

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 906 Session of
2007

INTRODUCED BY LENTZ, MELIO, DeWEESE, SOLOBAY, ARGALL, BELFANTI, BENNINGHOFF, BIANCUCCI, BOYD, CALTAGIRONE, CARROLL, CAUSER, CIVERA, CONKLIN, CREIGHTON, CURRY, DALLY, DePASQUALE, FABRIZIO, FLECK, GALLOWAY, GEORGE, GERBER, GINGRICH, GRELL, GRUCELA, HARPER, HERSHEY, HESS, HICKERNELL, HORNAMAN, HUTCHINSON, KILLION, KING, KIRKLAND, KORTZ, KOTIK, KULA, LEACH, LEVDANSKY, MAHONEY, McCALL, McILHATTAN, MENSCH, MICOZZIE, MUNDY, MURT, MUSTIO, MYERS, NAILOR, M. O'BRIEN, PALLONE, PAYNE, PETRARCA, PETRONE, PHILLIPS, PICKETT, PYLE, RAMALEY, READSHAW, RUBLEY, SAINATO, SANTONI, SAYLOR, SCAVELLO, SHAPIRO, McILVAINE SMITH, R. STEVENSON, STURLA, SURRA, R. TAYLOR, VEREB, VULAKOVICH, WALKO, WANSACZ, WATERS, WOJNAROSKI, YOUNGBLOOD, ADOLPH, COSTA, THOMAS, EVERETT, KENNEY, J. WHITE, MILNE, SIPTROTH, FAIRCHILD, ROAE, RAPP, BROOKS, KESSLER, QUINN, K. SMITH, REICHLEY, PERRY AND PEIFER, MARCH 22, 2007

AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES,
MAY 7, 2007

AN ACT

1 Amending the act of July 31, 2003 (P.L.73, No.17), entitled "An
2 act establishing a grant program for volunteer fire companies
3 and volunteer ambulance services; and providing for grant
4 funding," further defining "volunteer ambulance service";
5 further providing for guidelines and procedures, for award of
6 grants and for expiration of authority; providing for
7 publication and notice, for special provisions; and repealing
8 an obsolete act.

9 The General Assembly of the Commonwealth of Pennsylvania
10 hereby enacts as follows:

11 Section 1. The definition of "volunteer ambulance service"
12 in section 102 of the act of July 31, 2003 (P.L.73, No.17),
13 known as the Volunteer Fire Company and Volunteer Ambulance

1 Service Grant Act, is amended to read:

2 Section 102. Definitions.

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

6 * * *

7 "Volunteer ambulance service." Any nonprofit chartered
8 corporation, association or organization located in this
9 Commonwealth, which is licensed by the Pennsylvania Department
10 of Health and is not associated or affiliated with any hospital
11 and which is regularly engaged in the provision of emergency
12 medical services, including basic life support or advanced life
13 support services and [the transportation of patients within this
14 Commonwealth.] advanced life support squads as defined in 28 Pa.
15 Code § 1005.1 (relating to general provisions). The term shall
16 not include any corporation, association or organization that is
17 primarily engaged in the operation of invalid coaches which are
18 intended for the routine transport of persons who are
19 convalescent or otherwise nonambulatory and do not ordinarily
20 require emergency medical treatment while in transit.

21 * * *

22 Section 2. Section 302 of the act is repealed:

23 [Section 302. Guidelines and procedures.

24 The agency shall develop guidelines, procedures and all
25 applications necessary to implement the grant program. The
26 agency shall submit the guidelines, procedures and applications
27 to the Legislative Reference Bureau for publication in the
28 Pennsylvania Code and Bulletin within 30 days of the effective
29 date of this act.]

30 Section 3. The act is amended by adding a section to read:

1 Section 302.1. Publication and notice.

2 The agency shall publish notice of the grant program
3 availability through the Legislative Reference Bureau for
4 publication in the Pennsylvania Bulletin within 30 days of the <—
5 effective date of this section for the fiscal period beginning
6 July 1, 2006, and ending June 30, 2007, and July 1, 2007, and
7 ending June 30, 2008, and no later than August 8 of each year
8 thereafter. PUBLICATION IN THE PENNSYLVANIA BULLETIN: <—

9 (1) WITHIN 30 DAYS OF THE EFFECTIVE DATE OF THIS SECTION
10 FOR THE FISCAL PERIOD BEGINNING JULY 1, 2006, AND ENDING JUNE
11 30, 2008; AND

12 (2) BY AUGUST 8 FOR FISCAL YEARS BEGINNING AFTER JUNE
13 30, 2008.

14 Section 4. Section 303 of the act, amended February 21, 2006
15 (P.L.38, No.13), is amended to read:

16 Section 303. Award of grants.

17 (a) Authorization.--The agency is hereby authorized to make
18 a grant award to each eligible volunteer fire company for the
19 following:

20 (1) Construction and/or renovation of the fire company's
21 facility and purchase or repair of fixtures and furnishings
22 necessary to maintain or improve the capability of the
23 company to provide fire, ambulance and rescue services.

24 (2) Repair of firefighting, ambulance or rescue
25 equipment or purchase thereof.

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

27 (4) Training and certification of members.

28 (b) Limits.--

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

1 fire company. The minimum and maximum amounts of grants shall
2 be doubled for the fiscal period beginning July 1, 2006, and
3 ending June 30, 2007, and July 1, 2007, and ending June 30, <—
4 2008.

5 (2) Grants may be awarded on a pro rata basis if the
6 total dollar amount of approved applications exceeds the
7 amount of funds appropriated by the General Assembly for this
8 purpose.

9 (3) In a municipality where there are two or more
10 volunteer fire companies and if two or more fire companies
11 consolidated their use of equipment, firefighters and
12 services [after July 1, 1998, each entity from which the
13 consolidated entity was created will be eligible for a grant
14 as though it had not consolidated.] within five years
15 preceding the date of the current year application submission
16 deadline, the consolidated entity shall be deemed eligible to
17 receive a grant not to exceed the amount of the combined
18 total for which the individual companies would have been
19 eligible had they not consolidated.

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

21 [(1) The agency shall provide written instructions and
22 guidelines for grants under this act to the fire chief and
23 president of every volunteer fire company in this
24 Commonwealth on or before February 28, 2006.

25 (2) Volunteer fire companies seeking grants under this
26 act shall submit completed applications to the agency on or
27 before April 30, 2006. The agency shall act to approve or
28 disapprove the application by June 30, 2006. Applications
29 which have not been approved or disapproved by the agency by
30 June 30, 2006, shall be deemed approved.]

~~(1) Beginning with the fiscal period commencing July 1, 2006, and ending June 30, 2007, and July 1, 2007, and ending June 30, 2008, and each year thereafter~~

~~(1) BY SEPTEMBER 1 OF EACH YEAR, the agency shall provide written instructions for grants under this act to the fire chief and president of every volunteer fire company in this Commonwealth no later than September 1 of each year.~~

~~(2) Beginning with the fiscal period commencing July 1, 2006, and ending June 30, 2007, and July 1, 2007, and ending June 30, 2008, and each year thereafter THIS COMMONWEALTH.~~

~~(2) BY SEPTEMBER 8 OF EACH YEAR, the agency shall provide applications to the fire chief and president of every volunteer fire company no later than September 8 of each year. Volunteer fire companies seeking grants under this act shall submit completed applications to the agency. The application period shall remain open for 45 days each year. The agency shall act to approve or disapprove applications within 60 days of the application submission deadline each year. Applications which have not been approved or disapproved by the agency within 60 days after the close of the application period each year shall be deemed approved.~~

(d) Eligibility.--To receive grant funds under this act, a volunteer fire company shall have actively responded to one or more fire or rescue emergencies [since July 1, 2005,] during the previous calendar year and must [sign] have signed and be under an agreement to actively participate in the Pennsylvania Fire Information Reporting System which is administered by the agency.

Section 5. Section 502 of the act is repealed:

[Section 502. Guidelines and procedures.]

1 The agency shall develop guidelines, procedures and all
2 applications necessary to implement the grant program. The
3 agency shall submit the guidelines, procedures and applications
4 to the Legislative Reference Bureau for publication in the
5 Pennsylvania Code and Bulletin within 30 days of the effective
6 date of this act.]

7 Section 6. The act is amended by adding a section to read:
8 Section 502.1. Publication and notice.

9 The agency shall publish notice of the grant program
10 availability through the Legislative Reference Bureau for
11 publication in the Pennsylvania Bulletin within 30 days of the <—
12 effective date of this section for the fiscal period beginning
13 July 1, 2006, and ending June 30, 2007, and July 1, 2007, and
14 ending June 30, 2008, and no later than August 8 for each year
15 thereafter. PUBLICATION IN THE PENNSYLVANIA BULLETIN: <—

16 (1) WITHIN 30 DAYS OF THE EFFECTIVE DATE OF THIS SECTION
17 FOR THE FISCAL PERIOD BEGINNING JULY 1, 2006, AND ENDING JUNE
18 30, 2008; AND

19 (2) BY AUGUST 8 FOR FISCAL YEARS BEGINNING AFTER JUNE
20 30, 2008.

21 Section 7. Sections 503 and 901 of the act, amended February
22 21, 2006 (P.L.38, No.13), are amended to read:

23 Section 503. Award of grants.

24 (a) Authorization.--The agency is hereby authorized to make
25 a grant award to each eligible volunteer ambulance service for
26 the following:

27 (1) Construction and/or renovation of the volunteer
28 ambulance service's facility and purchase or repair of
29 fixtures, furnishings, office equipment and support services
30 necessary to maintain or improve the capability of the

1 ambulance service to provide ambulance, emergency medical,
2 basic life support and advanced life support services.

3 (2) Repair of ambulance equipment or purchase thereof.

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

5 (4) Training and certification of members.

6 (b) Limits.--

7 (1) Grants shall be not less than \$2,500 and not more
8 than \$10,000 per volunteer ambulance service. The minimum and
9 maximum amount of grants shall be doubled for the fiscal
10 period beginning July 1, 2006, and ending June 30, 2007, and <—
11 July 1, 2007, and ending June 30, 2008.

12 (2) Grants may be awarded on a pro rata basis if the
13 total dollar amount of approved applications exceeds the
14 amount of funds appropriated by the General Assembly for this
15 purpose.

16 (3) If two or more volunteer ambulance services
17 consolidated their use of equipment, personnel and services
18 [after July 1, 1998, each entity from which the consolidated
19 entity was created will be eligible for a grant as though it
20 had not consolidated.] within five years preceding the date
21 of the current year application submission deadline, the
22 consolidated entity shall be deemed eligible to receive a
23 grant not to exceed the amount of the combined total for
24 which the individual companies would have been eligible had
25 they not consolidated.

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

27 [(1) The agency shall provide written instructions and
28 guidelines for grants under this act to the president of
29 every volunteer ambulance service in this Commonwealth on or
30 before February 28, 2006.

(2) Volunteer ambulance services seeking grants under this chapter shall submit completed applications to the agency on or before April 30, 2006. The agency shall act to approve or disapprove the application by June 30, 2006. Applications which have not been approved or disapproved by the agency by June 30, 2006, shall be deemed approved.]

~~(1) Beginning with the fiscal period commencing July 1, 2006, and ending June 30, 2008, and each year thereafter, the~~

~~(1) BY SEPTEMBER 1 OF EACH YEAR, THE agency shall provide written instructions for grants under this act to the president of every volunteer ambulance service in this Commonwealth no later than September 1 of each year.~~

~~(2) Beginning with the fiscal period commencing July 1, 2006, and ending June 30, 2008, and each year thereafter, the agency shall provide applications to the president of every volunteer ambulance service no later than September 8 of each year.~~

SERVICE IN THIS COMMONWEALTH.

(2) BY SEPTEMBER 8 OF EACH YEAR, THE AGENCY SHALL PROVIDE APPLICATIONS TO THE PRESIDENT OF EVERY VOLUNTEER AMBULANCE SERVICE. Volunteer ambulance services seeking grants under this act shall submit completed applications to the agency. The application period shall remain open for 45 days each year. The agency shall act to approve or disapprove applications within 60 days of the application submission deadline each year. Applications which have not been approved or disapproved by the agency within 60 days after the close of the application period each year shall be deemed approved.

Section 901. Expiration of authority.

The authority of the agency to award grants under Chapters 3

1 and 5 shall expire June 30, [2007] 2012.

2 Section 8. The act is amended by adding a section to read:

3 Section 901.1. Special provisions.

4 (a) Claim.--An applicant for a grant under this act who
5 failed to return a signed agreement for the preceding year shall
6 not be permitted to apply for a grant in the current year,
7 unless the applicant has provided the commissioner with a
8 reasonable written explanation as to why it did not claim its
9 grant.

10 (b) Delinquency.--An applicant for a grant under this act
11 who is delinquent in loan payments to the Pennsylvania Volunteer
12 Loan Assistance Program existing under the act of November 13,
13 1995 (P.L.604, No.61), known as the State Fire Commissioner Act,
14 shall agree to use its grant funds to pay any arrears to the
15 Commonwealth or it will not be qualified to receive a grant. Any
16 organization agreeing to this arrangement who fails to make the
17 payment to the Commonwealth shall be disqualified from applying
18 to the grant program for a period of three years.

19 (c) Demonstration.--An applicant for a grant under this act
20 must demonstrate that it complied with all terms of its grant
21 agreement in the previous year regarding the use of the grant
22 money it received in previous years or it shall not be eligible
23 to receive a grant in the current year.

24 (d) Approval.--An applicant shall not be approved for a
25 grant to be used for purposes other than those stated in section
26 303(a) or 503(a).

27 Section 9. The Legislative Budget and Finance Committee
28 shall conduct a performance review of the program authorized by
29 this act and shall submit its evaluation of and recommendations
30 regarding the program to the General Assembly no later than

1 February 28, 2012.

2 Section 10. Repeals are as follows:

3 (1) The General Assembly declares that the act repealed
4 under paragraph (2) is obsolete.

5 (2) The act of June 22, 2000 (P.L.477, No.66), known as
6 the Volunteer Fire Company and Volunteer Ambulance Service
7 Grant Act, is repealed.

8 Section 11. This act shall take effect immediately.