(3) THE COMBINATION OF PRIVATE INSURANCE AND FEDERAL
GRANTS AND LOANS FOR PRIVATE HOMEOWNERS PROVIDES INSUFFICIENT
COMPENSATION FOR THEIR LOSSES.

(4) BECAUSE MANY OF THE VICTIMS OF THESE DISASTERS
RESIDE IN AREAS WHICH PRIOR TO THE DISASTER WERE ECONOMICALLY
DISTRESSED, AND BECAUSE THEIR LOSSES ARE INADEQUATELY
COVERED, IT IS IN THE PUBLIC INTEREST PURSUANT TO SECTION 17
OF ARTICLE VIII OF THE CONSTITUTION OF PENNSYLVANIA TO
PROVIDE ADDITIONAL AID TO PRIVATE HOMEOWNERS TO SUPPLEMENT
THE COMPENSATION WHICH THEY RECEIVE FROM PRIVATE INSURANCE
AND THE FEDERAL GOVERNMENT.

(B) AN APPLICANT'S REQUEST FOR FUNDING SHALL BE SUBJECT TO
THE FOLLOWING EVALUATION:

(1) UPON RECEIPT AND APPROVAL OF A SWORN APPLICATION BY
ANY HOMEOWNER FOR NONBUSINESS OR NONFARM REAL OR PERSONAL
PROPERTY DAMAGED OR DESTROYED IN A DECLARED DISASTER DURING
1985, THE DEPARTMENT OF PUBLIC WELFARE MAY MAKE AN INDIVIDUAL

HOMEOWNER GRANT TO COVER A PORTION OF THE ADJUSTED LOSS.

(2) THE ADJUSTED LOSS SHALL BE THE TOTAL ELIGIBLE LOSS MINUS ANY AMOUNT RECEIVED BY OR DUE THE APPLICANT FROM PRIVATE INSURANCE AND FEDERAL OR STATE GRANTS AND SHALL NOT INCLUDE ANY INSURANCE DEDUCTIBLE PAID BY THE HOMEOWNER.

(3) TOTAL ELIGIBLE LOSS SHALL BE ANY LOSS FROM DAMAGE TO AN OWNER-OCCUPIED PRIMARY RESIDENCE, AND ANY LOSS FROM DAMAGE TO PERSONAL PROPERTY, INCLUDING CLOTHING, HOUSEHOLD FURNISHINGS AND APPLIANCES. ELIGIBLE LOSS SHALL NOT INCLUDE ANY ITEM USED PRINCIPALLY FOR RECREATIONAL PURPOSES.

(4) HOMEOWNERS WHOSE HOUSEHOLD 1985 INCOME DOES NOT EXCEED 300% OF THE 1985 POVERTY INCOME GUIDELINES SHALL BE ELIGIBLE TO PARTICIPATE IN THIS GRANT PROGRAM. THE HOMEOWNER, IN ORDER TO BE ELIGIBLE FOR THIS PROGRAM, MUST HAVE REGISTERED AT A DISASTER ASSISTANCE CENTER, UNLESS EXTENUATING CIRCUMSTANCES PREVENTED HIM OR HER FROM DOING SO. EXTENUATING CIRCUMSTANCES SHALL BE DETERMINED ON AN INDIVIDUAL BASIS.

(5) THE AMOUNT OF THE GRANT SHALL BE DETERMINED IN ACCORDANCE WITH THE FOLLOWING SCHEDULE:

(I) 75% OF THE FIRST \$5,000 OF ADJUSTED LOSS.

(II) 50% OF THE SECOND \$5,000 OF ADJUSTED LOSS.

(III) 10% OF THE REMAINING ADJUSTED LOSS.

(IV) NO GRANT SHALL EXCEED \$12,500.

(C) IF THE REAL PROPERTY WAS CONDEMNED UNDER EMINENT DOMAIN PROCEEDINGS AND WHERE THE MEASURE OF DAMAGE IS CALCULATED UNDER SECTION 602 OF THE ACT OF JUNE 22, 1964 (SP.SESS., P.L.84, NO.6), KNOWN AS THE EMINENT DOMAIN CODE, THE PROPERTY OWNER SHALL NOT BE ELIGIBLE FOR A GRANT UNDER SUBSECTION (B) FOR PROPERTY FOR WHICH COMPENSATION IS GRANTED IN THE EMINENT DOMAIN

1 PROCEEDINGS.

2 (D) THE DEPARTMENT OF PUBLIC WELFARE SHALL ADMINISTER THE
3 PROGRAM IN THE FOLLOWING MANNER:

4 (1) ALL GRANTS UNDER THIS ACT SHALL BE ADMINISTERED BY
5 THE DEPARTMENT OF PUBLIC WELFARE IN PROMPT FASHION.

6 (2) APPLICATIONS SHALL BE AVAILABLE TO DISASTER VICTIMS
7 WITHIN 60 DAYS OF THE EFFECTIVE DATE OF THIS ACT.

8 (3) IF SUFFICIENT FUNDS ARE NOT ALLOCATED UNDER THIS
9 ACT, DISTRIBUTION OF THE GRANTS SHALL BE ON A PRO RATA BASIS.

10 (4) THE DEPARTMENT OF PUBLIC WELFARE MAY PROMULGATE
11 RULES AND REGULATIONS NECESSARY TO CARRY OUT THE PROVISIONS
12 OF THIS ACT.

13 (E) THE SUM OF \$15,000,000, OR AS MUCH THEREOF AS MAY BE
14 NECESSARY, IS HEREBY APPROPRIATED TO THE DEPARTMENT OF PUBLIC
15 WELFARE FOR THE PURPOSES OF THIS ACT. NOTWITHSTANDING THE
16 PROVISIONS OF ANY OTHER ACT TO THE CONTRARY, THE FUNDS HEREBY
17 APPROPRIATED SHALL NOT LAPSE UNTIL JUNE 30, 1987.

18 (F) A PERSON MAKING A FALSE CLAIM UNDER THE PROVISIONS OF
19 THIS ACT SHALL BE SUBJECT TO A PENALTY IN THE AMOUNT OF THREE
20 TIMES THE AMOUNT OF THE GRANT WITH INTEREST OF 6% FROM THE DATE
21 OF THE GRANT. THIS PENALTY MAY BE ENFORCED BY THE COMMONWEALTH
22 IN AN ASSUMPSIT ACTION AND COLLECTED IN THE MANNER THAT OTHER
23 DEBTS DUE AND OWING THE COMMONWEALTH ARE COLLECTED.

24 SECTION 2. RULES AND REGULATIONS.

25 IN ORDER TO FACILITATE THE SPEEDY IMPLEMENTATION OF THE
26 PROGRAM, THE DEPARTMENT OF PUBLIC WELFARE SHALL HAVE THE POWER
27 AND AUTHORITY TO PROMULGATE AND ADOPT AND USE REGULATIONS THAT
28 SHALL BE PUBLISHED IN THE PENNSYLVANIA BULLETIN. THE REGULATIONS
29 SHALL NOT BE SUBJECT TO REVIEW PURSUANT TO THE ACT OF JUNE 25,
30 1982 (P.L.633, NO.181), KNOWN AS THE REGULATORY REVIEW ACT.

1 SECTION 3. EFFECTIVE DATE.

2 THIS ACT SHALL TAKE EFFECT IMMEDIATELY AND SHALL APPLY
3 RETROACTIVELY TO ALL DISASTERS FOR WHICH THE PRESIDENTIAL
4 DECLARATION WAS ISSUED IN CALENDAR YEAR 1985.]

5 LEGISLATIVE INTENT.

6 THE GENERAL ASSEMBLY HEREBY FINDS AND DECLARES THAT:

7 (1) DURING AUGUST 1984 ~~AND~~, DURING 1985 AND DURING 1986, <—
8 TORNADOES AND FLOODING OCCURRED IN SEVERAL COUNTIES OF THIS
9 COMMONWEALTH, CAUSING SUBSTANTIAL DAMAGES, IN EXCESS OF
10 \$60,000,000, TO PRIVATE HOMES, IN ADDITION TO THE DAMAGE TO
11 BUSINESSES, INDUSTRY AND PUBLIC FACILITIES.

12 (2) FEDERAL EMERGENCY DECLARATIONS DESIGNATED CERTAIN
13 AREAS AS ELIGIBLE FOR EMERGENCY RELIEF.

14 (3) THE COMBINATION OF PRIVATE INSURANCE AND FEDERAL
15 GRANTS AND LOANS FOR PRIVATE HOMEOWNERS AND PERSONS RENTING <—
16 THE HOMES IN WHICH THEY RESIDE PROVIDES INSUFFICIENT
17 COMPENSATION FOR THEIR LOSSES.

18 (4) ON MARCH 14, 15 AND 16, 1986, HOMEOWNERS AND PERSONS <—
19 RENTING THE HOMES IN WHICH THEY RESIDE INCURRED SUBSTANTIAL
20 LOSS BY REASON OF FLOODING IN SEVERAL AREAS OF THIS
21 COMMONWEALTH.

22 (5) BECAUSE MANY OF THE VICTIMS OF THESE DISASTERS
23 RESIDE IN AREAS WHICH PRIOR TO THE DISASTER WERE ECONOMICALLY
24 DISTRESSED, AND BECAUSE THEIR LOSSES ARE INADEQUATELY
25 COVERED, IT IS IN THE PUBLIC INTEREST PURSUANT TO SECTION 17
26 OF ARTICLE VIII OF THE CONSTITUTION OF PENNSYLVANIA TO
27 PROVIDE ADDITIONAL AID TO PRIVATE HOMEOWNERS AND PERSONS <—
28 RENTING THE HOMES IN WHICH THEY RESIDE TO SUPPLEMENT THE
29 COMPENSATION WHICH THEY RECEIVE FROM PRIVATE INSURANCE AND
30 THE FEDERAL GOVERNMENT.

1 SECTION 2. EMERGENCY FUNDS TO DISASTER-STRICKEN COUNTIES.

2 (A) PROGRAM.--THE DEPARTMENT OF PUBLIC WELFARE SHALL
3 ADMINISTER A PROGRAM WHICH PROVIDES EMERGENCY FUNDS TO RESIDENTS
4 OF COUNTIES STRICKEN BY THE DISASTROUS FLOODS AND TORNADOES OF
5 1984 AND 1985 WHICH WERE THE SUBJECT OF FEDERAL EMERGENCY
6 DECLARATIONS.

7 (B) ELIGIBILITY.--AN APPLICANT'S REQUEST FOR FUNDING SHALL
8 BE SUBJECT TO THE FOLLOWING EVALUATION:

9 (1) UPON RECEIPT AND APPROVAL OF A SWORN APPLICATION BY
10 ANY HOMEOWNER FOR NONBUSINESS OR NONFARM REAL OR PROPERTY <—
11 DAMAGED OR DESTROYED, OR ANY HOMEOWNER OR TENANT OF PREMISES
12 HE RENTS AS HIS PRIMARY RESIDENCE FOR PERSONAL PROPERTY
13 DAMAGED OR DESTROYED, IN A DECLARED DISASTER DURING 1984 OR <—
14 1985, 1985 OR 1986, OR DAMAGED OR DESTROYED BY FLOODING <—
15 DURING MARCH 14, 15 AND 16, 1986, THE DEPARTMENT OF PUBLIC
16 WELFARE MAY SHALL MAKE AN INDIVIDUAL HOMEOWNER GRANT TO COVER <—
17 A PORTION OF THE ADJUSTED LOSS.

18 (2) THE ADJUSTED LOSS SHALL BE THE TOTAL ELIGIBLE LOSS
19 MINUS ANY AMOUNT RECEIVED BY OR DUE THE APPLICANT FROM
20 PRIVATE INSURANCE AND FEDERAL OR STATE GRANTS AND SHALL NOT
21 INCLUDE ANY INSURANCE DEDUCTIBLE PAID BY THE HOMEOWNER <—
22 APPLICANT. <—

23 (3) TOTAL ELIGIBLE LOSS SHALL BE ANY LOSS FROM DAMAGE TO
24 AN OWNER-OCCUPIED PRIMARY RESIDENCE, AND ANY LOSS FROM DAMAGE
25 TO PERSONAL PROPERTY, INCLUDING CLOTHING, HOUSEHOLD
26 FURNISHINGS AND APPLIANCES INCURRED BY A HOMEOWNER IN HIS <—
27 OWNER-OCCUPIED PRIMARY RESIDENCE OR INCURRED BY A TENANT IN
28 PREMISES HE RENTS AS A PRIMARY RESIDENCE. ELIGIBLE LOSS SHALL
29 NOT INCLUDE ANY ITEM USED PRINCIPALLY FOR RECREATIONAL
30 PURPOSES. AS USED IN THIS ACT, THE TERM "OWNER-OCCUPIED <—

1 PRIMARY RESIDENCE" INCLUDES REAL PROPERTY CONTAINING FOUR OR
2 FEWER RESIDENTIAL UNITS IF THE OWNER'S PRIMARY RESIDENCE IS
3 IN ONE OF THE UNITS.

4 (4) ~~HOMEOWNERS WHOSE HOUSEHOLD 1985 INCOME DOES NOT~~ <—
5 ~~EXCEED 300% OF THE 1985 POVERTY INCOME GUIDELINES SHALL BE~~
6 ~~ELIGIBLE TO PARTICIPATE IN THIS GRANT PROGRAM. THE HOMEOWNER~~ <—
7 APPLICANT, IN ORDER TO BE ELIGIBLE FOR THIS PROGRAM BY REASON <—
8 OF A LOSS IN A DECLARED DISASTER DURING 1984 ~~OR 1985~~, 1985 OR <—
9 1986, MUST HAVE REGISTERED AT A DISASTER ASSISTANCE CENTER,
10 UNLESS EXTENUATING CIRCUMSTANCES PREVENTED HIM OR HER FROM
11 DOING SO. EXTENUATING CIRCUMSTANCES SHALL BE DETERMINED ON AN
12 INDIVIDUAL BASIS.

13 (5) THE AMOUNT OF THE GRANT SHALL BE DETERMINED IN
14 ACCORDANCE WITH THE FOLLOWING SCHEDULE:

15 (I) 75% OF THE FIRST \$5,000 \$10,000 OF ADJUSTED <—
16 LOSS.

17 ~~(II) 50% OF THE SECOND \$5,000 OF ADJUSTED LOSS.~~ <—

18 ~~(III)~~ (II) 10% OF THE REMAINING ADJUSTED LOSS.

19 ~~(IV)~~ (III) NO GRANT SHALL EXCEED \$12,500. <—

20 (C) LIMITATION ON ELIGIBILITY.--IF THE REAL PROPERTY WAS
21 CONDEMNED UNDER EMINENT DOMAIN PROCEEDINGS AND WHERE THE MEASURE
22 OF DAMAGE IS CALCULATED UNDER SECTION 602 OF THE ACT OF JUNE 22,
23 1964 (SP.SESS., P.L.84, NO.6), KNOWN AS THE EMINENT DOMAIN CODE,
24 THE PROPERTY OWNER SHALL NOT BE ELIGIBLE FOR A GRANT UNDER
25 SUBSECTION (B) FOR PROPERTY FOR WHICH COMPENSATION IS GRANTED IN
26 THE EMINENT DOMAIN PROCEEDINGS.

27 (D) SUPPLEMENTAL GRANTS FOR HOUSEHOLD REFURNISHING AND <—
28 RECONSTRUCTION.--

29 (1) SUBJECT TO THE ELIGIBILITY REQUIREMENTS OF
30 SUBSECTION (B), EXCEPT FOR THE HOUSEHOLD INCOME LIMITATION OF

1 SUBSECTION (B)(4), ELIGIBLE PERSONS MAY APPLY TO THE
2 DEPARTMENT OF PUBLIC WELFARE FOR SUPPLEMENTAL GRANTS TO
3 REIMBURSE THEM FOR SALES AND USE TAXES PAID PURSUANT TO
4 ARTICLE II OF THE ACT OF MARCH 4, 1971 (P.L.6, NO.2), KNOWN
5 AS THE TAX REFORM CODE OF 1971, ON PURCHASES OF CERTAIN
6 HOUSEHOLD FURNISHINGS AND APPLIANCES AND OF BUILDING
7 MATERIALS USED IN RECONSTRUCTION AND REPAIR OF DAMAGED OR
8 DESTROYED PROPERTY. THE DEPARTMENT OF PUBLIC WELFARE SHALL
9 PROMULGATE REGULATIONS WHICH SHALL REQUIRE NOT ONLY PROOF OF
10 SALES AND USE TAXES PAID, BUT ALSO PROOF THAT ANY ITEM
11 PURCHASED FOR WHICH REIMBURSEMENT IS CLAIMED WAS ACTUALLY A
12 REPLACEMENT FOR AN ITEM OF PERSONAL PROPERTY DAMAGED OR
13 DESTROYED PURSUANT TO THE DISASTER, OR WAS ACTUALLY USED IN
14 THE RECONSTRUCTION OR REPAIR OF THE REAL PROPERTY.

15 (2) ELIGIBILITY FOR SUPPLEMENTAL GRANTS UNDER THIS
16 SUBSECTION SHALL EXPIRE THREE YEARS AFTER THE DATE OF THE
17 PROCLAMATION OF THE FEDERAL EMERGENCY DECLARATION.

18 ~~(D)~~ (E) ADMINISTRATION.--THE DEPARTMENT OF PUBLIC WELFARE <—
19 SHALL ADMINISTER THE PROGRAM IN THE FOLLOWING MANNER:

20 (1) ALL GRANTS UNDER THIS ACT SHALL BE ADMINISTERED BY
21 THE DEPARTMENT OF PUBLIC WELFARE IN PROMPT FASHION.

22 (2) APPLICATIONS SHALL BE AVAILABLE TO DISASTER VICTIMS
23 WITHIN 60 DAYS OF THE EFFECTIVE DATE OF THIS ACT.

24 ~~(3) IF SUFFICIENT FUNDS ARE NOT ALLOCATED UNDER THIS~~ <—
25 ~~ACT, DISTRIBUTION OF THE GRANTS SHALL BE ON A PRO RATA BASIS.~~

26 ~~(E)~~ (F) RULES AND REGULATIONS.--IN ORDER TO FACILITATE THE <—
27 SPEEDY IMPLEMENTATION OF THE PROGRAM, THE DEPARTMENT OF PUBLIC
28 WELFARE SHALL HAVE THE POWER AND AUTHORITY TO PROMULGATE AND
29 ADOPT AND USE REGULATIONS THAT SHALL BE PUBLISHED IN THE
30 PENNSYLVANIA BULLETIN. THE REGULATIONS SHALL NOT BE SUBJECT TO

1 REVIEW PURSUANT TO THE ACT OF JUNE 25, 1982 (P.L.633, NO.181),
2 KNOWN AS THE REGULATORY REVIEW ACT.

3 ~~(F)~~ (G) PENALTY.--A PERSON MAKING A FALSE CLAIM UNDER THE <—
4 PROVISIONS OF THIS ACT SHALL BE SUBJECT TO A PENALTY IN THE
5 AMOUNT OF THREE TIMES THE AMOUNT OF THE GRANT WITH INTEREST OF
6 6% FROM THE DATE OF THE GRANT. THIS PENALTY MAY BE ENFORCED BY
7 THE COMMONWEALTH IN AN ASSUMPSIT ACTION AND COLLECTED IN THE
8 MANNER THAT OTHER DEBTS DUE AND OWING THE COMMONWEALTH ARE
9 COLLECTED.

10 ~~(G)~~ (H) APPROPRIATION.--THE SUM OF \$15,000,000, OR AS MUCH <—
11 THEREOF AS MAY BE NECESSARY, IS HEREBY APPROPRIATED TO THE
12 DEPARTMENT OF PUBLIC WELFARE FOR THE PURPOSES OF THIS ACT.
13 NOTWITHSTANDING THE PROVISIONS OF ANY OTHER ACT TO THE CONTRARY,
14 THE FUNDS HEREBY APPROPRIATED SHALL NOT LAPSE UNTIL JUNE 30, <—
15 1987.: PROVIDED, HOWEVER, THAT ANY OF THE FUNDS REMAINING <—
16 UNEXPENDED OR UNCOMMITTED AFTER JULY 1, 1987, SHALL BE USED AND
17 ARE HEREBY APPROPRIATED FOR USE BY THE DEPARTMENT OF PUBLIC
18 WELFARE TO REIMBURSE MUNICIPALITIES FOR DOCUMENTED MUNICIPAL
19 EXPENDITURES INCURRED AS A RESULT OF A DECLARED DISASTER WHICH
20 WERE NOT REIMBURSED BY THE FEDERAL OR STATE GOVERNMENT. IF
21 INSUFFICIENT FUNDS REMAIN TO REIMBURSE SUCH MUNICIPALITIES IN
22 FULL, REIMBURSEMENT SHALL BE MADE ON A PRO RATA BASIS.

23 ~~SECTION 3. MORATORIUM ON ASSESSMENTS.~~ <—

24 ~~(A) RESIDENCES OR BUSINESSES REBUILT OR REPAIRED. A TAXING~~
25 ~~AUTHORITY SHALL NOT INCREASE THE REAL PROPERTY ASSESSMENT AMOUNT~~
26 ~~FOR ANY RESIDENCES OR BUSINESSES REBUILT OR REPAIRED BY A~~
27 ~~HOMEOWNER IN A DESIGNATED NATURAL DISASTER AREA DUE TO~~
28 ~~DESTRUCTION OR DAMAGE RESULTING FROM A NATURAL DISASTER BY MORE~~
29 ~~THAN 20% DURING THE FIRST YEAR, 40% DURING THE SECOND YEAR, 60%~~
30 ~~DURING THE THIRD YEAR AND 80% DURING THE FOURTH YEAR. DURING THE~~

~~FIFTH AND FINAL YEAR OF THIS FREEZE, REAL PROPERTY MAY BE
ASSESSED AT 100% OF THE REAL MARKET VALUE OF THE PROPERTY.~~

~~(B) TIME PERIOD OF MORATORIUM. THE MORATORIUM ON
ASSESSMENTS PROVIDED FOR IN THIS SECTION SHALL BE FOR A PERIOD
OF FIVE YEARS FOLLOWING THE BEGINNING OR STARTUP OF ANY
RECONSTRUCTION OR REPAIR OF DAMAGED PROPERTY.~~

~~(C) NOTICE. TAXING AUTHORITIES SHALL PUBLISH NOTICE OF THE
MORATORIUM ON ASSESSMENTS PROVIDED FOR IN THIS SECTION. NOTICES
SHALL BE PUBLISHED IN NEWSPAPERS WITH GENERAL CIRCULATION IN THE
AFFECTED AREAS.~~

~~(D) TERM. THIS MORATORIUM SHALL END FIVE YEARS AFTER THE
DATE OF THE PROCLAMATION WHICH DECLARED THE AREA A DISASTER.~~

~~(E) APPROPRIATION. THE SUM OF \$1,000,000, OR AS MUCH
THEREOF AS MAY BE NECESSARY, IS HEREBY APPROPRIATED TO THE
DEPARTMENT OF COMMUNITY AFFAIRS FOR ALLOCATION TO A TAXING
AUTHORITY WHICH SUFFERS A REVENUE LOSS DUE TO THIS ACT.~~

~~(F) DEFINITION. AS USED IN THIS SECTION THE TERM "TAXING
AUTHORITY" MEANS A MUNICIPALITY OR OTHER POLITICAL SUBDIVISION
AUTHORIZED TO ASSESS REAL PROPERTY FOR THE PURPOSE OF LOCAL
PROPERTY TAXES.~~

~~(G) APPLICATION. THIS SECTION SHALL APPLY TO RESIDENCES
DESTROYED OR DAMAGED ON OR AFTER JANUARY 1, 1984.~~

SECTION 3. TAX MORATORIUM.

(A) EXEMPTION FOR RECONSTRUCTION AND REPAIRS.--LOCAL TAXING
AUTHORITIES SHALL, BY ORDINANCE OR RESOLUTION, EXEMPT FROM REAL
PROPERTY TAXATION THE ASSESSED VALUATION OF RECONSTRUCTION OR
REPAIRS MADE TO PROPERTIES DAMAGED OR DESTROYED AS THE RESULT OF
A NATURAL DISASTER WHICH WAS WITHIN ANY GEOGRAPHIC AREA SUBJECT
TO A FEDERAL EMERGENCY DECLARATION AS PROVIDED HEREIN. THE
EXEMPTION SHALL BE LIMITED TO THE ADDITIONAL ASSESSMENT

1 VALUATION ATTRIBUTABLE TO THE ACTUAL COSTS OF RECONSTRUCTION OR
2 REPAIRS ON THE DAMAGED OR DESTROYED PROPERTY.

3 (B) EXEMPTION SCHEDULE.--FOR THE FIRST YEAR FOR WHICH SUCH
4 RECONSTRUCTION OR REPAIRS WOULD OTHERWISE BE TAXABLE, 100% OF
5 THE ELIGIBLE ASSESSMENT SHALL BE EXEMPTED; FOR THE SECOND YEAR,
6 80% OF THE ELIGIBLE ASSESSMENT SHALL BE EXEMPTED; FOR THE THIRD
7 YEAR, 60% OF THE ELIGIBLE ASSESSMENT SHALL BE EXEMPTED; FOR THE
8 FOURTH YEAR, 40% OF THE ELIGIBLE ASSESSMENT SHALL BE EXEMPTED;
9 AND FOR THE FIFTH YEAR, 20% OF THE ELIGIBLE ASSESSMENT SHALL BE
10 EXEMPTED. AFTER THE FIFTH YEAR, THE EXEMPTION SHALL TERMINATE.
11 NO PROPERTY SHALL BE ELIGIBLE FOR TAX EXEMPTION UNDER THIS
12 SECTION UNLESS RECONSTRUCTION OR REPAIRS ARE BEGUN WITHIN FIVE
13 YEARS OF THE DATE OF THE APPLICABLE FEDERAL EMERGENCY
14 DECLARATION.

15 (C) RIGHT TO APPEAL.--NOTWITHSTANDING ANY OTHER LAW TO THE
16 CONTRARY, PERSONS WHO HAVE SUFFERED CATASTROPHIC LOSSES TO THEIR
17 PROPERTY DUE TO THE DISASTER EMERGENCIES COVERED BY THIS ACT
18 SHALL HAVE THE RIGHT TO APPEAL BEFORE THE COUNTY COMMISSIONERS,
19 ACTING AS A BOARD OF REVISION OF TAXES, OR THE BOARD FOR THE
20 ASSESSMENT AND REVISION OF TAXES WITHIN THE REMAINDER OF THE
21 COUNTY FISCAL YEAR IN WHICH THE CATASTROPHIC LOSS OCCURRED, OR
22 WITHIN THREE MONTHS OF THE EFFECTIVE DATE OF THIS ACT, WHICHEVER
23 TIME PERIOD IS LONGER. THE DUTY OF THE COUNTY COMMISSIONERS,
24 ACTING AS A BOARD OF REVISION OF TAXES, OR THE BOARD FOR THE
25 ASSESSMENT AND REVISION OF TAXES SHALL BE TO REASSESS THE VALUE
26 OF THE PROPERTY IN THE FOLLOWING MANNER: THE VALUE OF THE
27 PROPERTY BEFORE THE CATASTROPHIC LOSS, BASED ON THE PERCENTAGE
28 OF THE TAXABLE YEAR FOR WHICH THE PROPERTY STOOD AT ITS FORMER
29 VALUE, SHALL BE ADDED TO THE VALUE OF THE PROPERTY AFTER THE
30 CATASTROPHIC LOSS, BASED ON THE PERCENTAGE OF THE REMAINDER OF

1 THE TAXABLE YEAR. ANY PROPERTY IMPROVEMENTS MADE SUBSEQUENT TO
2 THE CATASTROPHIC LOSS IN THE SAME TAX YEAR SHALL NOT BE INCLUDED
3 IN THE REASSESSMENT DESCRIBED IN THIS SUBSECTION FOR THAT TAX
4 YEAR. ANY ADJUSTMENTS IN THE TAX REQUIRED PURSUANT TO THIS
5 SUBSECTION WHICH CANNOT TAKE EFFECT FOR THE TAX YEAR IN WHICH
6 THE LOSS OCCURS SHALL BE REFLECTED BY THE APPROPRIATE TAXING
7 AUTHORITIES IN THE FORM OF A CREDIT FOR THE FIRST SUCCEEDING TAX
8 YEAR IN WHICH SUCH CREDIT CAN BE EFFECTUATED. AS USED IN THIS
9 SECTION, "CATASTROPHIC LOSS" MEANS ANY LOSS DUE TO NATURAL
10 DISASTER COVERED BY THIS ACT WHICH AFFECTS THE PHYSICAL STATE OF
11 THE REAL PROPERTY AND WHICH EXCEEDS 40% OF THE MARKET VALUE OF
12 THE REAL PROPERTY PRIOR TO THE LOSS.

13 (D) TERMINATION UPON TRANSFER.--THE EXEMPTION FROM TAXATION
14 AUTHORIZED BY THIS SECTION SHALL TERMINATE UPON THE SALE OR
15 EXCHANGE OF THE PROPERTY.

16 (E) NOTICE.--LOCAL TAXING AUTHORITIES SHALL PUBLISH NOTICE
17 OF PROPERTY OWNERS' RIGHTS TO APPEAL THEIR ASSESSED VALUATIONS,
18 PURSUANT TO THE ASSESSMENT LAWS OF THIS COMMONWEALTH, DUE TO THE
19 OCCURRENCE OF A "CATASTROPHIC LOSS" AND OF THE MORATORIUM ON
20 TAXATION ATTRIBUTABLE TO INCREASES IN ASSESSED VALUATIONS DUE TO
21 RECONSTRUCTION OR REPAIRS AS REQUIRED HEREIN. THE NOTICE SHALL
22 APPEAR ON AT LEAST TWO OCCASIONS IN NEWSPAPERS OF GENERAL
23 CIRCULATION WITHIN THE AFFECTED AREAS WITHIN 60 DAYS OF THE
24 EFFECTIVE DATE OF THIS ACT.

25 (F) APPROPRIATION.--THE SUM OF \$1,000,000, OR AS MUCH
26 THEREOF AS MAY BE NECESSARY, IS HEREBY APPROPRIATED TO THE
27 DEPARTMENT OF COMMUNITY AFFAIRS FOR PAYMENT TO ANY LOCAL TAXING
28 AUTHORITY AS REIMBURSEMENT FOR ANY LOSSES SUFFERED PURSUANT TO
29 THIS ACT. THIS SHALL BE A CONTINUING APPROPRIATION AND SHALL NOT
30 LAPSE UNTIL THE END OF THE SIXTH FISCAL YEAR COMMENCING

1 SUBSEQUENT TO THE EFFECTIVE DATE OF THIS ACT.

2 (G) APPLICATION.--THIS SECTION SHALL APPLY ONLY TO PROPERTY
3 DAMAGED OR DESTROYED ON OR AFTER JANUARY 1, 1984.

4 (H) DEFINITION.--AS USED IN THIS SECTION THE TERM "LOCAL
5 TAXING AUTHORITY" MEANS ANY POLITICAL SUBDIVISION AUTHORIZED TO
6 IMPOSE REAL PROPERTY TAXES.

7 SECTION 2. THE ACT IS AMENDED BY ADDING SECTIONS TO READ:

8 SECTION 4. RETROACTIVITY.

9 THIS ACT SHALL APPLY RETROACTIVELY TO DISASTERS FOR WHICH THE
10 PRESIDENTIAL DECLARATION WAS ISSUED IN CALENDAR YEAR 1984 OR <—
11 1985, 1985 OR 1986. <—

12 SECTION 5. ADDITIONAL APPLICATION.

13 THIS ACT SHALL ALSO APPLY TO HOMEOWNERS AND TENANTS OF RENTED <—
14 PRIMARY RESIDENCES WHO INCURRED LOSS CAUSED BY FLOODING DURING
15 MARCH 14, 15 AND 16, 1986.

16 SECTION 6. EFFECTIVE DATE.

17 THIS ACT SHALL TAKE EFFECT IMMEDIATELY.

18 ~~SECTION 3. THIS ACT SHALL TAKE EFFECT IMMEDIATELY.~~ <—

19 SECTION 3. (A) PURSUANT TO SECTION 17(B) OF ARTICLE VIII OF <—
20 THE CONSTITUTION OF PENNSYLVANIA, THE SUM OF \$11,000,000, OR AS
21 MUCH THEREOF AS MAY BE NECESSARY, IS HEREBY APPROPRIATED TO THE
22 GOVERNOR IN ACCORDANCE WITH 35 PA.C.S. CH. 73 SUBCH. A (RELATING
23 TO THE GOVERNOR AND DISASTER EMERGENCIES) TO ALLEVIATE THE
24 HARDSHIPS AND REPAIR THE DAMAGE CAUSED BY THE STORM OF SEPTEMBER
25 27, 1985, IN PENNSYLVANIA. THIS APPROPRIATION SHALL ALSO BE USED
26 TO REIMBURSE MUNICIPALITIES FOR EXTRAORDINARY EMERGENCY ACTIONS
27 UNDERTAKEN DURING THE STORM OF SEPTEMBER 27, 1985.

28 (B) THE SUM OF \$1,600,000, OR AS MUCH THEREOF AS MAY BE
29 NECESSARY, IS HEREBY APPROPRIATED TO THE PENNSYLVANIA EMERGENCY
30 MANAGEMENT AGENCY FOR THE FISCAL YEAR JULY 1, 1985, TO JUNE 30,

1 1986, TO REIMBURSE CERTAIN MUNICIPALITIES FOR FLOOD DAMAGES
2 INCURRED IN THE STORM OF JULY 8 AND 9 OF 1985.

3 SECTION 4. THE APPROPRIATION IN SECTION 3(B) SHALL BE
4 ALLOCATED AS FOLLOWS:

5	(1) CITY OF JEANNETTE, WESTMORELAND COUNTY	\$1,026,000
6	(2) CITY OF NEW KENSINGTON, WESTMORELAND COUNTY	125,000
7	(3) CITY OF LOWER BURRELL, WESTMORELAND COUNTY	50,000
8	(4) SCOTTDAL E BOROUGH, WESTMORELAND COUNTY	3,000
9	(5) MOUNT PLEASANT TOWNSHIP, WESTMORELAND COUNTY	98,000
10	(6) UNITY TOWNSHIP, WESTMORELAND COUNTY	96,000
11	(7) CITY OF GREENSBURG, WESTMORELAND COUNTY	90,000
12	(8) HEMPFIELD TOWNSHIP, WESTMORELAND COUNTY	70,000
13	(9) SOUTH GREENSBURG, WESTMORELAND COUNTY	5,000
14	(10) SOUTHWEST GREENSBURG, WESTMORELAND COUNTY	5,000
15	(11) YOUNGWOOD BOROUGH, WESTMORELAND COUNTY	1,000
16	(12) PENN BOROUGH, WESTMORELAND COUNTY	1,000
17	(13) GREENSBURG RECREATION BOARD, WESTMORELAND	
18	COUNTY	80,000
19	(14) HENRY CLAY TOWNSHIP, FAYETTE COUNTY	6,000
20	(15) SPRINGFIELD TOWNSHIP, FAYETTE COUNTY	19,000
21	(16) LOWER TURKEYFOOT TOWNSHIP, SOMERSET COUNTY	5,000

22 SECTION 5. (A) ALL MONEYS RECEIVED FROM THE FEDERAL
23 GOVERNMENT FOR THE PURPOSE OF DISASTER RELIEF ASSISTANCE OR FOR
24 DAMAGE CAUSED BY THE STORM OF SEPTEMBER 27, 1985, ARE HEREBY
25 APPROPRIATED TO THE DEPARTMENTS, BOARDS, COMMISSIONS OR AGENCIES
26 DESIGNATED BY THE GOVERNOR.

27 (B) THE APPROPRIATION IN SECTION 3(A) SHALL BE USED TO PAY
28 ELIGIBLE STATE AND FEDERAL EXPENDITURES UNTIL FEDERAL MONEYS ARE
29 AVAILABLE. WHEN THE FEDERAL MONEYS ARE MADE AVAILABLE, THE
30 AMOUNT OF STATE FUNDS EXPENDED FOR FEDERAL PURPOSES SHALL BE

1 REIMBURSED AND SHALL LAPSE.

2 SECTION 6. THE SUM APPROPRIATED IN SECTION 3(B) SHALL BE IN
3 ADDITION TO ANY SUMS RECEIVED UNDER SECTION 224 OF THE ACT OF
4 JUNE 30, 1985 (P.L.592, NO.5A), KNOWN AS THE GENERAL
5 APPROPRIATION ACT OF 1985.

6 SECTION 7. THE SUM OF \$46,400, OR AS MUCH THEREOF AS MAY BE
7 NECESSARY, IS HEREBY APPROPRIATED TO THE PENNSYLVANIA EMERGENCY
8 MANAGEMENT AGENCY TO REIMBURSE THE FOLLOWING MUNICIPALITIES FOR
9 FLOOD DAMAGES INCURRED AS A RESULT OF THE STORM OF AUGUST 13,
10 1984:

11	(1) SUMMIT TOWNSHIP, SOMERSET COUNTY	\$5,000
12	(2) NORTHAMPTON TOWNSHIP, SOMERSET COUNTY	23,500
13	(3) MEYERSDALE BOROUGH, SOMERSET COUNTY	15,500
14	(4) FAIRHOPE TOWNSHIP, SOMERSET COUNTY	2,400

15 SECTION 8. THIS ACT SHALL TAKE EFFECT IMMEDIATELY.