
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2866 Session of
2002

INTRODUCED BY COY, SOLOBAY, ALLEN, BARD, BEBKO-JONES, BELARDI, BELFANTI, BUXTON, CAPPELLI, CORRIGAN, COSTA, DAILEY, DALEY, DeLUCA, DeWEESE, FICHTER, FREEMAN, GEORGE, HANNA, HARHAI, HARPER, HESS, JAMES, LAUGHLIN, LESCOVITZ, LUCYK, MACKERETH, MANDERINO, MARKOSEK, MAYERNIK, McCALL, McILHATTAN, MELIO, MICOZZIE, MUNDY, PALLONE, PETRARCA, PETRONE, READSHAW, ROONEY, SAINATO, SANTONI, SCRIMENTI, SHANER, STABACK, STEELMAN, STERN, R. STEVENSON, STRITTMATTER, SURRA, TANGRETTI, TIGUE, TRAVAGLIO, TRELLO, TRICH, WALKO, WANSACZ, WOJNAROSKI, M. WRIGHT AND GRUITZA, SEPTEMBER 30, 2002

REFERRED TO COMMITTEE ON VETERANS AFFAIRS AND EMERGENCY
PREPAREDNESS, SEPTEMBER 30, 2002

AN ACT

1 Establishing and funding grant programs for volunteer fire
2 companies, emergency service entities and water or vehicle
3 rescue squads and for shared municipal services; establishing
4 the Homeland Heroes Advisory Board and the Homeland Heroes
5 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 Homeland
23 Heroes 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 Homeland Heroes Advisory Board
2 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 Homeland Heroes Grant Fund established pursuant
5 to section 1101.

6 "Grant program." The Homeland Heroes Grant Program, and any
7 of its component parts, including the Volunteer Fire Company
8 Grant Program established under Chapter 3, the Emergency
9 Services Entities Grant Program established under Chapter 5 and
10 the Shared Municipal Services Grant Program established under
11 Chapter 7.

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

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

18 "Volunteer fire company." A nonprofit chartered corporation,
19 association or organization located in this Commonwealth which
20 provides fire protection or rescue services and which may offer
21 other voluntary emergency services within this Commonwealth,
22 including a water or vehicle rescue company. Voluntary emergency
23 services provided by a volunteer fire company may include
24 voluntary ambulance and voluntary rescue services.

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

29 CHAPTER 3

30 VOLUNTEER FIRE COMPANY GRANT PROGRAM

1 Section 301. Establishment.

2 The Volunteer Fire Company Grant Program is hereby
3 established and shall be administered by the advisory board in
4 consultation with the agency. Grants provided under this program
5 shall be used to continually improve and enhance the
6 capabilities of the volunteer fire company to provide
7 firefighting and emergency services.

8 Section 302. Guidelines and procedures.

9 The advisory board, in consultation with the agency, shall
10 develop guidelines, procedures and all applications necessary to
11 implement the grant program. The advisory board shall submit the
12 guidelines, procedures and applications to the Legislative
13 Reference Bureau for publication in the Pennsylvania Bulletin
14 within 30 days after the effective date of this chapter.

15 Section 303. Award of grants.

16 (a) Authorization.--The advisory board is hereby authorized
17 to make grant awards to each eligible volunteer fire company to
18 be used for the following:

19 (1) Construction or renovation of the fire company's
20 facility and purchase or repair of fixtures, furnishings,
21 office equipment and support services necessary to maintain
22 or improve the capability of the company to provide
23 firefighting and emergency services.

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

26 (3) Retirement or reduction of debt accumulated through
27 the construction or renovation of facilities, purchase or
28 repair of fixtures, furnishings, office equipment and support
29 services or the purchase or repair of equipment.

30 (4) Reasonable costs associated with training or

1 certification of members.

2 (5) Any expenditures that, as determined by the advisory
3 board, enhance or improve the delivery of firefighting and
4 emergency services.

5 (b) Eligibility and limits.--

6 (1) To receive grant funds under this chapter, a
7 volunteer fire company shall have actively responded to one
8 or more fire or rescue emergencies since July 1, 2002, and
9 must sign an agreement to actively participate in the
10 Pennsylvania Fire Information Reporting System administered
11 by the agency.

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

14 (c) Application.--

15 (1) The advisory board shall provide applications and a
16 program summary for grants under this chapter to the fire
17 chief and president of every volunteer fire company in this
18 Commonwealth on or before July 31 of each fiscal year. The
19 program summary shall include, but not be limited to:

20 (i) Limitations on the use of grants.

21 (ii) Eligibility criteria.

22 (iii) Amount of funding available for the current
23 fiscal year.

24 (2) Volunteer fire companies seeking grants under this
25 chapter shall submit completed applications to the advisory
26 board on or before October 1 of each fiscal year.

27 (d) Advisory board action.--The advisory board shall act to
28 approve or disapprove the application by December 1 of each
29 fiscal year. Applications which have not been approved or
30 disapproved by the advisory board by December 1 shall be deemed

1 approved.

2 Section 304. Consolidation.

3 If, after the effective date of this chapter, two or more
4 volunteer fire companies consolidate their use of facilities,
5 equipment, firefighters and services, the consolidated entity
6 may, upon notification of the agency, be eligible for:

7 (1) Reduction of the interest rate payable on any
8 outstanding principal balance owed, as of the date of
9 consolidation, by any or all of the consolidating companies
10 to the Volunteer Companies Loan Fund for loans made under the
11 act of July 15, 1976 (P.L.1036, No.208), known as the
12 Volunteer Fire Company, Ambulance Service and Rescue Squad
13 Assistance Act. The reduction in the interest rate payable
14 shall be from 2% to 1%. Upon receipt of such notification,
15 the agency, in conjunction with the commissioner, shall
16 determine and verify that the consolidated entity is in fact
17 a bona fide consolidated volunteer fire company. If the
18 agency determines that the consolidated entity is a bona fide
19 consolidated volunteer fire company, it shall reduce the
20 interest rate payable on any outstanding principal balance
21 owed to the Volunteer Companies Loan Fund for loans made
22 under the Volunteer Fire Company, Ambulance Service and
23 Rescue Squad Assistance Act for which the consolidating
24 companies or the consolidated entity may be individually or
25 jointly responsible.

26 (2) A grant award equal to the total amount each
27 volunteer fire company from which the consolidated entity was
28 created would have been eligible to receive as though it had
29 not consolidated, for a period of five years after the date
30 of consolidation.

1 CHAPTER 5

2 EMERGENCY SERVICES ENTITIES GRANT PROGRAM

3 Section 501. Establishment.

4 The Emergency Services Entities Grant Program is hereby
5 established and shall be administered by the advisory board.
6 Grants provided under this program shall be used to continually
7 improve and enhance the capabilities of emergency service
8 entities to provide ambulance, emergency medical, basic and
9 advanced life support and general rescue services.

10 Section 502. Guidelines and procedures.

11 The advisory board shall develop guidelines, procedures and
12 all applications necessary to implement the grant program. The
13 advisory board shall submit the guidelines, procedures and
14 applications to the Legislative Reference Bureau for publication
15 in the Pennsylvania Bulletin within 30 days after the effective
16 date of this chapter.

17 Section 503. Award of grants.

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

21 (1) Construction or renovation of the emergency service
22 entities' facilities and purchase or repair of fixtures,
23 furnishings, office equipment and support services necessary
24 to maintain or improve the capability of the emergency
25 service entity to provide ambulance, emergency medical, basic
26 and advanced life support and general rescue services.

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

28 (3) Retirement or reduction of debt accumulated through
29 the construction or renovation of facilities, purchase or
30 repair of fixtures, furnishings, office equipment and support

1 services or the purchase or repair of equipment.

2 (4) Reasonable costs associated with training and
3 certification of members.

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

6 (b) Eligibility and limits.--

7 (1) To receive grant funds under this chapter, an
8 emergency service entity or a water or vehicle rescue company
9 shall have actively responded to one or more emergency
10 medical situations or water or vehicle rescue emergencies
11 since July 1, 2002.

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

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

17 (c) Application.--

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

24 (i) Limitations on the use of grants.

25 (ii) Eligibility criteria.

26 (iii) Amount of funding available for the current
27 fiscal year.

28 (2) Emergency service entities and water or vehicle
29 rescue companies seeking grants under this chapter shall
30 submit completed applications to the advisory board on or

1 before October 1 of each fiscal year.

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

6 CHAPTER 7

7 SHARED MUNICIPAL SERVICES GRANT PROGRAM

8 Section 701. Establishment.

9 The Shared Municipal Services Grant Program is hereby
10 established and shall be administered by the advisory board.
11 Grants provided under this program shall be used to improve and
12 enhance the quality and reduce the cost of municipal services by
13 providing financial assistance for the sharing of services.

14 Section 702. Guidelines and procedures.

15 The advisory board, in consultation with the department,
16 shall promulgate the rules, regulations, guidelines, procedures
17 and all applications necessary to implement the grant program.
18 The advisory board shall submit the rules, regulations,
19 guidelines, procedures and applications to the Legislative
20 Reference Bureau for publication in the Pennsylvania Bulletin
21 within 90 days of the effective date of this chapter.

22 Section 703. Award of grants.

23 (a) Authorization.--The advisory board is hereby authorized
24 to make grant awards to an eligible municipality for the purpose
25 of providing financial assistance for implementing a shared
26 service agreement. Nothing in this chapter shall prevent an
27 eligible municipality from using funds from a grant program
28 award for a shared service agreement for volunteer fire company
29 or emergency service entity.

30 (b) Limits.--No more than one grant award shall be provided

1 for each shared service agreement. However, nothing in this
2 chapter shall prevent any municipality from receiving the direct
3 benefit of more than one grant award, provided that municipality
4 has entered into more than one shared service agreement.

5 (c) Time for filing application and advisory board action.--
6 The advisory board shall make available applications for grants
7 under this chapter to be submitted on a rolling basis throughout
8 the fiscal year.

9 CHAPTER 9

10 HOMELAND HEROES ADVISORY BOARD

11 Section 901. Establishment.

12 (a) Establishment.--There is hereby established within the
13 agency a Homeland Heroes Advisory Board.

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

16 (1) One member appointed by the Majority Leader of the
17 Senate.

18 (2) One member appointed by the Minority Leader of the
19 Senate.

20 (3) One member appointed by the Majority Leader of the
21 House of Representatives.

22 (4) One member appointed by the Minority Leader of the
23 House of Representatives.

24 (5) A representative of the Pennsylvania Emergency
25 Management Agency.

26 (6) The State Fire Commissioner.

27 (7) A representative of the Pennsylvania Fire and
28 Emergency Services Institute.

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

30 (1) be employed or engaged in business in this

Commonwealth; or

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

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

(e) Meetings.--The advisory board shall meet at least biannually or more frequently as deemed necessary by the chairperson.

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

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

Section 902. Powers and duties of advisory board.

The advisory board has the following powers and duties to:

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

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

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

CHAPTER 11

GRANT FUNDING PROVISIONS

1 Section 1101. Homeland Heroes Grant Fund.

2 (a) Establishment.--There is established in the State
3 Treasury a restricted receipt account to be known as the
4 Homeland Heroes Grant Fund which shall be an interest-bearing,
5 restricted revenue account in which shall be deposited such
6 money as is appropriated, granted or donated to the advisory
7 board or the Pennsylvania Emergency Management Agency for grants
8 under this act.

9 (b) Use of fund.--Money deposited in the fund and interest
10 earned on the money shall be used solely for the purpose of
11 carrying out the provisions of this act. No more than
12 \$25,000,000 of the fund may be used annually for carrying out
13 the provisions of this act. The Pennsylvania Emergency
14 Management Agency, in consultation with the advisory board,
15 shall annually determine the amount of money to be apportioned
16 to each grant program under this act.

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

20 (d) Audit of fund.--The Department of the Auditor General
21 shall, at least once every two years, make a complete
22 examination of the fund to verify appropriations, receipts,
23 expenditures and the application of grant moneys awarded from
24 the fund. The expense incurred in making such audit shall be
25 certified to the fund by the Auditor General and shall be paid
26 from the general appropriation to the Homeland Heroes Grant
27 Fund.

28 Section 1102. Appropriation.

29 The amount of \$100,000,000 is hereby appropriated to the
30 Pennsylvania Emergency Management Agency for the purpose of

1 carrying out the provisions of this act. The money in the fund
2 is continuously appropriated to the fund and shall not lapse at
3 the end of any fiscal year.

4 CHAPTER 15

5 MISCELLANEOUS PROVISIONS

6 Section 1501. Regulatory authority.

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

10 Section 1502. Effective date.

11 This act shall take effect immediately.