

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILLNo. 906 Session of
2007

INTRODUCED BY LENTZ, MELIO, DeWEESE, SOLOBAY, ARGALL, BELFANTI, BENNINGHOFF, BIANCUCCI, BOYD, CALTAGIRONE, CARROLL, CAUSER, CIVERA, CONKLIN, CREIGHTON, CURRY, DALLY, DePASQUALE, FABRIZIO, FLECK, GALLOWAY, GEORGE, GERBER, GINGRICH, GRELL, GRUCELA, HARPER, HERSHEY, HESS, HICKERNELL, HORNAMAN, HUTCHINSON, KILLION, KING, KIRKLAND, KORTZ, KOTIK, KULA, LEACH, LEVDANSKY, MAHONEY, McCALL, McILHATTAN, MENSCH, MICOZZIE, MUNDY, MURT, MUSTIO, MYERS, NAILOR, M. O'BRIEN, PALLONE, PAYNE, PETRARCA, PETRONE, PHILLIPS, PICKETT, PYLE, RAMALEY, READSHAW, RUBLEY, SAINATO, SANTONI, SAYLOR, SCAVELLO, SHAPIRO, McILVAINE SMITH, R. STEVENSON, STURLA, SURRA, R. TAYLOR, VEREB, VULAKOVICH, WALKO, WANSACZ, WATERS, WOJNAROSKI, YOUNGBLOOD, ADOLPH, COSTA, THOMAS, EVERETT, KENNEY AND J. WHITE, MARCH 22, 2007

AS REPORTED FROM COMMITTEE ON VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, HOUSE OF REPRESENTATIVES, AS AMENDED, APRIL 17, 2007

AN ACT

1 Amending the act of July 31, 2003 (P.L.73, No.17), entitled "An
2 act establishing a grant program for volunteer fire companies
3 and volunteer ambulance services; and providing for grant
4 funding," further providing for guidelines and procedures,
5 for award of grants and for expiration of authority;
6 providing for publication and notice, for special provisions;
7 and repealing an obsolete act.

8 The General Assembly of the Commonwealth of Pennsylvania
9 hereby enacts as follows:

10 Section 1. Section 302 of the act of July 31, 2003 (P.L.73,
11 No.17), known as the Volunteer Fire Company and Volunteer
12 Ambulance Service Grant Act, is repealed:
13 [Section 302. Guidelines and procedures.

1 The agency shall develop guidelines, procedures and all
2 applications necessary to implement the grant program. The
3 agency shall submit the guidelines, procedures and applications
4 to the Legislative Reference Bureau for publication in the
5 Pennsylvania Code and Bulletin within 30 days of the effective
6 date of this act.]

7 Section 2. The act is amended by adding a section to read:
8 Section 302.1. Publication and notice.

9 The agency shall publish notice of the grant program
10 availability through the Legislative Reference Bureau for
11 publication in the Pennsylvania Bulletin within 30 days of the
12 effective date of this section for the 2006-2007 fiscal year <—
13 2006-2008 FISCAL PERIOD AND NO LATER THAN AUGUST 8 OF EACH YEAR <—
14 THEREAFTER.

15 Section 3. Section 303 of the act, amended February 21, 2006
16 (P.L.38, No.13), is amended to read:

17 Section 303. Award of grants.

18 (a) Authorization.--The agency is hereby authorized to make
19 a grant award to each eligible volunteer fire company for the
20 following:

21 (1) Construction and/or renovation of the fire company's
22 facility and purchase or repair of fixtures and furnishings
23 necessary to maintain or improve the capability of the
24 company to provide fire, ambulance and rescue services.

25 (2) Repair of firefighting, ambulance or rescue
26 equipment or purchase thereof.

27 (3) Debt reduction associated with paragraph (1) or (2).

28 (4) Training and certification of members.

29 (b) Limits.--

30 (1) Except as provided in paragraph (3), grants shall be

1 not less than \$2,500 and not more than \$15,000 per volunteer
2 fire company. THE MINIMUM AND MAXIMUM AMOUNTS OF GRANTS SHALL <—
3 BE DOUBLED FOR THE FISCAL PERIOD JULY 1, 2006, THROUGH JUNE
4 30, 2008.

5 (2) Grants may be awarded on a pro rata basis if the
6 total dollar amount of approved applications exceeds the
7 amount of funds appropriated by the General Assembly for this
8 purpose.

9 (3) In a municipality where there are two or more
10 volunteer fire companies and if two or more fire companies
11 consolidated their use of equipment, firefighters and
12 services [after July 1, 1998, each entity from which the
13 consolidated entity was created will be eligible for a grant
14 as though it had not consolidated.] within five years
15 preceding the date of the current year application submission
16 deadline, the consolidated entity shall be deemed eligible to
17 receive a grant not to exceed the amount of the combined
18 total for which the individual companies would have been
19 eligible had they not consolidated.

20 (c) Time for filing application and department action.--

21 [(1) The agency shall provide written instructions and <—
22 guidelines for grants under this act to the fire chief and
23 president of every volunteer fire company in this
24 Commonwealth on or before {February 28, 2006} ~~June 30, 2007.~~ <—

25 (2) Volunteer fire companies seeking grants under this
26 act shall submit completed applications to the agency on or
27 before {April 30, 2006} ~~August 30, 2007.~~ The agency shall act <—
28 to approve or disapprove the application by {June 30, 2006} <—
29 ~~October 30, 2007.~~ Applications which have not been approved
30 or disapproved by the agency by {June 30, 2006} ~~October 30,~~ <—

1 ~~2007~~, shall be deemed approved.] <—

2 (3) THE AGENCY SHALL PROVIDE WRITTEN INSTRUCTIONS FOR <—
3 GRANTS UNDER THIS ACT TO THE FIRE CHIEF AND PRESIDENT OF
4 EVERY VOLUNTEER FIRE COMPANY IN THIS COMMONWEALTH WITHIN 30
5 DAYS OF THE EFFECTIVE DATE OF THIS PARAGRAPH FOR THE FISCAL
6 PERIOD COMMENCING JULY 1, 2006, AND ENDING JUNE 30, 2008, AND
7 NO LATER THAN SEPTEMBER 1 FOR EACH YEAR THEREAFTER.

8 (4) THE AGENCY SHALL PROVIDE APPLICATIONS TO THE FIRE
9 CHIEF AND PRESIDENT OF EVERY VOLUNTEER FIRE COMPANY WITHIN 60
10 DAYS OF THE EFFECTIVE DATE OF THIS PARAGRAPH FOR THE FISCAL
11 PERIOD COMMENCING JULY 1, 2006, AND ENDING JUNE 30, 2008, AND
12 FOR EACH YEAR THEREAFTER. VOLUNTEER FIRE COMPANIES SEEKING
13 GRANTS UNDER THIS ACT SHALL SUBMIT COMPLETED APPLICATIONS TO
14 THE AGENCY WITHIN 45 DAYS AFTER RECEIPT OF SAID WRITTEN
15 INSTRUCTIONS, FOR THE FISCAL PERIOD JULY 1, 2006, THROUGH
16 JUNE 30, 2008, AND THE APPLICATION PERIOD SHALL REMAIN OPEN
17 FOR 45 DAYS FOR EACH YEAR THEREAFTER. THE AGENCY SHALL ACT TO
18 APPROVE OR DISAPPROVE THE APPLICATION WITHIN 60 DAYS OF THE
19 APPLICATION SUBMISSION DEADLINE. APPLICATIONS WHICH HAVE NOT
20 BEEN APPROVED OR DISAPPROVED BY THE AGENCY WITHIN 60 DAYS OF
21 THE APPLICATION SUBMISSION DEADLINE SHALL BE DEEMED APPROVED.

22 (d) Eligibility.--To receive grant funds under this act, a
23 volunteer fire company shall have actively responded to one or
24 more fire or rescue emergencies [since July 1, 2005,] during the
25 previous calendar year and must [sign] have signed and be under
26 an agreement to actively participate in the Pennsylvania Fire
27 Information Reporting System which is administered by the
28 agency.

29 Section 4. Section 502 of the act is repealed:

30 [Section 502. Guidelines and procedures.

1 The agency shall develop guidelines, procedures and all
2 applications necessary to implement the grant program. The
3 agency shall submit the guidelines, procedures and applications
4 to the Legislative Reference Bureau for publication in the
5 Pennsylvania Code and Bulletin within 30 days of the effective
6 date of this act.]

7 Section 5. The act is amended by adding a section to read:
8 Section 502.1. Publication and notice.

9 The agency shall publish notice of the grant program
10 availability through the Legislative Reference Bureau for
11 publication in the Pennsylvania Bulletin within 30 days of the
12 effective date of this section for the 2006-2007 fiscal year <—
13 2006-2008 FISCAL PERIOD AND NO LATER THAN AUGUST 8 OF EACH YEAR <—
14 THEREAFTER.

15 Section 6. Sections 503 and 901 of the act, amended February
16 21, 2006 (P.L.38, No.13), are amended to read:

17 Section 503. Award of grants.

18 (a) Authorization.--The agency is hereby authorized to make
19 a grant award to each eligible volunteer ambulance service for
20 the following:

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

27 (2) Repair of ambulance equipment or purchase thereof.

28 (3) Debt reduction associated with paragraph (1) or (2).

29 (4) Training and certification of members.

30 (b) Limits.--

1 (1) Grants shall be not less than \$2,500 and not more
2 than \$10,000 per volunteer ambulance service. THE MINIMUM AND <—
3 MAXIMUM AMOUNT OF GRANTS SHALL BE DOUBLED FOR THE FISCAL
4 PERIOD JULY 1, 2006, THROUGH JUNE 30, 2008.

5 (2) Grants may be awarded on a pro rata basis if the
6 total dollar amount of approved applications exceeds the
7 amount of funds appropriated by the General Assembly for this
8 purpose.

9 (3) If two or more volunteer ambulance services
10 consolidated their use of equipment, personnel and services
11 [after July 1, 1998, each entity from which the consolidated
12 entity was created will be eligible for a grant as though it
13 had not consolidated.] within five years preceding the date
14 of the current year application submission deadline, the
15 consolidated entity shall be deemed eligible to receive a
16 grant not to exceed the amount of the combined total for
17 which the individual companies would have been eligible had
18 they not consolidated.

19 (c) Time for filing application and department action.--

20 [(1) The agency shall provide written instructions and
21 guidelines for grants under this act to the president of
22 every volunteer ambulance service in this Commonwealth on or
23 before February 28, 2006.

24 (2) Volunteer ambulance services seeking grants under
25 this chapter shall submit completed applications to the
26 agency on or before April 30, 2006. The agency shall act to
27 approve or disapprove the application by June 30, 2006.

28 Applications which have not been approved or disapproved by
29 the agency by June 30, 2006, shall be deemed approved.]

30 ~~(1.1)~~ (3) The agency shall provide written instructions <—

1 for grants under this act to the president of every volunteer
2 ambulance service in this Commonwealth within 30 days of the
3 effective date of this paragraph AND NO LATER THAN SEPTEMBER <—
4 1 OF EACH YEAR THEREAFTER.

5 ~~(2.1)~~ (4) The agency shall provide applications to <—
6 volunteer ambulance services within 60 days of the effective
7 date of this paragraph FOR THE FISCAL YEAR COMMENCING JULY 1, <—
8 2006, AND NO LATER THAN SEPTEMBER 8 FOR EACH YEAR THEREAFTER.

9 Volunteer ambulance services seeking grants under this
10 chapter shall submit completed applications to the agency on <—
11 or before August 30, 2007 WITHIN 45 DAYS AFTER RECEIPT OF <—
12 SAID WRITTEN INSTRUCTIONS. The agency shall act to approve or
13 disapprove the application within 60 days of the application
14 submission deadline. Applications which have not been
15 approved or disapproved by the agency within 60 days of the
16 application submission deadline shall be deemed approved.

17 Section 901. Expiration of authority.

18 The authority of the agency to award grants under Chapters 3
19 and 5 shall expire June 30, [2007] 2008 2012. <—

20 Section 7. The act is amended by adding a section to read:

21 Section 901.1. Special provisions.

22 (a) Claim.--An applicant for a grant under this act who
23 failed to return a signed agreement for the preceding year shall
24 not be permitted to apply for a grant in the current year,
25 unless the applicant has provided the commissioner with a
26 reasonable written explanation as to why it did not claim its
27 grant.

28 (b) Delinquency.--An applicant for a grant under this act
29 who is delinquent in loan payments to the Pennsylvania Volunteer
30 Loan Assistance Program existing under the act of November 13,

1 1995 (P.L.604, No.61), known as the State Fire Commissioner Act,
2 shall agree to use its grant funds to pay any arrears to the
3 Commonwealth or it will not be qualified to receive a grant. Any
4 organization agreeing to this arrangement who fails to make the
5 payment to the Commonwealth shall be disqualified from applying
6 to the grant program for a period of three years.

7 (c) Demonstration.--An applicant for a grant under this act
8 must demonstrate that it complied with all terms of its grant
9 agreement in the previous year regarding the use of the grant
10 money it received in previous years or it shall not be eligible
11 to receive a grant in the current year.

12 (d) Approval.--An applicant shall not be approved for a
13 grant to be used for purposes other than those stated in section
14 303(a) or 503(a).

15 SECTION 8. THE LEGISLATIVE BUDGET AND FINANCE COMMITTEE <—
16 SHALL CONDUCT A PERFORMANCE REVIEW OF THE PROGRAM AUTHORIZED BY
17 THIS ACT AND SHALL SUBMIT ITS EVALUATION OF AND RECOMMENDATIONS
18 REGARDING THE PROGRAM TO THE GENERAL ASSEMBLY NO LATER THAN
19 FEBRUARY 28, 2012.

20 Section ~~8~~ 9. Repeals are as follows: <—

21 (1) The General Assembly declares that the act repealed
22 under paragraph (2) is obsolete.

23 (2) The act of June 22, 2000 (P.L.477, No.66), known as
24 the Volunteer Fire Company and Volunteer Ambulance Service
25 Grant Act, is repealed.

26 Section ~~9~~ 10. The addition of section 901.1(a) of the act <—
27 shall apply to grants for the fiscal ~~year commencing July 1,~~ <—
28 ~~2007~~ PERIOD COMMENCING JULY 1, 2006, AND ENDING JUNE 30, 2008. <—

29 Section ~~10~~ 11. This act shall take effect immediately. <—