

No. 1978-51

AN ACT

SB 1106

Providing for grants to persons for property damaged or destroyed by flood, establishing the basis for the grants, and making an appropriation.

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

Section 1. (a) Upon receipt and approval of a sworn application by any person for nonbusiness or nonfarm personal property damaged or destroyed by the floods of July 1977, the Office of the Governor may make a grant to cover a portion of the adjusted loss.

(b) Total loss shall be computed in accordance with standards applied by the United States Government pursuant to the Civil Disaster Relief Act of 1970 and United States Public Law 92-385 for persons whose property was damaged by the floods of September 1971 and June 1972. The total loss shall not include any preflood indebtedness, business or farm losses, nor any loss covered by insurance. The adjusted loss of the applicant shall be the total loss less the amount received by the applicant from the Department of Public Welfare pursuant to the provisions of section 408 of the Federal Disaster Relief Act of 1974.

(c) The amount of the grant shall be determined in accordance with the following provisions:

(1) For the first \$5,000 of the adjusted loss, the grant shall be 30% thereof.

(2) For the second \$5,000 of the adjusted loss, the grant shall be 20% thereof.

(3) For the third \$5,000 of the adjusted loss, the grant shall be 10% thereof.

(4) For the balance of the adjusted loss the grant shall be 5% thereof, but the total grant shall not exceed \$4,000.

Section 2. If real property was condemned under eminent domain proceedings and where measure of damage is calculated under section 602 of the act of June 22, 1964 (P.L.84, No.6), known as the "Eminent Domain Code," said owner shall not be eligible for the grant provided in section 1.

Section 3. All grants under this act shall be administered by the Department of Public Welfare and all applications for grants shall be submitted to that department within 120 days after the effective date of this act. If sufficient funds are not allocated herein, distribution of grants shall be on a pro rata basis.

Section 4. A sum not to exceed \$10,000,000 may be allocated by the Governor for the purpose of administering and implementing this act from funds made available to the Governor for providing disaster relief and

assistance for victims of the Great Flood of July 1977 by the act of August 20, 1977 (P.L.411, No.11A), known as the "General Appropriation Act of 1977." Notwithstanding the provisions of section 10 of the "General Appropriation Act of 1977," no funds appropriated to the Governor for allocation by the Governor for providing disaster relief and assistance for victims of the Great Flood of July 1977 shall lapse prior to July 1, 1979.

Section 5. Any person making a false claim under the provisions of this act shall be subject to a penalty in the amount of three times the amount of the grant with interest at the rate of 6% from the date of the grant. Such a penalty may be enforced by the Commonwealth in an assumpsit action and collected in the manner that other debts due and owing the Commonwealth are collected.

Section 6. This act shall take effect immediately.

Office of the Secretary of the Commonwealth

April 28, 1978

I do certify that the above bill, entitled "An act providing for grants to persons for property damaged or destroyed by flood, establishing the basis for the grants, and making an appropriation," was presented to the Governor on the eighteenth day of April, one thousand nine hundred and seventy-eight, and was not returned within ten days after it had been presented to him, wherefore it has, agreeably to the Constitution of this Commonwealth, become a law in like manner as if he had signed it.

Barton A. Fields
Secretary of the Commonwealth

Note. The date of final enactment of Act No. 1978-51 is Apr. 28, 1978.