

103D CONGRESS  
1ST SESSION

# S. 144

To waive certain requirement under the Small Business Act for disaster relief assistance.

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IN THE SENATE OF THE UNITED STATES

JANUARY 21 (legislative day, JANUARY 5), 1993

Mr. INOUYE introduced the following bill; which was read twice and referred to the Committee on Small Business

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## A BILL

To waive certain requirement under the Small Business Act for disaster relief assistance.

1       *Be it enacted by the Senate and House of Representa-  
2       tives of the United States of America in Congress assembled,*

3 **SECTION 1. WAIVER OF REQUIREMENTS.**

4       Notwithstanding any provision of the Small Business  
5 Act, a qualifying business that has suffered economic in-  
6 jury as a result of Hurricane Andrew, Hurricane Iniki,  
7 or Typhoon Omar, shall be eligible to apply for and to  
8 receive loan assistance in accordance with section 7(b)(2)  
9 of the Small Business Act, without regard to—

10           (1) the size of the qualifying business;

## 6 SEC. 2. QUALIFYING BUSINESSES.

7 For purposes of this Act, a qualifying business is—

8 (1) a regulated public utility company, if—

13 (B) the public utility is not physically con-  
14 nected to any other public utility service that  
15 can provide the same type of services to cus-  
16 tomers of the affected public utility company;

17 (C) the cost to repair, reconstruct, and re-  
18 store the facilities of the public utility company  
19 is equal to not less than 20 percent of the dol-  
20 lar value of its facilities prior to the occurrence  
21 of the disaster: and

22 (D) the regulated public utility had not  
23 more than 500,000 customers at the time of the  
24 disaster;

3 (A) such provider is the only transpor-  
4 tation link to the areas affected by the disaster,  
5 other than by carriage over water; and

6 (B) assistance provided in accordance with  
7 this Act and section 7(b)(2) of the Small Busi-  
8 ness Act will be used to finance repair, recon-  
9 struction, and restoration of the provider's fa-  
10 cilities as they existed prior to the occurrence of  
11 the disaster; and

## 17 SEC. 3. DEFINITIONS.

18 For purposes of this Act—

1       a public utility or public service commission or other  
2       similar body of the District of Columbia, Guam, or  
3       of any State or political subdivision thereof; and

4               (2) the term “disaster area” means any area  
5       affected by a major disaster, as declared by the  
6       President in accordance with section 401 of the Rob-  
7       ert T. Stafford Disaster Relief and Emergency As-  
8       sistance Act, as a result of the occurrences of Hurri-  
9       cane Andrew, Hurricane Iniki, or Typhoon Omar.

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