

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1109 Session of
2005

INTRODUCED BY E. Z. TAYLOR, SCHRODER, BOYD, BAKER, BELFANTI,
CALTAGIRONE, CAWLEY, CRAHALLA, FICHTER, FLICK, GEIST,
GINGRICH, HENNESSEY, HERMAN, HERSHEY, JAMES, McILHATTAN,
MILLARD, PHILLIPS, ROSS, RUBLEY, SEMMEL, STABACK, THOMAS,
TIGUE, WALKO, WATSON, YOUNGBLOOD AND ZUG, MARCH 24, 2005

REFERRED TO COMMITTEE ON EDUCATION, MARCH 24, 2005

AN ACT

1 Authorizing agreements between institutions of the State System
2 of Higher Education and municipalities; providing for
3 payments and certain legal services; imposing additional
4 powers and duties on the Department of Community and Economic
5 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 Municipal 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
18 protection against loss of facilities, equipment and lives by

1 fire or other disasters on the premises of the universities
2 of the system.

3 (3) It is more efficient and economically sound for any
4 university of the system to enter into agreements with
5 municipalities for essential services such as police, fire,
6 ambulance, code enforcement and rescue services.

7 Section 3. Definitions.

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

11 "Chancellor." The Chancellor of the State System of Higher
12 Education.

13 "Department." The Department of Community and Economic
14 Development of the Commonwealth.

15 "Host municipality." A municipality wherein a university is
16 located.

17 "Services." Includes police, fire, ambulance, code
18 enforcement and rescue services.

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 a host
24 municipality to provide services to their campuses. The total
25 amount payable by any university in the system for the provision
26 of services pursuant to agreements entered into under this
27 section may not exceed the limits established in section 5
28 (relating to computation of limits for payments).

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 and part-time enrollment,
3 including graduate and nontraditional, as of the third full week
4 of classes for the fall term. The enrollment figure thereby
5 determined shall be multiplied by \$5, and the resulting product
6 shall be the maximum amount the university may expend for
7 services, pursuant to agreements entered into under this act,
8 for the next ensuing 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 services, within the limits established under this section,
13 with funds specifically appropriated annually by the General
14 Assembly for this purpose.

15 Section 6. Certification of operating expenses by host
16 municipalities.

17 Each host municipality who is party to an agreement with a
18 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 host municipalities.

24 In any legal action arising out of or in connection with any
25 services performed on behalf of any university of the system by
26 the host municipality with respect to State facilities or
27 premises, the Commonwealth, out of funds appropriated to the
28 university system, shall reimburse the host municipality for the
29 cost incurred by it in defending the legal action. In any such
30 legal action, the host municipality shall be reimbursed for 50%

1 of the total costs, up to a maximum of \$5,000. This section
2 shall not be construed to:

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

6 (2) create a right of reimbursement from the
7 Commonwealth to the host municipality with respect to the
8 liability or judgment.

9 Section 8. Appropriation.

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

13 Section 9. Effective date.

14 This act shall take effect July 1, 2005, or immediately,
15 whichever is later.