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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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**HOUSE BILL**

**No. 872**      Session of  
2003

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INTRODUCED BY RUFFING, DeWEESE, BEBKO-JONES, BELARDI, BROWNE, BUNT, CAWLEY, CIVERA, COSTA, CURRY, DALEY, FABRIZIO, FRANKEL, GEIST, GEORGE, GERGELY, HARHAI, HENNESSEY, HERMAN, HORSEY, HUTCHINSON, JAMES, JOSEPHS, LAUGHLIN, LEACH, MANN, McGEEHAN, MELIO, PALLONE, PISTELLA, READSHAW, ROBERTS, ROONEY, RUBLEY, SAINATO, SHANER, SOLOBAY, STURLA, TANGRETTI, TIGUE, WALKO, WHEATLEY, WOJNAROSKI, YOUNGBLOOD AND YUDICHAK, MARCH 13, 2003

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REFERRED TO COMMITTEE ON VETERANS AFFAIRS AND EMERGENCY  
PREPAREDNESS, MARCH 13, 2003

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AN ACT

1 Establishing a grant program for paid municipal fire  
2 departments; and making an appropriation.

3 The General Assembly of the Commonwealth of Pennsylvania  
4 hereby enacts as follows:

5 Section 1. Short title.

6 This act shall be known and may be cited as the Municipal  
7 Fire Department Grant Act.

8 Section 2. Definitions.

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

12 "Advanced life support services." The term shall have the  
13 meaning given to it in the act of July 3, 1985 (P.L.164, No.45),  
14 known as the Emergency Medical Services Act.

15 "Agency." The Pennsylvania Emergency Management Agency.

1 "Basic life support services." The term shall have the  
2 meaning given to it in the act of July 3, 1985 (P.L.164, No.45),  
3 known as the Emergency Medical Services Act.

4 "Commissioner." The State Fire Commissioner.

5 "Facility." A structure or portion thereof intended for the  
6 purpose of storage or protection of firefighting apparatus,  
7 ambulances and rescue vehicles and related equipment and gear.  
8 The term does not include meeting halls, social halls, social  
9 rooms, lounges or any other facility not directly related to  
10 firefighting or the furnishing of ambulance or rescue services.

11 "Fiscal year." The fiscal year of the Commonwealth.

12 "Municipality." A city, borough, incorporated town, township  
13 or home rule municipality.

14 "Pension plan or system." The term shall have the meaning  
15 given to it in section 102 of the act of December 18, 1984  
16 (P.L.1005, No.205), known as the Municipal Pension Plan Funding  
17 Standard and Recovery Act.

18 "Plan year." The 12-consecutive-month period applicable to a  
19 pension plan which is utilized for various actuarial and  
20 financial purposes and which shall be considered a calendar year  
21 commencing on January 1 and ending on December 31.

22 "Program." The Municipal Fire Department Grant Program  
23 established in section 3.

24 "Unfunded actuarial accrued liability." The term shall have  
25 the meaning given to it in section 102 of the act of act of  
26 December 18, 1984 (P.L.1005, No.205), known as the Municipal  
27 Pension Plan Funding Standard and Recovery Act.

28 Section 3. Municipal Fire Department Grant Program.

29 (a) Establishment.--The Municipal Fire Department Grant  
30 Program is established and shall be administered by the agency

1 in consultation with the commissioner. Grants provided under the  
2 program shall be used to improve and enhance the capabilities of  
3 the paid municipal fire department to provide firefighting,  
4 ambulance and rescue services.

5 (b) Guidelines and procedures.--The agency shall develop  
6 guidelines, procedures and all applications necessary to  
7 implement the program. The agency shall submit the guidelines,  
8 procedures and applications to the Legislative Reference Bureau  
9 for publication in the Pennsylvania Bulletin and Pennsylvania  
10 Code within 90 days of the effective date of this act.

11 Section 4. Award of grants.

12 (a) Authorization.--The agency is hereby authorized to make  
13 grant awards to each eligible municipal fire department for the  
14 following:

15 (1) Construction and renovation of the fire department's  
16 facility and purchase or repair of fixtures and furnishings  
17 necessary to maintain or improve the capability of the  
18 department to provide fire, ambulance and rescue services.

19 (2) Repair of firefighting, ambulance or rescue  
20 equipment or purchase thereof.

21 (3) Debt reduction associated with paragraph (1) or (2).

22 (4) Contributions to a pension plan or system designated  
23 for paid firefighters that has an unfunded actuarial accrued  
24 liability as of the most recent plan year.

25 (b) Limits.--

26 (1) Grants awarded under this act shall be made on a  
27 competitive basis following the submission of an application  
28 and an appropriate review procedure undertaken by the agency  
29 in consultation with the commissioner, and not be less than  
30 \$50,000 nor more than \$2,000,000 per municipal fire

1 department.

2 (2) No municipal fire department shall receive more than  
3 one grant per fiscal year under sections 4 and 5.

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

5 (1) The agency shall provide applications for grants  
6 under this act to every paid fire department serving a  
7 municipality in this Commonwealth on or before August 1 of  
8 that year.

9 (2) Municipal fire departments seeking grants under this  
10 act shall submit completed applications to the agency on or  
11 before November 1 of that year. The agency shall act to  
12 approve or disapprove the application by December 31 of that  
13 year. Applications which have not been approved or  
14 disapproved by the agency by December 31 shall be deemed  
15 approved.

16 (3) Applications submitted after the November 1 deadline  
17 shall be accepted by the agency and grants may be awarded at  
18 the discretion of the agency from the reserve funds set aside  
19 under section 5.

20 (d) Eligibility.--Grant funds awarded under this act shall  
21 be limited to paid fire departments serving a municipality or  
22 municipalities within this Commonwealth.

23 Section 5. Reserve funds.

24 (a) Percentage.--The agency shall reserve an amount not to  
25 exceed 3% of the funds allocated in section 6 for the program  
26 for the purposes of awarding grants to municipal fire  
27 departments that submit applications after the November 1  
28 deadline, that would have otherwise been eligible for and been  
29 awarded a grant under the program.

30 (b) Limitations.--No municipal fire department may receive a

1 grant from reserve funds in an amount greater than the amount  
2 that it would have received had it applied in a timely manner.  
3 Section 6. Program funding.

4 (a) Initial appropriation.--The sum of \$25,000,000, or as  
5 much thereof as may be necessary, is hereby appropriated to the  
6 Pennsylvania Emergency Management Agency for the purpose of  
7 making grants to eligible municipal fire departments under this  
8 act.

9 (b) Subsequent appropriations.--The General Assembly shall  
10 annually include in the appropriation to the Pennsylvania  
11 Emergency Management Agency in the General Appropriation Act an  
12 appropriation from the General Fund in an amount sufficient to  
13 make grant awards under this act.

14 (c) Restriction.--No moneys from the appropriation for  
15 grants to municipal fire departments authorized under this act  
16 shall be used for expenses or costs incurred by the agency for  
17 the administration of the program.

18 Section 20. Effective date.

19 This act shall take effect July 1, 2003, or immediately,  
20 whichever is later.