

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 911 Session of  
2013

INTRODUCED BY WAUGH, COSTA, BREWSTER, PILEGGI AND SOLOBAY,  
MAY 3, 2013

REFERRED TO VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS,  
MAY 3, 2013

AN ACT

1 Amending Title 35 (Health and Safety) of the Pennsylvania  
2 Consolidated Statutes, providing for grants to municipal fire  
3 and emergency services organizations; and imposing a  
4 pyrotechnic public safety fee.

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

7 Section 1. Title 35 of the Pennsylvania Consolidated  
8 Statutes is amended by adding a chapter to read:

9 CHAPTER 79

10 GRANTS TO MUNICIPAL FIRE AND EMERGENCY

11 SERVICES ORGANIZATIONS

12 Subchapter

13 A. Preliminary Provisions

14 B. Municipal Fire and Emergency Services Organization

15 Grant Program

16 C. Grant Funding Provisions

17 D. Miscellaneous Provisions

18 SUBCHAPTER A

1                                PRELIMINARY PROVISIONS

2   Sec.

3   7901. Scope of chapter.

4   7902. Definitions.

5   § 7901. Scope of chapter.

6        This chapter relates to grants to municipal fire and  
7   emergency services organizations.

8   § 7902. Definitions.

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

12        "Advanced life support services." The advanced prehospital  
13   and interhospital emergency medical care of serious illness or  
14   injury by appropriately trained health professionals and by  
15   certified EMT-paramedics.

16        "Agency." The Pennsylvania Emergency Management Agency.

17        "Basic life support services." Prehospital or interhospital  
18   emergency medical care and management of illness or injury  
19   performed by specially trained and certified or licensed  
20   personnel.

21        "Commissioner." The State Fire Commissioner.

22        "Facility." A structure or portion thereof intended for the  
23   purpose of storage or protection of firefighting apparatus,  
24   ambulances and rescue vehicles and related equipment and gear.  
25   The term does not include meeting halls, social halls, social  
26   rooms, lounges or any other facility not directly related to  
27   firefighting or the furnishing of ambulance or rescue services.

28        "Grant program." The Municipal Fire and Emergency Services  
29   Organization Grant Program established in Subchapter B (relating  
30   to Municipal Fire and Emergency Services Organizations Grant

1 Program).

2 "Invalid coach." A vehicle which is primarily maintained,  
3 operated and intended to be used for routine transport of  
4 persons who are convalescent or otherwise nonambulatory and do  
5 not ordinarily require emergency medical treatment while in  
6 transit. The vehicles will not be considered ambulance or  
7 emergency medical service vehicles.

8 "Municipal fire and emergency services organization." As  
9 follows:

10 (1) A fire department, ambulance service or rescue squad  
11 established, operated and funded by a municipality within  
12 this Commonwealth which meets all of the following:

13 (i) Provides fire protection or emergency services.

14 (ii) Has personnel which consists of all paid  
15 employees or a combination of paid employees and unpaid  
16 volunteers.

17 (iii) Provides 24-hour, 365-days-per-year staffing  
18 by full-time, paid employees.

19 (2) Emergency services provided by a municipal fire and  
20 emergency services organization may include:

21 (i) Ambulance services, which may include basic life  
22 support or advanced life support services and the  
23 transportation of patients within this Commonwealth.

24 (ii) Rescue services, which may include response to  
25 fire, vehicle accidents and water rescue efforts.

26 (3) The term does not include any corporation,  
27 association or organization that is primarily engaged in the  
28 operation of invalid coaches which are intended for the  
29 routine transport of persons who are convalescent or  
30 otherwise nonambulatory and do not ordinarily require

1 emergency medical treatment while in transit.

2 SUBCHAPTER B

3 MUNICIPAL FIRE AND EMERGENCY SERVICES

4 ORGANIZATION GRANT PROGRAM

5 Sec.

6 7911. Establishment.

7 7912. Publication and notice.

8 7913. Award of grants.

9 § 7911. Establishment.

10 The Municipal Fire and Emergency Services Organization Grant  
11 Program is established and shall be administered by the agency  
12 in consultation with the commissioner. Grants provided under  
13 this program shall be used to improve and enhance the  
14 capabilities of municipal fire and emergency services  
15 organizations to provide services.

16 § 7912. Publication and notice.

17 The agency shall publish notice of the grant program  
18 availability through the Legislative Reference Bureau for  
19 publication in the Pennsylvania Bulletin:

20 (1) within 30 days of June 28, 2013, for the fiscal year  
21 beginning July 1, 2013; and

22 (2) by August 8 for fiscal years beginning after June  
23 30, 2014.

24 § 7913. Award of grants.

25 (a) Authorization.--The agency is authorized to make a grant  
26 award to each municipal fire and emergency services organization  
27 for the following:

28 (1) Construction and renovation of the municipal fire  
29 and emergency services organization's facility and purchase  
30 or repair of fixtures and furnishings necessary to maintain

1 or improve the capability of the organization to provide  
2 services.

3 (2) Repair of 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) Except as provided in paragraph (3), grants shall be  
8 not less than \$2,500 and not more than \$15,000 per municipal  
9 fire and emergency services organization company.

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

14 (3) In a municipality where there are two or more  
15 municipal fire and emergency services organizations and if  
16 two or more municipal fire and emergency services  
17 organizations consolidated their use of equipment,  
18 firefighters and services within five years preceding the  
19 date of the current year application submission deadline, the  
20 consolidated entity shall be deemed eligible to receive a  
21 grant not to exceed the amount of the combined total for  
22 which the individual companies would have been eligible had  
23 they not consolidated.

24 (c) Time for filing application and agency action.--

25 (1) Within 30 days of June 28, 2013, for the fiscal year  
26 beginning July 1, 2013, and by September 1 of each year  
27 thereafter, the agency shall provide written instructions for  
28 grants under this chapter to the president of every municipal  
29 fire and emergency services organization in this  
30 Commonwealth.

1       (2) Within 45 days of June 28, 2013, for the fiscal year  
2       beginning July 1, 2013, and by September 8 of each year  
3       thereafter, the agency shall provide applications to the  
4       president of every municipal fire and emergency services  
5       organization. Municipal fire and emergency services  
6       organizations seeking grants under this chapter shall submit  
7       completed applications to the agency. The application period  
8       shall remain open for 45 days each year. The agency shall act  
9       to approve or disapprove applications within 60 days of the  
10       application submission deadline each year. Applications which  
11       have not been approved or disapproved by the agency within 60  
12       days after the close of the application period each year  
13       shall be deemed approved.

14       (d) Eligibility.--To receive grant funds under this chapter,  
15       a municipal fire and emergency services organization shall have  
16       actively responded to one or more fire or rescue emergencies  
17       during the previous calendar year and must have signed and be  
18       under an agreement to actively participate in the Pennsylvania  
19       Fire Information Reporting System which is administered by the  
20       agency.

#### 21                               SUBCHAPTER C

#### 22                               GRANT FUNDING PROVISIONS

23       Sec.

24       7921. Pyrotechnic public safety fee.

25       7922. Prohibition.

26       § 7921. Pyrotechnic public safety fee.

27       (a) Assessment.--There shall be assessed upon each separate  
28       sale at retail of consumer fireworks sold at facilities licensed  
29       under the act of May 15, 1939 (P.L.134, No.65), referred to as  
30       the Fireworks Law, a fee equal to 25% of the purchase price of

1 the consumer fireworks.

2 (b) Distribution.--Money collected as a result of the fee  
3 imposed under subsection (a) shall be distributed as follows:

4 (1) One million dollars shall be appropriated annually  
5 to fund grants to eligible municipal fire and emergency  
6 services organizations in accordance with this chapter.

7 (2) Remaining funds shall be allocated in accordance  
8 with section 7833(b) (relating to allocation of appropriated  
9 funds).

10 § 7922. Prohibition.

11 No money from the appropriation under section 7921(b)  
12 (relating to pyrotechnic public safety fee) for municipal fire  
13 and emergency services organization grants may be used for  
14 expenses or costs incurred by the agency for the administration  
15 of the grant program authorized under Subchapter B (relating to  
16 Municipal Fire and Emergency Services Organization Grant  
17 Program).

18 SUBCHAPTER D

19 MISCELLANEOUS PROVISIONS

20 Sec.

21 7931. Expiration of authority.

22 7932. Special provisions.

23 § 7931. Expiration of authority.

24 The authority of the agency to award grants under Subchapter  
25 B (relating to Municipal Fire and Emergency Services  
26 Organization Grant Program) shall expire June 30, 2022.

27 § 7932. Special provisions.

28 (a) Claim.--An applicant for a grant under this chapter who  
29 failed to return a signed agreement for the preceding year shall  
30 not be permitted to apply for a grant in the current year unless

1 the applicant has provided the commissioner with a reasonable  
2 written explanation as to why it did not claim its grant.

3 (b) Demonstration.--An applicant for a grant under this  
4 chapter must demonstrate that it complied with all of the terms  
5 of its grant agreement in the previous year regarding the use of  
6 the grant money it received in previous years or it shall not be  
7 eligible to receive a grant in the current year.

8 (c) Approval.--An applicant shall not be approved for a  
9 grant to be used for purposes other than those stated in section  
10 7913(a) (relating to award of grants).

11 Section 2. This act shall take effect in 60 days.