

No. 2007-10

AN ACT

HB 906

Amending the act of July 31, 2003 (P.L.73, No.17), entitled "An act establishing a grant program for volunteer fire companies and volunteer ambulance services; and providing for grant funding," further defining "volunteer ambulance service"; further providing for guidelines and procedures, for award of grants and for expiration of authority; providing for publication and notice and for special provisions; and repealing an obsolete act.

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

Section 1. The definition of "volunteer ambulance service" in section 102 of the act of July 31, 2003 (P.L.73, No.17), known as the Volunteer Fire Company and Volunteer Ambulance Service Grant Act, is amended to read:
Section 102. Definitions.

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

"Volunteer ambulance service." Any nonprofit chartered corporation, association or organization located in this Commonwealth, which is licensed by the Pennsylvania Department of Health and is not associated or affiliated with any hospital and which is regularly engaged in the provision of emergency medical services, including basic life support or advanced life support services and **[the transportation of patients within this Commonwealth.] advanced life support squads as defined in 28 Pa. Code § 1005.1 (relating to general provisions).** The term shall not include any corporation, association or organization that is primarily engaged in the operation of invalid coaches which are intended for the routine transport of persons who are convalescent or otherwise nonambulatory and do not ordinarily require emergency medical treatment while in transit.

Section 2. Section 302 of the act is repealed:
[Section 302. Guidelines and procedures.

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

Section 3. The act is amended by adding a section to read:
Section 302.1. Publication and notice.

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

- (1) within 30 days of the effective date of this section for the fiscal years beginning July 1, 2006, and July 1, 2007; and*
- (2) by August 8 for fiscal years beginning after June 30, 2008.*

Section 4. Section 303 of the act, amended February 21, 2006 (P.L.38, No.13), is amended to read:

Section 303. Award of grants.

(a) Authorization.—The agency is hereby authorized to make a grant award to each eligible volunteer fire company for the following:

- (1) Construction and/or renovation of the fire company's facility and purchase or repair of fixtures and furnishings necessary to maintain or improve the capability of the company to provide fire, ambulance and rescue services.
- (2) Repair of firefighting, ambulance or rescue equipment or purchase thereof.
- (3) Debt reduction associated with paragraph (1) or (2).
- (4) Training and certification of members.

(b) Limits.—

- (1) Except as provided in paragraph (3), grants shall be not less than \$2,500 and not more than \$15,000 per volunteer fire company.
- (2) Grants may be awarded on a pro rata basis if the total dollar amount of approved applications exceeds the amount of funds appropriated by the General Assembly for this purpose.

(3) In a municipality where there are two or more volunteer fire companies and if two or more fire companies consolidated their use of equipment, firefighters and services [after July 1, 1998, each entity from which the consolidated entity was created will be eligible for a grant as though it had not consolidated.] *within five years preceding the date of the current year application submission deadline, the consolidated entity shall be deemed eligible to receive a grant not to exceed the amount of the combined total for which the individual companies would have been eligible had they not consolidated.*

(c) Time for filing application and department action.—

[(1) The agency shall provide written instructions and guidelines for grants under this act to the fire chief and president of every volunteer fire company in this Commonwealth on or before February 28, 2006.

(2) Volunteer fire companies seeking grants under this act shall submit completed applications to the agency on or before April 30, 2006. The agency shall act to approve or disapprove the application by June 30, 2006. Applications which have not been approved or disapproved by the agency by June 30, 2006, shall be deemed approved.]

(1) Within 30 days of the effective date of this paragraph for the fiscal years beginning July 1, 2006, and July 1, 2007, and by September 1 of each year thereafter, the agency shall provide written instructions for grants under this act to the fire chief and president of every volunteer fire company in this Commonwealth.

(2) Within 45 days of the effective date of this paragraph for the fiscal years beginning July 1, 2006, and July 1, 2007, and by September 8 of each year thereafter, the agency shall provide applications to the fire chief and president of every volunteer fire company. The application for the fiscal years commencing July 1, 2006, and July 1, 2007, shall be a combined application. Volunteer fire companies seeking grants under this act shall submit completed applications to the agency. The application period shall remain open for 45 days each year. The agency shall act to approve or disapprove applications within 60 days of the application submission deadline each year. Applications which have not been approved or disapproved by the agency within 60 days after the close of the application period each year shall be deemed approved.

(d) Eligibility.—To receive grant funds under this act, a volunteer fire company shall have actively responded to one or more fire or rescue emergencies [since July 1, 2005,] *during the previous calendar year* and must [sign] *have signed and be under an agreement to actively participate in the Pennsylvania Fire Information Reporting System which is administered by the agency.*

Section 5. Section 502 of the act is repealed:

[Section 502. Guidelines and procedures.

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

Section 6. The act is amended by adding a section to read:

Section 502.1. Publication and notice.

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

(1) within 30 days of the effective date of this section for the fiscal years beginning July 1, 2006, and July 1, 2007; and

(2) by August 8 for fiscal years beginning after June 30, 2008.

Section 7. Sections 503 and 901 of the act, amended February 21, 2006 (P.L.38, No.13), are amended to read:

Section 503. Award of grants.

(a) Authorization.—The agency is hereby authorized to make a grant award to each eligible volunteer ambulance service for the following:

(1) Construction and/or renovation of the volunteer ambulance service's facility and purchase or repair of fixtures, furnishings, office equipment and support services necessary to maintain or improve the capability of the ambulance service to provide ambulance, emergency medical, basic life support and advanced life support services.

(2) Repair of ambulance equipment or purchase thereof.

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

(4) Training and certification of members.

(b) Limits.—

(1) Grants shall be not less than \$2,500 and not more than \$10,000 per volunteer ambulance service.

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

(3) If two or more volunteer ambulance services consolidated their use of equipment, personnel and services [after July 1, 1998, each entity from which the consolidated entity was created will be eligible for a grant as though it had not consolidated.] *within five years preceding the date of the current year application submission deadline, the consolidated entity shall be deemed eligible to receive a grant not to exceed the amount of the combined total for which the individual companies would have been eligible had they not consolidated.*

(c) Time for filing application and department action.—

(1) The agency shall provide written instructions and guidelines for grants under this act to the president of every volunteer ambulance service in this Commonwealth on or before February 28, 2006.

(2) Volunteer ambulance services seeking grants under this chapter shall submit completed applications to the agency on or before April 30, 2006. The agency shall act to approve or disapprove the application by June 30, 2006. Applications which have not been approved or disapproved by the agency by June 30, 2006, shall be deemed approved.]

(1) *Within 30 days of the effective date of this paragraph for the fiscal years commencing July 1, 2006, and July 1, 2007, and by September 1 of each year thereafter, the agency shall provide written instructions for grants under this act to the president of every volunteer ambulance service in this Commonwealth.*

(2) *Within 45 days of the effective date of this paragraph for the fiscal years commencing July 1, 2006, and July 1, 2007, and by September 8 of each year, the agency shall provide applications to the president of every volunteer ambulance service. The application for the fiscal years commencing July 1, 2006, and July 1, 2007, shall be a combined application. Volunteer ambulance services seeking grants under this act shall submit completed applications to the agency. The*

application period shall remain open for 45 days each year. The agency shall act to approve or disapprove applications within 60 days of the application submission deadline each year. Applications which have not been approved or disapproved by the agency within 60 days after the close of the application period each year shall be deemed approved.

Section 901. Expiration of authority.

The authority of the agency to award grants under Chapters 3 and 5 shall expire June 30, [2007] 2012.

Section 8. The act is amended by adding a section to read:

Section 901.1. Special provisions.

(a) Claim.—An applicant for a grant under this act who failed to return a signed agreement for the preceding year shall not be permitted to apply for a grant in the current year unless the applicant has provided the commissioner with a reasonable written explanation as to why it did not claim its grant.

(b) Delinquency.—An applicant for a grant under this act who is delinquent in loan payments to the Pennsylvania Volunteer Loan Assistance Program established under the act of July 15, 1976 (P.L.1036, No.208), known as the Volunteer Fire Company, Ambulance Service and Rescue Squad Assistance Act, shall agree to use its grant funds to pay any arrears to the Commonwealth or it will not be qualified to receive a grant. Any organization agreeing to this arrangement who fails to make the payment to the Commonwealth shall be disqualified from applying to the grant program for a period of three years.

(c) Demonstration.—An applicant for a grant under this act must demonstrate that it complied with all of the terms of its grant agreement in the previous year regarding the use of the grant money it received in previous years or it shall not be eligible to receive a grant in the current year.

(d) Approval.—An applicant shall not be approved for a grant to be used for purposes other than those stated in section 303(a) or 503(a).

Section 8.1. Notwithstanding the provisions of section 1720-C(c) of the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, moneys appropriated to the Volunteer Fire Company Grant Program by section 1720-C(c) of The Fiscal Code shall be utilized for payment of grants under Chapters 3 and 5.

Section 8.2. For the fiscal year commencing July 1, 2006, payments of grants shall commence on or after December 14, 2007. For the fiscal year commencing July 1, 2007, payments of grants shall commence on or after January 15, 2008.

Section 9. The Legislative Budget and Finance Committee shall conduct a performance review of the program authorized by this act and shall submit its evaluation of and recommendations regarding the program to the General Assembly no later than February 28, 2012.

Section 10. Repeals are as follows:

(1) The General Assembly declares that the act repealed under paragraph (2) is obsolete.

(2) The act of June 22, 2000 (P.L.477, No.66), known as the Volunteer Fire Company and Volunteer Ambulance Service Grant Act, is repealed.

Section 11. The addition of section 901.1(a) of the act shall apply to grants for the fiscal years commencing July 1, 2008, and for each fiscal year thereafter.

Section 12. This act shall take effect immediately.

APPROVED—The 28th day of June, A.D. 2007.

EDWARD G. RENDELL