

# AN UPDATE ON STATE ISSUES REGARDING OUR FIRST RESPONDERS



*Frank*  
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## Local emergency responders receive state grants

A number of fire and ambulance companies received state grants from Pennsylvania's Fire Company, Volunteer Ambulance Service Grant Program. In all, 2,535 grants were awarded statewide, totaling \$30 million. The grants are funded from gaming revenue.

"These grants will help these organizations focus on what they do best – protecting lives and property," Burns said.

Dear Friend,

I want to offer a big "thank you" to all the firefighters and first responders who willingly put their lives at risk to help others. All too often, we, the general public, take for granted the seriousness and critical nature of your work and you do this while placing yourself in harm's way. This newsletter is meant to highlight state issues that may impact our emergency responders.

*Frank Burns*



### The following first responder groups received state grants in 2013:

Ashville Fire Co.	Ashville	Fire Company	\$13,619.31
Cambria Township Volunteer Fire Co.	Colver	Fire Company	\$13,458.11
Carrolltown Fire Co.	Carrolltown	Fire Company	\$12,000.81
Community Volunteer Fire Co. of Lilly	Lilly	Fire Company	\$13,458.11
Cresson Area Ambulance Service Inc.	Cresson	EMS	\$14,182.81
Cresson Volunteer Fire Co.	Cresson	Fire Company	\$13,619.31
Dauntless Fire Co.	Ebensburg	Fire Company	\$13,619.31
East Taylor Volunteer Fire Co.	Johnstown	Fire Company	\$13,619.31
Gallitzin Fire Co. No 1	Gallitzin	Fire Company	\$13,458.11
Hope Fire Co.	Northern Cambria	Fire Company	\$12,972.07
Jackson Township Volunteer Fire Co.	Mineral Point	Fire Company	\$13,619.31
Jackson Township Volunteer Fire Co.	Mineral Point	EMS	\$7,091.40
Lower Yoder Township Volunteer Fire Co.	Johnstown	Fire Company	\$12,000.00
Middle Taylor Township Volunteer Fire Co.	Johnstown	Fire Company	\$13,619.31
Nicktown Fire Co.	Nicktown	Fire Company	\$12,161.20
Patton Area Ambulance Assn. Inc.	Patton	EMS	\$7,091.40
Patton Fire Co. No. 1	Patton	Fire Company	\$13,619.31
Portage Volunteer Fire Co.	Portage	Fire Company	\$27,239.43
Reade Township Volunteer Fire Co.	Blandburg	Fire Company	\$10,700.00
Revloc Volunteer Fire Co.	Revloc	Fire Company	\$13,458.11
Summerhill Township Volunteer Fire Co.	Beaverdale	Fire Company	\$13,619.31
Upper Yoder Volunteer Fire Co.	Johnstown	Fire Company	\$13,295.29
Upper Yoder Volunteer Fire Co.	Johnstown	EMS	\$7,091.40
Westwood Volunteer Fire Co.	Johnstown	Fire Company	\$13,619.31
Wilmore Volunteer Fire Co.	Wilmore	Fire Company	\$12,323.21

In 2012, Rep. Burns supported changes to the program, which included a program extension through June 30, 2016, and a \$5 million increase in its annual budget. As a result, on average, fire companies and ambulance services now receive a roughly 25 percent larger grant – from \$9,500 to \$12,000 for fire departments and from \$4,500 to \$5,600 for volunteer ambulance companies.

Grants are used for repairing, building or renovating facilities, applied toward the purchase of new equipment, training and certification of staff, or it may go to repay debt related to equipment purchases or facility building and maintenance.

*Here is a summary of recently passed legislation and bills currently working through the legislature that may affect first responders.*



### **Act 9 of 2013**

**Signed into law June 17.**

Restructures the E-911 Wireless Fund to maintain its solvency. Act 9 authorizes the Pennsylvania Emergency Management Agency (PEMA) to provide counties with helpful suggestions to cut costs, including joint purchasing, regionalization and consolidation. The law also eliminates a 911 center's ability to "carry forward" unpaid PEMA-approved costs.

### **Act 52 of 2013**

**Signed into law July 9.**

Makes several changes to the Tax Reform Code of 1971.

This law amends the Realty Transfer Tax, making the following property transfers non-taxable:

- No-cost or token priced transfers of land from the Commonwealth or any local government agency to any volunteer fire, EMS or rescue squad.
- Transfers between two or more volunteer fire, EMS or rescue squads.

### **Act 92 of 2013**

**Signed into law Nov. 27.**

Updates and improves the rules for operating small games of chance.

This new law establishes a two-tiered licensing system, with a dividing line at the \$40,000 annual limit.

Clubs that generate less than \$40,000 in proceeds from the games per year will pay a \$25 license fee and be exempt from annual reporting and background check requirements as well as the requirement to maintain a separate bank account for the funds.

Clubs that generate more than \$40,000 will pay a \$100 license fee and will be required to perform background checks and file annual reports with the commonwealth, and also maintain a separate bank account for the funds.

Additionally, once clubs have reached the \$40,000 annual threshold, proceeds must be split 70/30 with 70 percent being designated for public-interest uses and the remaining 30 percent for general operating expenses.

Additionally, the reporting threshold for prize winners has been raised to \$600, in line with current IRS standards for prize winners. The previous state limit was \$100.

### **Act 1 of 2014**

**Signed into law Jan. 22.**

Allows multiple companies under one association to be reimbursed for attending statewide meetings.

Amends Title 35 (Health & Safety) to authorize two or more fire companies that share a relief association to each send a duly elected delegate to statewide or association meetings to represent their individual company and each delegate may have their reasonable expenses of travel and maintenance paid for with relief funds.

Previously, only one delegate was permitted per each relief association. This law allows equal representation and reimbursement for all companies under the same relief association.

## **L & I clears 14- and 15-year-olds to ride in emergency vehicles**

Recent changes to child labor laws led to confusion regarding the legalities of 14- and 15-year-old junior firefighters riding with crews to emergency scenes.

While the language in the law removed the specific clearance for the junior responders to ride along, the state's Department of Labor and Industry, responsible for enforcing the law, has reviewed the issue and declared that 14- and 15-year-olds still may ride along on official fire department vehicles.

This is great news, as our volunteer fire departments are finding their numbers are falling. The ability to encourage and involve our youth will hopefully lead to more volunteers as they reach the appropriate age to volunteer.

*Pennsylvania has approximately 2,400 fire companies, the largest number of fire departments in the nation.*

## The following bills are currently under consideration in the legislature:

### **H.B. 119 (Marshall)**

H.B. 119 would establish an official flag to honor EMS members who have lost their lives in the line of duty. This would be similar to the “Firefighter’s Memorial Flag,” which was authorized in 1990.

The House unanimously passed this bill in April. It is currently under consideration in the Senate Appropriations Committee.

### **H.B. 179 (O’Neill)**

H.B. 179 would amend Title 35 by requiring insurance companies to reimburse out-of-network EMS agencies directly. Under current rules, when an EMS agency provides service to a patient whose insurance does not include the EMS company in their network, the insurance company must send payment to the patient, who must then be billed by the EMS company.

By allowing direct billing, this would expedite payments to the EMS service and reduce paperwork for all involved. This bill was reported out of the Veterans Affairs and Emergency Preparedness Committee and is awaiting action in the House.

### **H.B. 280 (Baker)**

H.B. 280 would provide for a tax credit for volunteer fire/EMS responders. Emergency responders would be able to claim a credit up to \$500 on their state tax return for fire/EMS equipment purchased with their own money. This would supplement the current tax credit which the state authorized in the 2008-09 state budget, providing for a state tax credit based on service time. This bill is currently under consideration by the House Finance Committee.

### **H.B. 500 (Sainato)**

H.B. 500 would amend the Emergency and Law Enforcement Personnel Death Benefits Act providing for the payment of death benefits to the members of the Pennsylvania Civil Air Patrol.

Current state law provides for a \$100,000 state-paid benefit to families for first responders who lose their lives in the line of duty.

Currently, however, Pennsylvania Civil Air Patrol members, who participate in emergency response and Homeland Security, are not eligible for the benefit. This bill would erase that oversight.

The bill was reported out of the Veterans Affairs and Emergency Preparedness Committee and is awaiting action in the House.

### **H.B. 1041 (Hackett)**

H.B. 1041 would prohibit the release of identifying information of an individual calling a 911 center, unless a court determines that it is in the best interest of the public.

This bill would limit the release of a caller’s name, telephone number, address or other locating information, unless determined by a court to be in the public’s interest.

This bill would ensure the privacy of anyone reporting a crime or an instance of domestic violence.

The House passed the bill unanimously in October and is currently being considered by the Senate Veterans Affairs and Emergency Preparedness Committee.

### **H.B. 2060 (Knowles)**

H.B. 2060 would provide more money to local fire departments by allowing emergency departments who merge to qualify for grant awards under all previous departments in perpetuity.

This bill would increase state aid to our first responders and would not penalize departments who realize the need to merge.

This bill is under review by the House Veterans and Emergency Preparedness Committee.

***Pennsylvania is a national leader in the number of career and paid personnel providing emergency services. Volunteers staff 95 percent of fire companies. Total volunteers number more than 70,000, which represents the largest number of volunteer firefighters in the nation.***

## Rep. Burns honors Pa.'s first responders

The Pennsylvania House of Representatives regularly recognizes the valuable service performed by the state's firefighters and emergency service personnel by unanimously adopting resolutions in their honor.

### Rep. Burns was proud to cast a supporting vote for these resolutions:

**HR 466 recognized Oct. 5 and 6, 2013 as National Fallen Firefighters Memorial Service Weekend in Pennsylvania.** The weekend honored firefighters and emergency services personnel who sacrificed their lives to save others. An average of 100 firefighters and emergency personnel courageously make the ultimate sacrifice each year. A total of 86 firefighters and emergency personnel from across the nation, including 10 from Pennsylvania, lost their lives in 2012 and were specifically remembered during the roll call at the National Fallen Firefighters Memorial Service Day on Oct. 6, 2013.

**HR 459, which Rep. Burns co-sponsored, designated October as Pennsylvania Fire Prevention Month and observed National Fire Prevention Week, which was Oct. 6 through 12, 2013.** Fire Prevention Week has been observed across the nation each year since 1922 to remind people of fire dangers in homes and in their communities and to educate the public about simple fire prevention steps they can take to make everyone safer. It is also an opportunity to recognize the efforts of all firefighters, fire service agencies, and other first responders for their dedication in preventing and combating fire dangers. Between 2,000 and 3,000 people die in house fires in the United States each year, according to the National Fire Protection Association, with fire departments responding yearly to more than 370,000 home fires because they have dedicated themselves to preventing the damage, destruction, pain and trauma that fires cause families and communities.

**HR 280 designated May 4, 2013, as International Firefighters Day in Pennsylvania.** This day is when the world's community can stand together to recognize and honor sacrifices made by all firefighters to guarantee safety within their communities. The observance helps thank current and past firefighters for their contributions and serves as a remembrance of those men and women who have made the ultimate sacrifice to save and protect lives in their neighborhoods.

**HR 324 designated May 27 through June 2, 2013 as Fallen Firefighters Survivors' Week and May 31, 2013 as Fallen Firefighters Survivors' Day in Pennsylvania.** Thousands of firefighters put their lives at risk every day with each response to duty. Tragically, not all who respond make it back alive, but each fallen firefighter leaves behind family and other loved ones in addition to fellow firefighters. This week is a nationwide effort to remember America's fallen firefighters and remember their families and co-workers.

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## Volunteer fire departments not required to provide health coverage

In early January, the U.S. Treasury Department officially announced that volunteer fire departments are not required to provide health care under the Affordable Care Act. There were many concerns that the new law treated volunteers as employees, pushing most volunteer fire companies over the 50-employee threshold for requiring health care. The statement from the Treasury Department removes any doubt about how they are to be treated. This is indeed good news for the fire departments, who could have faced financial ruin if they were required to provide the health coverage for their volunteers, which was never the intent of the health insurance law.

## FireVEST Scholarships offered

The Community College of Allegheny County, Allegheny County Fire Academy and Allegheny County Executive Rich Fitzgerald have established a scholarship program for current volunteers in exchange for a five-year volunteer commitment.

The program will provide full scholarships for 150 new recruits and 50 current volunteers for the CCAC associate's degree or certificate and training at the Fire Academy.

More than 200 firefighters have participated in the program since it was introduced in 2009.

More information can be found on the CCAC website: <http://bit.ly/1hTdQg7>.

*Pennsylvania is the birthplace of volunteer fire service in North America. Benjamin Franklin founded the first volunteer fire company in 1736 – the Union Fire Company in Philadelphia.*