

## No. 1978-145

## AN ACT

## HB 1860

Amending the act of July 15, 1976 (P.L.1036, No.208), entitled, "An act authorizing the indebtedness, with the approval of the electors, of ten million dollars for loans to volunteer fire companies, volunteer ambulance services and volunteer rescue squads for the purpose of establishing or modernizing facilities to house fire fighting apparatus equipment, ambulances, and rescue vehicles, and for purchasing new fire fighting apparatus equipment, ambulances, and rescue vehicles, protective and communications equipment, and any other accessory equipment necessary for the proper performance of such organizations' duties," providing for the refinancing of certain debt incurred by volunteer fire companies for equipment and facilities between November 4, 1975 and July 1, 1978 inclusive, and extending assistance in the form of loans for repair or rehabilitation of certain equipment.

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

Section 1. Subsections (a) and (d) of section 4, act of July 15, 1976 (P.L.1036, No.208), known as the "Volunteer Fire Company, Ambulance Service and Rescue Squad Assistance Act," are amended to read:

Section 4. Assistance to Volunteer Fire Companies, Ambulance Service and Rescue Squads.—(a) The department is hereby authorized, upon application of any volunteer fire company, volunteer ambulance service and volunteer rescue squad, to make loans to said volunteer companies for the following purposes:

(1) Establishing or modernizing facilities that house fire fighting equipment, ambulance or rescue vehicles. The amount of a loan for establishing or modernizing facilities made to any one volunteer fire company, ambulance service or rescue squad shall not exceed 50% of the total cost of the facilities or modernization or \$40,000, whichever is less, and a notarized financial statement filed under subsection (c) shall show that the applicant has available 20% of the total cost of the facilities in unobligated funds. Proceeds of the loan shall be used only for purposes of land acquisition or construction, and shall not be used for payment of fees for design, planning, preparation of applications, or any other cost not directly attributable to land acquisition or construction.

(2) Purchasing fire fighting apparatus, ambulances or rescue vehicles. The amount of a loan made for purchasing fire fighting apparatus, ambulances, or rescue vehicles to any one volunteer fire company shall not exceed \$35,000 for any single fire fighting apparatus equipment, or 50% of the total cost of the equipment, whichever is less. The amount of a loan made to any one volunteer fire company, ambulance service or rescue squad for any ambulance or rescue vehicle shall not exceed \$15,000 or 50% of the cost of the ambulance or rescue vehicle, whichever is less, and a notarized financial statement filed under subsection (c) shall show that the applicant has available 20% of the total cost of the vehicle in unobligated funds.

(3) Purchasing protective, accessory or communication equipment. No volunteer fire company, ambulance service or rescue squad shall receive a loan for protective, accessory or communicative equipment more than once in any five-year period. Each volunteer fire company, ambulance service or rescue squad may apply for a loan for mobile and portable radio unit for each existing serviceable apparatus equipment, ambulance, or rescue vehicle. Radio equipment obtained through loans under this act shall be equipped with a frequency or frequencies licensed by the Federal Communications Commission for fire fighting or emergency response purpose. A notarized financial statement shall be filed and loans under this act for the purchase of protective, accessory or communicative equipment shall not exceed \$5,000.

*(4) Refinancing debt incurred or contracts entered into between November 4, 1975 and July 1, 1978 inclusive and used for the purchase of apparatus equipment or for the construction or modernization of facilities or for modification of apparatus equipment in order to comply with National Fire Protection Association standards.*

*(5) Repair or rehabilitation of apparatus equipment. Where it has been determined that existing apparatus equipment no longer meets the standards of the National Fire Protection Association (NFPA), and the repair and/or rehabilitation of such equipment will bring it in compliance with NFPA standards; loans for the repair or rehabilitation for a single apparatus equipment shall not be for less than \$5,000 or more than \$35,000 or 80% of the total cost of repair or rehabilitation whichever is less.*

Loans under this act may be made for any of the purposes of this subsection undertaken by a volunteer fire company, volunteer ambulance service and volunteer rescue squad on or after November 4, 1975, the date of the approval of the referendum approving the borrowing of money for the purposes of this act.

\* \* \*

(d) Loans under this act shall be used **[only]** for the acquisition by volunteer companies of new apparatus equipment, new ambulances, new rescue vehicles, new communications equipment, new accessory equipment or new protective equipment, or for the construction or modernization of facilities and *except as provided in subsection (a)(4)*, shall not be used for operating expenses or for the refinancing of construction or modernization of facilities, apparatus equipment, communication equipment, accessory equipment, nor *except as provided in subsection (a)(4)* shall under this act be made or used to reduce any debt or other obligations issued prior to the effective date of this act.

\* \* \*

Section 2. This act shall take effect immediately.

APPROVED—The 22nd day of September, A. D. 1978.

MILTON J. SHAPP