

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1236 Session of
2006

INTRODUCED BY D. WHITE, WAUGH, FONTANA, BOSCOLA, PUNT, PICCOLA,
CORMAN, COSTA, GORDNER, ERICKSON, LEMMOND, ORIE, SCARNATI,
RAFFERTY, PIPPY, RHOADES, WONDERLING, C. WILLIAMS, EARLL,
KASUNIC, BROWNE, PILEGGI AND FERLO, JUNE 19, 2006

SENATOR D. WHITE, VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS,
AS AMENDED, SEPTEMBER 26, 2006

AN ACT

1 Establishing a grant program for volunteer emergency service
2 organizations to provide incentives for establishing
3 partnerships; conferring powers and duties on the Governor's
4 Center for Local Government Services within the Department of
5 Community and Economic Development; and providing for
6 funding.

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

9 Section 1. Short title.

10 This act shall be known and may be cited as the Volunteer
11 Emergency Service Partnership Grant Program Act.

12 Section 2. Definitions.

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

16 "Applicant." A volunteer emergency service organization.

17 "Application." A Single Application for Assistance provided
18 by the Department of Community and Economic Development.

1 "Assets." Anything owned that has exchange value, including,
2 but not limited to, cash, investments, vehicles, equipment, real
3 property and manpower.

4 "Association." An agreement of two or more companies to
5 combine and administer similar activities through an umbrella
6 organization. The term does not normally involve transfers or
7 combination of assets, as most costs of operations or programs
8 are shared.

9 "Center." The Governor's Center for Local Government
10 Services.

11 "Combination department." Any volunteer emergency service
12 organization with a paid staff complement comprising less than
13 20% of total active manpower complement.

14 "Company." Any volunteer emergency service organization.

15 "Consolidation." The combination of two or more companies
16 which results in the termination of all companies and the
17 creation of a new company with a new name. All assets and
18 liabilities of the former companies are transferred to the new
19 company.

20 "Department." The Department of Community and Economic
21 Development of the Commonwealth.

22 "Eligible activities." A formally executed association,
23 merger, consolidation, regional entity or other partnership not
24 defined by this act but approved by the Governor's Center for
25 Local Government Services and the Department of Community and
26 Economic Development.

27 "Eligible expenses." The legal expense of grant funds for
28 activities, products or services enumerated by this act or by
29 ~~regulations~~ GUIDELINES.

30 "Formal agreement." An agreement in writing between two or

1 more volunteer emergency service organizations. This term does
2 not include mutual aid agreements.

3 "Ineligible applicants or programs." Relief associations,
4 social clubs, retirement programs or Length of Service Award
5 Programs (LOSAP).

6 "Merger." The combination of two or more companies which
7 results in all but one of the companies relinquishing its name.
8 All assets and liabilities of joining companies are transferred
9 to the surviving company.

10 "Partnership." Two or more volunteer emergency service
11 organizations entering into a formal agreement to share or
12 combine assets, and possibly liabilities, to achieve a common
13 goal.

14 "Program." The Volunteer Emergency Services Partnership
15 Grant Program established in section 3.

16 "Regionalization." The combination of some assets of two or
17 more companies in order to accomplish specific objectives and
18 tasks. Each participating company may retain its identity.

19 "Volunteer emergency service organization." Any nonprofit
20 chartered corporation, association or organization located in
21 this Commonwealth which provides fire protection services,
22 emergency medical services or rescue services and other
23 voluntary emergency services within this Commonwealth.

24 Section 3. Volunteer Emergency Services Partnership Grant
25 Program.

26 (a) Authorization.--The Volunteer Emergency Services
27 Partnership Grant Program is established and shall be authorized
28 for a period of five years. The program shall be funded by
29 proceeds from the sale of bonds approved by Commonwealth voters
30 in the November 2002 general election. Total sale of bonds shall

1 initially be \$25,000,000 for the five-year period. This program
2 may be reauthorized and funded by vote of the General Assembly
3 at any time during or after the initial five-year period.

4 (b) Eligibility.--All volunteer emergency service
5 organizations located within this Commonwealth are eligible
6 applicants. Local governments may apply on behalf of volunteer
7 emergency service organizations, but grant funds shall not be
8 paid to local governments.

9 (c) Use of grant funds.--

10 (1) Grant funds may be used for:

11 (i) Emergency response vehicles, excluding command,
12 officer or chief vehicles.

13 (ii) Building expansion, renovation or new buildings
14 but shall not be used for social hall renovations,
15 expansions or additions.

16 (iii) Reduction or elimination of debt.

17 (iv) Legal and administrative costs associated with
18 creating a formal partnership.

19 (v) Costs associated with development of a long-
20 range, ten years or more, capital budget or capital
21 expenditure plan.

22 (vi) Costs associated with and costs to maintain a
23 recruitment and/or retention plan.

24 (vii) Costs associated with the establishment of
25 live-in quarters.

26 Funds for eligible expenses may be used in more than one
27 location. Any use of funds not listed must be approved in
28 writing from the department prior to any of those funds being
29 expended.

30 (2) Grant funds shall not be used for:

(i) Salaries.

(ii) Fundraising supplies or equipment.

(iii) Personal benefit programs for members.

Section 4. Limitation on grants.

(a) Limits.--

(1) \$100,000 for the creation of a formal partnership as defined by this act.

(2) \$50,000 for each company involved in a formal partnership.

(3) \$50,000 for each new company absorbed into or added to an existing formal partnership.

(4) \$20,000 for creation of each new association of volunteer emergency service organizations.

(5) \$20,000 maximum for design, creation and delivery of education or communication programs designed to recruit and retain members. Funds awarded under this activity are restricted to PARTNERSHIPS AS DEFINED BY THIS ACT AND this activity and may not be used for other purposes.

(b) Conditions.--

(1) Applicants shall provide proof of formal partnerships by presenting verification of majority vote by the membership of a company or companies to enter into a formal partnership. Official meeting minutes shall qualify as proof of a majority vote. Additionally, proof of creation of a consolidated or merged company shall be supported by Department of State registration. Any other form of partnership not defined by this act shall be evaluated on an individual basis by the ~~department~~ BOARD OF REVIEW.

(2) All grant funds received by an entity eligible under this act shall be placed in a separate fund of the

1 organization and shall not be commingled with any other
2 funds. All vouchers for payments from the fund shall be
3 presented to the department staff upon demand for purposes of
4 monitoring compliance with this act.

5 (c) Retroactivity.--Any volunteer emergency service
6 organization that entered into and executed a formal partnership
7 on or after January 1, 1995, shall be eligible for funding under
8 conditions of this act.

9 Section 5. Applications and review of applications.

10 (a) Submittal.--Grant applications shall be submitted on the
11 department's Single Application for Assistance form. This form
12 is available electronically or by hard copy and may be acquired
13 by contacting the department. An application may be submitted
14 electronically or in hard copy form and shall be directed to the
15 center following submission.

16 (b) Factors.--In determining whether or not an applicant is
17 eligible for a grant, the center shall evaluate the application
18 on the basis of all of the following factors:

19 (1) Eligibility of the organization or organizations.

20 (2) Completeness of application.

21 (3) Submission of proper documentation as required by
22 this act.

23 (4) In the instance of an application for formal
24 recruitment or retention programs, a plan shall be submitted
25 with the application indicating how funds will be spent and a
26 schedule for the expense of those funds shall be provided.

27 (5) An applicant shall state that grant funds will be
28 maintained in a separate fund of the organization and shall
29 not be commingled with other funds.

30 (6) THE OVERALL BENEFIT TO THE REGION.

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1 Section 6. Verification of use of grant funds.

2 (1) Volunteer emergency service organizations receiving
3 funding under this act shall establish and maintain a
4 separate fund for any grant.

5 (2) Department staff shall be responsible for ensuring
6 that all funds are spent in accordance with this act and any
7 ensuing ~~regulations~~ GUIDELINES. <—

8 (3) Volunteer emergency service organizations shall, on
9 demand, provide the department with any requested information
10 regarding the placement, accounting and disbursement of any
11 grant funds awarded under this act.

12 Section 7. Funding.

13 (a) Sale of bonds.--Funding for this act shall be provided
14 by the sale of bonds approved and authorized by the voters of
15 this Commonwealth in the November 2002 general election.

16 (b) Time period.--The program shall be authorized for a
17 period of five years, financed by an initial \$25,000,000 from
18 the sale of bonds approved by the voters of this Commonwealth in
19 the November 2002 election.

20 (c) Amount authorized.--This act authorizes \$5,000,000 per
21 fiscal year for each of the five years provided for by this act.

22 (d) Rollover.--Any funds not used during a fiscal year shall
23 roll over to the successive fiscal year for purposes enumerated
24 under this act.

25 (e) Additional funds.--If additional funds are necessary
26 after five years, this act may be reauthorized and additional
27 bonds may be sold to finance the program.

28 Section 8. Administration.

29 (a) Administration.--Provisions of this act shall be
30 administered by the center.

1 (b) ~~Regulations~~ GUIDELINES.--The center, through the <—
2 department, shall promulgate ~~regulations~~ GUIDELINES in order to <—
3 carry out the provisions of this act.

4 (c) Board of review.--In the event that an undefined
5 partnership is proposed by a company that is not clearly defined
6 by this act, the center shall create and appoint a board of
7 review comprised of the center policy manager in charge of the
8 program, the State Fire Commissioner, a representative from the
9 Department of Health and the deputy secretary for programs of
10 the department. Any decision of the board of review with regard
11 to any application for funding is final.

12 (d) Information.--The center shall provide, as necessary,
13 any information to applicants regarding eligibility,
14 applications and enforcement of grant provisions in the form of
15 informational and/or training sessions in no less than ten
16 locations throughout this Commonwealth in each of the five years
17 or each of the ensuing years of the program.

18 ~~(e) Costs. Costs for program administration shall be~~ <—
19 ~~provided from the \$25,000,000 allocation and may include staff~~
20 ~~salaries, training and training sites, printing and monitoring~~
21 ~~costs as required by this act.~~

22 (E) GUIDELINES SHALL PROVIDE, AT A MINIMUM, THE FOLLOWING <—
23 ELEMENTS:

- 24 (1) AN EXPLANATION OF PURPOSE.
- 25 (2) APPLICANT ELIGIBILITY.
- 26 (3) PROGRAM OBJECTIVES.
- 27 (4) PROGRAM REQUIREMENTS.
- 28 (5) ELIGIBLE ACTIVITIES.
- 29 (6) GRANT ALLOCATION AND LIMITATIONS.
- 30 (7) THE APPLICATION PROCESS.

1 (8) EVALUATION CRITERIA.
2 (9) APPLICATION REVIEW PROCEDURE.
3 (10) AWARD SELECTION.
4 (11) PROGRAM ADMINISTRATION.
5 (12) ANY OTHER REQUIREMENT DEEMED NECESSARY TO ENFORCE
6 THE PROVISIONS OF THIS ACT.
7 Section 9. Effective date.
8 This act shall take effect in 60 days.