

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1315 Session of 2008

INTRODUCED BY WAUGH, BAKER, RAFFERTY, PUNT, O'PAKE, MADIGAN, KASUNIC, FONTANA, ERICKSON, BOSCOLA, ORIE, KITCHEN, TOMLINSON, EICHELBERGER, WONDERLING, REGOLA, LOGAN, CORMAN, ARMSTRONG, BROWNE, BRUBAKER, ROBBINS, PIPPY, EARLL, COSTA, WOZNIAK, C. WILLIAMS, FOLMER, M. WHITE, D. WHITE, RHOADES, McILHINNEY, DINNIMAN, STOUT, MUSTO, WASHINGTON AND FERLO, MARCH 20, 2008

SENATOR ARMSTRONG, APPROPRIATIONS, RE-REPORTED AS AMENDED, JUNE 2, 2008

AN ACT

1 Providing for a Postsecondary Education Tuition Reimbursement
2 Program for volunteer firefighters, FIRE POLICE and emergency <—
3 services personnel.

4 The General Assembly finds that, since volunteer
5 firefighters, FIRE POLICE and emergency services personnel <—
6 provide essential public services and save taxpayers billions of
7 dollars annually in communities across this Commonwealth, this
8 act shall provide significant assistance to them in attaining a
9 quality postsecondary education.

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

12 Section 1. Short title.

13 This act shall be known and may be cited as the Volunteer
14 Firefighter and Emergency Services Postsecondary Education
15 Tuition Reimbursement Program Act.

1 Section 2. Definitions.

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

5 "ACTIVE VOLUNTEER." A VOLUNTEER FOR A VOLUNTEER AMBULANCE <—  
6 SERVICE, VOLUNTEER FIRE COMPANY OR VOLUNTEER RESCUE COMPANY  
7 CERTIFIED BY THE COMMISSIONER OF INTERNAL REVENUE OF THE UNITED  
8 STATES AND THE DIRECTOR OF THE PENNSYLVANIA STATE INCOME TAX  
9 BUREAU AS MEETING THE CRITERIA OF THE ACT OF MARCH 4, 1971  
10 (P.L.6, NO.2), KNOWN AS THE TAX REFORM CODE OF 1971, AND  
11 EMPLOYED BY A TAXPAYER IN THIS COMMONWEALTH.

12 "Agency." The Pennsylvania Higher Education Assistance  
13 Agency.

14 "Community college." An institution established pursuant to  
15 Article XIX-A of the act of March 10, 1949 (P.L.30, No.14),  
16 known as the Public School Code of 1949, or the former act of  
17 August 24, 1963 (P.L.1132, No.484), known as the Community  
18 College Act of 1963.

19 "INDEPENDENT INSTITUTION OF HIGHER EDUCATION." ANY <—  
20 ACCREDITED NONPROFIT PRIVATE OR INDEPENDENT COLLEGE OR  
21 UNIVERSITY LOCATED IN THIS COMMONWEALTH.

22 "State-owned university." A university which is part of the  
23 State System of Higher Education as established under Article  
24 XX-A of the act of March 10, 1949 (P.L.30, No.14), known as the  
25 Public School Code of 1949, and all branches and campuses of a  
26 State-owned university.

27 "State-related university." Any of the following  
28 universities, including any of their branch campuses:

- 29 (1) The Pennsylvania State University.  
30 (2) The University of Pittsburgh.

1 (3) Temple University.

2 (4) Lincoln University.

3 "VOLUNTEER AMBULANCE SERVICE." AS DEFINED IN SECTION 102 OF <—  
4 THE ACT OF JULY 31, 2003 (P.L.73, NO.17), KNOWN AS THE VOLUNTEER  
5 FIRE COMPANY AND VOLUNTEER AMBULANCE SERVICE GRANT ACT.

6 "VOLUNTEER FIRE COMPANY." AS DEFINED IN SECTION 102 OF THE  
7 ACT OF JULY 31, 2003 (P.L.73, NO.17), KNOWN AS THE VOLUNTEER  
8 FIRE COMPANY AND VOLUNTEER AMBULANCE SERVICE GRANT ACT.

9 "VOLUNTEER RESCUE COMPANY." AS DEFINED IN SECTION 102 OF THE  
10 ACT OF JULY 31, 2003 (P.L.73, NO.17), KNOWN AS THE VOLUNTEER  
11 FIRE COMPANY AND VOLUNTEER AMBULANCE SERVICE GRANT ACT.

12 Section 3. Tuition assistance program.

13 (a) Establishment.--The Volunteer Firefighter and Emergency  
14 Services Postsecondary Education Tuition Reimbursement Program  
15 is established in the agency.

16 (b) Credits or payments.--The tuition reimbursement program  
17 shall consist of a credit or payment ~~by~~ TO a community college, <—  
18 State-owned university ~~or~~, State-related university OR <—  
19 INDEPENDENT INSTITUTION OF HIGHER EDUCATION of 50% of a  
20 qualified student's share of tuition for each ~~course-credit~~ <—  
21 CREDIT COURSE NOT TO EXCEED THE ACTUAL COST, with payment from <—  
22 the ~~Commonwealth~~ AGENCY going directly to the community college, <—  
23 State-owned university ~~or~~, State-related university OR <—  
24 INDEPENDENT INSTITUTION OF HIGHER EDUCATION for such credits or  
25 payments. IN THE CASE OF AN INDEPENDENT INSTITUTION OF HIGHER <—  
26 EDUCATION, THE AGENCY SHALL REIMBURSE THE INSTITUTION UP TO A  
27 MAXIMUM OF 50% OF THE STATE-RELATED INSTITUTIONS' AVERAGE  
28 TUITION COST.

29 (c) Qualifications.--Any applicant who meets the following  
30 criteria shall be eligible for tuition assistance under this

1 act:

2 (1) The applicant must be a resident of this  
3 Commonwealth.

4 ~~(2) The applicant has successfully completed the~~ ←  
5 ~~requirements for and has received certification as a~~  
6 ~~Firefighter I, II or III, Fire Officer I or II or Fire~~  
7 ~~Instructor I or II from the Pennsylvania Fire Academy or one~~  
8 ~~of its delegated authorities consistent with the National~~  
9 ~~Board of Professional Qualifications or the applicant is~~  
10 ~~certified as an Emergency Medical Technician by the~~  
11 ~~Department of Health as provided for in the act of July 3,~~  
12 ~~1985 (P.L.164, No.45), known as the Emergency Medical~~  
13 ~~Services Act.~~

14 (2) THE APPLICANT MUST BE AN ACTIVE VOLUNTEER EMERGENCY ←  
15 MEDICAL SERVICES WORKER OR VOLUNTEER FIREFIGHTER.

16 (3) The applicant must provide the community college,  
17 State-owned university ~~or~~, State-related university OR ←  
18 INDEPENDENT INSTITUTION OF HIGHER EDUCATION with a sworn  
19 statement of fact by the fire chief, president or  
20 commissioner of a volunteer fire department, nonprofit  
21 ambulance service, nonprofit rescue squad or nonprofit  
22 hazardous material response team, of which the applicant is a  
23 volunteer, attesting that the applicant has participated in  
24 at least 30% of the volunteer organization's emergency  
25 responses within the last 18 months. A junior volunteer 16  
26 through 18 years of age must have participated in at least  
27 20% of the emergency responses and have attended at least 20  
28 hours of training or classroom instruction on an annual  
29 basis, as certified by the fire chief, president or  
30 commissioner of the volunteer organization.

1           ~~(4) The applicant must make an application to the agency~~ <—  
2           ~~for any other financial assistance.~~

3           (4) THE APPLICANT MUST BE ENROLLED IN A PROGRAM OF <—  
4           UNDERGRADUATE STUDY LEADING TO AN ASSOCIATE'S OR BACHELOR'S  
5           DEGREE.

6           (5) THE APPLICANT MUST MAKE AN APPLICATION TO THE  
7           AGENCY.

8           (d) Limitation.--No applicant shall be eligible for tuition  
9           reimbursement under this act for ~~more than five academic years.~~ <—  
10          FIVE ACADEMIC YEARS FOR FULL-TIME STUDENTS OR AN EQUIVALENT <—  
11          THEREOF FOR PART-TIME STUDENTS.

12          Section 4. Reimbursement of tuition costs.

13          The agency shall reimburse the community college, State-owned  
14          university or State-related university an amount equal to 50% of  
15          the cost of a course credit for each course where tuition  
16          reimbursement is granted pursuant to this act. IN THE CASE OF AN <—  
17          INDEPENDENT INSTITUTION OF HIGHER LEARNING, THE AGENCY SHALL  
18          REIMBURSE THE INSTITUTION UP TO A MAXIMUM OF 50% OF THE STATE-  
19          RELATED INSTITUTIONS' AVERAGE TUITION COST FOR EACH COURSE WHERE  
20          TUITION REIMBURSEMENT IS GRANTED PURSUANT TO THIS ACT. The  
21          reimbursements shall be verified by enrollment and itemized by  
22          the applicant for auditing purposes under this act. The  
23          reimbursements shall be made annually by the agency to the  
24          appropriate community college, State-related university or  
25          State-owned university. IF INSUFFICIENT FUNDS ARE APPROPRIATED <—  
26          TO MAKE PAYMENTS PURSUANT TO THIS SECTION, THE PAYMENTS SHALL BE  
27          MADE ON A PRO RATA BASIS.

28          Section 5. Funding.

29          ~~The General Assembly shall annually include in the~~ <—  
30          ~~appropriation to the Pennsylvania Higher Education Assistance~~

1 ~~Agency in the General Appropriation Act an appropriation from~~  
2 ~~the General Fund in an amount sufficient to make tuition~~  
3 ~~reimbursement payments pursuant to this act.~~

4 FUNDING FOR THIS ACT SHALL BE DEPENDENT ON ANNUAL <—  
5 APPROPRIATIONS MADE BY THE GENERAL ASSEMBLY.

6 Section 6. Regulations.

7 The agency shall in a manner provided by law promulgate rules  
8 and regulations necessary to carry out this act.

9 Section 7 30. Effective date. <—

10 This act shall take effect July 1, 2008, or immediately,  
11 whichever is later.