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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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# HOUSE BILL

No. 906      Session of  
2007

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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, J. WHITE, MILNE, SIPTROTH, FAIRCHILD, ROAE, RAPP, BROOKS, KESSLER, QUINN, K. SMITH, REICHLEY, PERRY AND PEIFER, MARCH 22, 2007

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AMENDMENTS TO SENATE AMENDMENTS, HOUSE OF REPRESENTATIVES,  
JUNE 21, 2007

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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 defining "volunteer ambulance service";  
5 further providing for guidelines and procedures, for award of  
6 grants and for expiration of authority; providing for  
7 publication and notice, for special provisions; and repealing  
8 an obsolete act.

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

11 Section 1. The definition of "volunteer ambulance service"  
12 in section 102 of the act of July 31, 2003 (P.L.73, No.17),  
13 known as the Volunteer Fire Company and Volunteer Ambulance

1 Service Grant Act, is amended to read:

2 Section 102. Definitions.

3 The following words and phrases when used in this act shall  
4 have the meanings given to them in this section unless the  
5 context clearly indicates otherwise:

6 \* \* \*

7 "Volunteer ambulance service." Any nonprofit chartered  
8 corporation, association or organization located in this  
9 Commonwealth, which is licensed by the Pennsylvania Department  
10 of Health and is not associated or affiliated with any hospital  
11 and which is regularly engaged in the provision of emergency  
12 medical services, including basic life support or advanced life  
13 support services and [the transportation of patients within this  
14 Commonwealth.] advanced life support squads as defined in 28 Pa.  
15 Code § 1005.1 (relating to general provisions). The term shall  
16 not include any corporation, association or organization that is  
17 primarily engaged in the operation of invalid coaches which are  
18 intended for the routine transport of persons who are  
19 convalescent or otherwise nonambulatory and do not ordinarily  
20 require emergency medical treatment while in transit.

21 \* \* \*

22 Section 2. Section 302 of the act is repealed:

23 [Section 302. Guidelines and procedures.

24 The agency shall develop guidelines, procedures and all  
25 applications necessary to implement the grant program. The  
26 agency shall submit the guidelines, procedures and applications  
27 to the Legislative Reference Bureau for publication in the  
28 Pennsylvania Code and Bulletin within 30 days of the effective  
29 date of this act.]

30 Section 3. The act is amended by adding a section to read:

1 Section 302.1. Publication and notice.

2 The agency shall publish notice of the grant program  
3 availability through the Legislative Reference Bureau for  
4 publication in the Pennsylvania Bulletin:

5 (1) within 30 days of the effective date of this section  
6 for the fiscal years beginning July 1, 2006, and July 1,  
7 2007; and

8 (2) by August 8 for fiscal years beginning after June  
9 30, 2008.

10 Section 4. Section 303 of the act, amended February 21, 2006  
11 (P.L.38, No.13), is amended to read:

12 Section 303. Award of grants.

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

16 (1) Construction and/or renovation of the fire company's  
17 facility and purchase or repair of fixtures and furnishings  
18 necessary to maintain or improve the capability of the  
19 company to provide fire, ambulance and rescue services.

20 (2) Repair of firefighting, ambulance or rescue  
21 equipment or purchase thereof.

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

23 (4) Training and certification of members.

24 (b) Limits.--

25 (1) Except as provided in paragraph (3), grants shall be  
26 not less than \$2,500 and not more than \$15,000 per volunteer  
27 fire company.

28 (2) Grants may be awarded on a pro rata basis if the  
29 total dollar amount of approved applications exceeds the  
30 amount of funds appropriated by the General Assembly for this

1 purpose.

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

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

14 [(1) The agency shall provide written instructions and  
15 guidelines for grants under this act to the fire chief and  
16 president of every volunteer fire company in this  
17 Commonwealth on or before February 28, 2006.

18 (2) Volunteer fire companies seeking grants under this  
19 act shall submit completed applications to the agency on or  
20 before April 30, 2006. The agency shall act to approve or  
21 disapprove the application by June 30, 2006. Applications  
22 which have not been approved or disapproved by the agency by  
23 June 30, 2006, shall be deemed approved.]

24 (1) Within 30 days of the effective date of this  
25 amendatory act for the fiscal years beginning July 1, 2006,  
26 and July 1, 2007, and by September 1 of each year thereafter,  
27 the agency shall provide written instructions for grants  
28 under this act to the fire chief and president of every  
29 volunteer fire company in this Commonwealth.

30 (2) Within 45 days of the effective date of this

1 amendatory act for the fiscal years beginning July 1, 2006,  
2 and July 1, 2007, and by September 8 of each year thereafter,  
3 the agency shall provide applications to the fire chief and  
4 president of every volunteer fire company. The application  
5 for the fiscal years commencing July 1, 2006, and July 1,  
6 2007, shall be a combined application. Volunteer fire  
7 companies seeking grants under this act shall submit  
8 completed applications to the agency. The application period  
9 shall remain open for 45 days each year. The agency shall act  
10 to approve or disapprove applications within 60 days of the  
11 application submission deadline each year. Applications which  
12 have not been approved or disapproved by the agency within 60  
13 days after the close of the application period each year  
14 shall be deemed approved.

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

22 Section 5. Section 502 of the act is repealed:

23 [Section 502. Guidelines and procedures.

24 The agency shall develop guidelines, procedures and all  
25 applications necessary to implement the grant program. The  
26 agency shall submit the guidelines, procedures and applications  
27 to the Legislative Reference Bureau for publication in the  
28 Pennsylvania Code and Bulletin within 30 days of the effective  
29 date of this act.]

30 Section 6. The act is amended by adding a section to read:

1 Section 502.1. Publication and notice.

2 The agency shall publish notice of the grant program  
3 availability through the Legislative Reference Bureau for  
4 publication in the Pennsylvania Bulletin:

5 (1) within 30 days of the effective date of this section  
6 for the fiscal years beginning July 1, 2006, and July 1,  
7 2007; and

8 (2) by August 8 for fiscal years beginning after June  
9 30, 2008.

10 Section 7. Sections 503 and 901 of the act, amended February  
11 21, 2006 (P.L.38, No.13), are amended to read:

12 Section 503. Award of grants.

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

16 (1) Construction and/or renovation of the volunteer  
17 ambulance service's facility and purchase or repair of  
18 fixtures, furnishings, office equipment and support services  
19 necessary to maintain or improve the capability of the  
20 ambulance service to provide ambulance, emergency medical,  
21 basic life support and advanced life support services.

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

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

24 (4) Training and certification of members.

25 (b) Limits.--

26 (1) Grants shall be not less than \$2,500 and not more  
27 than \$10,000 per volunteer ambulance service.

28 (2) Grants may be awarded on a pro rata basis if the  
29 total dollar amount of approved applications exceeds the  
30 amount of funds appropriated by the General Assembly for this

1 purpose.

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

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

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

17 (2) Volunteer ambulance services seeking grants under  
18 this chapter shall submit completed applications to the  
19 agency on or before April 30, 2006. The agency shall act to  
20 approve or disapprove the application by June 30, 2006.  
21 Applications which have not been approved or disapproved by  
22 the agency by June 30, 2006, shall be deemed approved.]

23 (1) Within 30 days of the effective date of this  
24 amendatory act for the fiscal years commencing July 1, 2006,  
25 and July 1, 2007, and by September 1 of each year thereafter,  
26 the agency shall provide written instructions for grants  
27 under this act to the president of every volunteer ambulance  
28 service in this Commonwealth.

29 (2) Within 45 days of the effective date of this  
30 amendatory act for the fiscal years commencing July 1, 2006,

1 and July 1, 2007, and by September 8 of each year, the agency  
2 shall provide applications to the president of every  
3 volunteer ambulance service. The application for the fiscal  
4 years commencing July 1, 2006, and July 1, 2007, shall be a  
5 combined application. Volunteer ambulance services seeking  
6 grants under this act shall submit completed applications to  
7 the agency. The application period shall remain open for 45  
8 days each year. The agency shall act to approve or disapprove  
9 applications within 60 days of the application submission  
10 deadline each year. Applications which have not been approved  
11 or disapproved by the agency within 60 days after the close  
12 of the application period each year shall be deemed approved.

13 Section 901. Expiration of authority.

14 The authority of the agency to award grants under Chapters 3  
15 and 5 shall expire June 30, [2007] 2012.

16 Section 8. The act is amended by adding a section to read:

17 Section 901.1. Special provisions.

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

24 (b) Delinquency.--An applicant for a grant under this act  
25 who is delinquent in loan payments to the Pennsylvania Volunteer  
26 Loan Assistance Program established under the act of July 15,  
27 1976 (P.L.1036, No.208), known as the Volunteer Fire Company,  
28 Ambulance Service and Rescue Squad Assistance Act, shall agree  
29 to use its grant funds to pay any arrears to the Commonwealth or  
30 it will not be qualified to receive a grant. Any organization



1 agreeing to this arrangement who fails to make the payment to  
2 the Commonwealth shall be disqualified from applying to the  
3 grant program for a period of three years.

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

9 (d) Approval.--An applicant shall not be approved for a  
10 grant to be used for purposes other than those stated in section  
11 303(a) or 503(a).

12 Section 8.1. Notwithstanding the provisions of section 1720-  
13 C(c) of the act of April 9, 1929 (P.L.343, No.176), known as The  
14 Fiscal Code, moneys appropriated to the Volunteer Fire Company  
15 Grant Program by section 1720-C(c) of The Fiscal Code shall be  
16 utilized for payment of grants under Chapters 3 and 5.

17 Section 8.2. For the fiscal year commencing July 1, 2006,  
18 ~~grants shall be paid by~~ PAYMENTS OF GRANTS SHALL COMMENCE ON OR <—  
19 AFTER December 14, 2007. For the fiscal year commencing July 1,  
20 2007, payments of grants shall commence on or after January 15,  
21 2008.

22 Section 9. The Legislative Budget and Finance Committee  
23 shall conduct a performance review of the program authorized by  
24 this act and shall submit its evaluation of and recommendations  
25 regarding the program to the General Assembly no later than  
26 February 28, 2012.

27 Section 10. Repeals are as follows:

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

30 (2) The act of June 22, 2000 (P.L.477, No.66), known as

1       the Volunteer Fire Company and Volunteer Ambulance Service  
2       Grant Act, is repealed.

3       Section 11. The addition of section 901.1(a) of the act  
4 shall apply to grants for the fiscal years commencing July 1,  
5 2008, and for each fiscal year thereafter.

6       Section 12. This act shall take effect immediately.