

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 594 Session of  
1999

INTRODUCED BY E. Z. TAYLOR, FARGO, SATHER, TIGUE, BAKER,  
BELARDI, CLARK, CORRIGAN, COY, CURRY, FAIRCHILD, FICHTER,  
GANNON, GEORGE, GORDNER, HENNESSEY, HORSEY, JAMES, JOSEPHS,  
LAUGHLIN, LYNCH, McCALL, MELIO, PESCI, PLATTS, RAMOS,  
READSHAW, ROSS, RUBLEY, SEMMEL, SEYFERT, STEELMAN, STURLA,  
WILLIAMS AND YOUNGBLOOD, FEBRUARY 16, 1999

REFERRED TO COMMITTEE ON EDUCATION, FEBRUARY 16, 1999

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; imposing  
4 additional powers and duties on the Department of Community  
5 and Economic Development; and making an appropriation.

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

8 Section 1. Short title.

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

11 Section 2. Declaration of policy.

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

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

17 (2) The Commonwealth has an obligation to provide

1 protection against loss of facilities, equipment and lives by  
2 fire or other disasters on the premises of the universities  
3 of the system.

4 (3) It is more efficient and economically sound for any  
5 university of the system to enter into agreements with  
6 existing emergency service providers in adjacent  
7 municipalities for essential services such as fire, ambulance  
8 and rescue squads.

### 9 Section 3. Definitions.

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

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

15 "Department." The Department of Community and Economic  
16 Development of the Commonwealth.

17 "Emergency service provider." A local law enforcement agency  
18 or volunteer fire, ambulance or rescue squad or company.

19 "System." The State System of Higher Education.

20 "University." A member institution of the State System of  
21 Higher Education.

### 22 Section 4. Agreements authorized.

23 Each university may enter into agreements with emergency  
24 service providers to provide emergency services to their  
25 campuses. The total amount payable by any university in the  
26 system for the provision of emergency services pursuant to  
27 agreements entered into under this section may not exceed the  
28 limits established in section 5.

### 29 Section 5. Computation of limits for payments.

30 (a) Annual computation and certification.--Each university

1 in the system shall annually compute and certify to the  
2 chancellor the on-campus, full-time equivalent enrollment as of  
3 the third full week of classes for the spring term. The  
4 enrollment figure thereby determined shall be multiplied by \$5,  
5 and the resulting product shall be the maximum amount the  
6 university may expend for emergency services, pursuant to  
7 agreements entered into under this act, for the next ensuing  
8 fiscal year.

9 (b) Verification by chancellor.--The chancellor shall verify  
10 the figures submitted and forward the figures to the department  
11 which will reimburse each university for its actual expenditures  
12 for emergency services, within the limits established under this  
13 section, with funds specifically appropriated annually by the  
14 General Assembly for this purpose.

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

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

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

25 In any legal action arising out of or in connection with any  
26 services performed on behalf of any university of the system by  
27 the emergency service provider with respect to State facilities  
28 or premises, the Commonwealth, out of funds appropriated to the  
29 university system, shall reimburse the emergency service  
30 provider for the cost incurred by it in defending the legal

1 action. In any such legal action, the emergency service provider  
2 shall be reimbursed for 50% of the total costs, up to a maximum  
3 of \$5,000. This section shall not be construed to:

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

7 (2) create a right of reimbursement from the  
8 Commonwealth to the emergency service provider with respect  
9 to the liability or judgment.

10 Section 8. Appropriation.

11 The sum of \$500,000, or as much thereof as may be necessary,  
12 is hereby appropriated to the Department of Community and  
13 Economic Development to carry out the provisions of this act.

14 Section 9. Effective date.

15 This act shall take effect July 1, 1999, or immediately,  
16 whichever occurs later.