

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

AS AMENDED ON THIRD CONSIDERATION, IN SENATE, JUNE 19, 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; PROVIDING FOR CONTRACTS FOR SERVICES BETWEEN ←
15 THE COMMONWEALTH AND VOLUNTEER FIRE, AMBULANCE AND RESCUE
16 COMPANIES; AND MAKING APPROPRIATIONS.

17 The General Assembly of the Commonwealth of Pennsylvania
18 hereby enacts as follows:

19 SECTION 1. THE TITLE OF THE ACT OF JULY 15, 1976 (P.L.1036, ←
20 NO.208), KNOWN AS THE VOLUNTEER FIRE COMPANY, AMBULANCE SERVICE
21 AND RESCUE SQUAD ASSISTANCE ACT, AMENDED MAY 11, 1982 (P.L.407,

1 NO.118), IS AMENDED TO READ:

2 AN ACT

3 AUTHORIZING THE INDEBTEDNESS, WITH THE APPROVAL OF THE ELECTORS,
4 OF [TWENTY-FIVE] FIFTY MILLION DOLLARS FOR LOANS TO VOLUNTEER
5 FIRE COMPANIES, VOLUNTEER AMBULANCE SERVICES AND VOLUNTEER
6 RESCUE SQUADS FOR THE PURPOSE OF ESTABLISHING OR MODERNIZING
7 FACILITIES TO HOUSE FIRE FIGHTING APPARATUS EQUIPMENT,
8 AMBULANCES, AND RESCUE VEHICLES, AND FOR PURCHASING NEW FIRE
9 FIGHTING APPARATUS EQUIPMENT, AMBULANCES, AND RESCUE
10 VEHICLES, PROTECTIVE AND COMMUNICATIONS EQUIPMENT, AND ANY
11 OTHER ACCESSORY EQUIPMENT NECESSARY FOR THE PROPER
12 PERFORMANCE OF SUCH ORGANIZATIONS' DUTIES.

13 Section ~~±~~ 2. Section 3 of the act ~~of July 15, 1976~~ ←
14 ~~(P.L.1036, No.208), known as the Volunteer Fire Company,~~
15 ~~Ambulance Service and Rescue Squad Assistance Act,~~ is amended by
16 adding a definition to read:

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

18 * * *

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

21 * * *

22 Section ~~±~~ 3. Section ~~4(a)(1), (2)~~ 4(A)(2) and (6) and (b) of ←
23 the act, amended June 13, 1980 (P.L.217, No.65) and May 11, 1982
24 (P.L.407, No.118), are amended and the section is amended by
25 adding a subsection to read:

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

1 ~~(1) Establishing or modernizing facilities that house fire~~ ←
2 ~~fighting equipment, ambulance or rescue vehicles. The amount of~~
3 ~~a loan for establishing or modernizing facilities made to any~~
4 ~~one volunteer fire company, ambulance service or rescue squad~~
5 ~~shall not exceed 50% of the total cost of the facilities or~~
6 ~~modernization or [\$50,000] \$75,000, whichever is less, and a~~
7 ~~notarized financial statement filed under subsection (c) shall~~
8 ~~show that the applicant has available 20% of the total cost of~~
9 ~~the facilities in unobligated funds. Proceeds of the loan shall~~
10 ~~be used only for purposes of land acquisition or construction,~~
11 ~~and shall not be used for payment of fees for design, planning,~~
12 ~~preparation of applications, or any other cost not directly~~
13 ~~attributable to land acquisition or construction.~~

14 * * * ←

15 (2) Purchasing fire fighting apparatus, ambulances or rescue
16 vehicles. The amount of a loan made for purchasing fire fighting
17 apparatus, to any one volunteer fire company shall not exceed
18 [\$50,000] \$100,000 for any single fire fighting apparatus
19 equipment or utility or special service vehicle or heavy duty
20 rescue vehicle as defined by regulation, or 50% of the total
21 cost of the equipment or vehicle, whichever is less EXCEPT FOR ←
22 LOANS FOR AERIAL APPARATUS AS DEFINED BY REGULATION, WHICH SHALL
23 NOT EXCEED \$150,000. The amount of a loan made to any one
24 volunteer fire company, ambulance service or rescue squad for
25 any ambulance or light duty rescue vehicle as defined by
26 regulation shall not exceed ~~\$40,000~~ \$50,000 and for a watercraft ←
27 rescue vehicle shall not exceed [\$25,000] \$15,000 or 50% of the
28 cost of the ambulance or rescue vehicle, whichever is less, and
29 a notarized financial statement filed under subsection (c) shall
30 show that the applicant has available 20% of the total cost of

1 the vehicle in unobligated funds.

2 * * *

3 (6) Purchasing of used fire fighting apparatus, equipment,
4 used ambulances, used rescue vehicles, used communications
5 equipment, used accessory equipment or used protective
6 equipment: Provided, however, That the used vehicles and
7 equipment shall meet the National Fire Protection Association
8 (NFPA) standards: And provided further, That loans for the
9 purchase of a used single apparatus equipment shall not exceed
10 \$60,000 or 80% of the total cost of the equipment, whichever is
11 less.

12 Loans under this act may be made for any of the purposes of
13 this subsection undertaken by a volunteer fire company,
14 volunteer ambulance service and volunteer rescue squad on or
15 after November 4, 1975, the date of the approval of the
16 referendum approving the borrowing of money for the purposes of
17 this act.

18 (b) Loans made by the department IN THE AMOUNT OF \$100,000 <—
19 OR MORE shall be for a period of not more than [ten] 15 years,
20 LOANS LESS THAN \$100,000 SHALL BE FOR A PERIOD OF TEN YEARS, and <—
21 any loan of the amount of [\$10,000] \$15,000 or less shall be for
22 a period of not more than five years. Loans shall be subject to
23 the payment of interest at 2% per annum and shall be subject to
24 such security as shall be determined by the department. The
25 total amount of interest earned by the investment or
26 reinvestment of all or any part of the principal of any loan
27 shall be returned to the department and transferred to the
28 Volunteer Companies Loan Fund, and shall not be credited as
29 payment of principal or interest on the loan. The minimum amount
30 of any loan shall be [\$1,000] \$5,000.

1 * * *

2 (h) Notwithstanding any other provision of this section to
3 the contrary, the maximum amount of any loan to a volunteer fire
4 company, volunteer ambulance service and volunteer rescue squad
5 for the purchase of fire fighting apparatus, ambulances or
6 rescue vehicles ~~built~~ MANUFACTURED OR ASSEMBLED in this <—
7 Commonwealth may exceed the loan limits set forth in this
8 section by \$10,000.

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

10 SECTION 3 4. THE ACT IS AMENDED BY ADDING SECTIONS TO READ: <—

11 SECTION 18.1. REFERENDUM FOR ADDITIONAL INDEBTEDNESS.--(A)
12 THE QUESTION OF INCURRING INDEBTEDNESS OF \$25,000,000 FOR LOANS
13 TO VOLUNTEER FIRE COMPANIES, VOLUNTEER AMBULANCE SERVICES AND
14 VOLUNTEER RESCUE SQUADS FOR THE PURPOSE OF ESTABLISHING OR
15 MODERNIZING FACILITIES TO HOUSE FIREFIGHTING APPARATUS
16 EQUIPMENT, AMBULANCES AND RESCUE VEHICLES, AND FOR PURCHASING
17 FIREFIGHTING APPARATUS EQUIPMENT, AMBULANCES AND RESCUE
18 VEHICLES, PROTECTIVE AND COMMUNICATIONS EQUIPMENT, AND ANY OTHER
19 ACCESSORY EQUIPMENT NECESSARY FOR THE PROPER PERFORMANCE OF SUCH
20 ORGANIZATIONS' DUTIES, SHALL BE SUBMITTED TO THE ELECTORS AT THE
21 NEXT PRIMARY, MUNICIPAL OR GENERAL ELECTION FOLLOWING ENACTMENT
22 OF THIS ACT.

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

25 (C) THE QUESTION SHALL BE IN SUBSTANTIALLY THE FOLLOWING
26 FORM:

27 DO YOU FAVOR THE INCURRING OF INDEBTEDNESS OF \$25,000,000
28 FOR LOANS TO VOLUNTEER FIRE COMPANIES, VOLUNTEER AMBULANCE
29 SERVICES AND VOLUNTEER RESCUE SQUADS FOR THE PURPOSE OF
30 ESTABLISHING OR MODERNIZING FACILITIES TO HOUSE FIREFIGHTING

1 APPARATUS EQUIPMENT, AMBULANCES AND RESCUE VEHICLES, AND FOR
2 PURCHASING FIREFIGHTING APPARATUS EQUIPMENT, AMBULANCES AND
3 RESCUE VEHICLES, PROTECTIVE AND COMMUNICATIONS EQUIPMENT, AND
4 ANY OTHER ACCESSORY EQUIPMENT NECESSARY FOR THE PROPER
5 PERFORMANCE OF SUCH ORGANIZATIONS' DUTIES?

6 (D) THE ELECTION SHALL BE CONDUCTED IN ACCORDANCE WITH THE
7 ACT OF JUNE 3, 1937 (P.L.1333, NO.320), KNOWN AS THE
8 "PENNSYLVANIA ELECTION CODE," EXCEPT THAT THE TIME LIMITS FOR
9 ADVERTISEMENT OF NOTICE OF THE ELECTION MAY BE WAIVED AS TO THE
10 QUESTION.

11 (E) PROCEEDS OF BORROWING SHALL BE USED THROUGH LOANS TO
12 VOLUNTEER FIRE COMPANIES, VOLUNTEER AMBULANCE SERVICES AND
13 VOLUNTEER RESCUE SQUADS PURSUANT TO AND FOR ANY PURPOSE
14 ESTABLISHED BY THIS ACT.

15 SECTION 18.2. AUTHORIZATION OF CONTRACTS.--(A) THE
16 SECRETARY OF GENERAL SERVICES IS HEREBY AUTHORIZED TO ENTER INTO
17 CONTRACTS WITH LOCAL VOLUNTEER FIRE, AMBULANCE AND RESCUE
18 COMPANIES TO PROVIDE SERVICES NECESSARY TO EXTINGUISH FIRES OR
19 PERFORM ANY OTHER ALLIED SERVICES ON STATE-OWNED PROPERTY.

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

25 SECTION 18.3. REIMBURSEMENT PROCEDURE AND AMOUNT.--(A) ANY
26 SUCH CONTRACT BETWEEN THE SECRETARY OF GENERAL SERVICES OR THE
27 SECRETARY OF TRANSPORTATION AND A LOCAL VOLUNTEER FIRE,
28 AMBULANCE AND RESCUE COMPANY SHALL PROVIDE THAT THE DEPARTMENT
29 OF GENERAL SERVICES OR THE DEPARTMENT OF TRANSPORTATION SHALL,
30 MONTHLY, UPON RECEIPT OF PROPER PROOF, REIMBURSE EACH CONTRACTED

1 VOLUNTEER FIRE, AMBULANCE AND RESCUE COMPANY ATTENDING AND
2 PROVIDING FIRE CONTROL OR OTHER ALLIED SERVICES ON STATE-OWNED
3 PROPERTY OR LIMITED ACCESS HIGHWAYS, AS THE CASE MAY BE, A
4 MINIMUM AMOUNT OF \$50 FOR EACH VERIFIED FIRE OR EMERGENCY CALL
5 AND THE COST OF ANY SPECIAL EXTINGUISHING AGENTS UTILIZED, WHICH
6 THE VOLUNTEER FIRE, AMBULANCE AND RESCUE COMPANY MADE IN THE
7 PRECEDING MONTH AS CERTIFIED BY THE PERSON IN CHARGE AT THE
8 PARTICULAR STATE-OWNED PROPERTY OR BY AN INDIVIDUAL OR
9 INDIVIDUALS DESIGNATED BY THE SECRETARY OF TRANSPORTATION TO
10 VERIFY SERVICES RENDERED ON LIMITED ACCESS HIGHWAYS.

11 (B) ANY SUCH CONTRACT BETWEEN THE DEPARTMENT OF GENERAL
12 SERVICES OR THE DEPARTMENT OF TRANSPORTATION AND A LOCAL
13 VOLUNTEER AMBULANCE OR RESCUE COMPANY SHALL ALSO PROVIDE THAT
14 THE AMBULANCE OR RESCUE COMPANY REQUEST REIMBURSEMENT FROM
15 COLLECTIBLE INSURANCE PROCEEDS AVAILABLE AS A RESULT OF THE FIRE
16 OR EMERGENCY SITUATION FOR WHICH THE AMBULANCE OR RESCUE COMPANY
17 PROVIDED ALLIED SERVICES. ANY SUCH PROCEEDS PAYABLE TO THE
18 AMBULANCE OR RESCUE COMPANY SHALL BE DEDUCTED FROM THE
19 REIMBURSEMENT FOR SERVICES PROVIDED PURSUANT TO A CONTRACT
20 ENTERED INTO UNDER THIS ACT. PRIOR TO PAYMENT FOR SERVICES
21 RENDERED, THE LOCAL VOLUNTEER AMBULANCE OR RESCUE COMPANY SHALL
22 PROVIDE PROOF THAT THEY REQUESTED REIMBURSEMENT FROM COLLECTIBLE
23 INSURANCE PROCEEDS.

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

29 SECTION 18.4. APPROPRIATIONS.--(A) THE SUM OF \$250,000, OR
30 AS MUCH THEREOF AS MAY BE NECESSARY, IS HEREBY APPROPRIATED TO

1 THE DEPARTMENT OF GENERAL SERVICES FOR THE FISCAL YEAR ENDING
2 JUNE 30, 1991, TO EFFECTUATE THE PURPOSES OF SECTIONS 18.2 AND
3 18.3. ALL FUNDS UNEXPENDED, UNCOMMITTED OR UNENCUMBERED ON JUNE
4 30, 1991, SHALL LAPSE.

5 (B) THE SUM OF \$250,000, OR AS MUCH THEREOF AS MAY BE
6 NECESSARY, IS HEREBY APPROPRIATED TO THE DEPARTMENT OF
7 TRANSPORTATION FOR THE FISCAL YEAR ENDING JUNE 30, 1991, TO
8 EFFECTUATE THE PURPOSES OF SECTIONS 18.2 AND 18.3. ALL FUNDS
9 UNEXPENDED, UNCOMMITTED OR UNENCUMBERED ON JUNE 30, 1991, SHALL
10 LAPSE.

11 SECTION 4 5. THIS ACT SHALL TAKE EFFECT IMMEDIATELY.

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