

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1417 Session of
2000

INTRODUCED BY SLOCUM, WENGER, CORMAN, CONTI, WHITE, DENT,
HELFRICK, MURPHY, MADIGAN, BELL, PUNT, BRIGHTBILL, JUBELIRER,
LEMMOND, ROBBINS, THOMPSON, O'PAKE, MOWERY, GERLACH, HART,
BOSCOLA, RHOADES AND KASUNIC, APRIL 10, 2000

AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES,
JUNE 6, 2000

AN ACT

1 Amending the act of December 13, 1999 (P.L.905, No.57), entitled
2 "An act providing for emergency drought relief, for
3 commercial orchard and fruit tree nursery indemnity, for
4 grants for flood damage and for powers and duties of the
5 Department of Agriculture; establishing the Supplemental
6 Individual Assistance Program; providing for payment of the
7 Commonwealth's share to secure individual assistance from the
8 Federal Government; and making appropriations," ~~increasing~~ <—
9 ~~grant limits for drought relief.~~ FURTHER PROVIDING FOR <—
10 DROUGHT RELIEF AND FOR APPROPRIATIONS; ESTABLISHING THE SMALL <—
11 DISASTER ASSISTANCE FUND; AUTHORIZING THE TRANSFER OF FUNDS;
12 AND IMPOSING DUTIES ON THE PENNSYLVANIA EMERGENCY MANAGEMENT
13 AGENCY AND THE LEGISLATIVE REFERENCE BUREAU.

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

16 ~~Section 1. Section 302(c) of the act of December 13, 1999~~ <—
17 ~~(P.L.905, No.57), known as the Drought, Orchard and Nursery~~
18 ~~Indemnity and Flood Relief Act, is amended to read:~~

19 SECTION 1. ~~SECTIONS 302(C) AND 5102~~ THE TITLE AND SECTION <—
20 302(C) OF THE ACT OF DECEMBER 13, 1999 (P.L.905, NO.57), KNOWN
21 AS THE DROUGHT, ORCHARD AND NURSERY INDEMNITY AND FLOOD RELIEF

1 ACT, ARE AMENDED TO READ:

2 AN ACT ←
3 PROVIDING FOR EMERGENCY DROUGHT RELIEF, FOR COMMERCIAL ORCHARD
4 AND FRUIT TREE NURSERY INDEMNITY, FOR GRANTS FOR FLOOD DAMAGE
5 AND FOR POWERS AND DUTIES OF THE DEPARTMENT OF AGRICULTURE;
6 ESTABLISHING THE SUPPLEMENTAL INDIVIDUAL ASSISTANCE PROGRAM;
7 PROVIDING FOR PAYMENT OF THE COMMONWEALTH'S SHARE TO SECURE
8 INDIVIDUAL ASSISTANCE FROM THE FEDERAL GOVERNMENT;
9 ESTABLISHING THE SMALL DISASTER ASSISTANCE FUND; AND MAKING
10 APPROPRIATIONS.

11 Section 302. Drought relief.

12 * * *

13 (c) Grant criteria.--The department shall review
14 applications and award grants using [an eligible producer's
15 approved application for the Federal program or other
16 documentation from which Federal payment for eligible producers
17 will be calculated. Each eligible producer shall be eligible for
18 a grant under this chapter in an amount not to exceed 75% of the
19 grant received under the Federal program. If funds appropriated
20 under section 5102(a) are not sufficient to provide grants
21 prescribed under this chapter to all approved eligible
22 producers, grants shall be made to eligible producers] eligible
23 producers' approved applications for the Federal program from
24 which Federal payment for eligible producers is calculated.
25 Approved eligible producers shall qualify for grants under this
26 chapter in amounts which shall be determined on a pro rata basis
27 OF THE MAXIMUM SUM APPROPRIATED UNDER SECTION 5102. ←

28 * * *

29 SECTION 2. THE ACT IS AMENDED BY ADDING A CHAPTER TO READ: ←

30 CHAPTER 9

1 PENNCRISIS

2 SECTION 901. LEGISLATIVE FINDINGS.

3 THE GENERAL ASSEMBLY FINDS THAT MANY COMMUNITIES IN THIS
4 COMMONWEALTH FREQUENTLY ARE SUBJECT TO NATURAL AND MANMADE
5 DISASTERS WHICH CAUSE SIGNIFICANT DAMAGE AND DISRUPTION IN THE
6 LIFE OF THE COMMUNITY BUT WHICH ARE NOT OF SUFFICIENT MAGNITUDE
7 TO QUALIFY FOR FEDERAL DISASTER ASSISTANCE PROGRAMS.

8 NEVERTHELESS, THESE LOSSES ARE OF CONSIDERABLE IMPORTANCE TO
9 THOSE DIRECTLY AFFECTED AND THEIR COMMUNITIES AND TO THE HEALTH
10 AND WELFARE OF THE CITIZENS OF THIS COMMONWEALTH'S MANY SMALL
11 COMMUNITIES.

12 SECTION 902. DEFINITIONS.

13 THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS CHAPTER
14 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE
15 CONTEXT CLEARLY INDICATES OTHERWISE:

16 "AGENCY." THE PENNSYLVANIA EMERGENCY MANAGEMENT AGENCY.

17 "FUND." THE SMALL DISASTER ASSISTANCE FUND CREATED UNDER
18 THIS CHAPTER.

19 "SMALL DISASTER." AN EVENT WHICH RESULTS IN TOTAL UNINSURED
20 LOSSES, FOR ALL INDIVIDUALS, BUSINESSES AND MUNICIPALITIES, OF
21 NOT MORE THAN \$2,000,000; WHICH OCCURRED AFTER JUNE 30, 1999;
22 AND WHICH INVOLVES:

23 (1) DAMAGE EXCEEDING 40% OF THE VALUE OF A STRUCTURE AND
24 CONTENTS OF AT LEAST FIVE HOMES OR TWO BUSINESSES;

25 (2) LOSS OF LIFE; OR

26 (3) TOTAL ESTIMATED DAMAGES OF AT LEAST \$250,000 TO
27 PUBLIC FACILITIES.

28 SECTION 903. SMALL DISASTER ASSISTANCE FUND.

29 (A) FUND CREATED.--THERE IS CREATED WITHIN THE PENNCRISIS
30 PROGRAM A SMALL DISASTER ASSISTANCE FUND TO ASSIST THE VICTIMS

1 OF NATURAL AND MANMADE DISASTERS WITH LOW-INTEREST LOANS AND
2 GRANTS. ASSISTANCE SHALL NOT BE AVAILABLE TO A PERSON THAT OWNS
3 PROPERTY WITHIN A 100-YEAR FLOOD PLAIN AND THAT DOES NOT HAVE
4 FLOOD INSURANCE. ALL LOAN REPAYMENTS SHALL BE PLACED IN THE FUND
5 TO BE USED FOR THE PURPOSES OF THIS ACT.

6 (B) COORDINATION AND ADMINISTRATION OF FUND.--ALL FIELD AND
7 OTHER ACTIVITIES OF THE FUND SHALL BE COORDINATED BY THE AGENCY,
8 INCLUDING BUDGETARY ALLOCATIONS FROM THE PENNCRISIS FUND TO THE
9 VARIOUS OBJECTS OF PENNCRISIS AND REPORTS TO THE GENERAL
10 ASSEMBLY ON PROGRAM PERFORMANCE AND NEEDS. FINAL AUTHORITY ON
11 ALL INDIVIDUAL REQUESTS FOR ASSISTANCE FROM THE FUND SHALL REST
12 WITH THE ADMINISTERING AGENCIES. PROGRAM ELEMENTS OF THE FUND
13 SHALL BE ADMINISTERED AS FOLLOWS:

14 (1) FOR RESIDENTIAL HOUSING NEEDS, THE PENNSYLVANIA
15 HOUSING FINANCE AGENCY.

16 (2) FOR RESIDENTIAL CONTENTS AND VEHICLES, THE
17 DEPARTMENT OF PUBLIC WELFARE.

18 (3) FOR BUSINESS AND MUNICIPAL PROGRAMS, THE DEPARTMENT
19 OF COMMUNITY AND ECONOMIC DEVELOPMENT.

20 (C) SMALL DISASTER DECLARATIONS.--A COUNTY EMERGENCY
21 MANAGEMENT DIRECTOR MAY PETITION THE AGENCY FOR A DECLARATION OF
22 A SMALL DISASTER. THE AGENCY'S DETERMINATION ON THE PETITION
23 SHALL BE DEEMED A FINAL ORDER, SUBJECT TO REVIEW UNDER 2 PA.C.S.
24 CH. 7 SUBCH. A (RELATING TO JUDICIAL REVIEW OF COMMONWEALTH
25 AGENCY ACTION).

26 SECTION 904. LOW-INTEREST LOANS TO SMALL DISASTER VICTIMS.

27 ALL LOANS SHALL BEAR INTEREST FOR THE ENTIRE TERM AT A RATE
28 NO GREATER THAN THE ANNUAL COST OF LIVING IN THE YEAR IN WHICH
29 THE LOAN IS GRANTED. INTEREST RATES SHALL BE REVIEWED BY THE
30 ADMINISTERING AGENCY AT THE BEGINNING OF EACH FISCAL YEAR BASED

1 ON GUIDANCE FROM THE OFFICE OF THE BUDGET AND ADJUSTED IN
2 ACCORDANCE WITH THE PRIOR YEAR'S COST OF LIVING. ALL LOANS SHALL
3 COVER ONLY THAT PORTION OF LOSS NOT COVERED BY INSURANCE. LOANS
4 TO BUSINESSES AND RESIDENTIAL LOANS SHALL BE EXTENDED TO
5 INCORPORATE EXISTING DEBT ON THE REAL PROPERTY AND CONTENTS.
6 SECTION 905. BUSINESS AND MUNICIPAL LOANS.

7 (A) BUSINESS LOANS.--

8 (1) LOANS TO BUSINESSES AND MUNICIPALITIES SHALL BE FOR
9 A TERM OF NO MORE THAN 15 YEARS, EXCEPT WHERE THE TERM IS
10 EXTENDED BY HARDSHIP SUSPENSIONS OF PAYMENTS. BUSINESS LOANS
11 SHALL BE SECURED BY A MORTGAGE ON REAL PROPERTY OF THE
12 BUSINESS OR OTHER SUITABLE COLLATERAL.

13 (2) BUSINESS LOANS MAY BE USED TO REPAIR OR REPLACE ALL
14 OF THE FOLLOWING WHEN LOST OR SERIOUSLY DAMAGED DUE TO A
15 SMALL DISASTER:

16 (I) FIXED EQUIPMENT.

17 (II) MAJOR MOVEABLE EQUIPMENT.

18 (III) FURNISHINGS.

19 (IV) REAL PROPERTY.

20 (V) LEASEHOLD IMPROVEMENTS.

21 (VI) INVENTORY, IF IT CAN BE SHOWN THAT AN INSURANCE
22 POLICY AT A REASONABLE PREMIUM IN RELATION TO VALUE WAS
23 NOT AVAILABLE TO REPLACE THE INVENTORY.

24 (3) AT THE DISCRETION OF THE DEPARTMENT OF COMMUNITY AND
25 ECONOMIC DEVELOPMENT, INDIVIDUAL BUSINESS LOANS MAY BE
26 INCREASED UP TO 150% OF ELIGIBLE REPAIR OR REPLACEMENT COSTS
27 TO ASSIST IN BUSINESS RETENTION AND RECOVERY. THE SUM OF ALL
28 BUSINESS LOANS MAY NOT EXCEED MORE THAN ONE-HALF OF ALL FUNDS
29 AVAILABLE FOR EXPENDITURE IN THE PENNCRISIS FUND IN ANY
30 FISCAL YEAR.

1 (B) MUNICIPAL LOANS.--MUNICIPAL AND COUNTY LOANS MAY BE USED
2 FOR REPAIRING OR REPLACING ALL OF THE FOLLOWING WHEN LOST OR
3 SERIOUSLY DAMAGED DUE TO A SMALL DISASTER:

4 (1) BUILDINGS.

5 (2) MAJOR EQUIPMENT OTHER THAN VEHICLES, PLOWS, BACKHOES
6 AND SIMILAR GASOLINE OR DIESEL POWERED MOBILE MACHINERY.

7 (3) OFFICE MACHINES.

8 (4) STREETS.

9 (5) WATER AND SEWER LINES.

10 (6) RECREATIONAL FACILITIES.

11 SECTION 906. RESIDENTIAL LOANS.

12 (A) GENERAL RULE.--RESIDENTIAL LOANS MAY BE MADE ONLY FOR
13 THE REPLACEMENT OR REPAIR OF THE STRUCTURE OF A PRIMARY
14 RESIDENCE AND MUST BE SECURED BY A MORTGAGE ON THE REAL PROPERTY
15 THAT IS THE SUBJECT OF THE LOAN. TENANTS WHO HAVE BEEN FORCED
16 FROM A PRIMARY RENTAL RESIDENCE BY A SMALL DISASTER ARE ELIGIBLE
17 FOR LOANS TO PURCHASE A HOME APPROXIMATELY EQUIVALENT TO THEIR
18 PRIOR RESIDENCE IN SIZE BUT NO SMALLER THAN 400 SQUARE FEET PER
19 INDIVIDUAL OF INTERIOR LIVING SPACE.

20 (B) EXCEPTION.--REPAIRS TO LANDSCAPING, PONDS, POOLS AND
21 OUTBUILDINGS ARE NOT ELIGIBLE FOR PENNCRISIS FUNDING, EXCEPT TO
22 RESPOND TO SERIOUS HAZARDS RESULTING FROM SMALL DISASTER DAMAGE.

23 SECTION 907. GRANTS TO SMALL DISASTER VICTIMS.

24 (A) RESIDENTIAL LOANS.--PERSONS, INCLUDING TENANTS, WHO HAVE
25 LOST CLOTHING, FURNITURE, APPLIANCES, FURNACES, HOT WATER
26 HEATERS OR OTHER CONTENTS OF THEIR PRIMARY RESIDENCES AS THE
27 RESULT OF A SMALL DISASTER SHALL BE ELIGIBLE FOR LOW-INTEREST
28 LOANS NOT TO EXCEED \$7,500 PER PERSON IN MULTIPERSON HOUSEHOLDS
29 AND NOT TO EXCEED \$15,000 IN SINGLE PERSON HOUSEHOLDS. THE TOTAL
30 AMOUNT PER HOUSEHOLD SHALL NOT EXCEED \$25,000. THE INTEREST RATE

1 FOR SUCH LOANS SHALL BE THE CURRENT COST OF LIVING IN THE YEAR
2 OF THE EVENT.

3 (B) RESIDENTIAL GRANTS.--IN THE EVENT THAT INDIVIDUAL
4 FINANCIAL CIRCUMSTANCES INDICATE THAT A PERSON INCURRING LOSSES
5 DESCRIBED IN SUBSECTION (A) DOES NOT REASONABLY HAVE THE ABILITY
6 TO REPAY SUCH ADDITIONAL INDEBTEDNESS, THE ADMINISTERING AGENCY
7 MAY CONVERT SOME OR ALL OF THE AMOUNTS PERMITTED BY SUBSECTION
8 (A) TO GRANTS.

9 (C) EXCESS LOANS.--FOR DOCUMENTABLE LOSSES EXCEEDING THE
10 AMOUNTS SPECIFIED IN SUBSECTION (A), THE ADMINISTERING AGENCY
11 MAY MAKE LOANS TO INDIVIDUALS AT AN INTEREST RATE TWICE THE
12 CURRENT COST OF LIVING.

13 (D) CONTENTS LIMITATIONS.--LOANS AND GRANTS FOR CONTENTS
14 UNDER THIS SECTION SHALL NOT EXCEED ONE-THIRD OF ESTIMATED
15 MARKET VALUE OF THE RESIDENCE PRIOR TO THE SMALL DISASTER.

16 (E) EXCLUSIONS.--PERSONAL ITEMS ELIGIBLE FOR RESIDENTIAL
17 GRANTS AND LOANS SHALL NOT INCLUDE JEWELRY OR OTHER LUXURY ITEMS
18 AND SPORTING EQUIPMENT.

19 SECTION 908. SMALL DISASTER MITIGATION LOANS AND GRANTS.

20 (A) GENERAL RULE.--MUNICIPALITIES AFFECTED BY A SMALL
21 DISASTER MAY APPLY FOR LOANS AND GRANTS TO RECTIFY CONDITIONS OR
22 INADEQUATE PUBLIC FACILITIES THAT LED DIRECTLY TO THE SMALL
23 DISASTER OR CONTRIBUTED SUBSTANTIALLY TO ITS OCCURRENCE OR THE
24 INABILITY OF LOCAL OFFICIALS TO BRING THE DAMAGE UNDER CONTROL.
25 SUBJECTS OF SUCH ASSISTANCE SHALL INCLUDE, BUT ARE NOT LIMITED
26 TO, THE FOLLOWING:

27 (1) MISSING OR INADEQUATE STORM SEWERS OR OTHER WATER
28 MANAGEMENT STRUCTURES, INCLUDING WORK WITHIN STREAM CHANNELS.

29 (2) INADEQUATE FIRE HYDRANTS OR RELATED WATER LINES.

30 (3) WATERSHED PLANS.

1 (4) ENGINEERING STUDIES AND DESIGNS NECESSARY TO EFFECT
2 MITIGATION IMPROVEMENTS.

3 (B) LIMITATION.--SMALL DISASTER MITIGATION ASSISTANCE MAY BE
4 USED ONLY FOR MUNICIPALLY OWNED OR CONTROLLED IMPROVEMENTS.
5 FIREFIGHTING APPARATUS AND OTHER EMERGENCY SERVICES EQUIPMENT
6 AND VEHICLES, INCLUDING TRUCKS, TANKERS AND OTHER VEHICLES, ARE
7 NOT ELIGIBLE FOR MITIGATION ASSISTANCE.

8 (C) CHRONIC FLOODING.--THE COORDINATING AGENCY MAY CONSULT
9 WITH THE DEPARTMENT OF ENVIRONMENTAL PROTECTION TO IDENTIFY
10 AREAS OF CHRONIC FLOODING THAT RESULT IN FREQUENT DAMAGE TO
11 COMMUNITIES BUT WHICH DO NOT RISE TO THE LEVEL OF A SMALL
12 DISASTER. THE COORDINATING AGENCY, IN CONJUNCTION WITH THE
13 DEPARTMENT OF ENVIRONMENTAL PROTECTION, MAY USE UP TO 25% OF THE
14 PENNCRISIS FUND ANNUAL REVENUE, EXCLUSIVE OF CARRYOVER RESERVES,
15 TO PROVIDE GRANTS AND LOANS TO MUNICIPALITIES TO CORRECT SUCH
16 CONDITIONS. ASSISTANCE SHALL FOLLOW THE FORMULA SET FORTH IN
17 SUBSECTION (E).

18 (D) HAZARD MITIGATION.--HAZARD MITIGATION LOANS AND GRANTS
19 SHALL BE SUBJECT TO THE FOLLOWING:

20 (1) GRANTS FOR HAZARD MITIGATION WORK SHALL BE NO MORE
21 THAN \$5,000,000 PER EVENT.

22 (2) LOW-INTEREST LOANS SHALL BE AVAILABLE FOR THE
23 BALANCE OF PROJECT WORK NOT COVERED BY A MITIGATION GRANT.

24 (3) HAZARD MITIGATION LOANS SHALL BEAR INTEREST AT A
25 RATE FIXED AT THE CURRENT YEAR'S COST OF LIVING AND SHALL BE
26 FOR A TERM OF 20 YEARS.

27 (E) FORMULA.--GRANTS AND LOANS SHALL BE AWARDED ON THE
28 FOLLOWING FORMULA:

29 (1) MUNICIPALITIES WITH MEDIAN PER CAPITA PERSONAL
30 INCOME GREATER THAN 20% ABOVE THE STATE MEDIAN PER CAPITA

1 PERSONAL INCOME FOR THE PRECEDING YEAR SHALL BE ELIGIBLE FOR
2 A MITIGATION GRANT OF 50% OF TOTAL PROJECT COSTS.

3 (2) MUNICIPALITIES WITH MEDIAN PER CAPITA PERSONAL
4 INCOME OF BETWEEN 20% LESS THAN AND 20% GREATER THAN THE
5 STATE MEDIAN PER CAPITA PERSONAL INCOME FOR THE PRECEDING
6 YEAR SHALL BE ELIGIBLE FOR A MITIGATION GRANT OF 60% OF TOTAL
7 PROJECT COST.

8 (3) MUNICIPALITIES WITH MEDIAN PER CAPITA PERSONAL
9 INCOME MORE THAN 20% LESS THAN THE STATE MEDIAN PER CAPITA
10 PERSONAL INCOME FOR THE PRECEDING YEAR SHALL BE ELIGIBLE FOR
11 A MITIGATION GRANT OF 70% OF TOTAL PROJECT COST.

12 SECTION 909. THE PENNCRISIS FUND.

13 THERE IS ESTABLISHED UNDER THE JURISDICTION OF THE AGENCY A
14 FUND TO BE CALLED THE PENNCRISIS FUND.

15 (1) BEGINNING WITH SURPLUS REVENUES RECEIVED DURING THE
16 1999-2000 FISCAL YEAR, REVENUE FOR THE PENNCRISIS FUND SHALL
17 BE GENERATED BY RESERVING THE GREATER OF 5% OR \$10,000,000 OF
18 EACH YEAR'S SURPLUS REVENUES TO THE COMMONWEALTH GENERATED BY
19 ALL TAXES AND FEES DEPOSITED INTO THE GENERAL FUND.

20 (2) IN A FISCAL YEAR, THE BALANCE OF THE PENNCRISIS FUND
21 SHALL NOT EXCEED \$100,000,000; AND THE SUM AVAILABLE FOR
22 EXPENDITURE SHALL NOT EXCEED \$50,000,000.

23 (3) REVENUE SHALL BE PLACED INTO A DEDICATED FUND
24 RESERVED FOR THE PROGRAMS AUTHORIZED UNDER THE PENN CRISIS
25 FUND. DEPOSITS INTO THE FUND SHALL NOT LAPSE BUT BE CARRIED
26 FORWARD FROM YEAR TO YEAR. UP TO ONE-HALF OF FUNDS ON RESERVE
27 AND TO BE EARNED BY THE END OF ANY FISCAL YEAR MAY BE USED TO
28 PAY THE COMMONWEALTH'S MATCHING SHARE FOR ANY MAJOR DISASTER
29 DECLARED ELIGIBLE FOR FEDERAL ASSISTANCE BY THE PRESIDENT OF
30 THE UNITED STATES. THE NEED FOR FEDERAL MATCHING FUNDS FOR

1 ANY SPECIFIC MAJOR DISASTER EVENT MAY NOT ENCUMBER PENNCRISIS
2 REVENUES IN YEARS BEYOND THE YEAR OF THE MAJOR EVENT.

3 SECTION 910. TRAINING, ADMINISTRATION AND OPERATIONS.

4 (A) SPECIALIZED STAFF.--THE AGENCY AND EACH ADMINISTERING
5 AGENCY UNDER SECTION 903 SHALL RECRUIT, TRAIN AND DEVELOP STAFF
6 SPECIALIZING IN SMALL DISASTER ASSISTANCE IN THEIR RESPECTIVE
7 PROGRAM AREAS. THE STAFF SECTIONS SHALL BE DEPLOYED BY EACH
8 ADMINISTERING AGENCY IN RESPONSE TO A DECLARED SMALL DISASTER,
9 AS DIRECTED BY THE AGENCY. THESE PERSONNEL SHALL ALSO BE
10 AVAILABLE TO THE AGENCY AT THE DIRECTION OF THE GOVERNOR TO
11 RESPOND TO ANY MAJOR DISASTER IN THIS COMMONWEALTH.

12 (B) FUNDING FOR STAFF.--THE AGENCY AND EACH ADMINISTERING
13 AGENCY SHALL RECEIVE \$1,000,000 ANNUALLY, OR AS MUCH THEREOF AS
14 IS NECESSARY, FROM THE PENNCRISIS FUND TO CREATE A PERMANENTLY
15 STAFFED SMALL DISASTER RESPONSE TEAM. WHEN EACH AGENCY'S SMALL
16 DISASTER RESPONSE TEAM IS DEPLOYED ON ASSIGNMENT, THE
17 COORDINATING AGENCY SHALL REIMBURSE THE AGENCY FROM THE
18 PENNCRISIS FUND FOR STANDARD AND NECESSARY TRAVEL AND LIVING
19 COSTS FOR EACH TEAM DEPLOYED TO THE SMALL DISASTER. EXPENDITURES
20 UNDER THIS CATEGORY SHALL NOT EXCEED 10% OF THE REVENUE RECEIVED
21 BY THE PENNCRISIS FUND IN A FISCAL YEAR.

22 (C) AUTHORITY TO APPROVE EXPENDITURES.--IN RESPONSE TO ANY
23 SMALL DISASTER, THE AGENCY SHALL HAVE FINAL AUTHORITY TO APPROVE
24 EXPENDITURES OF PENNCRISIS FUNDS FOR ANY ADDITIONAL PURPOSES IT
25 DEEMS NECESSARY TO SMALL DISASTER RECOVERY UNLESS THE USES ARE
26 SPECIFICALLY PROHIBITED BY THIS CHAPTER.

27 SECTION 911. INSURANCE COVERAGE.

28 ALL LOAN RECIPIENTS SHALL MAINTAIN ADEQUATE PROPERTY
29 INSURANCE COVERAGE FOR THE FULL VALUE OF THE SUBJECT PROPERTY
30 FOR THE TERM OF THE DISASTER ASSISTANCE LOAN AND SHALL INCLUDE

1 FLOOD INSURANCE COVERAGE IF THE PROPERTY IS LOCATED WITHIN A
2 100-YEAR FLOOD PLAIN.

3 SECTION 3. SECTION 5102 OF THE ACT IS AMENDED TO READ:
4 SECTION 5102. APPROPRIATIONS.

5 (A) DROUGHT RELIEF.--THE SUM OF \$60,000,000, OR AS MUCH
6 THEREOF AS MAY BE NECESSARY, IS HEREBY APPROPRIATED TO THE
7 DEPARTMENT OF AGRICULTURE TO CARRY OUT THE PROVISIONS OF CHAPTER
8 3. ANY FUNDS NOT NEEDED FOR THE PURPOSES OF CHAPTER 3 SHALL
9 LAPSE TO THE GENERAL FUND ON DECEMBER 31, 2000.

10 (B) CROP INSURANCE.--THE SUM OF \$5,600,000, OR AS MUCH AS
11 MAY BE NECESSARY, IS HEREBY APPROPRIATED TO THE DEPARTMENT OF
12 AGRICULTURE TO PROVIDE PAYMENT FOR CROP INSURANCE [UNDER THE
13 USDA-FSA 1999 CROP DISASTER PROGRAM] IN AN AMOUNT UP TO 10% OF
14 THE COST OF THE INSURANCE PREMIUMS AND THE TOTAL AMOUNT OF ALL
15 RELATED FEES FOR [ELIGIBLE] PRODUCERS[, AS DEFINED IN CHAPTER
16 3,] OF AGRICULTURAL COMMODITIES DURING CALENDAR YEARS 2000 AND
17 2001. IF SUFFICIENT FUNDS ARE NOT AVAILABLE TO PROVIDE FOR UP TO
18 10% OF THE COST OF THE INSURANCE PREMIUMS AND THE TOTAL AMOUNT
19 OF ALL RELATED FEES, THE DEPARTMENT OF AGRICULTURE SHALL PRORATE
20 THE AVAILABLE FUNDS AMONG ALL THE [ELIGIBLE] PRODUCERS OF
21 AGRICULTURAL COMMODITIES WHO APPLIED. ANY UNUSED FUNDS SHALL
22 LAPSE INTO THE GENERAL FUND ON JUNE 30, 2001.

23 (C) ORCHARD AND NURSERY INDEMNITY.--THE SUM OF \$2,000,000,
24 OR AS MUCH THEREOF AS MAY BE NECESSARY, IS HEREBY APPROPRIATED
25 TO THE DEPARTMENT OF AGRICULTURE TO CARRY OUT THE PROVISIONS OF
26 CHAPTER 5. ANY FUNDS NOT NEEDED FOR THE PURPOSES OF CHAPTER 5
27 SHALL LAPSE TO THE GENERAL FUND ON JUNE 30, 2001.

28 (D) PUBLIC ASSISTANCE AND HAZARD MITIGATION.--THE SUM OF
29 \$10,000,000, OR AS MUCH THEREOF AS MAY BE NECESSARY, IS HEREBY
30 APPROPRIATED TO THE PENNSYLVANIA EMERGENCY MANAGEMENT AGENCY FOR

1 THE MATCH REQUIRED FOR FEDERAL DISASTER FUNDS FOR THE AUGUST AND
2 SEPTEMBER 1999 DISASTERS FOR PUBLIC ASSISTANCE AND HAZARD
3 MITIGATION TO BE ALLOCATED BY THE OFFICE OF THE BUDGET AMONG
4 THESE DISASTERS AND PROGRAMS. THIS APPROPRIATION SHALL BE A
5 CONTINUING APPROPRIATION.

6 (E) SUPPLEMENTAL INDIVIDUAL ASSISTANCE PROGRAM.--THE SUM OF
7 \$5,000,000 IS HEREBY APPROPRIATED FROM THE GENERAL FUND FOR
8 ALLOCATION BY THE GOVERNOR FOR PAYMENT OF THE COMMONWEALTH'S
9 SHARE NECESSARY TO SECURE INDIVIDUAL AND FAMILY ASSISTANCE FROM
10 THE FEDERAL GOVERNMENT UNDER THE PROVISIONS OF THE ROBERT T.
11 STAFFORD DISASTER RELIEF AND EMERGENCY ASSISTANCE ACT (PUBLIC
12 LAW 93-288, 88 STAT. 143) AND FOR PAYMENT OF SUPPLEMENTAL
13 INDIVIDUAL ASSISTANCE PROGRAM GRANTS AUTHORIZED PURSUANT TO
14 CHAPTER 7. THIS SUBSECTION SHALL BE CONSTRUED IN A MANNER WHICH
15 SECURES THE MAXIMUM AVAILABLE FEDERAL FUNDING FOR INDIVIDUAL AND
16 FAMILY ASSISTANCE. ANY UNUSED FUNDS NOT NEEDED FOR PURPOSES OF
17 THIS APPROPRIATION SHALL LAPSE TO THE GENERAL FUND ON JUNE 30,
18 2000.

19 (F) OTHER FEDERAL FUNDING.--NOTHING IN THIS ACT SHALL
20 SUPPLANT OR REPLACE ANY FUNDS OTHERWISE AVAILABLE FROM THE
21 FEDERAL GOVERNMENT.

22 (G) PENNCRISIS.--THE SUM OF \$10,000,000, OR AS MUCH THEREOF <—
23 AS MAY BE NECESSARY, IS HEREBY APPROPRIATED TO THE SMALL
24 DISASTER ASSISTANCE FUND FOR THE FISCAL YEAR JULY 1, 2000, TO
25 JUNE 30, 2001, TO CARRY OUT THE PROVISIONS OF CHAPTER 9.

26 ~~Section 2. This act shall take effect immediately.~~ <—

27 SECTION 4. WHEN THE PENNSYLVANIA EMERGENCY MANAGEMENT AGENCY <—
28 DETERMINES THAT FEDERAL LEGISLATION IS IN EFFECT TO PROHIBIT THE
29 FEDERAL EMERGENCY MANAGEMENT AGENCY FROM CONSIDERING THE
30 EXISTENCE OF STATE SMALL DISASTER FUNDS IN THE RECOMMENDATION OF

1 A PRESIDENTIAL DECLARATION OF A MAJOR DISASTER, THE PENNSYLVANIA
2 EMERGENCY MANAGEMENT AGENCY SHALL TRANSMIT TO THE LEGISLATIVE
3 REFERENCE BUREAU A NOTICE OF THE DETERMINATION FOR PUBLICATION
4 IN THE PENNSYLVANIA BULLETIN.

5 SECTION 5. UNTIL PUBLICATION OF THE NOTICE UNDER SECTION 4
6 OF THIS ACT, THE GOVERNOR IS AUTHORIZED TO TRANSFER, UNDER 35
7 PA.C.S. § 7307, UP TO \$10,000,000, FOR LOANS AND GRANTS IN
8 ACCORDANCE WITH SECTIONS 904 THROUGH 908 OF THE ACT. THIS
9 SECTION CONSTITUTES ACTION BY THE GENERAL ASSEMBLY UNDER 35
10 PA.C.S. § 7307 TO PERMIT EXCEEDING THE FIGURE SET FORTH IN 35
11 PA.C.S. § 7307. THIS SECTION SHALL EXPIRE JUNE 30, 2001.

12 SECTION 6. THIS ACT SHALL TAKE EFFECT AS FOLLOWS:

13 (1) THE FOLLOWING PROVISIONS SHALL TAKE EFFECT JULY 1,
14 2000, OR IMMEDIATELY, WHICHEVER IS LATER:

15 (I) THE ADDITION OF SECTIONS 901, 902, 904, 905,
16 906, 907, 908 AND 911 OF THE ACT.

17 (II) SECTION 5 OF THIS ACT.

18 (2) THE FOLLOWING PROVISIONS SHALL TAKE EFFECT UPON
19 PUBLICATION OF THE NOTICE UNDER SECTION 4 OF THIS ACT:

20 (I) THE AMENDMENT OF THE TITLE OF THE ACT.

21 (II) THE ADDITION OF SECTIONS 903, 909 AND 910 OF
22 THE ACT.

23 (III) THE ADDITION OF SECTION 5102(G) OF THE ACT.

24 (3) THE REMAINDER OF THIS ACT SHALL TAKE EFFECT
25 IMMEDIATELY.