

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 866 Session of 2011

INTRODUCED BY WARD, SOLOBAY, WAUGH, TOMLINSON, GORDNER, KASUNIC, D. WHITE, PIPPY, VOGEL, ORIE, FONTANA, ERICKSON, BREWSTER, BROWNE, YUDICHAK, BAKER, BRUBAKER, ALLOWAY, GREENLEAF, McILHINNEY, EICHELBERGER, ARGALL, COSTA, FERLO, FARNESE AND WASHINGTON, MARCH 25, 2011

AS AMENDED ON THIRD CONSIDERATION, JUNE 11, 2012

AN ACT

1 Amending Title 35 (Health and Safety) of the Pennsylvania
2 Consolidated Statutes, IN COMMONWEALTH SERVICES, FURTHER
3 PROVIDING FOR THE VOLUNTEER COMPANIES LOAN FUND; in grants to
4 volunteer fire companies and volunteer services, further
5 providing for scope of chapter; providing for additional
6 funding; further providing for definitions, for
7 establishment, for award of grants, CHAPTER, DEFINITIONS,
8 ESTABLISHMENT AND AWARD OF GRANTS, PROVIDING FOR ADDITIONAL
9 FUNDING AND FURTHER PROVIDING for allocation of appropriated
10 funds and for expiration of authority; and making editorial
11 changes.

12 The General Assembly of the Commonwealth of Pennsylvania
13 hereby enacts as follows:

14 Section 1. Chapter 78 heading of Title 35 of the
15 Pennsylvania Consolidated Statutes is amended to read:

16 SECTION 1. SECTION 7365 OF TITLE 35 OF THE PENNSYLVANIA
17 CONSOLIDATED STATUTES IS AMENDED BY ADDING A SUBSECTION TO READ:
18 § 7365. VOLUNTEER COMPANIES LOAN FUND.

19 * * *

20 (C) ADMINISTRATION.--EACH FISCAL YEAR, THE STATE FIRE

1 COMMISSIONER MAY USE AN AMOUNT UP TO \$250,000 FROM THE VOLUNTEER
2 COMPANIES LOAN FUND FOR THE ADMINISTRATIVE COST OF IMPLEMENTING
3 THE LOAN PROGRAM UNDER THIS SUBCHAPTER.

4 SECTION 1.1. CHAPTER 78 HEADING OF TITLE 35 IS AMENDED TO
5 READ:

6 CHAPTER 78
7 GRANTS TO [VOLUNTEER] FIRE COMPANIES
8 AND VOLUNTEER SERVICES

9 Section 2. Section 7801 of Title 35 is amended to read:

10 § 7801. Scope of chapter.

11 This chapter relates to grants to [volunteer] fire companies
12 and volunteer ambulance services.

13 Section 3. The definition of "grant program" in section 7802
14 of Title 35 is amended and the section is amended by adding a
15 definition to read:

16 § 7802. Definitions.

17 The following words and phrases when used in this chapter
18 shall have the meanings given to them in this section unless the
19 context clearly indicates otherwise:

20 * * *

21 "Fire company." A volunteer fire company or a municipal fire
22 company located in this Commonwealth.

23 "Grant program." The [Volunteer] Fire Company Grant Program
24 established in Subchapter B (relating to [volunteer] fire
25 company grant program) or the Volunteer Ambulance Service Grant
26 Program established in Subchapter C (relating to volunteer
27 ambulance service grant program).

28 * * *

29 Section 4. Subchapter B heading of Chapter 78 of Title 35 is
30 amended to read:

1 SUBCHAPTER B

2 [VOLUNTEER] FIRE COMPANY GRANT PROGRAM

3 Section 5. ~~Section 7811 of Title 35 is~~ SECTIONS 7811 AND ←
4 7813(A) INTRODUCTORY PARAGRAPH, (B) (1) AND (3), (C) AND (D) OF
5 TITLE 35 ARE amended to read:

6 § 7811. Establishment.

7 The [Volunteer] Fire Company Grant Program is established and
8 shall be administered by the agency in consultation with the
9 commissioner. Grants provided under this program shall be used
10 to improve and enhance the capabilities of the [volunteer] fire
11 company to provide firefighting, ambulance and rescue services.

12 ~~Section 6. Title 35 is amended by adding a section to read:~~ ←

13 ~~§ 7811.1. Additional funding.~~

14 ~~In addition to sums transferred from the State Gaming Fund,~~
15 ~~the sum of \$5,000,000 shall be transferred annually from the~~
16 ~~Property Tax Relief Reserve Fund to the Fire Company Grant~~
17 ~~Program for the purpose of making grants to eligible volunteer~~
18 ~~fire companies under this subchapter.~~

19 ~~Section 7. Sections 7813(a) introductory paragraph, (b) (1)~~
20 ~~and (3), (c) and (d), 7833 and 7841 of Title 35 are amended to~~
21 ~~read:~~

22 § 7813. Award of grants.

23 (a) Authorization.--The agency is authorized to make a grant
24 award to each eligible [volunteer] fire company for the
25 following:

26 * * *

27 (b) Limits.--

28 (1) Except as provided in paragraph (3), grants shall be
29 not less than \$2,500 and not more than \$15,000 per
30 [volunteer] fire company.

1 * * *

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

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

12 (1) Within 30 days of June 28, 2007, for the fiscal
13 years beginning July 1, 2006, and July 1, 2007, and by
14 September 1 of each year thereafter, the agency shall provide
15 written instructions for grants under this chapter to:

16 (i) except as set forth in subparagraph (ii), the
17 fire chief and president of every [volunteer] fire
18 company [in this Commonwealth]; or

19 (ii) in the case of a municipal fire company, the
20 chief executive of the municipality.

21 (2) Within 45 days of June 28, 2007, for the fiscal
22 years beginning July 1, 2006, and July 1, 2007, and by
23 September 8 of each year thereafter, the agency shall provide
24 applications to [the fire chief and president of every
25 volunteer fire company] individuals specified in paragraph
26 (1). The application for the fiscal years commencing July 1,
27 2006, and July 1, 2007, shall be a combined application.

28 [Volunteer fire] Fire companies seeking grants under this
29 chapter shall submit completed applications to the agency.
30 The application period shall remain open for 45 days each

1 year. The agency shall act to approve or disapprove
2 applications within 60 days of the application submission
3 deadline each year. Applications which have not been approved
4 or disapproved by the agency within 60 days after the close
5 of the application period each year shall be deemed approved.

6 (d) Eligibility.--To receive grant funds under this chapter,
7 a [volunteer] fire company shall have actively responded to one
8 or more fire or rescue emergencies during the previous calendar
9 year and must have signed and be under an agreement to actively
10 participate in the Pennsylvania Fire Information Reporting
11 System which is administered by the agency.

12 SECTION 6. TITLE 35 IS AMENDED BY ADDING A SECTION TO READ: ←
13 § 7832.1. ADDITIONAL FUNDING.

14 IN ADDITION TO SUMS TRANSFERRED FROM THE STATE GAMING FUND,
15 THE SUM OF \$5,000,000 SHALL BE TRANSFERRED ANNUALLY FROM THE
16 PROPERTY TAX RELIEF RESERVE FUND TO THE FIRE COMPANY GRANT
17 PROGRAM FOR THE PURPOSE OF MAKING GRANTS TO ELIGIBLE FIRE
18 COMPANIES UNDER THIS SUBCHAPTER.

19 SECTION 7. SECTIONS 7833(A) AND (B) INTRODUCTORY PARAGRAPH
20 AND (1) AND 7841 OF TITLE 35 ARE AMENDED TO READ:

21 § 7833. Allocation of appropriated funds.

22 (a) [Prohibition] Administration.--[No]

23 (1) Except as provided under paragraph (2), no money
24 from the appropriation for [volunteer company] grants shall
25 be used for expenses or costs incurred by the agency for the
26 administration of the grant programs authorized under
27 Subchapters B (relating to [volunteer] fire company grant
28 program) and C (relating to volunteer ambulance service grant
29 program).

30 (2) Notwithstanding paragraph (1), each fiscal year the

1 ~~commissioner may use, subject to the approval of the~~ ←
2 ~~Governor, an amount up to \$100,000 of the total dollar amount~~
3 ~~of the grants approved in the immediately preceding fiscal~~
4 ~~year for the commissioner's administrative cost to implement~~
5 ~~and oversee the programs under paragraph (1).~~ AN AMOUNT OF UP ←
6 TO \$250,000 OF THE TOTAL AMOUNT OF FUNDS TRANSFERRED OR
7 APPROPRIATED TO THE GRANT PROGRAM UNDER SUBCHAPTER B FOR THE
8 ADMINISTRATIVE COSTS TO IMPLEMENT THAT GRANT PROGRAM.

9 (b) Grant allocation.--Unless otherwise expressly stated,
10 money appropriated to the agency for purposes of [volunteer] ←
11 company grants shall be allocated as follows:

12 (1) Eighty-eight percent of the amount appropriated
13 shall be used for making grants to eligible [volunteer] fire
14 companies under Subchapter B.

15 * * *

16 § 7841. Expiration of authority.

17 The authority of the agency to award grants under Subchapters
18 B (relating to [volunteer] fire company grant program) and C
19 (relating to volunteer ambulance service grant program) shall
20 expire June 30, [2012] 2016.

21 Section 8. This act shall take effect immediately.