

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 910 Session of 2019

INTRODUCED BY MASTRIANO, ARGALL, AUMENT, BARTOLOTTA, BREWSTER, COLLETT, GORDNER, MARTIN, PHILLIPS-HILL, MENSCH, STEFANO, J. WARD, REGAN, SCHWANK, PITTMAN, BROWNE AND YUDICHAK, OCTOBER 18, 2019

SENATOR REGAN, VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, AS AMENDED, OCTOBER 22, 2019

AN ACT

1 Amending Title 35 (Health and Safety) of the Pennsylvania
2 Consolidated Statutes, in grants to fire companies and
3 emergency medical services companies, further providing for
4 definitions, for establishment, for publication and notice,
5 for award of grants, for consolidation incentive, for
6 establishment, for publication and notice, AND for award of <--
7 grants, PROVIDING FOR CONSOLIDATION INCENTIVE, FURTHER <--
8 PROVIDING for Fire Company Grant Program, for Emergency
9 Medical Services Company Grant Program, for additional
10 funding, for allocation of appropriated funds and for
11 expiration of authority and providing for annual reports.

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

14 Section 1. The definitions of "emergency medical services
15 company" or "EMS company" and "fire company" in section 7802 of
16 Title 35 of the Pennsylvania Consolidated Statutes are amended
17 and the section is amended by adding a definition to read:

18 § 7802. Definitions.

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

1 * * *

2 "Emergency medical services company" or "EMS company." A
3 career, nonprofit or volunteer emergency medical services
4 company or an independent quick response services company.

5 * * *

6 "Fire company." A volunteer fire company [or], a municipal
7 fire company or a combined volunteer and municipal fire company
8 located in this Commonwealth.

9 * * *

10 "Quick response services company." An EMS company that
11 engages in all of the following actions during an operation:

12 (1) A response to an actual, reported or perceived
13 emergency.

14 (2) The provision of emergency medical services to a
15 patient pending the arrival of an ambulance.

16 * * *

17 Section 2. Sections 7811, 7812, 7813(a), (c) and (d), 7814,
18 7821, 7822, ~~AND 7823(a) and (c), 7831, 7832, 7832.1, 7833 and~~ <--
19 ~~7841~~ of Title 35 are amended to read:

20 § 7811. Establishment.

21 The Fire Company Grant Program is established and shall be
22 administered by the [agency in consultation with the]
23 commissioner in consultation with the agency. Grants provided
24 under this program shall be used to improve and enhance the
25 capabilities of [the fire company] fire companies to provide
26 firefighting, ambulance and rescue services.

27 § 7812. Publication and notice.

28 The [agency] commissioner shall publish notice of the grant
29 program availability through the Legislative Reference Bureau
30 for publication in the Pennsylvania Bulletin[:]

1 (1) within 30 days of June 28, 2007, for the fiscal
2 years beginning July 1, 2006, and July 1, 2007; and

3 (2)] by August 8 for [fiscal years beginning after June
4 30, 2008.] each fiscal year. The commissioner shall post a
5 notice of the grant program and application for the grant
6 program on the Office of the State Fire Commissioner's
7 publicly accessible Internet website.

8 § 7813. Award of grants.

9 (a) Authorization.--The [agency] commissioner is authorized
10 to make a grant award to each eligible fire company for the
11 following:

12 (1) Construction and renovation of [the fire company's
13 facility] facilities and purchase or repair of fixtures and
14 furnishings, office equipment and support services necessary
15 to maintain or improve the capability of the company to
16 provide fire, ambulance and rescue services.

17 (2) Repair of firefighting, ambulance or rescue
18 equipment or purchase thereof.

19 (3) Debt reduction associated with paragraph (1) or (2).

20 (4) Training and certification of members.

21 (5) [Training and education] Education of the general
22 public regarding fire prevention and community risk
23 reduction.

24 (6) Recruitment and retention programs.

25 (7) Volunteer firefighter length of service award
26 programs.

27 * * *

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

29 (1) [Within 30 days of June 28, 2007, for the fiscal
30 years beginning July 1, 2006, and July 1, 2007, and by] By

1 September 1 of each year [thereafter], the [agency]
2 commissioner shall provide applications and written
3 instructions for grants under this chapter to:

4 (i) except as set forth in subparagraph (ii), the
5 fire chief and president of every fire company; or

6 (ii) in the case of a municipal fire company, the
7 chief executive of the municipality.

8 (2) [Within 45 days of June 28, 2007, for the fiscal
9 years beginning July 1, 2006, and July 1, 2007, and by
10 September 8 of each year thereafter, the agency shall provide
11 applications to individuals specified in paragraph (1). The
12 application for the fiscal years commencing July 1, 2006, and
13 July 1, 2007, shall be a combined application.] Fire

14 companies seeking grants under this chapter shall submit
15 completed applications to the [agency] commissioner and the
16 municipalities where the fire companies are located. The
17 application period shall remain open for 45 days each year.
18 The agency shall act to approve or disapprove applications
19 within 60 days of the application submission deadline each
20 year. Applications which have not been approved or
21 disapproved by the [agency] commissioner within 60 days after
22 the close of the application period each year shall be deemed
23 approved.

24 (d) Eligibility.--To receive grant funds under this chapter,
25 a fire company must:

26 (1) Have actively responded to at least [10] 15 fire or
27 rescue emergencies during the previous calendar year.

28 (2) Be actively participating in the Pennsylvania Fire
29 Information Reporting System under a signed agreement. The
30 commissioner shall develop and publish guidelines specifying

1 the criteria necessary to determine the level of
2 participation in the Pennsylvania Fire Information Reporting
3 System to remain eligible for grant funds.

4 § 7814. Consolidation incentive.

5 If[, after July 31, 2003,] two or more volunteer fire
6 companies consolidate their use of facilities, equipment,
7 firefighters and services, the consolidated entity may, upon
8 notification of the [agency] commissioner, be eligible for a
9 reduction of the interest rate payable on any outstanding
10 principal balance owed, as of the date of consolidation, by any
11 or all of the consolidating companies to the Volunteer Companies
12 Loan Fund for loans made under the act of July 15, 1976
13 (P.L.1036, No.208), known as the Volunteer Fire Company,
14 Ambulance Service and Rescue Squad Assistance Act, or under
15 Subchapter E of Chapter 73 (relating to volunteer fire company,
16 ambulance service and rescue squad assistance). The reduction in
17 the interest rate payable shall be from 2% to 1%. Upon receipt
18 of such notification, the [agency, in conjunction with the State
19 Fire Commissioner,] commissioner shall determine and verify that
20 the consolidated entity is in fact a bona fide consolidated
21 volunteer fire company. If the [agency] commissioner determines
22 that the consolidated entity is a bona fide consolidated
23 volunteer fire company, [it] the commissioner shall reduce the
24 interest rate payable on any outstanding principal balance owed
25 to the Volunteer Companies Loan Fund for loans made under the
26 former Volunteer Fire Company, Ambulance Service and Rescue
27 Squad Assistance Act, or under Subchapter E of Chapter 73, for
28 which the consolidating companies or the consolidated entity may
29 be individually or jointly responsible. The [agency]
30 commissioner may promulgate such rules and regulations as may be

1 necessary to carry out the provisions of this section.

2 § 7821. Establishment.

3 The Emergency Medical Services Grant Program is established
4 and shall be administered by the [agency] commissioner. Grants
5 provided under this program shall be used to improve and enhance
6 the capabilities of EMS [companies] to provide ambulance,
7 emergency medical, basic life support and advanced life support
8 services.

9 § 7822. Publication and notice.

10 The [agency] commissioner shall publish notice of the grant
11 program availability through the Legislative Reference Bureau
12 for publication in the Pennsylvania Bulletin[:]

13 (1) within 30 days of June 28, 2007, for the fiscal
14 years beginning July 1, 2006, and July 1, 2007; and

15 (2)] by August 8 for [fiscal years beginning after June
16 30, 2008] each fiscal year.

17 § 7823. Award of grants.

18 (a) Authorization.--The [agency] commissioner is authorized
19 to make a grant award to each eligible EMS company for the
20 following:

21 (1) Construction and renovation of the EMS company's
22 [facility] facilities and purchase or repair of fixtures,
23 furnishings, office equipment and support services necessary
24 to maintain or improve the capability of the [ambulance
25 service] services to provide ambulance, emergency medical,
26 basic life support and advanced life support services.

27 (2) Repair of ambulance equipment or purchase thereof.

28 (3) Debt reduction associated with paragraph (1) or (2).

29 (4) Training and certification of members.

30 (5) Education of the general public regarding community

1 risk reduction programs.

2 (6) Recruitment and retention programs.

3 * * *

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

5 (1) [Within 30 days of June 28, 2007, for the fiscal
6 years commencing July 1, 2006, and July 1, 2007, and by] By
7 September 1 of each year thereafter, the [agency]
8 commissioner shall provide applications and written
9 instructions for grants under this chapter to the president
10 or lead officer of every EMS company in this Commonwealth.

11 (2) [Within 45 days of the effective date of June 28,
12 2007, for the fiscal years commencing July 1, 2006, and July
13 1, 2007, and by September 8 of each year, the agency shall
14 provide applications to the president of every EMS company.
15 The application for the fiscal years commencing July 1, 2006,
16 and July 1, 2007, shall be a combined application.] EMS
17 companies seeking grants under this chapter shall submit
18 completed applications to the [agency] commissioner. The
19 application period shall remain open for 45 days each year.
20 The [agency] commissioner shall act to approve or disapprove
21 applications within 60 days of the application submission
22 deadline each year. Applications which have not been approved
23 or disapproved by the [agency] commissioner within 60 days
24 after the close of the application period each year shall be
25 deemed approved.

26 SECTION 3. TITLE 35 IS AMENDED BY ADDING A SECTION TO READ: <--

27 § 7824. CONSOLIDATION INCENTIVE.

28 AFTER JANUARY 1, 2020, IF TWO OR MORE EMERGENCY MEDICAL
29 SERVICES COMPANIES CONSOLIDATE THEIR USE OF FACILITIES,
30 EQUIPMENT, FIREFIGHTERS AND SERVICES, THE CONSOLIDATED ENTITY

1 MAY, UPON NOTIFICATION OF THE COMMISSIONER, BE ELIGIBLE FOR A
2 REDUCTION OF THE INTEREST RATE PAYABLE ON ANY OUTSTANDING
3 PRINCIPAL BALANCE OWED, AS OF THE DATE OF CONSOLIDATION, BY ANY
4 OR ALL OF THE CONSOLIDATING COMPANIES TO THE VOLUNTEER COMPANIES
5 LOAN FUND FOR LOANS MADE UNDER SUBCHAPTER E OF CHAPTER 73
6 (RELATING TO VOLUNTEER FIRE COMPANY, AMBULANCE SERVICE AND
7 RESCUE SQUAD ASSISTANCE). THE REDUCTION IN THE INTEREST RATE
8 PAYABLE SHALL BE FROM 2% TO 1%. UPON RECEIPT OF SUCH
9 NOTIFICATION, THE COMMISSIONER SHALL DETERMINE AND VERIFY THAT
10 THE CONSOLIDATED ENTITY IS IN FACT A BONA FIDE CONSOLIDATED
11 EMERGENCY MEDICAL SERVICES COMPANY. IF THE COMMISSIONER
12 DETERMINES THAT THE CONSOLIDATED ENTITY IS A BONA FIDE
13 CONSOLIDATED EMERGENCY MEDICAL SERVICES COMPANY, THE
14 COMMISSIONER SHALL REDUCE THE INTEREST RATE PAYABLE ON ANY
15 OUTSTANDING PRINCIPAL BALANCE OWED TO THE VOLUNTEER COMPANIES
16 LOAN FUND FOR LOANS MADE UNDER SUBCHAPTER E OF CHAPTER 73, FOR
17 WHICH THE CONSOLIDATING COMPANIES OR THE CONSOLIDATED ENTITY MAY
18 BE INDIVIDUALLY OR JOINTLY RESPONSIBLE. THE COMMISSIONER MAY
19 PROMULGATE SUCH RULES AND REGULATIONS AS MAY BE NECESSARY TO
20 CARRY OUT THE PROVISIONS OF THIS SECTION.

21 SECTION 4. SECTIONS 7831, 7832, 7832.1, 7833 AND 7841 OF
22 TITLE 35 ARE AMENDED TO READ:

23 § 7831. Fire Company Grant Program.

24 The sum of \$22,000,000 of the amount appropriated to the
25 [agency] commissioner for fire company grants under section
26 1799-E of the act of April 9, 1929 (P.L.343, No.176), known as
27 The Fiscal Code, shall be expended for the purpose of making
28 grants to eligible fire companies under Subchapter B (relating
29 to fire company grant program).

30 § 7832. Emergency Medical Services Company Grant Program.

1 The sum of \$3,000,000 of the amount appropriated to the
2 [agency] commissioner for EMS company grants under section 1799-
3 E of the act of April 9, 1929 (P.L.343, No.176), known as The
4 Fiscal Code, shall be expended for the purpose of making grants
5 to eligible EMS companies under Subchapter C (relating to
6 emergency medical services grant program).

7 § 7832.1. Additional funding.

8 In addition to sums transferred from the State Gaming Fund
9 and under section 2413(a)(2) of the act of March 4, 1971 (P.L.6,
10 No.2), known as the Tax Reform Code of 1971, the sum of
11 \$5,000,000 shall be transferred annually from the Property Tax
12 Relief Reserve Fund to the Fire Company Grant Program for the
13 purpose of making grants to eligible fire companies under this
14 subchapter.

15 § 7833. Allocation of appropriated funds.

16 (a) Administration.--

17 (1) Except as provided under paragraph (2), no money
18 from the appropriation for grants shall be used for expenses
19 or costs incurred by the [agency] commissioner for the
20 administration of the grant programs authorized under
21 Subchapters B (relating to fire company grant program) and C
22 (relating to emergency medical services grant program).

23 (2) Notwithstanding paragraph (1), the commissioner may
24 use not more than \$800,000 of any unencumbered funds
25 remaining in the fund for administrative costs for grant
26 program implementation under this chapter.

27 (b) Grant allocation.--Unless otherwise expressly stated,
28 money appropriated to the [agency] commissioner for purposes of
29 fire company and EMS company grants shall be allocated as
30 follows:

1 (1) Eighty-eight percent of the amount appropriated
2 shall be used for making grants to eligible fire companies
3 under Subchapter B.

4 (2) Twelve percent of the amount appropriated shall be
5 used for making grants to eligible EMS companies under
6 Subchapter C.

7 § 7841. Expiration of authority.

8 The authority of the [agency] commissioner to award grants
9 under Subchapters B (relating to fire company grant program) and
10 C (relating to emergency medical services grant program) shall
11 expire [June 30, 2020] June 30, 2024.

12 Section 3 5. Title 35 is amended by adding a section to <--
13 read:

14 § 7843. Annual reports.

15 (a) Contents.--The commissioner shall prepare an annual
16 report on the Fire Company Grant Program and Emergency Medical
17 Services Grant Program. The annual report shall include all of
18 the following information:

19 (1) The total number of applications sent to fire
20 companies and EMS companies for the grant programs.

21 (2) The total number of fire companies and EMS companies
22 that submitted applications for the grant programs.

23 (3) The total number of fire companies and EMS companies
24 that were approved for grants.

25 (4) An analysis of how the grants were used for
26 facilities, equipment, debt reduction, training and
27 certification, the education of the general public and
28 recruitment and retention as delineated by county and
29 municipality.

30 (5) A list of the fire companies as delineated by county

1 that received additional grants under section 7813(a.2)
2 (relating to award of grants).

3 (6) A list of the different entities that received
4 grants, including career fire companies, volunteer fire
5 companies, career emergency medical services companies, AND <--
6 volunteer EMS companies and quick response service companies. <--

7 (7) A list of the different reasons why grants were not
8 issued to fire companies and EMS companies, including, but
9 not limited to, the following:

10 (i) Failure to submit applications for the grant
11 programs.

12 (ii) Failure to run calls for emergencies.

13 (iii) Delinquencies and bankruptcies.

14 (8) A list of the fire companies and EMS companies that
15 utilized the grants to pay off loans under the Pennsylvania
16 Volunteer Loan Assistance Program.

17 (b) Submission.--The commissioner shall post the annual
18 report on the Office of the State Fire Commissioner's publicly
19 accessible Internet website and submit the annual report to all
20 of the following:

21 (1) The chair and minority chair of the Veterans Affairs
22 and Emergency Preparedness Committee of the Senate.

23 (2) The chair and minority chair of the Veterans Affairs
24 and Emergency Preparedness Committee of the House of
25 Representatives.

26 Section 4 6. This act shall take effect in 60 days. <--