
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1605 Session of
2008

INTRODUCED BY WAUGH, RAFFERTY, MUSTO, FONTANA, TARTAGLIONE,
LOGAN, WONDERLING, PUNT, BRUBAKER, TOMLINSON, STACK,
GREENLEAF, WASHINGTON AND BOSCOLA, OCTOBER 8, 2008

REFERRED TO VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS,
OCTOBER 8, 2008

AN ACT

1 Establishing a grant program for municipal fire and emergency
2 services organizations; and providing for grant funding.

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

6 CHAPTER 1

7 PRELIMINARY PROVISIONS

8 Section 101. Short title.

9 This act shall be known and may be cited as the Municipal
10 Fire and Emergency Services Organization Grant Act.

11 Section 102. Definitions.

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

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

18 "Agency." The Pennsylvania Emergency Management Agency.

19 "Application." The Municipal Fire and Emergency Services
20 Grant Program Application.

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

24 "Certification." Any class of instruction or test that will
25 provide certification at any level that is currently offered in
26 this Commonwealth through the Voluntary Fire Fighter
27 Certification program administered by the Pennsylvania Fire
28 Academy.

29 "Certified personnel." Any member of the Municipal Fire and
30 Emergency Service who is certified at a minimum level of Fire

1 Fighter I on or before July 1, 2009, by the National
2 Professional Qualifications Board or by the International Fire
3 Service Accreditation Congress and verified by the Pennsylvania
4 State Fire Academy.

5 "Commissioner." The State Fire Commissioner.

6 "Equipment." Any apparatus, equipment or tools ordinarily
7 used by a fire, rescue or ambulance service in the performance
8 of its duties.

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

15 "Final report." The report to be filed under section 6 by
16 the Municipal Fire and Emergency Service detailing the
17 expenditure of the funds granted.

18 "Grant program." The Municipal Fire and Emergency Services
19 Organization Grant Program established in Chapter 3.

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

23 "Municipal fire and emergency services organization." A fire
24 department, ambulance service or rescue squad established,
25 operated and funded by a municipality within this Commonwealth
26 which provides fire protection or emergency services. The
27 personnel of any municipal fire or emergency services
28 organization shall consist of all paid employees or a
29 combination of paid employees and unpaid volunteers, providing
30 24-hour, 365 days per staffing by full-time paid employees.

1 Emergency services provided by a municipal fire and emergency
2 services organization may include ambulance and rescue services.
3 The ambulance services may include basic life support or
4 advanced life support services and the transportation of
5 patients within this Commonwealth. The term does not include any
6 corporation, association or organization that is primarily
7 engaged in the operation of invalid coaches which are intended
8 for the routine transport of persons who are convalescent or
9 otherwise nonambulatory and do not ordinarily require emergency
10 medical treatment while in transit. The rescue services may
11 include rescue services in response to fire, vehicle accidents
12 and water rescue efforts.

13 "OSFC." The Office of the State Fire Commissioner.

14 CHAPTER 3

15 MUNICIPAL FIRE AND EMERGENCY SERVICES ORGANIZATION

16 GRANT PROGRAM

17 Section 301. Establishment.

18 The Municipal Fire and Emergency Services Organization Grant
19 Program is established and shall be administered by the agency
20 in consultation with the commissioner. Grants provided under
21 this program shall be used to improve and enhance the
22 capabilities of municipal fire and emergency services
23 organizations to provide firefighting, ambulance and rescue
24 services.

25 Section 302. Guidelines and procedures.

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

1 this section.

2 Section 303. Award of grants.

3 (a) Authorization.--The agency is hereby authorized to make
4 a grant award to each eligible municipal fire and emergency
5 services organization for the following:

6 (1) Construction and/or renovation of the municipal fire
7 and emergency services organization's facility and purchase
8 or repair of fixtures and furnishings necessary to maintain
9 or improve the capability of the municipal fire and emergency
10 services organization to provide fire, ambulance and rescue
11 services.

12 (2) Repair or purchase of firefighting, ambulance or
13 rescue equipment.

14 (3) Reduction of debt associated with paragraph (1) or
15 (2).

16 (4) Training and certification of members.

17 (b) Limits.--

18 (1) Grants shall be not less than \$25,000 and not more
19 than \$100,000 per municipal fire and emergency services
20 organization.

21 (2) Additional grant funds may be awarded to eligible
22 applicants by applying an award factor to that portion of the
23 applicant's grant request which exceeds the base award. The
24 award factor is determined by dividing the applicant's bonus
25 points by 15, the highest possible number of points. One
26 point will be awarded for each person currently certified in
27 accordance with the definitions in section 102, to a maximum
28 of ten points.

29 (i) If necessary, the resultant additional award
30 will be prorated by a factor determined by dividing the

1 total program funds remaining after the base awards have
2 been determined by the total amount of funds requested in
3 excess of the base awards so that all grant awards do not
4 exceed the total grant funds available.

5 (ii) If funding is not fully distributed after this
6 award factor calculation, the agency reserves the right
7 to adjust the award factor formula so that all grant
8 funds available are distributed.

9 (iii) Municipal fire and emergency service grants
10 under this paragraph to individual fire companies for the
11 grant application for the fiscal year beginning July 1,
12 2009, shall not exceed \$100,000.

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

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

18 (1) The agency shall provide written instructions and
19 guidelines for grants under this chapter to the fire chief or
20 municipality in this Commonwealth within 60 days of the
21 effective date of this section.

22 (2) Municipal fire and emergency services organizations
23 seeking grants under this chapter shall submit completed
24 applications to the agency on or before December 31, 2008.
25 The agency shall act to approve or disapprove the application
26 by May 1, 2009. Applications which have not been approved or
27 disapproved by the agency by May 1, 2009, shall be deemed
28 approved.

29 (d) Eligibility.--To receive grant funds under this chapter,
30 a municipal fire and emergency services organization shall have

1 actively responded to one or more fire or rescue emergencies
2 since July 1, 2007, and must sign an agreement to actively
3 participate in the Pennsylvania Fire Information Reporting
4 System (PennFIRS). Additionally, if a municipal fire and
5 emergency services organization is deemed eligible for both this
6 grant program and the Volunteer Fire Company and Volunteer
7 Ambulance Service Grant Program, it will not be eligible for
8 both and must choose between the programs and apply for only
9 one.

10 (e) Limit on eligibility.--Each municipality shall be
11 eligible for only one grant.

12 (f) Final report.--Upon completion of the project, but no
13 later than December 1, 2010, the applicant shall file a final
14 report with the agency in a manner and form prescribed by the
15 OSFC. Any grant funds not expended by the applicant for the
16 project shall be returned to the agency prior to or with the
17 filing of the final report. Failure to file a final report will
18 be grounds for the agency to seek the return of all grant funds
19 awarded.

20 Section 304. Special provisions.

21 (a) General rule.--An applicant for a grant must demonstrate
22 that it complied with all terms of its grant agreement in the
23 previous year regarding the use of the grant money it received
24 in previous years or it shall not be eligible to receive a grant
25 in the current year.

26 (b) Explanation.--An application for a grant under this act
27 who fails to return a signed agreement for the 2009 application,
28 or subsequent applications, will not be permitted to apply for a
29 grant the next year unless the applicant provides the
30 commissioner with a reasonable written explanation as to why it

1 did not claim its grant.

2 (c) PennFIRS.--An applicant who is noncompliant in reporting
3 information using the Pennsylvania Fire Information Reporting
4 System (PennFIRS) in the previous Commonwealth fiscal year shall
5 not be eligible to receive a grant in the current year.

6 CHAPTER 5

7 MUNICIPAL FIRE AND EMERGENCY SERVICES ORGANIZATION

8 GRANT PROGRAM FUNDING PROVISIONS

9 Section 501. Municipal Fire and Emergency Services Organization
10 Grant Program.

11 The sum of \$5,000,000 of the amount appropriated to the
12 agency for the Municipal Fire and Emergency Services
13 Organization Grant Program shall be expended for the purpose of
14 making grants to eligible municipal fire and emergency services
15 organizations pursuant to Chapter 3.

16 Section 502. Allocation of appropriated funds.

17 No moneys from the appropriation for municipal fire and
18 emergency services organization grants shall be used for
19 expenses or costs incurred by the agency for the administration
20 of the grant program authorized under Chapter 3.

21 Section 503. Program limitations.

22 Program limitations that may result from the misuse of the
23 grant funds are as follows:

24 (1) An applicant may not make or authorize changes
25 exceeding 10% of the total project cost to an approved
26 project without first obtaining consent of the agency in
27 writing.

28 (2) The applicant agrees that noncompliance with the
29 conditions of this grant shall be grounds for the recapture
30 of funds provided to the applicant. If the applicant fails to

1 refund the moneys, the Commonwealth, in addition to any
2 rights or remedies it may have at law or in equity, reserves
3 the right to offset the amount due against any existing or
4 future sums of money owed the applicant by any Commonwealth
5 agency or department, including the agency.

6 (3) The agency, or its duly authorized representative,
7 shall have access to the records of the applicant for the
8 purpose of auditing financial transactions, determining
9 compliance with grant terms and evaluating project
10 performance.

11 (4) The applicant agrees to retain all cost-supporting
12 records and documentation for a period of three years from
13 the date that it receives its final grant payment from the
14 agency.

15 CHAPTER 21

16 MISCELLANEOUS PROVISIONS

17 Section 2101. Effective date.

18 This act shall take effect immediately.