

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1578 Session of
2003

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SAINATO, SANTONI, SHANER AND STABACK, JUNE 10, 2003

REFERRED TO COMMITTEE ON APPROPRIATIONS, JUNE 10, 2003

AN ACT

1 Establishing and funding grant programs for municipal fire
2 companies, emergency service entities and water or vehicle
3 rescue squads and for shared municipal services; establishing
4 the Municipal Firefighter and Emergency Service Advisory
5 Board and the Municipal Firefighter and Emergency Service
6 Grant Fund; and making an appropriation.

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17 The General Assembly of the Commonwealth of Pennsylvania

18 hereby enacts as follows:

19 CHAPTER 1

20 PRELIMINARY PROVISIONS

21 Section 101. Short title.

22 This act shall be known and may be cited as the Municipal

23 Firefighter and Emergency Services Grant Act.

24 Section 102. Definitions.

25 The following words and phrases when used in this act shall

26 have the meanings given to them in this section unless the

27 context clearly indicates otherwise:

28 "Advanced life support services." The term shall have the

29 meaning given to it in the act of July 3, 1985 (P.L.164, No.45),

30 known as the Emergency Medical Services Act.

1 "Advisory board." The Municipal Firefighter and Emergency
2 Services Advisory Board established in Chapter 9.

3 "Agency." The Pennsylvania Emergency Management Agency.

4 "Basic life support services." The term shall have the
5 meaning given to it in the act of July 3, 1985 (P.L.164, No.45),
6 known as the Emergency Medical Services Act.

7 "Commissioner." The State Fire Commissioner.

8 "Department." The Department of Community and Economic
9 Development of the Commonwealth.

10 "Eligible municipality." A city of the first class, second
11 class, second class A or third class, township of the first
12 class or second class, borough or incorporated town located in
13 this Commonwealth.

14 "Emergency service entity." Any nonprofit chartered
15 corporation, association or organization located in this
16 Commonwealth which is licensed by the Department of Health and
17 is not associated or affiliated with a hospital and which is
18 regularly engaged in the provision of emergency medical
19 services, including basic life support or advanced life support
20 services and the transportation of patients. The term does not
21 include any corporation, association or organization that is
22 primarily engaged in the operation of invalid coaches which are
23 intended for the routine transport of persons who are
24 convalescent or otherwise nonambulatory and do not ordinarily
25 require emergency medical treatment while in transit.

26 "Facility." A structure or portion thereof intended for the
27 purpose of storage or protection of firefighting apparatus,
28 ambulances and rescue vehicles and related equipment and gear.
29 The term does not include meeting halls, social halls, social
30 rooms, lounges or any other facility not directly related to

1 firefighting or the furnishing of emergency services.

2 "Fiscal year." One full year beginning on July 1 and ending
3 on June 30 of the next calendar year.

4 "Fund." The Municipal Firefighter and Emergency Services
5 Grant Fund established pursuant to section 1101.

6 "Grant program." The Municipal Firefighter and Emergency
7 Services Grant Program, and any of its component parts, the
8 Emergency Services Entities Grant Program established under
9 Chapter 5 and the Shared Municipal Services Grant Program
10 established under Chapter 7.

11 "Invalid coach." The term shall have the meaning given to it
12 in the act of July 3, 1985 (P.L.164, No.45), known as the
13 Emergency Medical Services Act.

14 "Shared service agreement." Any agreement, by contract,
15 between two or more municipalities whereby the municipalities
16 involved cooperatively share one or more public services.

17 "Water or vehicle rescue company." A nonprofit chartered
18 corporation, association or organization that provides rescue
19 services as part of the response to fires or accidents involving
20 vehicles or occurring in a body of water.

21 CHAPTER 3

22 MUNICIPAL FIRE COMPANY GRANT PROGRAM

23 Section 301. Establishment.

24 The Municipal Fire Company Grant Program is hereby
25 established and shall be administered by the advisory board in
26 consultation with the agency. Grants provided under this program
27 shall be used to continually improve and enhance the
28 capabilities of the municipal fire company to provide
29 firefighting and emergency services.

30 Section 302. Guidelines and procedures.

1 The advisory board, in consultation with the agency, shall
2 develop guidelines, procedures and all applications necessary to
3 implement the grant program. The advisory board shall submit the
4 guidelines, procedures and applications to the Legislative
5 Reference Bureau for publication in the Pennsylvania Bulletin
6 within 30 days after the effective date of this chapter.

7 Section 303. Award of grants.

8 (a) Authorization.--The advisory board is hereby authorized
9 to make grant awards to each eligible municipality to be used
10 for the following:

11 (1) Construction or renovation of the fire company's
12 facility and purchase or repair of fixtures, furnishings,
13 office equipment and support services necessary to maintain
14 or improve the capability of the company to provide
15 firefighting and emergency services.

16 (2) Purchase or repair of equipment used to provide
17 firefighting and emergency services.

18 (3) Retirement or reduction of debt accumulated through
19 the construction or renovation of facilities, purchase or
20 repair of fixtures, furnishings, office equipment and support
21 services or the purchase or repair of equipment.

22 (4) Reasonable costs associated with training or
23 certification of members.

24 (5) Any expenditures that, as determined by the advisory
25 board, enhance or improve the delivery of firefighting and
26 emergency services.

27 (b) Eligibility and limits.--

28 (1) To receive grant funds under this chapter, a
29 municipal fire company shall have actively responded to one
30 or more fire or rescue emergencies since July 1, 2003, and

1 must sign an agreement to actively participate in the
2 Pennsylvania Fire Information Reporting System administered
3 by the agency.

4 (2) All grant awards shall be determined by the advisory
5 board on a competitive basis.

6 (c) Application.--

7 (1) The advisory board shall provide applications and a
8 program summary for grants under this chapter to the fire
9 chief and president of every municipal fire company in this
10 Commonwealth on or before July 31 of each fiscal year. The
11 program summary shall include, but not be limited to:

12 (i) Limitations on the use of grants.

13 (ii) Eligibility criteria.

14 (iii) Amount of funding available for the current
15 fiscal year.

16 (2) Municipal fire companies seeking grants under this
17 chapter shall submit completed applications to the advisory
18 board on or before October 1 of each fiscal year.

19 (d) Advisory board action.--The advisory board shall act to
20 approve or disapprove the application by December 1 of each
21 fiscal year. Applications which have not been approved or
22 disapproved by the advisory board by December 1 shall be deemed
23 approved.

24 CHAPTER 5

25 EMERGENCY SERVICES ENTITIES GRANT PROGRAM

26 Section 501. Establishment.

27 The Emergency Services Entities Grant Program is hereby
28 established and shall be administered by the advisory board.
29 Grants provided under this program shall be used to continually
30 improve and enhance the capabilities of emergency service

1 entities to provide ambulance, emergency medical, basic and
2 advanced life support and general rescue services.

3 Section 502. Guidelines and procedures.

4 The advisory board shall develop guidelines, procedures and
5 all applications necessary to implement the grant program. The
6 advisory board shall submit the guidelines, procedures and
7 applications to the Legislative Reference Bureau for publication
8 in the Pennsylvania Bulletin within 30 days after the effective
9 date of this chapter.

10 Section 503. Award of grants.

11 (a) Authorization.--The advisory board is hereby authorized
12 to make grant awards to each eligible emergency service entity
13 and water or vehicle rescue company for the following:

14 (1) Construction or renovation of the emergency service
15 entities' facilities and purchase or repair of fixtures,
16 furnishings, office equipment and support services necessary
17 to maintain or improve the capability of the emergency
18 service entity to provide ambulance, emergency medical, basic
19 and advanced life support and general rescue services.

20 (2) Purchase or repair of ambulance or rescue equipment.

21 (3) Retirement or reduction of debt accumulated through
22 the construction or renovation of facilities, purchase or
23 repair of fixtures, furnishings, office equipment and support
24 services or the purchase or repair of equipment.

25 (4) Reasonable costs associated with training and
26 certification of members.

27 (5) Any expenditures that, as determined by the advisory
28 board, enhance or improve the delivery of emergency services.

29 (b) Eligibility and limits.--

30 (1) To receive grant funds under this chapter, an

1 emergency service entity or a water or vehicle rescue company
2 shall have actively responded to one or more emergency
3 medical situations or water or vehicle rescue emergencies
4 since July 1, 2003.

5 (2) No emergency service entity or water or vehicle
6 rescue company shall be eligible for more than one grant
7 award per each fiscal year.

8 (3) All grant awards shall be determined by the advisory
9 board on a competitive basis.

10 (c) Application.--

11 (1) The advisory board shall provide applications and a
12 program summary for grants under this chapter to the fire
13 chief and president of every emergency service entity and
14 water or vehicle rescue company in this Commonwealth on or
15 before July 31 of each fiscal year. The program summary shall
16 include, but not be limited to:

17 (i) Limitations on the use of grants.

18 (ii) Eligibility criteria.

19 (iii) Amount of funding available for the current
20 fiscal year.

21 (2) Emergency service entities and water or vehicle
22 rescue companies seeking grants under this chapter shall
23 submit completed applications to the advisory board on or
24 before October 1 of each fiscal year.

25 (d) Agency action.--The agency shall act to approve or
26 disapprove the application by December 1 of each fiscal year.
27 Applications which have not been approved or disapproved by the
28 agency by December 1 shall be deemed approved.

29 CHAPTER 7

30 SHARED MUNICIPAL SERVICES GRANT PROGRAM

1 Section 701. Establishment.

2 The Shared Municipal Services Grant Program is hereby
3 established and shall be administered by the advisory board.
4 Grants provided under this program shall be used to improve and
5 enhance the quality and reduce the cost of municipal services by
6 providing financial assistance for the sharing of services.

7 Section 702. Guidelines and procedures.

8 The advisory board, in consultation with the department,
9 shall promulgate the rules, regulations, guidelines, procedures
10 and all applications necessary to implement the grant program.
11 The advisory board shall submit the rules, regulations,
12 guidelines, procedures and applications to the Legislative
13 Reference Bureau for publication in the Pennsylvania Bulletin
14 within 90 days of the effective date of this chapter.

15 Section 703. Award of grants.

16 (a) Authorization.--The advisory board is hereby authorized
17 to make grant awards to an eligible municipality for the purpose
18 of providing financial assistance for implementing a shared
19 service agreement. Nothing in this chapter shall prevent an
20 eligible municipality from using funds from a grant program
21 award for a shared service agreement for volunteer fire company
22 or emergency service entity.

23 (b) Limits.--No more than one grant award shall be provided
24 for each shared service agreement. However, nothing in this
25 chapter shall prevent any municipality from receiving the direct
26 benefit of more than one grant award, provided that municipality
27 has entered into more than one shared service agreement.

28 (c) Time for filing application and advisory board action.--
29 The advisory board shall make available applications for grants
30 under this chapter to be submitted on a rolling basis throughout

1 the fiscal year.

2 CHAPTER 9

3 MUNICIPAL FIREFIGHTER AND EMERGENCY

4 SERVICES ADVISORY BOARD

5 Section 901. Establishment.

6 (a) Establishment.--There is hereby established within the
7 agency a Municipal Firefighter and Emergency Services Advisory
8 Board.

9 (b) Composition.--The advisory board shall be composed of
10 the following:

11 (1) One member appointed by the Majority Leader of the
12 Senate.

13 (2) One member appointed by the Minority Leader of the
14 Senate.

15 (3) One member appointed by the Majority Leader of the
16 House of Representatives.

17 (4) One member appointed by the Minority Leader of the
18 House of Representatives.

19 (5) A representative of the Pennsylvania Emergency
20 Management Agency.

21 (6) The State Fire Commissioner.

22 (7) A representative of the Pennsylvania Fire and
23 Emergency Services Institute.

24 (c) Qualifications.--Each member must:

25 (1) be employed or engaged in business in this
26 Commonwealth; or

27 (2) if retired, be a resident of this Commonwealth.

28 (d) Chairperson.--The commissioner shall serve as the
29 chairperson of the commission.

30 (e) Meetings.--The advisory board shall meet at least

1 biannually or more frequently as deemed necessary by the
2 chairperson.

3 (f) Quorum.--A majority of the members of the advisory board
4 constitutes a quorum. The advisory board shall keep a record of
5 proceedings and of resolutions, rules and regulations.

6 (g) Agency assistance.--The agency shall assist the advisory
7 board by providing office space, personnel and other
8 administrative support necessary for the administration of this
9 act.

10 Section 902. Powers and duties of advisory board.

11 The advisory board has the following powers and duties to:

12 (1) Promulgate in consultation with the agency
13 regulations to carry out the provisions of this act. Initial
14 regulations under this paragraph shall be submitted to the
15 Legislative Reference Bureau for publication within 60 days
16 of the effective date of this section. Regulations under this
17 paragraph are exempt from the act of June 25, 1982 (P.L.633,
18 No.181), known as the Regulatory Review Act.

19 (2) Award grants based on the criteria set forth in this
20 act.

21 (3) To consult with the Pennsylvania Emergency
22 Management Agency to annually determine the amount of money
23 to be apportioned to each grant program under this act.

24 CHAPTER 11

25 GRANT FUNDING PROVISIONS

26 Section 1101. Municipal Firefighter and Emergency Services
27 Grant Fund.

28 (a) Establishment.--There is established in the State
29 Treasury a restricted receipt account to be known as the
30 Municipal Firefighter and Emergency Services Grant Fund which

1 shall be an interest-bearing, restricted revenue account in
2 which shall be deposited such money as is appropriated, granted
3 or donated to the advisory board or the Pennsylvania Emergency
4 Management Agency for grants under this act.

5 (b) Use of fund.--Money deposited in the fund and interest
6 earned on the money shall be used solely for the purpose of
7 carrying out the provisions of this act. No more than
8 \$35,000,000 of the fund may be used annually for carrying out
9 the provisions of this act. The Pennsylvania Emergency
10 Management Agency, in consultation with the advisory board,
11 shall annually determine the amount of money to be apportioned
12 to each grant program under this act.

13 (c) Administration of act.--To offset the cost of
14 administering this act, the advisory board may retain \$100,000
15 of the total amount used annually.

16 (d) Audit of fund.--The Department of the Auditor General
17 shall, at least once every two years, make a complete
18 examination of the fund to verify appropriations, receipts,
19 expenditures and the application of grant moneys awarded from
20 the fund. The expense incurred in making such audit shall be
21 certified to the fund by the Auditor General and shall be paid
22 from the general appropriation to the Municipal Firefighter and
23 Emergency Services Grant Fund.

24 Section 1102. Appropriation.

25 The amount of \$100,000,000 is hereby appropriated to the
26 Pennsylvania Emergency Management Agency for the purpose of
27 carrying out the provisions of this act. The money in the fund
28 is continuously appropriated to the fund and shall not lapse at
29 the end of any fiscal year.

30 CHAPTER 15

MISCELLANEOUS PROVISIONS

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Section 1501. Regulatory authority.

The advisory board in consultation with the agency may promulgate such rules and regulations as may be necessary to carry out the provisions of this act.

Section 1502. Effective date.

This act shall take effect immediately.