

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1942

Session of
1985

INTRODUCED BY BROUJOS, COLE, JAROLIN, CALTAGIRONE, LIVENGOD,
BELFANTI, BOWLEY, FREEMAN, RUDY, McHALE, DUFFY, VAN HORNE,
NAHILL, KENNEDY, SHOWERS, STEIGHNER AND BOOK, NOVEMBER 27,
1985

REFERRED TO COMMITTEE ON STATE GOVERNMENT, NOVEMBER 27, 1985

AN ACT

1 Requiring written agreements between municipalities and
2 volunteer providers.

3 The General Assembly of the Commonwealth of Pennsylvania
4 hereby enacts as follows:

5 Section 1. Definitions.

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

9 "Municipal provider." A fire department, ambulance corps, or
10 emergency, rescue or lifesaving squad organized and operated by
11 a municipality, whether on a volunteer, paid or volunteer and
12 paid basis. The term does not include any police department or
13 county emergency management or civil defense department.

14 "Municipality." A city, borough, incorporated town or
15 township.

16 "Service." Any fire, ambulance, emergency, rescue or
17 lifesaving operation intended to be performed on a regular

1 basis. The term does not preclude service in emergencies in a
2 municipality not subject to an agreement for service. The term
3 does not include service provided to State and Federal
4 installations and activities.

5 "Volunteer provider." A volunteer fire company, volunteer
6 ambulance corps, or volunteer emergency, rescue or lifesaving
7 squad which is duly organized to provide such service and which
8 is subject to regulation by municipalities. The term does not
9 include any police department or county emergency management or
10 civil defense department.

11 Section 2. Written agreement for services by volunteer
12 provider.

13 Each volunteer provider providing service to any municipality
14 shall enter into a written agreement with each municipality,
15 prior to the commencement of service. Where service is provided
16 to a municipality other than that in which the volunteer
17 provider is located, the municipality in which the volunteer
18 provider is located shall be a party to each separate agreement.

19 Section 3. Written agreement for services by municipality
20 through a municipal provider.

21 Each municipality which provides service to any other
22 municipality through a municipal provider shall enter into a
23 written agreement with each such municipality prior to the
24 commencement of service.

25 Section 4. Terms of agreement.

26 Among other terms, the agreement shall provide for:

27 (1) A description of the service area (that portion of
28 the municipality to be served).

29 (2) Any payments for service performed.

30 (3) Proration of the cost of premiums between

municipalities for workmen's compensation insurance, if
applicable to the service performed.

Section 5. Compliance with act.

(a) Each municipality or provider providing and each
municipality receiving service on the effective date of this act
shall comply with the provisions of this act within 180 days
after the effective date.

(b) Failure of a municipality or provider to enter into a
written agreement shall not render any person providing service
ineligible for workmen's compensation benefits to which they
would otherwise be entitled, nor be construed to affect the
liability of provider and provider's personnel under any law.

(c) Compliance with this act may be enforced by an action in
law or equity.

Section 6. Effective date.

This act shall take effect immediately.