
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 591 Session of
1989

INTRODUCED BY ARGALL, McCALL, ALLEN, G. SNYDER, J. L. WRIGHT,
BOYES, GODSHALL, STABACK, CESSAR, NOYE, JOHNSON, DISTLER,
TIGUE, HASAY, DORR, BUSH, SERAFINI, E. Z. TAYLOR, FOX,
DEMPSEY, MRKONIC, PETRARCA, SCHULER, CLYMER, HERMAN, VEON,
HALUSKA, MORRIS, REBER, GANNON, LEVDANSKY, GRUPPO, ANGSTADT,
GEIST, ROBBINS, DeLUCA, D. W. SNYDER, LASHINGER, LEH, McHALE,
FREEMAN, VROON, DIETTERICK, RAYMOND, HESS, BURD, J. H. CLARK,
KAISER, CORNELL, FLICK, BELARDI, MELIO, HECKLER, MARSICO AND
BROUJOS, FEBRUARY 15, 1989

SENATOR RHOADES, STATE GOVERNMENT, IN SENATE, AS AMENDED,
MAY 1, 1990

AN ACT

1 Amending the act of July 15, 1976 (P.L.1036, No.208), entitled,
2 as amended, "An act authorizing the indebtedness, with the
3 approval of the electors, of twenty-five million dollars for
4 loans to volunteer fire companies, volunteer ambulance
5 services and volunteer rescue squads for the purpose of
6 establishing or modernizing facilities to house fire fighting
7 apparatus equipment, ambulances, and rescue vehicles, and for
8 purchasing new fire fighting apparatus equipment, ambulances,
9 and rescue vehicles, protective and communications equipment,
10 and any other accessory equipment necessary for the proper
11 performance of such organizations' duties," providing for an
12 exception to loan limits and adjusting loan limits; AND
13 PROVIDING FOR A REFERENDUM QUESTION ON ADDITIONAL
14 INDEBTEDNESS.

←

15 The General Assembly of the Commonwealth of Pennsylvania
16 hereby enacts as follows:

17 Section 1. Section 3 of the act of July 15, 1976 (P.L.1036,
18 No.208), known as the Volunteer Fire Company, Ambulance Service
19 and Rescue Squad Assistance Act, is amended by adding a

1 definition to read:

2 Section 3. Definitions.--As used in this act:

3 * * *

4 "Rescue vehicle" means any vehicle, whether a motor vehicle
5 or a watercraft, used for rescue services.

6 * * *

7 Section 2. Section 4(a)(1), ~~(2)~~ 4(A)(2) and (6) and (b) of <—
8 the act, amended June 13, 1980 (P.L.217, No.65) and May 11, 1982
9 (P.L.407, No.118), are amended and the section is amended by
10 adding a subsection to read:

11 Section 4. Assistance to Volunteer Fire Companies, Ambulance
12 Service and Rescue Squads.--(a) The department is hereby
13 authorized, upon application of any volunteer fire company,
14 volunteer ambulance service and volunteer rescue squad, to make
15 loans to said volunteer companies for the following purposes:

16 ~~(1) Establishing or modernizing facilities that house fire <—~~
17 ~~fighting equipment, ambulance or rescue vehicles. The amount of~~
18 ~~a loan for establishing or modernizing facilities made to any~~
19 ~~one volunteer fire company, ambulance service or rescue squad~~
20 ~~shall not exceed 50% of the total cost of the facilities or~~
21 ~~modernization or [\$50,000] \$75,000, whichever is less, and a~~
22 ~~notarized financial statement filed under subsection (c) shall~~
23 ~~show that the applicant has available 20% of the total cost of~~
24 ~~the facilities in unobligated funds. Proceeds of the loan shall~~
25 ~~be used only for purposes of land acquisition or construction,~~
26 ~~and shall not be used for payment of fees for design, planning,~~
27 ~~preparation of applications, or any other cost not directly~~
28 ~~attributable to land acquisition or construction.~~

29 * * * <—

30 (2) Purchasing fire fighting apparatus, ambulances or rescue

1 vehicles. The amount of a loan made for purchasing fire fighting
2 apparatus, to any one volunteer fire company shall not exceed
3 [~~\$50,000~~] \$100,000 for any single fire fighting apparatus
4 equipment or utility or special service vehicle or heavy duty
5 rescue vehicle as defined by regulation, or 50% of the total
6 cost of the equipment or vehicle, whichever is less EXCEPT FOR ←
7 LOANS FOR AERIAL APPARATUS AS DEFINED BY REGULATION, WHICH SHALL
8 NOT EXCEED \$150,000. The amount of a loan made to any one
9 volunteer fire company, ambulance service or rescue squad for
10 any ambulance or light duty rescue vehicle as defined by
11 regulation shall not exceed ~~\$40,000~~ \$50,000 and for a watercraft ←
12 rescue vehicle shall not exceed [~~\$25,000~~] \$15,000 or 50% of the
13 cost of the ambulance or rescue vehicle, whichever is less, and
14 a notarized financial statement filed under subsection (c) shall
15 show that the applicant has available 20% of the total cost of
16 the vehicle in unobligated funds.

17 * * *

18 (6) Purchasing of used fire fighting apparatus, equipment,
19 used ambulances, used rescue vehicles, used communications
20 equipment, used accessory equipment or used protective
21 equipment: Provided, however, That the used vehicles and
22 equipment shall meet the National Fire Protection Association
23 (NFPA) standards: And provided further, That loans for the
24 purchase of a used single apparatus equipment shall not exceed
25 \$60,000 or 80% of the total cost of the equipment, whichever is
26 less.

27 Loans under this act may be made for any of the purposes of
28 this subsection undertaken by a volunteer fire company,
29 volunteer ambulance service and volunteer rescue squad on or
30 after November 4, 1975, the date of the approval of the

1 referendum approving the borrowing of money for the purposes of
2 this act.

3 (b) Loans made by the department IN THE AMOUNT OF \$100,000 <—
4 OR MORE shall be for a period of not more than [ten] 15 years,
5 LOANS LESS THAN \$100,000 SHALL BE FOR A PERIOD OF TEN YEARS, and <—
6 any loan of the amount of [\$10,000] \$15,000 or less shall be for
7 a period of not more than five years. Loans shall be subject to
8 the payment of interest at 2% per annum and shall be subject to
9 such security as shall be determined by the department. The
10 total amount of interest earned by the investment or
11 reinvestment of all or any part of the principal of any loan
12 shall be returned to the department and transferred to the
13 Volunteer Companies Loan Fund, and shall not be credited as
14 payment of principal or interest on the loan. The minimum amount
15 of any loan shall be [\$1,000] \$5,000.

16 * * *

17 (h) Notwithstanding any other provision of this section to
18 the contrary, the maximum amount of any loan to a volunteer fire
19 company, volunteer ambulance service and volunteer rescue squad
20 for the purchase of fire fighting apparatus, ambulances or
21 rescue vehicles built MANUFACTURED OR ASSEMBLED in this <—
22 Commonwealth may exceed the loan limits set forth in this
23 section by \$10,000.

24 ~~Section 3. This act shall take effect in 60 days.~~ <—

25 SECTION 3. THE ACT IS AMENDED BY ADDING SECTIONS TO READ: <—

26 SECTION 18.1. REFERENDUM FOR ADDITIONAL INDEBTEDNESS.--(A)
27 THE QUESTION OF INCURRING INDEBTEDNESS OF \$25,000,000 FOR LOANS
28 TO VOLUNTEER FIRE COMPANIES, VOLUNTEER AMBULANCE SERVICES AND
29 VOLUNTEER RESCUE SQUADS FOR THE PURPOSE OF ESTABLISHING OR
30 MODERNIZING FACILITIES TO HOUSE FIREFIGHTING APPARATUS

1 EQUIPMENT, AMBULANCES AND RESCUE VEHICLES, AND FOR PURCHASING
2 FIREFIGHTING APPARATUS EQUIPMENT, AMBULANCES AND RESCUE
3 VEHICLES, PROTECTIVE AND COMMUNICATIONS EQUIPMENT, AND ANY OTHER
4 ACCESSORY EQUIPMENT NECESSARY FOR THE PROPER PERFORMANCE OF SUCH
5 ORGANIZATIONS' DUTIES, SHALL BE SUBMITTED TO THE ELECTORS AT THE
6 NEXT PRIMARY, MUNICIPAL OR GENERAL ELECTION FOLLOWING ENACTMENT
7 OF THIS ACT.

8 (B) THE SECRETARY OF THE COMMONWEALTH SHALL FORTHWITH
9 CERTIFY THE QUESTION TO THE COUNTY BOARDS OF ELECTION.

10 (C) THE QUESTION SHALL BE IN SUBSTANTIALLY THE FOLLOWING
11 FORM:

12 DO YOU FAVOR THE INCURRING OF INDEBTEDNESS OF \$25,000,000
13 FOR LOANS TO VOLUNTEER FIRE COMPANIES, VOLUNTEER AMBULANCE
14 SERVICES AND VOLUNTEER RESCUE SQUADS FOR THE PURPOSE OF
15 ESTABLISHING OR MODERNIZING FACILITIES TO HOUSE FIREFIGHTING
16 APPARATUS EQUIPMENT, AMBULANCES AND RESCUE VEHICLES, AND FOR
17 PURCHASING FIREFIGHTING APPARATUS EQUIPMENT, AMBULANCES AND
18 RESCUE VEHICLES, PROTECTIVE AND COMMUNICATIONS EQUIPMENT, AND
19 ANY OTHER ACCESSORY EQUIPMENT NECESSARY FOR THE PROPER
20 PERFORMANCE OF SUCH ORGANIZATIONS' DUTIES?

21 (D) THE ELECTION SHALL BE CONDUCTED IN ACCORDANCE WITH THE
22 ACT OF JUNE 3, 1937 (P.L.1333, NO.320), KNOWN AS THE
23 "PENNSYLVANIA ELECTION CODE," EXCEPT THAT THE TIME LIMITS FOR
24 ADVERTISEMENT OF NOTICE OF THE ELECTION MAY BE WAIVED AS TO THE
25 QUESTION.

26 (E) PROCEEDS OF BORROWING SHALL BE USED THROUGH LOANS TO
27 VOLUNTEER FIRE COMPANIES, VOLUNTEER AMBULANCE SERVICES AND
28 VOLUNTEER RESCUE SQUADS PURSUANT TO AND FOR ANY PURPOSE
29 ESTABLISHED BY THIS ACT.

30 SECTION 18.2. AUTHORIZATION OF CONTRACTS.--(A) THE

1 SECRETARY OF GENERAL SERVICES IS HEREBY AUTHORIZED TO ENTER INTO
2 CONTRACTS WITH LOCAL VOLUNTEER FIRE, AMBULANCE AND RESCUE
3 COMPANIES TO PROVIDE SERVICES NECESSARY TO EXTINGUISH FIRES OR
4 PERFORM ANY OTHER ALLIED SERVICES ON STATE-OWNED PROPERTY.

5 (B) THE SECRETARY OF TRANSPORTATION IS HEREBY AUTHORIZED TO
6 ENTER INTO CONTRACTS WITH LOCAL VOLUNTEER FIRE, AMBULANCE AND
7 RESCUE COMPANIES TO PROVIDE SERVICES NECESSARY TO EXTINGUISH
8 FIRES OR PERFORM ANY OTHER ALLIED SERVICES ON LIMITED ACCESS
9 HIGHWAYS, OTHER THAN THE PENNSYLVANIA TURNPIKE.

10 SECTION 18.3. REIMBURSEMENT PROCEDURE AND AMOUNT.--(A) ANY
11 SUCH CONTRACT BETWEEN THE SECRETARY OF GENERAL SERVICES OR THE
12 SECRETARY OF TRANSPORTATION AND A LOCAL VOLUNTEER FIRE,
13 AMBULANCE AND RESCUE COMPANY SHALL PROVIDE THAT THE DEPARTMENT
14 OF GENERAL SERVICES OR THE DEPARTMENT OF TRANSPORTATION SHALL,
15 MONTHLY, UPON RECEIPT OF PROPER PROOF, REIMBURSE EACH CONTRACTED
16 VOLUNTEER FIRE, AMBULANCE AND RESCUE COMPANY ATTENDING AND
17 PROVIDING FIRE CONTROL OR OTHER ALLIED SERVICES ON STATE-OWNED
18 PROPERTY OR LIMITED ACCESS HIGHWAYS, AS THE CASE MAY BE, A
19 MINIMUM AMOUNT OF \$50 FOR EACH VERIFIED FIRE OR EMERGENCY CALL
20 AND THE COST OF ANY SPECIAL EXTINGUISHING AGENTS UTILIZED, WHICH
21 THE VOLUNTEER FIRE, AMBULANCE AND RESCUE COMPANY MADE IN THE
22 PRECEDING MONTH AS CERTIFIED BY THE PERSON IN CHARGE AT THE
23 PARTICULAR STATE-OWNED PROPERTY OR BY AN INDIVIDUAL OR
24 INDIVIDUALS DESIGNATED BY THE SECRETARY OF TRANSPORTATION TO
25 VERIFY SERVICES RENDERED ON LIMITED ACCESS HIGHWAYS.

26 (B) ANY SUCH CONTRACT BETWEEN THE DEPARTMENT OF GENERAL
27 SERVICES OR THE DEPARTMENT OF TRANSPORTATION AND A LOCAL
28 VOLUNTEER AMBULANCE OR RESCUE COMPANY SHALL ALSO PROVIDE THAT
29 THE AMBULANCE OR RESCUE COMPANY REQUEST REIMBURSEMENT FROM
30 COLLECTIBLE INSURANCE PROCEEDS AVAILABLE AS A RESULT OF THE FIRE

1 OR EMERGENCY SITUATION FOR WHICH THE AMBULANCE OR RESCUE COMPANY
2 PROVIDED ALLIED SERVICES. ANY SUCH PROCEEDS PAYABLE TO THE
3 AMBULANCE OR RESCUE COMPANY SHALL BE DEDUCTED FROM THE
4 REIMBURSEMENT FOR SERVICES PROVIDED PURSUANT TO A CONTRACT
5 ENTERED INTO UNDER THIS ACT. PRIOR TO PAYMENT FOR SERVICES
6 RENDERED, THE LOCAL VOLUNTEER AMBULANCE OR RESCUE COMPANY SHALL
7 PROVIDE PROOF THAT THEY REQUESTED REIMBURSEMENT FROM COLLECTIBLE
8 INSURANCE PROCEEDS.

9 (C) A FALSE ALARM ON STATE-OWNED PROPERTY TO WHICH A
10 VOLUNTEER FIRE, AMBULANCE OR RESCUE COMPANY RESPONDS SHALL
11 CONSTITUTE A FIRE OR EMERGENCY CALL AND SHALL BE REIMBURSED AT A
12 RATE SET BY THE CONTRACT WITH THE SECRETARY OF GENERAL SERVICES,
13 BUT SHALL NOT BE LESS THAN \$25 FOR EACH OCCURRENCE.

14 SECTION 18.4. APPROPRIATIONS.--(A) THE SUM OF \$250,000, OR
15 AS MUCH THEREOF AS MAY BE NECESSARY, IS HEREBY APPROPRIATED TO
16 THE DEPARTMENT OF GENERAL SERVICES FOR THE FISCAL YEAR ENDING
17 JUNE 30, 1991, TO EFFECTUATE THE PURPOSES OF SECTIONS 18.2 AND
18 18.3. ALL FUNDS UNEXPENDED, UNCOMMITTED OR UNENCUMBERED ON JUNE
19 30, 1991, SHALL LAPSE.

20 (B) THE SUM OF \$250,000, OR AS MUCH THEREOF AS MAY BE
21 NECESSARY, IS HEREBY APPROPRIATED TO THE DEPARTMENT OF
22 TRANSPORTATION FOR THE FISCAL YEAR ENDING JUNE 30, 1991, TO
23 EFFECTUATE THE PURPOSES OF SECTIONS 18.2 AND 18.3. ALL FUNDS
24 UNEXPENDED, UNCOMMITTED OR UNENCUMBERED ON JUNE 30, 1991, SHALL
25 LAPSE.

26 SECTION 4. THIS ACT SHALL TAKE EFFECT IMMEDIATELY.