

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 4

Special Session No. 2 of
1995-1996

INTRODUCED BY LUCYK, BARLEY, DeWEESE, STERN, LLOYD, FEESE,
STEELMAN, DEMPSEY, ROBINSON, BAKER, TRAVAGLIO, L. I. COHEN,
SHANER, ARMSTRONG, PESCI, TRUE, CURRY, HERMAN, GIGLIOTTI,
MAJOR, HALUSKA, FAIRCHILD, TRELLO, FLICK, GEORGE, FARGO,
STETLER, NICKOL, COLAIZZO, STRITTMATTER, MELIO, CLARK,
MARKOSEK, MASLAND, LaGROTTA, STAIRS, SAINATO, SEMMEL, ITKIN,
HESS, DERMODY, PHILLIPS, TIGUE, GEIST, CAWLEY, CHADWICK,
MUNDY, ALLEN, COLAFELLA, CIVERA, SURRA, E. Z. TAYLOR,
LEVDANSKY, STISH, BOSCOLA, O'BRIEN, WALKO, MCGILL, JOSEPHS,
NYCE, BELFANTI, BUNT, DeLUCA, MERRY, READSHAW, SCHULER,
MAYERNIK, REBER, YEWIC, ZUG, M. COHEN, WOGAN, COY, DALEY,
CAPPABIANCA, BROWN, McCALL AND VAN HORNE, MARCH 13, 1996

REFERRED TO COMMITTEE ON VETERANS AFFAIRS AND EMERGENCY
PREPAREDNESS, MARCH 13, 1996

AN ACT

1 Amending Title 35 (Health and Safety) of the Pennsylvania
2 Consolidated Statutes, defining "person"; changing references
3 to certain Federal laws; and further providing for individual
4 and family assistance, for the agency, for fees and for
5 powers and duties.

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

8 Section 1. Section 7102 of Title 35 of the Pennsylvania
9 Consolidated Statutes is amended by adding a definition to read:

10 § 7102. Definitions.

11 The following words and phrases when used in this part shall
12 have, unless the context clearly indicates otherwise, the
13 meanings given to them in this section:

14 * * *

1 "Person." An individual, corporation, firm, association,
2 public utility, trust, estate, public or private institution,
3 group, the Commonwealth or a local agency or political
4 subdivision and any legal successor, representative or agency of
5 the foregoing.

6 * * *

7 Section 2. Sections 7302(d) and 7305 of Title 35 are amended
8 to read:

9 § 7302. Temporary housing.

10 * * *

11 (d) Definitions.--As used in this section ["major disaster,"
12 "emergency" and "temporary housing"] "major disaster" and
13 "emergency" shall have the same meanings as defined or used in
14 [the Federal Disaster Relief Act of 1974] The Robert T. Stafford
15 Disaster Relief and Emergency Assistance Act (Public Law 93-288,
16 42 U.S.C. § 5121 et seq.).

17 § 7305. Individual and family assistance.

18 (a) Grants by Federal Government.--Whenever the President,
19 at the request of the Governor, has declared a major disaster or
20 emergency to exist in this Commonwealth, the Governor is
21 authorized:

22 (1) Upon determining that assistance under [the Federal
23 Disaster Relief Act of 1974] The Robert T. Stafford Disaster
24 Relief and Emergency Assistance Act (Public Law 93-288, 42
25 U.S.C. § 5121 et seq.), and from other means is insufficient
26 to meet the disaster-related necessary expenses or serious
27 needs of individuals or families adversely affected by a
28 major disaster, to accept a grant from the Federal Government
29 for the purpose of meeting the expenses or needs of disaster
30 victims, subject to any terms and conditions imposed upon the

1 grant.

2 (2) To enter into an agreement with the Federal
3 Government or any Federal agency or officer pledging the
4 Commonwealth to participate in the funding of the assistance
5 authorized in paragraph (1) and, if Commonwealth funds are
6 not otherwise available to the Governor, to accept an advance
7 of the Commonwealth share from the Federal Government to be
8 repaid when the Commonwealth is able to do so.

9 (b) Grants by Governor.--To implement subsection (a), the
10 Governor is authorized to make grants to meet disaster-related
11 necessary expenses or serious needs of individuals or families
12 adversely affected by a major disaster declared by the
13 President. Any grant shall not exceed [\$5,000 in the aggregate]
14 the amount authorized by the Federal and/or State Government to
15 an individual or family in any single major disaster.

16 (c) Penalty for false application.--Any person who
17 fraudulently or willfully makes a misstatement of fact in
18 connection with an application for assistance under this section
19 shall be guilty of a misdemeanor of the third degree.

20 Section 3. Section 7313(14) of Title 35 is amended to read:

21 § 7313. Powers and duties.

22 The agency shall have the following powers and duties:

23 * * *

24 (14) To accept and coordinate assistance provided by
25 Federal agencies in major disasters or emergencies in
26 accordance with the provisions of [the Federal Disaster
27 Relief Act of 1974] The Robert T. Stafford Disaster Relief
28 and Emergency Assistance Act (Public Law 93-288, 42 U.S.C. §
29 5121 et seq.), or any amendment or reenactment thereof.

30 * * *

1 Section 4. This act shall take effect in 60 days.