

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 866 Session of 2011

INTRODUCED BY WARD, SOLOBAY, WAUGH, TOMLINSON, GORDNER, KASUNIC, D. WHITE, PIPPY, VOGEL, ORIE, FONTANA, ERICKSON, BREWSTER, BROWNE, YUDICHAK, BAKER, BRUBAKER, ALLOWAY, GREENLEAF, McILHINNEY, EICHELBERGER, ARGALL, COSTA, FERLO, FARNESE AND WASHINGTON, MARCH 25, 2011

SENATOR CORMAN, APPROPRIATIONS, IN SENATE, RE-REPORTED AS AMENDED, JUNE 4, 2012

AN ACT

~~1 Amending Title 35 (Health and Safety) of the Pennsylvania
2 Consolidated Statutes, in grants to volunteer fire companies
3 and volunteer services, further providing for expiration of
4 authority.~~ ←

5 AMENDING TITLE 35 (HEALTH AND SAFETY) OF THE PENNSYLVANIA ←
6 CONSOLIDATED STATUTES, IN GRANTS TO VOLUNTEER FIRE COMPANIES
7 AND VOLUNTEER SERVICES, FURTHER PROVIDING FOR SCOPE OF
8 CHAPTER; PROVIDING FOR ADDITIONAL FUNDING; FURTHER PROVIDING
9 FOR DEFINITIONS, FOR ESTABLISHMENT, FOR AWARD OF GRANTS, FOR
10 ALLOCATION OF APPROPRIATED FUNDS AND FOR EXPIRATION OF
11 AUTHORITY; AND MAKING EDITORIAL CHANGES.

12 The General Assembly of the Commonwealth of Pennsylvania
13 hereby enacts as follows:

14 ~~Section 1. Section 7841 of Title 35 of the Pennsylvania~~ ←
15 ~~Consolidated Statutes, added November 23, 2010 (P.L.1181,~~
16 ~~No.118), is amended to read:~~

17 ~~§ 7841. Expiration of authority.~~

18 ~~The authority of the agency to award grants under Subchapters~~
19 ~~B (relating to volunteer fire company grant program) and C~~
20 ~~(relating to volunteer ambulance service grant program) shall~~

1 ~~expire June 30, [2012] 2022.~~

2 ~~Section 2. This act shall take effect immediately.~~

3 SECTION 1. CHAPTER 78 HEADING OF TITLE 35 OF THE
4 PENNSYLVANIA CONSOLIDATED STATUTES IS AMENDED TO READ:



5 CHAPTER 78
6 GRANTS TO [VOLUNTEER] FIRE COMPANIES
7 AND VOLUNTEER SERVICES

8 SECTION 2. SECTION 7801 OF TITLE 35 IS AMENDED TO READ:

9 § 7801. SCOPE OF CHAPTER.

10 THIS CHAPTER RELATES TO GRANTS TO [VOLUNTEER] FIRE COMPANIES
11 AND VOLUNTEER AMBULANCE SERVICES.

12 SECTION 3. THE DEFINITION OF "GRANT PROGRAM" IN SECTION 7802
13 OF TITLE 35 IS AMENDED AND THE SECTION IS AMENDED BY ADDING A
14 DEFINITION TO READ:

15 § 7802. DEFINITIONS.

16 THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS CHAPTER
17 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE
18 CONTEXT CLEARLY INDICATES OTHERWISE:

19 * * *

20 "FIRE COMPANY." A VOLUNTEER FIRE COMPANY OR A MUNICIPAL FIRE
21 COMPANY LOCATED IN THIS COMMONWEALTH.

22 "GRANT PROGRAM." THE [VOLUNTEER] FIRE COMPANY GRANT PROGRAM
23 ESTABLISHED IN SUBCHAPTER B (RELATING TO [VOLUNTEER] FIRE
24 COMPANY GRANT PROGRAM) OR THE VOLUNTEER AMBULANCE SERVICE GRANT
25 PROGRAM ESTABLISHED IN SUBCHAPTER C (RELATING TO VOLUNTEER
26 AMBULANCE SERVICE GRANT PROGRAM).

27 * * *

28 SECTION 4. SUBCHAPTER B HEADING OF CHAPTER 78 OF TITLE 35 IS
29 AMENDED TO READ:

30 SUBCHAPTER B

1 [VOLUNTEER] FIRE COMPANY GRANT PROGRAM

2 SECTION 5. SECTION 7811 OF TITLE 35 IS AMENDED TO READ:

3 § 7811. ESTABLISHMENT.

4 THE [VOLUNTEER] FIRE COMPANY GRANT PROGRAM IS ESTABLISHED AND
5 SHALL BE ADMINISTERED BY THE AGENCY IN CONSULTATION WITH THE
6 COMMISSIONER. GRANTS PROVIDED UNDER THIS PROGRAM SHALL BE USED
7 TO IMPROVE AND ENHANCE THE CAPABILITIES OF THE [VOLUNTEER] FIRE
8 COMPANY TO PROVIDE FIREFIGHTING, AMBULANCE AND RESCUE SERVICES.

9 SECTION 6. TITLE 35 IS AMENDED BY ADDING A SECTION TO READ:

10 § 7811.1. ADDITIONAL FUNDING.

11 IN ADDITION TO SUMS TRANSFERRED FROM THE STATE GAMING FUND,
12 THE SUM OF \$5,000,000 SHALL BE TRANSFERRED ANNUALLY FROM THE
13 PROPERTY TAX RELIEF RESERVE FUND TO THE FIRE COMPANY GRANT
14 PROGRAM FOR THE PURPOSE OF MAKING GRANTS TO ELIGIBLE VOLUNTEER
15 FIRE COMPANIES UNDER THIS SUBCHAPTER.

16 SECTION 7. SECTIONS 7813(A) INTRODUCTORY PARAGRAPH, (B) (1)
17 AND (3), (C) AND (D), 7833 AND 7841 OF TITLE 35 ARE AMENDED TO
18 READ:

19 § 7813. AWARD OF GRANTS.

20 (A) AUTHORIZATION.--THE AGENCY IS AUTHORIZED TO MAKE A GRANT
21 AWARD TO EACH ELIGIBLE [VOLUNTEER] FIRE COMPANY FOR THE
22 FOLLOWING:

23 * * *

24 (B) LIMITS.--

25 (1) EXCEPT AS PROVIDED IN PARAGRAPH (3), GRANTS SHALL BE
26 NOT LESS THAN \$2,500 AND NOT MORE THAN \$15,000 PER
27 [VOLUNTEER] FIRE COMPANY.

28 * * *

29 (3) IN A MUNICIPALITY WHERE THERE ARE TWO OR MORE
30 VOLUNTEER FIRE COMPANIES AND IF TWO OR MORE VOLUNTEER FIRE

1 COMPANIES CONSOLIDATED THEIR USE OF EQUIPMENT, FIREFIGHTERS
2 AND SERVICES WITHIN FIVE YEARS PRECEDING THE DATE OF THE
3 CURRENT YEAR APPLICATION SUBMISSION DEADLINE, THE
4 CONSOLIDATED ENTITY SHALL BE DEEMED ELIGIBLE TO RECEIVE A
5 GRANT NOT TO EXCEED THE AMOUNT OF THE COMBINED TOTAL FOR
6 WHICH THE INDIVIDUAL COMPANIES WOULD HAVE BEEN ELIGIBLE HAD
7 THEY NOT CONSOLIDATED.

8 (C) TIME FOR FILING APPLICATION AND DEPARTMENT ACTION.--

9 (1) WITHIN 30 DAYS OF JUNE 28, 2007, FOR THE FISCAL
10 YEARS BEGINNING JULY 1, 2006, AND JULY 1, 2007, AND BY
11 SEPTEMBER 1 OF EACH YEAR THEREAFTER, THE AGENCY SHALL PROVIDE
12 WRITTEN INSTRUCTIONS FOR GRANTS UNDER THIS CHAPTER TO:

13 (I) EXCEPT AS SET FORTH IN SUBPARAGRAPH (II), THE
14 FIRE CHIEF AND PRESIDENT OF EVERY [VOLUNTEER] FIRE
15 COMPANY [IN THIS COMMONWEALTH]; OR

16 (II) IN THE CASE OF A MUNICIPAL FIRE COMPANY, THE
17 CHIEF EXECUTIVE OF THE MUNICIPALITY.

18 (2) WITHIN 45 DAYS OF JUNE 28, 2007, FOR THE FISCAL
19 YEARS BEGINNING JULY 1, 2006, AND JULY 1, 2007, AND BY
20 SEPTEMBER 8 OF EACH YEAR THEREAFTER, THE AGENCY SHALL PROVIDE
21 APPLICATIONS TO [THE FIRE CHIEF AND PRESIDENT OF EVERY
22 VOLUNTEER FIRE COMPANY] INDIVIDUALS SPECIFIED IN PARAGRAPH

23 (1). THE APPLICATION FOR THE FISCAL YEARS COMMENCING JULY 1,
24 2006, AND JULY 1, 2007, SHALL BE A COMBINED APPLICATION.

25 [VOLUNTEER FIRE] FIRE COMPANIES SEEKING GRANTS UNDER THIS
26 CHAPTER SHALL SUBMIT COMPLETED APPLICATIONS TO THE AGENCY.

27 THE APPLICATION PERIOD SHALL REMAIN OPEN FOR 45 DAYS EACH
28 YEAR. THE AGENCY SHALL ACT TO APPROVE OR DISAPPROVE

29 APPLICATIONS WITHIN 60 DAYS OF THE APPLICATION SUBMISSION
30 DEADLINE EACH YEAR. APPLICATIONS WHICH HAVE NOT BEEN APPROVED

1 OR DISAPPROVED BY THE AGENCY WITHIN 60 DAYS AFTER THE CLOSE
2 OF THE APPLICATION PERIOD EACH YEAR SHALL BE DEEMED APPROVED.

3 (D) ELIGIBILITY.--TO RECEIVE GRANT FUNDS UNDER THIS CHAPTER,
4 A [VOLUNTEER] FIRE COMPANY SHALL HAVE ACTIVELY RESPONDED TO ONE
5 OR MORE FIRE OR RESCUE EMERGENCIES DURING THE PREVIOUS CALENDAR
6 YEAR AND MUST HAVE SIGNED AND BE UNDER AN AGREEMENT TO ACTIVELY
7 PARTICIPATE IN THE PENNSYLVANIA FIRE INFORMATION REPORTING
8 SYSTEM WHICH IS ADMINISTERED BY THE AGENCY.

9 § 7833. ALLOCATION OF APPROPRIATED FUNDS.

10 (A) [PROHIBITION] ADMINISTRATION.--[NO]

11 (1) EXCEPT AS PROVIDED UNDER PARAGRAPH (2), NO MONEY
12 FROM THE APPROPRIATION FOR [VOLUNTEER COMPANY] GRANTS SHALL
13 BE USED FOR EXPENSES OR COSTS INCURRED BY THE AGENCY FOR THE
14 ADMINISTRATION OF THE GRANT PROGRAMS AUTHORIZED UNDER
15 SUBCHAPTERS B (RELATING TO [VOLUNTEER] FIRE COMPANY GRANT
16 PROGRAM) AND C (RELATING TO VOLUNTEER AMBULANCE SERVICE GRANT
17 PROGRAM) .

18 (2) NOTWITHSTANDING PARAGRAPH (1), EACH FISCAL YEAR THE
19 COMMISSIONER MAY USE, SUBJECT TO THE APPROVAL OF THE
20 GOVERNOR, AN AMOUNT UP TO \$100,000 OF THE TOTAL DOLLAR AMOUNT
21 OF THE GRANTS APPROVED IN THE IMMEDIATELY PRECEDING FISCAL
22 YEAR FOR THE COMMISSIONER'S ADMINISTRATIVE COST TO IMPLEMENT
23 AND OVERSEE THE PROGRAMS UNDER PARAGRAPH (1).

24 (B) GRANT ALLOCATION.--UNLESS OTHERWISE EXPRESSLY STATED,
25 MONEY APPROPRIATED TO THE AGENCY FOR PURPOSES OF VOLUNTEER
26 COMPANY GRANTS SHALL BE ALLOCATED AS FOLLOWS:

27 (1) EIGHTY-EIGHT PERCENT OF THE AMOUNT APPROPRIATED
28 SHALL BE USED FOR MAKING GRANTS TO ELIGIBLE [VOLUNTEER] FIRE
29 COMPANIES UNDER SUBCHAPTER B.

30 * * *

1 § 7841. EXPIRATION OF AUTHORITY.

2 THE AUTHORITY OF THE AGENCY TO AWARD GRANTS UNDER SUBCHAPTERS
3 B (RELATING TO [VOLUNTEER] FIRE COMPANY GRANT PROGRAM) AND C
4 (RELATING TO VOLUNTEER AMBULANCE SERVICE GRANT PROGRAM) SHALL
5 EXPIRE JUNE 30, [2012] 2016.

6 SECTION 8. THIS ACT SHALL TAKE EFFECT IMMEDIATELY.