

## AMENDMENTS TO SENATE BILL NO. 908

Sponsor: SENATOR REGAN

Printer's No. 1261

1 Amend Bill, page 1, line 2, by inserting after "Statutes,"  
2 in Commonwealth services, further providing for scope of  
3 subchapter, for legislative findings and declaration of  
4 purpose, for definitions, for assistance to volunteer fire  
5 companies, ambulance service and rescue squads, for Volunteer  
6 Companies Loan Fund, for powers and duties of office, for  
7 disposition and use of proceeds, for Volunteer Company Loan  
8 Sinking Fund and investments, for repayment obligations for  
9 principal and interest, for temporary financing  
10 authorization, for authorization of contracts and for  
11 reimbursement procedure and amount, providing for referendum  
12 to expand loan assistance and for annual report and  
13 distribution of information and further providing for  
14 reimbursement procedure and amount and for Pennsylvania  
15 Volunteer Loan Assistance Program;

16 Amend Bill, page 1, line 5, by inserting a bracket before the  
17 period after "study"

18 Amend Bill, page 1, line 5, by inserting after "study."  
19 ]; in grants to fire companies and emergency medical services  
20 companies, further providing for special provisions; and  
21 making an editorial change.

22 Amend Bill, page 1, lines 8 through 10, by striking out all  
23 of said lines and inserting

24 Section 1. The heading of Subchapter E of Title 35 of the  
25 Pennsylvania Consolidated Statutes is amended to read:

26 SUBCHAPTER E  
27 [VOLUNTEER FIRE COMPANY, AMBULANCE SERVICE  
28 AND RESCUE SQUAD ASSISTANCE]  
29 FIRE AND EMERGENCY MEDICAL SERVICES  
30 LOAN ASSISTANCE PROGRAM

31 Section 2. Sections 7361 and 7362(b) of Title 35 are amended  
32 to read:  
33 § 7361. Scope of subchapter.

1 This subchapter relates to [volunteer fire company, ambulance  
2 service and rescue squad assistance] fire companies and  
3 emergency medical services companies.

4 § 7362. Legislative findings and declaration of purpose.

5 \* \* \*

6 (b) Purpose.--[It is the purpose of this subchapter to  
7 implement section 5 of the act of September 25, 1975 (P.L.296,  
8 No.95), entitled "An act authorizing the indebtedness, with the  
9 approval of the electors, of ten million dollars for loans to  
10 volunteer fire companies, volunteer ambulance services and  
11 volunteer rescue squads for the purpose of establishing or  
12 modernizing facilities to house fire fighting apparatus  
13 equipment, ambulances, and rescue vehicles, and for purchasing  
14 new fire fighting apparatus equipment, ambulances, and rescue  
15 vehicles, protective and communications equipment, and any other  
16 accessory equipment necessary for the proper performance of such  
17 organizations' duties," section 5 of the act of June 30, 1981  
18 (P.L.138, No.44), entitled "An act authorizing the indebtedness,  
19 with the approval of the electors, of \$15,000,000 for loans to  
20 volunteer fire companies, volunteer ambulance services and  
21 volunteer rescue squads for the purpose of establishing or  
22 modernizing facilities to house firefighting apparatus  
23 equipment, ambulances, and rescue vehicles, and for purchasing  
24 firefighting apparatus equipment, ambulances, and rescue  
25 vehicles, protective and communications equipment, and any other  
26 accessory equipment necessary for the proper performance of such  
27 organizations' duties," and section 7378.1(5) (relating to  
28 referendum for additional indebtedness), as well as to implement  
29 in part section 31.3 of the act of June 29, 2002 (P.L.559,  
30 No.89), entitled "An act amending the act of March 4, 1971  
31 (P.L.6, No.2), entitled 'An act relating to tax reform and State  
32 taxation by codifying and enumerating certain subjects of  
33 taxation and imposing taxes thereon; providing procedures for  
34 the payment, collection, administration and enforcement thereof;  
35 providing for tax credits in certain cases; conferring powers  
36 and imposing duties upon the Department of Revenue, certain  
37 employers, fiduciaries, individuals, persons, corporations and  
38 other entities; prescribing crimes, offenses and penalties,'  
39 further providing, in sales and use tax, for definitions, for  
40 imposition, for exclusions, for licenses, for collection, for  
41 bulk and auction sales and for crimes; providing, in local tax  
42 situs, for situs of mobile telecommunications services; further  
43 providing, in personal income tax, for definitions, for classes  
44 of income, for special tax provisions for poverty, for  
45 contributions, for bulk and auction sales and transfers; in  
46 corporate net income tax, for definitions, for imposition and  
47 for interest in unincorporated entities; and in capital stock  
48 and franchise tax, for definitions, for imposition, for deposit  
49 of proceeds, for interest in unincorporated entities and for  
50 applicability and expiration; establishing revenue-neutral  
51 reconciliation in utilities gross receipts tax; providing, in

1 public utility realty tax and for surcharge; further providing,  
2 in realty transfer tax, for furnishing stamps; in cigarette tax,  
3 for incidence and rate, for floor tax, for commissions on sales  
4 and for disposition of certain funds; in research and  
5 development tax credit, for time limitations and for  
6 termination; in inheritance tax, for definitions, for transfers  
7 not subject to tax and for estate tax and for estate tax  
8 returns; providing for immediate assessment, settlement or  
9 collection and for depreciation of certain property in cities of  
10 the first class; and making repeals," by providing for loans to  
11 volunteer fire, ambulance and rescue companies to protect the  
12 lives and property of the citizens of this Commonwealth pursuant  
13 to and to execute the above favorable referenda in subsection  
14 (a).] The General Assembly has determined that [volunteer] fire  
15 companies and emergency medical services companies are most in  
16 need of loans [and therefore intends that, to the extent  
17 possible, a significant portion of the Volunteer Companies Loan  
18 Fund be used to provide loans to volunteer fire companies and  
19 that the balance be allocated to provide loans to volunteer  
20 ambulance and volunteer rescue companies]. The General Assembly  
21 intends that the loans provided under this subchapter be used to  
22 replace outmoded or unsafe equipment and buildings of  
23 [volunteer] fire companies and [that the loans be provided to  
24 volunteer companies which are experiencing a need for equipment  
25 or facilities] emergency medical services companies to meet an  
26 increasing demand for a higher level of service in the  
27 communities which they serve.

28 Section 3. The definition of "Volunteer Companies Loan Fund"  
29 in section 7363 of Title 35 is amended and the section is  
30 amended by adding definitions to read:

31 § 7363. Definitions.

32 The following words and phrases when used in this subchapter  
33 shall have the meanings given to them in this section unless the  
34 context clearly indicates otherwise:

35 \* \* \*

36 "Emergency medical services company" or "EMS company." A  
37 career, nonprofit or volunteer emergency medical services  
38 company.

39 \* \* \*

40 "Fire company." An organization serving a municipality that  
41 employs firefighters on a full-time or part-time basis. The term  
42 includes a volunteer fire company.

43 "Fund." The Emergency Services Loan Fund established under  
44 section 7365 (relating to Emergency Services Loan Assistance  
45 Fund).

46 "Municipality." A county, city, borough, incorporated town  
47 or township.

48 \* \* \*

49 ["Volunteer Companies Loan Fund." The fund established under  
50 section 7365 (relating to Volunteer Companies Loan Fund).]

51 Section 4. Sections 7364, 7365, 7366(a)(2) and (3.1) and (b)

1 (2), 7371, 7374, 7376, 7378(d), 7378.2 and 7378.3 of Title 35  
2 are amended to read:

3 § 7364. Assistance to [volunteer] fire companies[, ambulance  
4 service and rescue squads] and EMS companies.

5 (a) General rule.--The office is authorized, upon  
6 application of any [volunteer] fire company[, volunteer  
7 ambulance service or volunteer rescue squad] or EMS company, to  
8 make loans for the following purposes:

9 (1) Establishing or modernizing facilities that house  
10 firefighting equipment, ambulance or rescue vehicles. The  
11 amount of a loan for establishing or modernizing facilities  
12 made to any one [volunteer] fire company[, ambulance service  
13 or rescue squad] or EMS company shall not exceed 50% of the  
14 total cost of the facilities or modernization or [\$400,000]  
15 500,000, whichever is less, and a notarized financial  
16 statement filed under subsection (c) shall show that the  
17 applicant has available 20% of the total cost of the  
18 facilities in unobligated funds. Proceeds of the loan shall  
19 be used only for purposes of structure or land acquisition or  
20 renovation or construction and shall not be used for payment  
21 of fees for design, planning, preparation of applications or  
22 any other cost not directly attributable to structure or land  
23 acquisition or renovation or construction.

24 (2) Purchasing firefighting apparatus, ambulances or  
25 rescue vehicles. The amount of a loan made for purchasing  
26 firefighting apparatus to any one [volunteer] fire company  
27 shall not exceed [\$200,000] \$300,000 for any single  
28 firefighting apparatus equipment or utility or special  
29 service vehicle or heavy duty rescue vehicle as defined by  
30 regulation or guideline, or 50% of the total cost of the  
31 equipment or vehicle, whichever is less, except for loans for  
32 aerial apparatus as defined by regulation or guideline, which  
33 shall not exceed [\$300,000] \$400,000. The amount of a loan  
34 made to any one [volunteer] fire company[, ambulance service  
35 or rescue squad] or EMS company for any ambulance or light  
36 duty rescue vehicle as defined by regulation or guideline  
37 shall not exceed [\$100,000] \$200,000 and for a watercraft  
38 rescue vehicle shall not exceed [\$30,000] \$40,000 or 50% of  
39 the cost of the ambulance or rescue vehicle, whichever is  
40 less, and a notarized financial statement filed under  
41 subsection (c) shall show that the applicant has available  
42 20% of the total cost of the vehicle in unobligated funds.

43 (3) Purchasing protective, accessory or communication  
44 equipment. No [volunteer] fire company[, ambulance service or  
45 rescue squad] or EMS company shall receive a loan for  
46 protective, accessory or communicative equipment more than  
47 once in any five-year period. Each [volunteer] fire company[,  
48 ambulance service or rescue squad] or EMS company may apply  
49 for a loan for a mobile and portable radio unit for each  
50 existing serviceable apparatus equipment, ambulance or rescue  
51 vehicle. Radio equipment obtained through loans under this

1 subchapter shall be equipped with a frequency or frequencies  
2 licensed by the Federal Communications Commission for  
3 firefighting or emergency response purposes. A notarized  
4 financial statement shall be filed and loans under this  
5 subchapter for the purchase of protective, accessory or  
6 communicative equipment shall not exceed [\$20,000] \$25,000.

7 (4) Refinancing debt incurred or contracts entered into  
8 after November 4, 1975, and used for the purchase of  
9 apparatus equipment or for the construction or modernization  
10 of facilities or for modification of apparatus equipment in  
11 order to comply with National Fire Protection Association  
12 standards.

13 (5) Repair or rehabilitation of apparatus equipment.  
14 Where it has been determined that existing apparatus  
15 equipment no longer meets the standards of the National Fire  
16 Protection Association and the repair or rehabilitation of  
17 such equipment will bring it in compliance with National Fire  
18 Protection Association standards, loans for the repair or  
19 rehabilitation for a single apparatus equipment shall be for  
20 at least [\$2,000] \$2,500 but shall not exceed the lesser of  
21 [\$70,000] \$75,000 or 80% of the total cost of repair or  
22 rehabilitation.

23 (6) Purchasing of used firefighting apparatus,  
24 equipment, used ambulances, used rescue vehicles, used  
25 communications equipment, used accessory equipment or used  
26 protective equipment, except that the used vehicles and  
27 equipment shall meet the National Fire Protection Association  
28 (NFPA) standards and loans for the purchase of a used single  
29 apparatus equipment shall not exceed [\$120,000] \$150,000 or  
30 80% of the total cost of the equipment, whichever is less.

31 [(7) Purchasing Pennsylvania Fire Information Reporting  
32 System (PennFIRS) hardware and software. A volunteer fire  
33 company shall be eligible to apply one time only for a loan  
34 of not more than \$4,000 or 75% of the cost of such  
35 acquisition, whichever is less, and with a term not exceeding  
36 five years for the purpose of acquiring the hardware and  
37 software necessary to participate in the Pennsylvania Fire  
38 Information Reporting System. The office shall develop, at  
39 its discretion, such procedures and forms as it may deem  
40 necessary to facilitate loans for PennFIRS hardware and  
41 software. The loans shall be secured as required by law.]

42 (a.1) Limitation.--Loans under this subchapter may be made  
43 for any of the purposes of subsection (a) undertaken by a  
44 [volunteer] fire company[, volunteer ambulance service and  
45 volunteer rescue squad] or EMS company on or after November 4,  
46 1975.

47 (b) Loans.--Loans made by the office in the amount of  
48 [\$30,000] \$50,000 or less shall be for a period of not more than  
49 ten years. Loans in excess of [\$30,000] \$50,000 but not in  
50 excess of \$100,000 shall be for a period of not more than 15  
51 years. The payback period of any loan in excess of [\$100,000]

1 \$500,000, except a loan for establishing or modernizing  
2 facilities, shall not exceed 20 years. The payback period for  
3 any loan in excess of [\$200,000] \$500,000 for establishing or  
4 modernizing facilities shall not exceed 20 years. Loans shall be  
5 subject to the payment of interest at 2% per year and shall be  
6 subject to such security as shall be determined by the  
7 commissioner. The total amount of interest earned by the  
8 investment or reinvestment of all or any part of the principal  
9 of any loan shall be returned to the office and transferred to  
10 the [Volunteer Companies Loan Fund] Emergency Services Loan Fund  
11 and shall not be credited as payment of principal or interest on  
12 the loan. Except as provided in subsection (a)(5) and (7), the  
13 minimum amount of any loan shall be [\$10,000] \$25,000.

14 (b.1) Inflation adjustment.--Beginning one year after the  
15 effective date of this subsection and annually thereafter, all  
16 loan limits under this section shall increase at the rate of  
17 inflation as outlined in the Consumer Price Index for All Urban  
18 Consumers in the Northeast Region for the most recent 12-month  
19 period for which the figures have been reported by the United  
20 States Department of Labor, Bureau of Labor Statistics. If the  
21 rate of inflation does not increase, all loan limits shall  
22 remain the same as they were for the previous year. The office  
23 shall transmit notice of loan limit increases to the Legislative  
24 Reference Bureau for publication in the Pennsylvania Bulletin.

25 (c) Applications.--Every application for a loan shall be  
26 accompanied by a notarized financial statement of the  
27 [volunteer] fire company[, ambulance service or rescue squad] or  
28 EMS company and a financial plan to show the amount of assets  
29 and projected revenues for the repayment of the loan, any other  
30 obligations of the [volunteer] fire company or EMS company and  
31 operating expenses over the period of the loan. Every  
32 application shall be accompanied by evidence sufficient to show  
33 that all costs except the amount of the loan have been obtained  
34 by assets of the [volunteer] fire company or EMS company and  
35 other loans or sources of revenue. If a [volunteer] fire  
36 company[, ambulance service or rescue squad] or EMS company is  
37 unable to meet the 20% requirement of subsection (a), then a  
38 political subdivision which is served by the [volunteer] fire  
39 company or EMS company may pledge its credit in the amount of  
40 funds necessary to satisfy the 20% requirement and, if it does  
41 so, shall cosign the application submitted by the [volunteer]  
42 fire company or EMS company.

43 (c.1) Application review committee.--The office shall  
44 establish an application review committee to review loan  
45 applications and recommendations on loan applications under this  
46 section. The application review committee shall regularly meet  
47 at least quarterly to review loan applications and make  
48 recommendations on loan applications to the office. The  
49 application review committee shall be chaired by the  
50 commissioner or the commissioner's designee and include the  
51 following members:

1           (1) The chair of the Veterans Affairs and Emergency  
2 Preparedness Committee of the Senate or the chair's designee.

3           (2) The minority chair of the Veterans Affairs and  
4 Emergency Preparedness Committee of the Senate or the  
5 minority chair's designee.

6           (3) The chair of the Veterans Affairs and Emergency  
7 Preparedness Committee of the House of Representatives or  
8 the chair's designee.

9           (4) The minority chair of the Veterans Affairs and  
10 Emergency Preparedness Committee or the minority chair's  
11 designee.

12           (5) The director of the Bureau of Emergency Services in  
13 the Department of Health of the Commonwealth or the  
14 director's designee.

15           (6) A representative of the Pennsylvania Fire and  
16 Emergency Services Institute.

17           (7) A representative of the Firemans' Association of the  
18 State of Pennsylvania.

19           (8) A representative of the Ambulance Association of  
20 Pennsylvania.

21           (9) A representative of the Pennsylvania Emergency  
22 Health Services Council.

23       (d) Use.--Loans shall be used for the acquisition by  
24 [volunteer] fire companies or EMS companies of new or used  
25 apparatus equipment, new or used ambulances, new or used rescue  
26 vehicles, new or used communications equipment, new or used  
27 accessory equipment or new or used protective equipment or for  
28 the acquisition and renovation of existing structures to house  
29 firefighting equipment, ambulance or rescue vehicles or for the  
30 construction or modernization of facilities and, except as  
31 provided in subsection (a)(4), shall not be used for operating  
32 expenses or for the refinancing of renovated structures,  
33 refinancing of construction or modernization of facilities,  
34 apparatus equipment, communication equipment, accessory  
35 equipment, nor, except as provided in subsection (a)(4), shall  
36 be made or used to reduce any debt or other obligations issued  
37 prior to the effective date of this subchapter.

38       (e) Payment.--Loans made by the office shall be paid from  
39 the [Volunteer Companies Loan Fund] Emergency Services Loan  
40 Assistance Fund to the [volunteer] fire companies[, ambulance  
41 services and rescue squads] and EMS companies in accordance with  
42 guidelines and procedures developed by the office.

43       (f) Deposit.--All payments of interest on the loans and the  
44 principal thereof shall be deposited by the office in the  
45 [Volunteer Companies Loan Fund] Emergency Services Loan  
46 Assistance Fund.

47       (g) Eligibility.--A [volunteer] fire company[, ambulance  
48 service and rescue squad] or EMS company shall be eligible for a  
49 loan regardless of legal ownership in whole or in part by any  
50 political subdivision of any facilities or apparatus equipment  
51 used by the [volunteer] fire company[, volunteer ambulance and

1 volunteer rescue squad] or EMS company. Any equipment or  
2 facilities financed may be transferred to a political  
3 subdivision served by the [volunteer] fire company[, volunteer  
4 ambulance service or volunteer rescue squad] or EMS company  
5 subject to such security as shall be determined by the  
6 commissioner.

7 (h) Maximum amount.--Notwithstanding any other provision of  
8 this section to the contrary, the maximum amount of any loan to  
9 a [volunteer] fire company[, volunteer ambulance service and  
10 volunteer rescue squad] or EMS company for the purchase of  
11 firefighting apparatus, ambulances or rescue vehicles  
12 manufactured or assembled in this Commonwealth, may exceed the  
13 loan limits set forth in this section by \$20,000.

14 (i) Aggregation of loans.--

15 (1) Subject to paragraph (2), a fire company[, volunteer  
16 rescue service or volunteer ambulance service] or EMS company  
17 shall not be eligible for more than three loans at one time.

18 (2) If more than one fire company[, volunteer rescue  
19 service or volunteer ambulance service] or EMS company merge  
20 or consolidate into a single entity, as determined by the  
21 commissioner, the entity shall be eligible for not more than  
22 ten loans at one time for a period of ten years from the date  
23 of the merger or consolidation.

24 § 7365. [Volunteer Companies Loan Fund] Emergency Services Loan  
25 Assistance Fund.

26 (a) General rule.--There is created a special fund in the  
27 Treasury Department to be known as the [Volunteer Companies Loan  
28 Fund] Emergency Services Loan Assistance Fund to which shall be  
29 credited all appropriations made by the General Assembly other  
30 than appropriations for expenses of administering this  
31 subchapter or grants from other sources to the office as well as  
32 repayment of principal and interest on loans made under this  
33 subchapter.

34 (b) Requisition.--Upon approval of the loan, the  
35 commissioner shall routinely requisition from the [Volunteer  
36 Companies Loan Fund] fund such amounts as shall be allocated by  
37 the office for loans to [volunteer] fire companies or EMS  
38 companies. When and as the amounts so allocated as loans to  
39 [volunteer] fire companies or EMS companies are repaid pursuant  
40 to the terms of the agreements made and entered into with the  
41 office, the office shall pay such amounts into the [Volunteer  
42 Companies Loan Fund] fund, it being the intent of this  
43 subchapter that the [Volunteer Companies Loan Fund] fund shall  
44 operate as a revolving fund whereby all appropriations and  
45 payments made thereto may be applied and reapplied to the  
46 purposes of this subchapter.

47 (c) Administration.--Each fiscal year, the State Fire  
48 Commissioner may use an amount up to \$250,000 from the  
49 [Volunteer Companies Loan Fund] fund for the administrative cost  
50 of implementing the loan program under this subchapter.

51 (d) Restriction.--Money in the fund shall not be transferred



1 for General Fund use by the Commonwealth.

2 § 7366. Powers and duties of office.

3 (a) Mandatory.--The office has the following duties:

4 \* \* \*

5 (2) To accept grants from the Federal Government and any  
6 other individual, agency or government for use in the  
7 [Volunteer Companies Loan Fund] fund.

8 \* \* \*

9 (3.1) To establish criteria to determine need for  
10 firefighting apparatus, ambulances and rescue vehicles and to  
11 establish guidelines and procedures for [volunteer] fire  
12 companies or EMS companies to show just cause to determine  
13 that need.

14 \* \* \*

15 (b) Discretionary.--The office has the following powers:

16 \* \* \*

17 (2) To specify priority of liens against any facilities,  
18 apparatus equipment, ambulances, rescue vehicles or any  
19 equipment purchased by [volunteer] fire companies using funds  
20 loaned under this subchapter to pay all or any part of the  
21 purchase price, as the office may require by established  
22 guidelines and procedures. The commissioner may specify the  
23 type of liens or collateral authorized as security under this  
24 paragraph.

25 \* \* \*

26 § 7371. Disposition and use of proceeds.

27 (a) General rule.--The proceeds realized from the sale of  
28 bonds under this subchapter shall be paid into the [Volunteer  
29 Companies Loan Fund] fund and are specifically dedicated to the  
30 purposes of the referenda of November 4, 1975, November 3, 1981,  
31 November 6, 1990, and November 5, 2002, and the referendum  
32 specified under section 7378.4 (relating to referendum to expand  
33 loan assistance), as implemented by this subchapter. The moneys  
34 shall be paid by the State Treasurer periodically to those  
35 agencies or authorities authorized to expend the moneys at such  
36 times and in such amounts as may be necessary to satisfy the  
37 funding needs of the agency or authority.

38 (b) Investing.--Pending their application to the purposes  
39 authorized, moneys held or deposited by the State Treasurer may  
40 be invested or reinvested as are other funds in the custody of  
41 the State Treasurer in the manner provided by law. All earnings  
42 received from the investment or deposit of such funds shall be  
43 paid into the State treasury to the credit of the [Volunteer  
44 Companies Loan Fund] fund.

45 § 7374. [Volunteer Company Loan Sinking Fund] Emergency  
46 Services Loan Assistance Sinking Fund and  
47 investments.

48 All bonds issued under this subchapter shall be redeemed at  
49 maturity and all interest due from time to time on such bonds  
50 shall be paid from the [Volunteer Company Loan Sinking Fund]  
51 Emergency Services Loan Assistance Sinking Fund, which is hereby

1 created. For the specific purpose of redeeming bonds issued  
2 under this subchapter at maturity and paying all interest  
3 thereon in accordance with the information received from the  
4 Governor, the General Assembly shall appropriate moneys to the  
5 [Volunteer Company Loan Sinking Fund] Emergency Services Loan  
6 Assistance Sinking Fund for the payment of interest on such  
7 bonds and the principal thereof at maturity. All moneys paid  
8 into the [Volunteer Company Loan Sinking Fund] Emergency  
9 Services Loan Assistance Sinking Fund and all of such moneys not  
10 necessary to pay accruing interest shall be invested by the  
11 Board of Finance and Revenue in such securities as are provided  
12 by law for the investment of the sinking funds of the  
13 Commonwealth.

14 § 7376. Repayment obligations for principal and interest.

15 The General Assembly shall appropriate an amount equal to  
16 moneys received from the office under section 7365 (relating to  
17 [Volunteer Companies Loan Fund] Emergency Services Loan  
18 Assistance Fund) and such other moneys as may be necessary to  
19 meet repayment obligations for principal and interest into the  
20 [Volunteer Company Loan Sinking Fund] Emergency Services Loan  
21 Assistance Sinking Fund.

22 § 7378. Temporary financing authorization.

23 \* \* \*

24 (d) Proceeds.--The proceeds of all such temporary borrowings  
25 shall be paid into the [Volunteer Companies Loan Fund] fund.

26 § 7378.2. Authorization of contracts, reimbursement procedure  
27 and amount.

28 The following shall apply:

29 (1) The Secretary of General Services is authorized to  
30 enter into contracts with local [volunteer fire, ambulance  
31 and rescue companies] fire companies or emergency medical  
32 services companies to provide services necessary to  
33 extinguish fires or perform any other allied services on  
34 State-owned property.

35 (2) The Secretary of Transportation is authorized to  
36 enter into contracts with local [volunteer] fire[, ambulance  
37 and rescue] companies or emergency medical services companies  
38 to provide services necessary to extinguish fires or perform  
39 any other allied services on limited access highways, other  
40 than the Pennsylvania Turnpike.

41 § 7378.3. Reimbursement procedure and amount.

42 The following shall apply:

43 (1) A contract between the Secretary of General Services  
44 or the Secretary of Transportation and a local [volunteer]  
45 fire[, ambulance and rescue] company or emergency medical  
46 services company shall provide that the Department of General  
47 Services or the Department of Transportation shall, monthly,  
48 upon receipt of proper proof, reimburse each contracted  
49 [volunteer] fire[, ambulance and rescue] company or emergency  
50 medical services company attending and providing fire control  
51 or other allied services on State-owned property or limited

1 access highways, as the case may be, a minimum amount of \$50  
2 for each verified fire or emergency call and the cost of any  
3 special extinguishing agents utilized, which the [volunteer]  
4 fire[, ambulance and rescue] company or emergency medical  
5 services company made in the preceding month as certified by  
6 the person in charge at the particular State-owned property  
7 or by an individual or individuals designated by the  
8 Secretary of Transportation to verify services rendered on  
9 limited access highways.

10 (2) A contract between the Department of General  
11 Services or the Department of Transportation and a [local  
12 volunteer ambulance or rescue] emergency medical services  
13 company shall also provide that the ambulance or rescue  
14 company request reimbursement from collectible insurance  
15 proceeds available as a result of the fire or emergency  
16 situation for which the [ambulance or rescue] emergency  
17 medical services company provided allied services. Proceeds  
18 payable to the [ambulance or rescue] emergency medical  
19 services company shall be deducted from the reimbursement for  
20 services provided pursuant to a contract entered into under  
21 this subchapter. Prior to payment for services rendered, the  
22 [local volunteer ambulance or rescue] emergency medical  
23 services company shall provide proof that they requested  
24 reimbursement from collectible insurance proceeds.

25 (3) A false alarm on State-owned property to which a  
26 [volunteer] fire[, ambulance or rescue] company or emergency  
27 medical services company responds shall constitute a fire or  
28 emergency call and shall be reimbursed at a rate set by the  
29 contract with the Secretary of General Services, but shall  
30 not be less than \$25 for each occurrence.

31 Section 5. Title 35 is amended by adding sections to read:  
32 § 7378.4. Referendum to expand loan assistance.

33 (a) Referendum.--The question of expanding the use of the  
34 indebtedness authorized under sections 7367 (relating to  
35 authority to borrow) and 7378.1 (relating to referendum for  
36 additional indebtedness) for volunteer loan assistance under  
37 this subchapter to include paid fire companies and emergency  
38 medical services companies for the purpose of establishing and  
39 modernizing facilities to house firefighting apparatus  
40 equipment, ambulances and rescue vehicles, protective and  
41 communications equipment and any other accessory equipment  
42 necessary for the proper performance of such organizations'  
43 duties, shall be submitted to the electorate at the next  
44 primary, municipal or general election held after November 5,  
45 2019.

46 (b) Certification.--The Secretary of the Commonwealth shall  
47 certify the question to the county boards of election.

48 (c) Question to the electorate.--The question shall be in  
49 substantially the following form:

50 Do you favor expanding the use of the indebtedness authorized  
51 under the referendum for loans to volunteer fire companies,

1 volunteer ambulance services and volunteer rescue squads  
2 under 35 Pa.C.S. § 7378.1 (relating to referendum for  
3 additional indebtedness) to include loans to fire companies  
4 that provide services through paid personnel and emergency  
5 medical services companies for the purpose of establishing  
6 and modernizing facilities to house firefighting apparatus  
7 equipment, ambulances and rescue vehicles, protective and  
8 communications equipment and any other accessory equipment  
9 necessary for the proper performance of the duties of the  
10 fire companies and emergency medical services companies?

11 (d) Election procedure.--The referendum under this section  
12 shall be conducted in accordance with the act of June 3, 1937  
13 (P.L.1333, No.320), known as the Pennsylvania Election Code,  
14 except that the time limits for advertisement of notice of the  
15 referendum may be waived as to the question.

16 (e) Construction.--This section shall not be construed as  
17 authorizing any additional borrowing for loan assistance to fire  
18 companies or emergency medical services companies.

19 Section 7378.5. Annual report and distribution of information.

20 (a) Annual report.--

21 (1) The office shall produce an annual report, which  
22 shall include all of the following information:

23 (i) How much money is in the fund at the beginning  
24 of each fiscal year and the balance in the fund at the  
25 end of each fiscal year.

26 (ii) How many loan applications were received by the  
27 office.

28 (iii) How many loans were issued under the program.

29 (iv) The fire companies and EMS companies to which  
30 the loans were issued by the office.

31 (v) The total amount of loans issued by the office.

32 (vi) The number and amount of loans for facilities,  
33 apparatus and equipment.

34 (2) The report shall be posted on the office's publicly  
35 accessible Internet website and sent to all of the following:

36 (i) The chair and minority chair of the Veterans  
37 Affairs and Emergency Preparedness Committee of the  
38 Senate.

39 (ii) The chair and minority chair of the Veterans  
40 Affairs and Emergency Preparedness Committee of the House  
41 of Representatives.

42 (b) Distribution.--The office shall annually distribute  
43 information on the fund to all fire companies and emergency  
44 medical services in this Commonwealth, including notice of the  
45 program and the amounts that can be borrowed under the program.

46 Section 6. Section 7385 of Title 35 is amended to read:  
47 § 7385. Pennsylvania [Volunteer] Fire and Emergency Loan  
48 Assistance Program.

49 (a) Creation.--There shall be a loan assistance program,  
50 which shall be implemented by the commissioner, for [volunteer  
51 agencies, known as the Pennsylvania Volunteer Loan Assistance

1 Program,] fire companies and emergency medical services  
2 companies, known as the Pennsylvania Fire and Emergency Medical  
3 Services Loan Assistance Program, which shall make loans under  
4 Subchapter E (relating to volunteer fire [company, ambulance  
5 service and rescue squad assistance). The Pennsylvania Volunteer  
6 Loan Assistance Program and the powers and duties previously  
7 vested in the Department of Community Affairs, which were  
8 transferred to the agency under Reorganization Plan No.7 of 1981  
9 (P.L.615) and which are set forth under Subchapter E, are hereby  
10 transferred to and vested in the commissioner.] companies and  
11 emergency medical services companies).

12 \* \* \*

13 [(c) Regulations.--The Volunteer Loan Assistance Program  
14 regulations found in 4 Pa. Code Ch. 113 (relating to volunteer  
15 fire company, ambulance service and rescue squad assistance) are  
16 hereby transferred to the commissioner from the agency. The  
17 commissioner shall fully implement and administer those  
18 regulations on or before January 12, 1996. The commissioner may  
19 be substituted for the agency throughout the regulations and the  
20 regulations may be renumbered and published in the Pennsylvania  
21 Bulletin as final regulations without those regulatory changes  
22 being subject to the provisions of the act of June 25, 1982  
23 (P.L.633, No.181), known as the Regulatory Review Act.]

24 Section 7. The heading of Subchapter B of Chapter 74 of  
25 Title 35 is amended to read:

26 Amend Bill, page 1, line 13, by striking out "2" and  
27 inserting

28 8

29 Amend Bill, page 2, line 6, by striking out "3" and inserting

30 9

31 Amend Bill, page 2, line 23, by striking out "4" and  
32 inserting

33 10

34 Amend Bill, page 4, line 11, by striking out "5" and  
35 inserting

36 11

37 Amend Bill, page 4, line 23, by striking out "6" and  
38 inserting

39 12

40 Amend Bill, page 5, by inserting between lines 29 and 30

41 Section 13. Section 7842(b) of Title 35 is amended to read:

1 § 7842. Special provisions.

2 \* \* \*

3 (b) Delinquency.--An applicant for a grant under this  
4 chapter who is delinquent in loan payments to the Pennsylvania  
5 [Volunteer Loan Assistance Program established under the act of  
6 July 15, 1976 (P.L.1036, No.208), known as the Volunteer Fire  
7 Company, Ambulance Service and Rescue Squad Assistance Act,]  
8 Fire and Emergency Medical Services Loan Assistance Program,  
9 must use its grant funds to pay any arrears to the Commonwealth  
10 or it will not be qualified to receive a grant. Any organization  
11 that fails to comply with this subsection shall be disqualified  
12 from applying to the grant program for a period of [three] five  
13 years.

14 \* \* \*

15 Amend Bill, page 5, line 30, by striking out "7" and  
16 inserting

17 14

18 Amend Bill, page 5, line 30, by striking out "in six months."  
19 and inserting

20 as follows:

21 (1) The amendment or addition of the following shall  
22 take effect in six months:

23 (i) 35 Pa.C.S. Ch. 74, Subch. B heading.

24 (ii) 35 Pa.C.S. § 7412.

25 (iii) 35 Pa.C.S. § 7413 introductory paragraph, (1)  
26 and (8)

27 (iv) 35 Pa.C.S. § 7416(a) and (f)(13), (14), (18),  
28 (19), (20), (21), (22) and (23).

29 (v) 35 Pa.C.S. § 7418(b).

30 (vi) 35 Pa.C.S. § 7419.1.

31 (2) This section shall take effect immediately.

32 (3) The remainder of this act shall take effect in 60  
33 days.