

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 11

Session of
1975

INTRODUCED BY HOLL, JANUARY 7, 1975

AS RE-REPORTED FROM COMMITTEE ON APPROPRIATIONS, HOUSE OF
REPRESENTATIVES, AS AMENDED, MARCH 29, 1976

AN ACT

1 ~~Providing for reimbursement of costs incurred by volunteer fire,~~ <—
2 ~~and ambulance AND RESCUE companies for services rendered on~~ <—
3 ~~Commonwealth property including legal costs arising~~
4 ~~therefrom; requiring the Department of Justice to provide~~
5 ~~legal representation in certain cases; and making an~~
6 ~~appropriation.~~
7 AUTHORIZING VOLUNTEER FIRE, AMBULANCE AND RESCUE COMPANIES AND <—
8 MEMBERS THEREOF TO ENTER STATE PREMISES TO FIGHT FIRE UNDER
9 CERTAIN CONDITIONS; AND PROVIDING FOR LEGAL ADVICE FROM THE
10 ATTORNEY GENERAL FOR SUCH PERSONS IN CERTAIN CASES.

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

13 ~~Section 1. The Commonwealth recognizes the desirability and~~ <—
14 ~~value of services performed in its behalf by volunteer fire,~~
15 ~~companies and volunteer ambulance AND RESCUE companies within~~ <—
16 ~~this Commonwealth. The purpose of this act is to facilitate such~~
17 ~~service and to encourage its continued availability.~~

18 ~~Section 2. Each and every volunteer fire, company or~~
19 ~~volunteer ambulance AND RESCUE company, OR MEMBER THEREOF,~~ <—
20 ~~located within this Commonwealth shall be reimbursed for legal~~
21 ~~expenses incurred with respect to services performed by said~~

~~companies at or in connection with facilities on premises owned or leased by the Commonwealth.~~

~~Section 3. The Department of Justice shall provide, without cost to such volunteer companies, legal counsel for the purpose of defending any legal action arising out of or in connection with any services performed on behalf of the Commonwealth by such companies with respect to such facilities or premises.~~

~~Section 4. In any case where a conflict of interest prevents the Department of Justice from providing legal counsel as provided in section 3 of this act, the Commonwealth shall reimburse the volunteer fire, company or volunteer ambulance OR RESCUE ambulance company OR MEMBER THEREOF for the cost incurred by the company in defending such legal action, legal fees being subject to approval by the court wherein the action is filed, except that this act shall not be construed to:~~

~~(1) make the Commonwealth liable for any judgment or liability resulting in such action by virtue of such service; or~~

~~(2) create a right of reimbursement from the Commonwealth to such volunteer companies with respect to such liability or judgment.~~

~~Section 5. The sum of \$100,000 or as much thereof as may be necessary is hereby appropriated to the Department of Property and Supplies to carry out the performance of this act.~~

~~Section 6. This act shall take effect immediately, provided that the provisions of sections 3 and 4 shall apply to legal services arising from services rendered prior to the effective date of this act.~~

~~SECTION 1. WHEN REQUESTED BY A STATE OFFICER OR HIS DEPUTY SERVING AS CUSTODIAN OF THE PREMISES, A VOLUNTEER FIRE, AMBULANCE AND RESCUE COMPANY OR ANY MEMBER THEREOF IS AUTHORIZED~~

1 TO ENTER COMMONWEALTH-OWNED PREMISES FOR THE PURPOSE OF FIGHTING
2 A FIRE.

3 SECTION 2. THE ATTORNEY GENERAL SHALL PROVIDE FREE LEGAL
4 ASSISTANCE TO ANY VOLUNTEER FIRE, AMBULANCE AND RESCUE COMPANY
5 OR MEMBER THEREOF WHO HAS ENTERED STATE LANDS AND PREMISES FOR
6 THE PURPOSE OF FIGHTING A FIRE WHEN SUCH AMBULANCE OR RESCUE
7 COMPANY OR MEMBER THEREOF IS JOINED AS A DEFENDANT IN ANY CIVIL
8 ACTION ARISING OUT OF THE PERFORMANCE OF HIS OR ITS DUTY UNDER
9 THIS ACT IN FIGHTING A FIRE AFTER ENTERING STATE PREMISES ON
10 PROPER REQUEST.

11 SECTION 3. THE PROVISIONS OF THIS ACT SHALL BE RETROACTIVE
12 TO JANUARY 1, 1974.

13 SECTION 4. THIS ACT SHALL TAKE EFFECT IMMEDIATELY.