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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 1303 Session of  
2015

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INTRODUCED BY DINNIMAN, TEPLITZ, COSTA, RAFFERTY AND GREENLEAF,  
JUNE 14, 2016

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REFERRED TO VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS,  
JUNE 14, 2016

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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 under 35 Pa.C.S. Ch. 81 (relating  
11 to emergency medical services system). The term does not include  
12 a 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." As defined in 22 Pa. Code § 121.1  
18 (relating to definitions), except for purposes of the Federal  
19 Stafford Loan and Federal PLUS Loan Programs.

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

22 "Institution of higher education." As defined in section  
23 2301-A of the act of March 10, 1949 (P.L.30, No.14), known as  
24 the Public School Code of 1949.

25 "Invalid coach." A vehicle which is primarily maintained,  
26 operated and intended to be used for routine transport of  
27 persons who are convalescent or otherwise nonambulatory and do  
28 not ordinarily require emergency medical treatment while in  
29 transit. The vehicle shall not be considered an ambulance or  
30 emergency medical services vehicle.

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

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

5 (2) Enroll and enter into contractual agreements with  
6 students.

7 (3) House eligible students.

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

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

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

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

22 Section 3. Grant program.

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

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

1 of firefighting and rescue services and emergency medical  
2 services.

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

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

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

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

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

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

21 (3) A contractual agreement in which a student agrees  
22 to:

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

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

1 (iii) comply with the requirement for providing  
2 certain types of service and a minimum number of hours of  
3 service, that on average equals 30 hours per week, and  
4 any conditions for any time extension or modification of  
5 the type of service, as determined by the agreement;

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

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

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

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

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

25 (7) Any other information determined to be necessary by  
26 the commissioner.

27 Section 4. Award of grants.

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

1 facility owned by the sponsoring company for the housing of  
2 eligible students.

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

12 (c) Amounts.--

13 (1) The maximum amount of a grant shall not exceed  
14 \$50,000. The total amount of grants awarded per fiscal year  
15 shall not exceed \$2,500,000.

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

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

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

26 Section 5. Reports.

27 (a) Duty of sponsoring companies.--

28 (1) A sponsoring company that receives a grant shall  
29 submit an annual report for two consecutive years following  
30 the receipt of the grant. The initial annual report shall be

1 submitted one year following the receipt of the grant and on  
2 that date for the two subsequent years.

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

10 (b) Duty of commissioner.--The commissioner shall prepare  
11 and submit a report to the General Assembly by September 30,  
12 2022, on the level of participation by sponsor companies, the  
13 level of participation by eligible students, the effectiveness  
14 of the program to maintain and increase the number of volunteer  
15 fire company members and volunteer emergency medical service  
16 company members and the overall operation of the program. The  
17 report shall include a statement as to whether the commissioner  
18 recommends reenactment of the grant program.

19 Section 6. Publication and notice.

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

23 (1) within 90 days of the effective date of this section  
24 for the fiscal year beginning July 1, 2016; and

25 (2) by August 8 for fiscal years beginning after June  
26 30, 2017.

27 Section 7. Appropriation.

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

1 (b) Continuing nature.--This appropriation shall be a  
2 continuing appropriation and shall not lapse until the close of  
3 the fiscal year on June 30, 2021, when the remaining unspent and  
4 unencumbered funds shall lapse back to the General Fund.

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

9 Section 8. Regulations.

10 The commissioner shall:

11 (1) Promulgate regulations necessary to carry out the  
12 purposes of this act.

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

24 Section 9. Expiration of authority.

25 The authority of the commissioner to award grants under this  
26 act shall expire June 30, 2021.

27 Section 10. Effective date.

28 This act shall take effect July 1, 2017, or immediately,  
29 whichever is later.