

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 594 Session of
1999

INTRODUCED BY E. Z. TAYLOR, FARGO, SATHER, TIGUE, BAKER,
BELARDI, CLARK, CORRIGAN, COY, CURRY, FAIRCHILD, FICHTER,
GANNON, GEORGE, GORDNER, HENNESSEY, HORSEY, JAMES, JOSEPHS,
LAUGHLIN, LYNCH, McCALL, MELIO, PESCI, PLATTS, RAMOS,
READSHAW, ROSS, RUBLEY, SEMMEL, SEYFERT, STEELMAN, STURLA,
WILLIAMS, YOUNGBLOOD, SCHULER, MAHER, BARD, BARRAR, L. I.
COHEN, THOMAS AND FLICK, FEBRUARY 16, 1999

AS REPORTED FROM COMMITTEE ON EDUCATION, HOUSE OF
REPRESENTATIVES, AS AMENDED, MAY 8, 2000

AN ACT

1 Authorizing agreements between institutions of the State System
2 of Higher Education and ~~emergency service providers~~ <—
3 MUNICIPALITIES; providing for payments and certain legal <—
4 services; imposing additional powers and duties on the
5 Department of Community and Economic Development; and making
6 an appropriation.

7 The General Assembly of the Commonwealth of Pennsylvania
8 hereby enacts as follows:

9 Section 1. Short title.

10 This act shall be known and may be cited as the State System
11 of Higher Education ~~Emergency~~ MUNICIPAL Service Act. <—

12 Section 2. Declaration of policy.

13 The General Assembly hereby makes the following legislative
14 findings:

15 (1) The Commonwealth has a considerable investment in
16 facilities and equipment in the State System of Higher
17 Education.

(2) The Commonwealth has an obligation to provide protection against loss of facilities, equipment and lives by fire or other disasters on the premises of the universities of the system.

(3) It is more efficient and economically sound for any university of the system to enter into agreements with

~~existing emergency service providers in adjacent~~ <—

municipalities for essential services such as POLICE, fire, <—

ambulance ~~and rescue squads~~, CODE ENFORCEMENT AND RESCUE <—

SERVICES.

Section 3. Definitions.

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

"Chancellor." The chancellor of the State System of Higher Education.

"Department." The Department of Community and Economic Development of the Commonwealth.

~~"Emergency service provider." A local law enforcement agency or volunteer fire, ambulance or rescue squad or company.~~ <—

"HOST MUNICIPALITY." A MUNICIPALITY WHEREIN A UNIVERSITY IS LOCATED. <—

"SERVICES." INCLUDES POLICE, FIRE, AMBULANCE, CODE ENFORCEMENT AND RESCUE SERVICES.

"System." The State System of Higher Education.

"University." A member institution of the State System of Higher Education.

Section 4. Agreements authorized.

Each university may enter into agreements with emergency <—

~~service providers~~ A HOST MUNICIPALITY to provide emergency <—

1 services to their campuses. The total amount payable by any
2 university in the system for the provision of ~~emergency~~ services <—
3 pursuant to agreements entered into under this section may not
4 exceed the limits established in section 5.

5 Section 5. Computation of limits for payments.

6 (a) Annual computation and certification.--Each university
7 in the system shall annually compute and certify to the
8 chancellor the on-campus, full-time ~~equivalent enrollment~~ AND <—
9 PART-TIME ENROLLMENT, INCLUDING GRADUATE AND NONTRADITIONAL, as
10 of the third full week of classes for the ~~spring~~ FALL term. The <—
11 enrollment figure thereby determined shall be multiplied by \$5,
12 and the resulting product shall be the maximum amount the
13 university may expend for ~~emergency~~ services, pursuant to <—
14 agreements entered into under this act, for the next ensuing
15 fiscal year.

16 (b) Verification by chancellor.--The chancellor shall verify
17 the figures submitted and forward the figures to the department
18 which will reimburse each university for its actual expenditures
19 for ~~emergency~~ services, within the limits established under this <—
20 section, with funds specifically appropriated annually by the
21 General Assembly for this purpose.

22 Section 6. Certification of operating expenses by ~~emergency~~ <—
23 ~~service providers~~ HOST MUNICIPALITIES. <—

24 Each ~~emergency service provider~~ HOST MUNICIPALITY who is <—
25 party to an agreement with a university of the system as
26 authorized by this act shall annually submit a complete
27 certified report of its operating expenses for the year for
28 which the payments were made. The department shall prescribe the
29 exact contents and filing date for the report.

30 Section 7. Provision of legal services to ~~emergency service~~ <—

1 ~~providers~~ HOST MUNICIPALITIES. <—

2 In any legal action arising out of or in connection with any

3 services performed on behalf of any university of the system by

4 the ~~emergency service provider~~ HOST MUNICIPALITY with respect to <—

5 State facilities or premises, the Commonwealth, out of funds

6 appropriated to the university system, shall reimburse the

7 ~~emergency service provider~~ HOST MUNICIPALITY for the cost <—

8 incurred by it in defending the legal action. In any such legal

9 action, the ~~emergency service provider~~ HOST MUNICIPALITY shall <—

10 be reimbursed for 50% of the total costs, up to a maximum of

11 \$5,000. This section shall not be construed to:

12 (1) make the Commonwealth liable for any judgment or

13 liability resulting in such action by virtue of the service;

14 or

15 (2) create a right of reimbursement from the

16 Commonwealth to the ~~emergency service provider~~ HOST <—

17 MUNICIPALITY with respect to the liability or judgment.

18 Section 8. Appropriation.

19 The sum of \$500,000, or as much thereof as may be necessary,

20 is hereby appropriated to the Department of Community and

21 Economic Development to carry out the provisions of this act.

22 Section 9. Effective date.

23 This act shall take effect July 1, ~~1999~~ 2000, or immediately, <—

24 whichever occurs later.