

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1110 Session of  
1999

INTRODUCED BY BOSCOLA, MELLOW, O'PAKE, STAPLETON, KASUNIC,  
RHOADES, GREENLEAF, STOUT, WAGNER, COSTA, BELAN AND HART,  
SEPTEMBER 29, 1999

REFERRED TO AGRICULTURE AND RURAL AFFAIRS, SEPTEMBER 29, 1999

AN ACT

1 Providing grants to owners or operators of farms who suffered  
2 damage as a result of the drought of 1999; and making an  
3 appropriation.

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

6 Section 1. Short title.

7 This act shall be known and may be cited as the Drought  
8 Emergency Act of 1999.

9 Section 2. Definitions.

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

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

15 "Fund." The Drought Emergency Fund established in section 7.

16 Section 3. Eligibility for grants.

17 Commonwealth payments may be made to persons owning or  
18 operating farms situate in this Commonwealth on or before

1 September 1, 1999, who suffered damage to their land, crops,  
2 livestock and any other real or personal property located  
3 thereon or connected therewith as a result of the drought of  
4 1999 and who have applied for financial assistance. The total  
5 loss to land, crops, livestock and any other real or personal  
6 property combined may be ascertained in accordance with the  
7 amount approved by any Federal agency in connection with a  
8 Federal aid program providing drought assistance or relief.

9 Section 4. Payments.

10 (a) Computation.--Payments to any person determined to be  
11 eligible under section 3 shall be:

12 (1) actual damages up to \$16,000; and

13 (2) if actual damages exceed \$16,000, 15% of the damages  
14 attributable to the drought, not to exceed \$10,000.

15 Damages as used in this section shall not include predrought  
16 indebtedness which has been consolidated with the property loss,  
17 nor shall it include any loss covered by an insurance policy.  
18 Any additional compensation or other assistance received from  
19 the United States, except for loan assistance, or from the  
20 Commonwealth, or from other agencies, shall be added to increase  
21 the \$16,000 base not eligible in computation of the grant.

22 (b) Pro rata share.--If moneys are not sufficient to make  
23 payments under subsection (a) to eligible persons, distribution  
24 of grants shall be on a pro rata basis.

25 Section 5. Administration.

26 Grants under this act shall be administered by the  
27 department, and the actual extent of damages for any applicant  
28 shall be determined through Federal application damage reports  
29 and other applicable documents and through investigation by the  
30 department. In conducting any investigations the department may

1 use the services of the Department of Revenue.

2 Section 6. Time for application

3 All applications for grants shall be submitted within 120  
4 days following the effective date of this act.

5 Section 7. Drought Emergency Fund.

6 (a) Establishment.--There is hereby established in the State  
7 Treasury a restricted account to be known as the Drought  
8 Emergency Fund. The moneys in the fund and the interest it  
9 accrues are appropriated to the department for the purpose of  
10 providing grants to eligible persons under this act.

11 (b) Termination.--The fund shall terminate on June 30, 2000.  
12 Any moneys remaining in the fund on that date shall be  
13 transferred to the General Fund.

14 Section 8. Penalty.

15 Any person making a false claim under this act shall be  
16 subject to a civil penalty in the amount of three times the  
17 amount of the grant with interest at the rate of 6% from the  
18 date of the grant. No civil penalty shall be assessed unless the  
19 person charged has been given notice and opportunity for a  
20 hearing on the charge in accordance with law. Civil penalties  
21 due under this subsection shall be paid to the department for  
22 deposit in the State Treasury and may be enforced by the  
23 department in the Commonwealth Court.

24 Section 9. Appropriation.

25 The sum of \$39,000,000, or as much thereof as may be  
26 necessary, is hereby appropriated from the General Fund to the  
27 Drought Emergency Fund for payment of grants authorized under  
28 section 3.

29 Section 10. Regulations.

30 The department shall promulgate rules and regulations

1 consistent with this act for the orderly and proper  
2 administration and enforcement of this act.  
3 Section 11. Effective date.  
4 This act shall take effect immediately.