

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 634 Session of 2009

INTRODUCED BY WATSON, MELIO, PETRI, O'NEILL, DeLUCA, BARRAR, BEAR, BEYER, BOYD, BRENNAN, CARROLL, CAUSER, CLYMER, CREIGHTON, DALEY, DALLY, J. EVANS, FLECK, GEIST, GIBBONS, GINGRICH, GOODMAN, GROVE, GRUCELA, HELM, HENNESSEY, HESS, HUTCHINSON, KAUFFMAN, KILLION, LONGIETTI, MICCARELLI, MILNE, PETRARCA, PHILLIPS, PYLE, QUINN, READSHAW, ROAE, SIPTROTH, K. SMITH, VULAKOVICH AND WANSACZ, FEBRUARY 26, 2009

REFERRED TO COMMITTEE ON EDUCATION, FEBRUARY 26, 2009

AN ACT

1 Establishing the Volunteer First Responder Loan Forgiveness  
2 Program; and providing for the powers and duties of the  
3 Pennsylvania Higher Education Assistance Agency, the State  
4 Fire Commissioner and the Director of the Emergency Medical  
5 Services Office in the Department of Health.

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 Volunteer  
10 First Responder Loan Forgiveness Act.

11 Section 2. Definitions.

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

15 "Active volunteer first responder" or "active volunteer." A  
16 volunteer for a volunteer ambulance service, volunteer fire  
17 company or volunteer rescue company certified as meeting the

1 criteria of this act as set forth under section 7.

2 "Agency." The Pennsylvania Higher Education Assistance  
3 Agency.

4 "Commissioner." The State Fire Commissioner appointed under  
5 section 3 of the act of November 13, 1995 (P.L.604, No.61),  
6 known as the State Fire Commissioner Act.

7 "Director." The director of the Bureau of Emergency Medical  
8 Services in the Department of Health.

9 "Program." The Volunteer First Responder Loan Forgiveness  
10 Program.

11 "Qualified active volunteer first responder applicant." A  
12 person who, in that person's first year of active volunteer  
13 service following completion of a postsecondary degree or  
14 certification program and, in each subsequent year, meets all of  
15 the following criteria:

16 (1) Has graduated from a postsecondary institution in  
17 this Commonwealth.

18 (2) Is certified by the Office of the State Fire  
19 Commissioner.

20 (3) Executes a sworn affidavit, under penalty of  
21 perjury, that the person does not have a delinquent payment  
22 owing to any Commonwealth agency.

23 (4) Is currently an active volunteer or becomes an  
24 active volunteer subsequent to the effective date of this  
25 section.

26 "Volunteer organization." A volunteer ambulance service,  
27 volunteer fire company and volunteer rescue company as defined  
28 under section 102 of the act of July 31, 2003 (P.L.73, No.17),  
29 known as the Volunteer Fire Company and Volunteer Ambulance  
30 Service Grant Act.

1 Section 3. Volunteer First Responder Loan Forgiveness Program.

2 (a) Establishment.--The Volunteer First Responder Loan  
3 Forgiveness Program is established.

4 (b) Active volunteer first responder loans.--Qualified  
5 active volunteer first responder applicants who are selected for  
6 the loan forgiveness awards under the program in accordance with  
7 this act shall be eligible for payment by the agency of a  
8 portion of a loan under the agency administered Federal Family  
9 Education Loan Program, including a Stafford or Consolidation  
10 loan, provided that the loan is for the education of the  
11 volunteer first responder and is owned, serviced or guaranteed  
12 by the agency.

13 Section 4. Loan forgiveness awards.

14 (a) Qualifications.--A recipient of a loan forgiveness award  
15 must be an active volunteer first responder who is certified by  
16 the commissioner or director. The active volunteer must submit  
17 such documentation of continued eligibility as the agency may  
18 require.

19 (b) Amount of awards.--

20 (1) If the applicant is a current active volunteer and  
21 certified as such by the commissioner or director for four  
22 consecutive years, the agency may forgive the active  
23 volunteer applicant's loan of up to \$16,000.

24 (2) Payment of the award shall be made in accordance  
25 with the procedures established by the agency.

26 (3) A qualified applicant may receive loan forgiveness  
27 awards as follows:

28 (i) First year of active volunteer status following  
29 graduation in an amount up to \$4,000, but not exceeding  
30 25% of the original qualifying loans.

(ii) Second year of volunteer status following graduation in an amount up to \$4,000, but not exceeding 25% of the original qualifying loans.

(iii) Third year of volunteer status following graduation in an amount up to \$8,000, but not exceeding 50% of the original qualifying loans.

(c) Preference.--The agency may give preference in approving loan forgiveness awards under the program to renewal applications.

#### Section 5. Funding.

The agency may approve loan forgiveness awards only to the extent that funds are appropriated by the General Assembly and are sufficient to cover administration of the program. In the event that funding is insufficient to fully fund administration and awards to all qualified applicants, the agency shall prorate loan forgiveness awards.

#### Section 6. Administration.

The agency shall administer the program and shall adopt such regulations, policies, procedures and forms as are necessary and not inconsistent with the provisions of this act.

#### Section 7. Point system.

(a) General rule.--The commissioner and the director shall jointly develop and implement a point system establishing the annual requirements for certification of active volunteers.

(b) Factors.--To determine whether to certify an individual as an active volunteer, the point system shall consider the following factors:

(1) The number of emergency calls to which the individual responded.

(2) The individual's level of training and participation

1 in formal training and drills.

2 (3) Time spent by the individual on administration and  
3 support activities, including fundraising and maintenance of  
4 facilities and equipment.

5 (4) Involvement by the individual in other projects that  
6 directly benefit the organization's financial viability,  
7 emergency response or operational readiness.

8 Section 8. Certification.

9 (a) Self-certification.--The active volunteer must sign and  
10 submit the application to the chief of the volunteer fire  
11 company or the president of the volunteer ambulance service or  
12 volunteer rescue company that the active volunteer serves.

13 (b) Local sign-off.--The chief and another officer of the  
14 volunteer fire company, the president and another officer of the  
15 volunteer ambulance service or rescue company shall:

16 (1) Sign the application attesting to the individual's  
17 status as an active volunteer.

18 (2) Forward the application to the department for final  
19 review and processing.

20 Section 9. Guidelines.

21 The agency shall adopt guidelines, including forms, necessary  
22 to administer this act.

23 Section 10. Effective date.

24 This act shall take effect in 60 days.