

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 115 Session of
1989

INTRODUCED BY E. Z. TAYLOR, COY, SCHULER, NOYE, LETTERMAN,
GLADECK, DALEY, HERMAN, FARGO, GEIST, McHALE, J. L. WRIGHT,
VROON, FOX, TRELLO, MORRIS, FLICK, MERRY, BORTNER, STAIRS,
ROBBINS, VEON, REBER, SEMMEL AND SAURMAN, JANUARY 25, 1989

REFERRED TO COMMITTEE ON EDUCATION, JANUARY 25, 1989

AN ACT

1 Authorizing agreements between institutions of the State System
2 of Higher Education and emergency service providers;
3 providing for payments and certain legal services; and making
4 an appropriation.

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

7 Section 1. Short title.

8 This act shall be known and may be cited as the State System
9 of Higher Education Emergency Service Act.

10 Section 2. Declaration of Policy.

11 The General Assembly hereby makes the following legislative
12 findings:

13 (1) The Commonwealth has a considerable investment in
14 facilities and equipment in the State System of Higher
15 Education.

16 (2) The Commonwealth has an obligation to provide
17 protection against loss of facilities, equipment and lives by
18 fire or other disasters on the premises of the universities

of the system.

(3) It is more efficient and economically sound for any university of the system to enter into agreements with existing volunteer fire, ambulance and rescue squads or companies in adjacent municipalities for these essential services rather than to equip and staff their own fire, ambulance and rescue squads.

Section 3. Definitions.

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

"Chancellor." The chancellor of the State System of Higher Education.

"Emergency service provider." Any volunteer fire, ambulance or rescue squad or company.

"System." The State System of Higher Education.

"University." Any member institution of the State System of Higher Education.

Section 4. Agreements authorized.

Each university is hereby authorized to enter into agreements with emergency service providers to provide emergency services to their campuses. The total amount payable by any university in the system for the provision of emergency services pursuant to agreements entered into pursuant to this section shall not exceed the limits established in section 5.

Section 5. Computation of limits for payments.

Each university in the system shall annually compute and certify to the chancellor the on-campus, full-time equivalent enrollment as of the third full week of classes for the spring term. The enrollment figure thereby determined shall be

multiplied by \$4, and the resulting product shall be the maximum amount the university may expend for emergency services, pursuant to agreements entered into under this act, for the next ensuing fiscal year. The chancellor shall verify the figures submitted and shall reimburse each university for its actual expenditures for emergency services, within the limits established pursuant to this section, with funds specifically appropriated annually by the General Assembly for this purpose.

Section 6. Certification of operating expenses by emergency service providers.

Each emergency service provider who was party to an agreement with a university of the system as authorized by this act shall annually submit a complete certified report of its operating expenses for the year for which the payments were made. The chancellor shall prescribe the exact contents and filing date for the report.

Section 7. Provision of legal services to emergency service providers.

In any legal action arising out of or in connection with any services performed on behalf of any university of the system by such emergency service provider with respect to such State facilities or premises, the Commonwealth, out of funds appropriated to the university system, shall reimburse the emergency service provider for the cost incurred by it in defending such legal action. In any such legal action, the emergency service provider shall be reimbursed for 50% of the total costs, up to a maximum of \$5,000. This section shall not be construed to:

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

1 or

2 (2) create a right of reimbursement from the
3 Commonwealth to such emergency service provider with respect
4 to such liability or judgment.

5 Section 8. Appropriation.

6 The sum of \$310,000, or as much thereof as may be necessary,
7 is hereby appropriated to the State System of Higher Education
8 to carry out the provisions of this act.

9 Section 9. Effective date.

10 This act shall take effect July 1, 1989.