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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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**SENATE BILL**

**No. 1434** Session of  
2008

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INTRODUCED BY DINNIMAN, COSTA, ERICKSON, FONTANA, ORIE,  
RAFFERTY, WASHINGTON, WAUGH, C. WILLIAMS, WONDERLING AND  
WOZNIAK, JUNE 9, 2008

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REFERRED TO VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS,  
JUNE 9, 2008

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AN ACT

1 Establishing the Student Volunteer Firefighter Housing Grant  
2 Program; providing for the powers and duties of the State  
3 Fire Commissioner; and making an appropriation.

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

6 Section 1. Short title.

7 This act shall be known and may be cited as the Student  
8 Volunteer Firefighter Housing Grant Act.

9 Section 2. Definitions.

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

13 "Commissioner." The State Fire Commissioner of the  
14 Commonwealth.

15 "Eligible student." A student who joins a sponsoring  
16 volunteer fire company or an emergency medical service company  
17 and enters into a contractual agreement with the sponsoring

1 company under a local program to provide at least the minimum  
2 amount of service per week in the activities of a sponsoring  
3 company.

4 "Emergency medical service company." A nonprofit chartered  
5 corporation, association or organization that is located in this  
6 Commonwealth, is licensed by the Department of Health, is not  
7 associated or affiliated with a hospital and is regularly  
8 engaged in the provision of emergency medical services,  
9 including basic life support, advanced life support services and  
10 advanced life support squads as defined in 28 Pa.Code § 1005.1  
11 (relating to general provisions). The term does not include a  
12 corporation, association or organization that is primarily  
13 engaged in the operation of invalid coaches intended for the  
14 routine transport of persons who are convalescent or otherwise  
15 nonambulatory and do not ordinarily require emergency medical  
16 treatment while in transit.

17 "Full-time basis." The term shall have the meaning given to  
18 it under the term "full-time basis," except for purposes of the  
19 Federal Stafford Loan and Federal PLUS Loan Programs, in 22  
20 Pa.Code § 121.1 (relating to definitions).

21 "Grant program." The Student Volunteer Firefighter Housing  
22 Grant Program established by this act.

23 "Institution of higher education." The term shall have the  
24 meaning given to it in section 2301-A of the act of March 10,  
25 1949 (P.L.30, No.14), known as the Public School Code of 1949.

26 "Invalid coach." The term shall have the meaning given to it  
27 in the act of July 3, 1985 (P.L.164, No.45), known as the  
28 Emergency Medical Services Act.

29 "Local program." A program established by a volunteer fire  
30 company or an emergency medical services company to:

1 (1) Construct or renovate a facility to house eligible  
2 students.

3 (2) Enroll and enter into contractual agreements with  
4 students.

5 (3) House eligible students.

6 (4) Monitor and enforce eligible students' compliance  
7 with the provisions of the contractual agreement.

8 "Sponsoring company." A volunteer fire company or an  
9 emergency medical services company that has established a local  
10 program.

11 "Student." A student who is a resident of this Commonwealth  
12 and enrolled at an institution of higher education on a full-  
13 time basis.

14 "Volunteer fire company." A nonprofit chartered corporation,  
15 association or organization located in this Commonwealth that  
16 provides fire protection or rescue services and may offer other  
17 voluntary emergency services within this Commonwealth. Voluntary  
18 emergency services provided by a volunteer fire company may  
19 include voluntary emergency medical services.

20 Section 3. Grant program.

21 (a) Establishment.--The Student Volunteer Firefighter  
22 Housing Grant Program is established and shall be administered  
23 by the commissioner.

24 (b) Purpose of grants.--Grants may be awarded to sponsoring  
25 companies for the purpose of constructing or renovating  
26 facilities owned by the sponsoring fire company as housing units  
27 for students in order to increase student membership in  
28 sponsoring companies to maintain and improve the current level  
29 of firefighting and rescue services and emergency medical  
30 services.

1 (c) Applications.--A sponsoring company must submit an  
2 application to the agency for a grant in a manner and a form to  
3 be established by the commissioner. The application shall  
4 include a certificate of occupancy issued for the housing units  
5 and a written copy of the local program.

6 (d) Contents of local program.--A local program shall  
7 contain all of the following:

8 (1) A sufficiently detailed description of the  
9 construction and renovation of the facility, including  
10 compliance with relevant Federal, State and local building  
11 codes.

12 (2) A requirement that an eligible student has completed  
13 and received certification from either:

14 (i) the Pennsylvania Fire Academy, or one of its  
15 delegated authorities, for Firefighter I, II or III, Fire  
16 Officer I or II or Fire Instructor I or II; or

17 (ii) the Department of Health, for certification as  
18 an emergency medical technician.

19 (3) A contractual agreement in which a student agrees  
20 to:

21 (i) become a member of the sponsoring company prior  
22 to occupation of the provided housing and remain a member  
23 of the sponsoring company during the entire period of  
24 time the student occupies the provided housing;

25 (ii) participate in the function of the sponsoring  
26 company during each semester, any agreed-upon service  
27 during vacation periods and other periods between  
28 semesters;

29 (iii) comply with the requirement for providing  
30 certain types of service and a minimum number of hours of

1 service, that on average equals 30 hours per week, and  
2 any conditions for any time extension or modification of  
3 the type of service, as determined by the agreement;

4 (iv) pay an amount equal to the total value of the  
5 services, as determined by the agreement, in the event  
6 that the eligible student does not provide the types and  
7 minimum number of hours of service, contained in the  
8 agreement; and

9 (v) at the end of the school year and any additional  
10 time periods as set forth in the agreement, cooperate  
11 with the sponsoring company in a review of the nature and  
12 hours of service rendered by the eligible student by the  
13 sponsoring company to determine compliance with the  
14 minimum service requirement.

15 (4) A description of the remedies and procedures  
16 contained in the agreement whereby the sponsoring company may  
17 seek to recover the value of the hours of service not  
18 provided by an eligible student, including any time  
19 extensions for complying with the service requirements.

20 (5) A description of the manner in which the value of an  
21 hour of service is determined.

22 (6) A copy of a sample contractual agreement.

23 (7) Any other information determined to be necessary by  
24 the commissioner.

25 Section 4. Award of grants.

26 (a) General rule.--The commissioner may approve a grant  
27 award to a sponsoring company for the purposes of funding  
28 construction of a new facility and renovation of an existing  
29 facility owned by the sponsoring company for the housing of  
30 eligible students.

1 (b) Second grants.--A sponsoring company shall be eligible  
2 to apply for and receive one grant under the grant program. An  
3 application from a sponsoring company for a second grant to  
4 expand its local program may be submitted in any year following  
5 the year when the initial grant was received and shall require  
6 an additional showing to the satisfaction of the commissioner  
7 that the initial grant received by the sponsoring company  
8 achieved the goals for improved firefighting, rescue services or  
9 emergency medical services, as stated in the local program.

10 (c) Amounts.--

11 (1) The maximum amount of a grant shall not exceed  
12 \$50,000. The total amount of grants awarded per fiscal year  
13 shall not exceed \$2,500,000.

14 (2) If the applications for a grant exceed the total  
15 amount of funding for the program, the amount of the grant  
16 shall not be reduced pro rata, and the total number of grants  
17 awarded shall be accordingly reduced.

18 (d) Local program required.--The commissioner may award a  
19 grant only to a sponsoring company that has established and  
20 submitted to the commissioner a local program with its  
21 application.

22 (e) Use of grant.--A grant awarded under this act shall be  
23 used for the purposes authorized by this program.

24 Section 5. Reports.

25 (a) Duty of sponsoring companies.--

26 (1) A sponsoring company that receives a grant shall  
27 submit an annual report for two consecutive years following  
28 the receipt of the grant. The initial annual report shall be  
29 submitted one year following the receipt of the grant and on  
30 that date for the two subsequent years.

1           (2) The annual report shall include such information as  
2           the commissioner deems necessary to determine the  
3           effectiveness of the grant program and shall include the  
4           number of eligible students who participated, the number of  
5           students who did not comply with the minimum service hour  
6           requirements and the measures undertaken by the sponsoring  
7           company.

8           (b) Duty of commissioner.--The commissioner shall prepare  
9           and submit a report to the General Assembly by September 30,  
10          2014, on the level of participation by sponsor companies, the  
11          level of participation by eligible students, the effectiveness  
12          of the program to maintain and increase the number of volunteer  
13          fire company members and volunteer emergency medical service  
14          company members and the overall operation of the program. The  
15          report shall include a statement as to whether the commissioner  
16          recommends reenactment of the grant program.

17          Section 6. Publication and notice.

18          The commissioner shall file notice of the grant program's  
19          availability through the Legislative Reference Bureau for  
20          publication in the Pennsylvania Bulletin:

21                 (1) within 90 days of the effective date of this section  
22                 for the fiscal year beginning July 1, 2008; and

23                 (2) by August 8 for fiscal years beginning after June  
24                 30, 2009.

25          Section 7. Appropriation.

26                 (a) General rule.--The sum of \$12,500,000 is hereby  
27                 appropriated from the General Fund to the Office of the State  
28                 Fire Commissioner to carry out the purposes of this act.

29                 (b) Continuing nature.--This appropriation shall be a  
30                 continuing appropriation and shall not lapse until the close of

1 the fiscal year on June 30, 2013, when the remaining unspent and  
2 unencumbered funds shall lapse back to the General Fund.

3 (c) Restriction on use.--No moneys from the appropriation  
4 for grants shall be used for expenses or costs incurred by the  
5 commissioner for the administration of the grant program under  
6 this act.

7 Section 8. Regulations.

8 The commissioner shall:

9 (1) Promulgate regulations necessary to carry out the  
10 purposes of this act.

11 (2) Upon completion of at least one public hearing,  
12 publish interim regulations to carry out the purposes of this  
13 act within 90 days of the effective date of this section. The  
14 interim regulations shall not be subject to the act of  
15 October 15, 1980 (P.L.950, No.164), known as the Commonwealth  
16 Attorneys Act, or the act of June 25, 1982 (P.L.633, No.181),  
17 known as the Regulatory Review Act. The interim regulations  
18 shall expire 18 months following the effective date of this  
19 section or when final regulations are promulgated, whichever  
20 occurs first. Final regulations shall be promulgated no later  
21 than 18 months following the effective date of this section.

22 Section 9. Expiration of authority.

23 The authority of the commissioner to award grants under this  
24 act shall expire June 30, 2013.

25 Section 10. Effective date.

26 This act shall take effect July 1, 2009.