

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL  
No. 1018 Session of  
1991

INTRODUCED BY McCALL, ARGALL, BATTISTO, WAMBACH, LUCYK, TRELLO, SEMMEL, COWELL, BELFANTI, KOSINSKI, MERRY, ANGSTADT, HERMAN, ULIANA, KAISER, BUSH, HALUSKA, MUNDY, RUDY, TIGUE, STABACK, HERSHEY, SAURMAN, COY, CAPPABIANCA, BOWLEY, COLAIZZO, MELIO, FREEMAN, D. R. WRIGHT, DeWEESE, KUKOVICH, FOX, GODSHALL, PISTELLA, TELEK, CARLSON, MIHALICH, BILLOW, SERAFINI, BOYES, LLOYD, JAMES, DEMPSEY, JOHNSON, HESS, CLARK, HARPER, VEON, STISH, BUNT, HASAY, NOYE, DALEY, TANGRETTI, STETLER, BARLEY, STEIGHNER, E. Z. TAYLOR, PHILLIPS, NAHILL, BELARDI, KASUNIC, MAYERNIK, MICOZZIE, LAUGHLIN, SCRIMENTI, HANNA, STEELMAN, FLICK AND COLAFELLA, APRIL 8, 1991

SENATOR TILGHMAN, APPROPRIATIONS, IN SENATE, RE-REPORTED AS  
AMENDED, FEBRUARY 3, 1992

AN ACT

1 Amending the act of July 15, 1976 (P.L.1036, No.208), entitled,  
2 as amended, "An act authorizing the indebtedness, with the  
3 approval of the electors, of fifty million dollars for loans  
4 to volunteer fire companies, volunteer ambulance services and  
5 volunteer rescue squads for the purpose of establishing or  
6 modernizing facilities to house fire fighting apparatus  
7 equipment, ambulances, and rescue vehicles, and for  
8 purchasing new fire fighting apparatus equipment, ambulances,  
9 and rescue vehicles, protective and communications equipment,  
10 and any other accessory equipment necessary for the proper  
11 performance of such organizations' duties," ~~increasing the~~ <—  
12 ~~borrowing authority limit and eliminating a countersignature~~  
13 ~~and conforming certain provisions.~~ FURTHER PROVIDING FOR <—  
14 ASSISTANCE TO VOLUNTEER FIRE COMPANIES, AMBULANCE SERVICES  
15 AND RESCUE SQUADS; INCREASING THE BORROWING AUTHORITY LIMIT;  
16 ELIMINATING A COUNTERSIGNATURE; CONFORMING CERTAIN  
17 PROVISIONS; AND MAKING AN APPROPRIATION.

18 The General Assembly of the Commonwealth of Pennsylvania  
19 hereby enacts as follows:

20 ~~Section 1. Section 6(a) of the act of July 15, 1976~~ <—

1 ~~(P.L.1036, No.208), known as the Volunteer Fire Company,~~  
2 ~~Ambulance Service and Rescue Squad Assistance Act, is amended to~~  
3 ~~read:~~

4 SECTION 1. SECTION 2 OF THE ACT OF JULY 15, 1976 (P.L.1036, <—  
5 NO.208), KNOWN AS THE VOLUNTEER FIRE COMPANY, AMBULANCE SERVICE  
6 AND RESCUE SQUAD ASSISTANCE ACT, AMENDED MAY 11, 1982 (P.L.407,  
7 NO.118), IS AMENDED TO READ:

8 SECTION 2. LEGISLATIVE FINDINGS; DECLARATION OF PURPOSE.--

9 (A) THE GENERAL ASSEMBLY FINDS AS A FACT THAT PURSUANT TO THE  
10 PROVISIONS OF SECTION 7(A)(3) OF ARTICLE VIII OF THE  
11 PENNSYLVANIA CONSTITUTION THE VOTERS OF THE COMMONWEALTH  
12 APPROVED BY REFERENDA ON NOVEMBER 4, 1975, THE INCURRING OF  
13 INDEBTEDNESS OF \$10,000,000 AND ON NOVEMBER 3, 1981, APPROVED  
14 THE INCURRING OF AN ADDITIONAL \$15,000,000 OF INDEBTEDNESS AND  
15 ON NOVEMBER 6, 1990, APPROVED THE INCURRING OF AN ADDITIONAL  
16 \$25,000,000 OF INDEBTEDNESS FOR LOANS TO VOLUNTEER FIRE  
17 COMPANIES, VOLUNTEER AMBULANCE SERVICES AND VOLUNTEER RESCUE  
18 SQUADS FOR THE PURPOSE OF ESTABLISHING OR MODERNIZING FACILITIES  
19 TO HOUSE FIRE FIGHTING APPARATUS EQUIPMENT, AMBULANCES, AND  
20 RESCUE VEHICLES, AND FOR PURCHASING NEW FIRE FIGHTING APPARATUS  
21 EQUIPMENT, AMBULANCES, AND RESCUE VEHICLES, PROTECTIVE AND  
22 COMMUNICATIONS EQUIPMENT, AND ANY OTHER ACCESSORY EQUIPMENT  
23 NECESSARY FOR THE PROPER PERFORMANCE OF SUCH ORGANIZATIONS'  
24 DUTIES.

25 (B) IT IS THE PURPOSE OF THIS ACT TO IMPLEMENT SECTION 5 OF  
26 THE ACT OF SEPTEMBER 25, 1975 (P.L.296, NO.95), ENTITLED "AN ACT  
27 AUTHORIZING THE INDEBTEDNESS, WITH THE APPROVAL OF THE ELECTORS,  
28 OF TEN MILLION DOLLARS FOR LOANS TO VOLUNTEER FIRE COMPANIES,  
29 VOLUNTEER AMBULANCE SERVICES AND VOLUNTEER RESCUE SQUADS FOR THE  
30 PURPOSE OF ESTABLISHING OR MODERNIZING FACILITIES TO HOUSE FIRE

1 FIGHTING APPARATUS EQUIPMENT, AMBULANCES, AND RESCUE VEHICLES,  
2 AND FOR PURCHASING NEW FIRE FIGHTING APPARATUS EQUIPMENT,  
3 AMBULANCES, AND RESCUE VEHICLES, PROTECTIVE AND COMMUNICATIONS  
4 EQUIPMENT, AND ANY OTHER ACCESSORY EQUIPMENT NECESSARY FOR THE  
5 PROPER PERFORMANCE OF SUCH ORGANIZATIONS' DUTIES," AND SECTION 5  
6 OF THE ACT OF JUNE 30, 1981 (P.L.138, NO.44), ENTITLED "AN ACT  
7 AUTHORIZING THE INDEBTEDNESS, WITH THE APPROVAL OF THE ELECTORS,  
8 OF \$15,000,000 FOR LOANS TO VOLUNTEER FIRE COMPANIES, VOLUNTEER  
9 AMBULANCE SERVICES AND VOLUNTEER RESCUE SQUADS FOR THE PURPOSE  
10 OF ESTABLISHING OR MODERNIZING FACILITIES TO HOUSE FIREFIGHTING  
11 APPARATUS EQUIPMENT, AMBULANCES, AND RESCUE VEHICLES, AND FOR  
12 PURCHASING FIREFIGHTING APPARATUS EQUIPMENT, AMBULANCES, AND  
13 RESCUE VEHICLES, PROTECTIVE AND COMMUNICATIONS EQUIPMENT, AND  
14 ANY OTHER ACCESSORY EQUIPMENT NECESSARY FOR THE PROPER  
15 PERFORMANCE OF SUCH ORGANIZATIONS' DUTIES," AND SUBSECTION (E)  
16 OF SECTION 18.1 OF THIS ACT BY PROVIDING FOR LOANS TO VOLUNTEER  
17 FIRE, AMBULANCE AND RESCUE COMPANIES TO PROTECT THE LIVES AND  
18 PROPERTY OF THE CITIZENS OF THE COMMONWEALTH PURSUANT TO AND TO  
19 EXECUTE THE ABOVE FAVORABLE REFERENDA. THE GENERAL ASSEMBLY HAS  
20 DETERMINED THAT VOLUNTEER FIRE COMPANIES ARE MOST IN NEED OF  
21 LOANS, AND THEREFOR INTENDS THAT, TO THE EXTENT POSSIBLE, A  
22 SIGNIFICANT PORTION OF THE VOLUNTEER COMPANIES LOAN FUND BE USED  
23 TO PROVIDE LOANS TO VOLUNTEER FIRE COMPANIES AND THAT THE  
24 BALANCE BE ALLOCATED TO PROVIDE LOANS TO VOLUNTEER AMBULANCE AND  
25 VOLUNTEER RESCUE COMPANIES. THE GENERAL ASSEMBLY INTENDS THAT  
26 LOANS PROVIDED UNDER THIS ACT BE USED TO REPLACE OUTMODED OR  
27 UNSAFE EQUIPMENT AND BUILDINGS OF VOLUNTEER COMPANIES, AND THAT  
28 LOANS BE PROVIDED TO VOLUNTEER COMPANIES WHICH ARE EXPERIENCING  
29 A NEED FOR EQUIPMENT OR FACILITIES TO MEET AN INCREASING DEMAND  
30 FOR A HIGHER LEVEL OF SERVICE IN THE COMMUNITIES WHICH THEY

1 SERVE.

2 SECTION 2. SECTION 4(A)(1) OF THE ACT, AMENDED MAY 11, 1982 <—  
3 (P.L.407, NO.118) AND JULY 11, 1990 (P.L.415, NO.100), IS  
4 AMENDED TO READ:

5 SECTION 4. ASSISTANCE TO VOLUNTEER FIRE COMPANIES, AMBULANCE  
6 SERVICE AND RESCUE SQUADS.--(A) THE DEPARTMENT IS HEREBY  
7 AUTHORIZED, UPON APPLICATION OF ANY VOLUNTEER FIRE COMPANY,  
8 VOLUNTEER AMBULANCE SERVICE AND VOLUNTEER RESCUE SQUAD, TO MAKE  
9 LOANS TO SAID VOLUNTEER COMPANIES FOR THE FOLLOWING PURPOSES:

10 (1) ESTABLISHING OR MODERNIZING FACILITIES THAT HOUSE FIRE  
11 FIGHTING EQUIPMENT, AMBULANCE OR RESCUE VEHICLES. THE AMOUNT OF  
12 A LOAN FOR ESTABLISHING OR MODERNIZING FACILITIES MADE TO ANY  
13 ONE VOLUNTEER FIRE COMPANY, AMBULANCE SERVICE OR RESCUE SQUAD  
14 SHALL NOT EXCEED 50% OF THE TOTAL COST OF THE FACILITIES OR  
15 MODERNIZATION OR [\$50,000] \$200,000, WHICHEVER IS LESS, AND A  
16 NOTARIZED FINANCIAL STATEMENT FILED UNDER SUBSECTION (C) SHALL  
17 SHOW THAT THE APPLICANT HAS AVAILABLE 20% OF THE TOTAL COST OF  
18 THE FACILITIES IN UNOBLIGATED FUNDS. PROCEEDS OF THE LOAN SHALL  
19 BE USED ONLY FOR PURPOSES OF LAND ACQUISITION OR CONSTRUCTION,  
20 AND SHALL NOT BE USED FOR PAYMENT OF FEES FOR DESIGN, PLANNING,  
21 PREPARATION OF APPLICATIONS, OR ANY OTHER COST NOT DIRECTLY  
22 ATTRIBUTABLE TO LAND ACQUISITION OR CONSTRUCTION.

23 \* \* \*

24 SECTION ~~2~~ 3. SECTION 6(A) OF THE ACT IS AMENDED TO READ: <—

25 Section 6. Powers and Duties of the Department.--(a) The  
26 powers and duties of the department shall be:

27 (1) to appoint agents, employees, necessary to the  
28 administration of this act, and to prescribe their duties and to  
29 fix their compensation within the limitations provided by law;

30 (2) to accept grants from the Federal Government and any

1 other individual, agency, or government for use in the Volunteer  
2 Companies Loan Fund;

3 (3) to loan money over a term of years, but in no case in  
4 excess of [ten] 15 years; and

5 (4) to promulgate such rules and regulations as it deems  
6 necessary to carry out its powers and duties [of] under this  
7 act.

8 \* \* \*

9 Section ~~2-3~~ 4. Sections 7, 11(A), 18(b) and 19 of the act, <—  
10 amended May 11, 1982 (P.L.407, No.118), are amended to read:

11 Section 7. Authority to Borrow.--Pursuant to the provisions  
12 of section 7(a)(3) of Article VIII of the Pennsylvania  
13 Constitution and the referenda approved by the electorate on  
14 November 4, 1975 [and], November 3, 1981 and November 6, 1990,  
15 the Governor, Auditor General and State Treasurer are hereby  
16 authorized and directed to borrow, on the credit of the  
17 Commonwealth, money not exceeding in the aggregate the sum of  
18 [\$25,000,000] \$50,000,000 to implement this act, the act of  
19 September 25, 1975 (P.L.296, No.95), entitled "An act  
20 authorizing the indebtedness, with the approval of the electors,  
21 of ten million dollars for loans to volunteer fire companies,  
22 volunteer ambulance services and volunteer rescue squads for the  
23 purpose of establishing or modernizing facilities to house fire  
24 fighting apparatus equipment, ambulances, and rescue vehicles,  
25 and for purchasing new fire fighting apparatus equipment,  
26 ambulances, and rescue vehicles, protective and communications  
27 equipment, and any other accessory equipment necessary for the  
28 proper performance of such organizations' duties," and the act  
29 of June 30, 1981 (P.L.138, No.44), entitled "An act authorizing  
30 the indebtedness, with the approval of the electors, of

1 \$15,000,000 for loans to volunteer fire companies, volunteer  
2 ambulance services and volunteer rescue squads for the purpose  
3 of establishing or modernizing facilities to house firefighting  
4 apparatus equipment, ambulances, and rescue vehicles, and for  
5 purchasing firefighting apparatus equipment, ambulances, and  
6 rescue vehicles, protective and communications equipment, and  
7 any other accessory equipment necessary for the proper  
8 performance of such organizations' duties."

9 SECTION 11. DISPOSITION AND USE OF PROCEEDS.--(A) THE <—  
10 PROCEEDS REALIZED FROM THE SALE OF BONDS UNDER THE PROVISIONS OF  
11 THIS ACT SHALL BE PAID INTO THE VOLUNTEER COMPANIES LOAN FUND  
12 AND ARE SPECIFICALLY DEDICATED TO THE PURPOSES OF THE REFERENDA  
13 OF NOVEMBER 4, 1975 [AND], NOVEMBER 3, 1981 AND NOVEMBER 6,  
14 1990, AS IMPLEMENTED BY THIS ACT. THE MONEYS SHALL BE PAID BY  
15 THE STATE TREASURER PERIODICALLY TO THOSE DEPARTMENTS, AGENCIES,  
16 OR AUTHORITIES AUTHORIZED TO EXPEND SAME AT SUCH TIMES AND IN  
17 SUCH AMOUNTS AS MAY BE NECESSARY TO SATISFY THE FUNDING NEEDS OF  
18 THE DEPARTMENT, AGENCY OR AUTHORITY.

19 \* \* \*

20 Section 18. Temporary Financing Authorization.--\* \* \*

21 (b) All temporary borrowings made under the authority of  
22 this section shall be evidenced by notes of the Commonwealth,  
23 which shall be issued from time to time for such amounts not  
24 exceeding in the aggregate the sum of [\$25,000,000] \$50,000,000  
25 in such form and in such denominations, and subject to such  
26 terms and conditions of issue, prepayment or redemption and  
27 maturity, rate of interest, and time of payment of interest, as  
28 the issuing officials shall direct. All notes issued under the  
29 authority of this section shall bear the facsimile signatures of  
30 the issuing officials and a facsimile of the Great Seal of the

1 Commonwealth of Pennsylvania, and shall be countersigned by  
2 [two] one duly authorized [officers] officer of a duly  
3 authorized loan and transfer agent of the Commonwealth.

4 \* \* \*

5 Section 19. Appropriation.--The sum of [\$25,000,000]  
6 \$50,000,000 or as much thereof as is able to be borrowed by  
7 temporary financing or by bonds, is hereby appropriated to the  
8 Volunteer Companies Loan Fund for the purposes set forth in this  
9 act. The General Assembly may make appropriations from time to  
10 time to the Volunteer Companies Loan Fund or to the department  
11 to carry out the purposes of this act which appropriations shall  
12 be continuing appropriations and shall not lapse.

13 SECTION 5. THE SUM OF \$100,000, OR AS MUCH THEREOF AS MAY BE <—  
14 NECESSARY, IS HEREBY APPROPRIATED TO THE STATE FIRE COMMISSIONER  
15 TO ADMINISTER THE PROVISIONS OF THIS ACT. THIS SUM SHALL BE IN  
16 ADDITION TO FUNDS APPROPRIATED UNDER SECTION 225 OF THE ACT OF  
17 AUGUST 4, 1991 (P.L. , NO.7A), KNOWN AS THE GENERAL  
18 APPROPRIATION ACT OF 1991.

19 Section ~~3-4~~ 6. This act shall take effect immediately. <—