

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1566 Session of
2007

INTRODUCED BY LENTZ, ADOLPH, BELFANTI, BOYD, CALTAGIRONE,
CARROLL, COHEN, CONKLIN, COSTA, DALEY, DALLY, EVERETT,
FREEMAN, GERBER, GIBBONS, GINGRICH, GOODMAN, GRUCELA,
HENNESSEY, HORNAMAN, KILLION, KORTZ, KOTIK, KULA, LEACH,
MANN, MOYER, MUNDY, MURT, MYERS, PALLONE, READSHAW, REED,
RUBLEY, SANTONI, SAYLOR, SCAVELLO, SOLOBAY, THOMAS, WALKO AND
YOUNGBLOOD, JUNE 18, 2007

REFERRED TO COMMITTEE ON VETERANS AFFAIRS AND EMERGENCY
PREPAREDNESS, JUNE 18, 2007

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

1 by the Department of Community and Economic Development.

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

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

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

12 "Combination department." A volunteer emergency service
13 organization with a paid staff complement comprising less than
14 20% of total active manpower complement.

15 "Company." A volunteer emergency service organization.

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

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

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

28 "Eligible expenses." The legal expense of grant funds for
29 activities, products or services enumerated by this act or by
30 guidelines established by the Department of Community and

1 Economic Development pursuant to this act.

2 "Formal agreement." An agreement in writing between two or
3 more volunteer emergency service organizations. This term does
4 not include a mutual aid agreement.

5 "Ineligible applicants or programs." Relief associations,
6 social clubs, retirement programs or Length of Service Award
7 Programs, commonly referred to as LOSAPs.

8 "Merger." A combination of two or more companies that
9 results in all but one of the companies relinquishing its name,
10 and in which all assets and liabilities of the joining companies
11 are transferred to the surviving company.

12 "Partnership." An entity established by two or more
13 volunteer emergency service organizations entering into a formal
14 agreement to share or combine assets, and possibly liabilities,
15 to achieve a common goal.

16 "Program." The Volunteer Emergency Services Partnership
17 Grant Program established in section 3.

18 "Regionalization." A combination of some assets of two or
19 more companies in order to accomplish specific objectives and
20 tasks and in which each participating company retains its
21 identity.

22 "Volunteer emergency service organization." A nonprofit
23 chartered corporation, association or organization located in
24 this Commonwealth that provides fire protection services,
25 emergency medical services or rescue services and other
26 voluntary emergency services within this Commonwealth.

27 Section 3. Volunteer Emergency Services Partnership Grant
28 Program.

29 (a) Authorization.--The Volunteer Emergency Services
30 Partnership Grant Program is established and shall be authorized

1 for a period of five years. The program shall be funded by
2 proceeds from the sale of bonds approved by Commonwealth voters
3 in the November 2002 general election. Total sale of bonds shall
4 initially be \$25,000,000 for the five-year period. This program
5 may be reauthorized and funded by vote of the General Assembly
6 at any time during or after the initial five-year period.

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

12 (c) Use of grant funds.--

13 (1) Grant funds may be used for:

14 (i) Emergency response vehicles, excluding command,
15 officer or chief vehicles.

16 (ii) Building expansion, renovation or new buildings
17 but shall not be used for social hall renovations,
18 expansions or additions.

19 (iii) Reduction or elimination of debt.

20 (iv) Legal and administrative costs associated with
21 creating a formal partnership.

22 (v) Costs associated with development of a long-
23 range, ten years or more, capital budget or capital
24 expenditure plan.

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

27 (vii) Costs associated with the establishment of
28 live-in quarters.

29 Funds for eligible expenses may be used in more than one
30 location. Any use of funds not listed must be approved in

1 writing from the department prior to any of those funds being
2 expended.

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

4 (i) Salaries.

5 (ii) Fundraising supplies or equipment.

6 (iii) Personal benefit programs for members.

7 Section 4. Limitation on grants.

8 (a) General rule.--Grants shall be limited as follows:

9 (1) \$100,000 for the creation of a formal partnership.

10 (2) \$50,000 for each company involved in a formal
11 partnership.

12 (3) \$50,000 for each new company absorbed into or added
13 to an existing formal partnership.

14 (4) \$20,000 for creation of each new association of
15 volunteer emergency service organizations.

16 (5) \$20,000 maximum for design, creation and delivery of
17 education or communication programs designed to recruit and
18 retain members. Funds awarded under this limitation shall be
19 restricted to partnerships and may not be used for other
20 purposes.

21 (b) Conditions.--

22 (1) An applicant shall provide proof of formal
23 partnerships by presenting verification of majority vote by
24 the membership of a company or companies to enter into a
25 formal partnership. Official meeting minutes shall qualify as
26 proof of a majority vote. Additionally, proof of creation of
27 a consolidated or merged company shall be supported by
28 Department of State registration. Any other form of
29 partnership not defined by this act shall be evaluated on an
30 individual basis by the board of review.

(2) All grant funds received by an entity eligible under this act shall be placed in a separate fund of the organization and shall not be commingled with any other funds. All vouchers for payments from the fund shall be presented to the department staff upon demand for purposes of monitoring compliance with this act.

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

Section 5. Applications and review of applications.

(a) Submittal.--A request for a grant shall be submitted on an application, which application shall be available electronically or by hard copy and may be acquired by contacting the department. An application may be submitted electronically or in hard copy form and shall be directed to the center following submission.

(b) Factors.--In determining whether an applicant is eligible for a grant, the center shall evaluate the application on the basis of all of the following factors:

(1) Eligibility of the organization or organizations.

(2) Completeness of application.

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

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

(5) An applicant shall state that grant funds will be maintained in a separate fund of the organization and shall

1 not be commingled with other funds.

2 (6) The overall benefit to the region.

3 Section 6. Verification of use of grant funds.

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

7 (2) Department staff shall be responsible for ensuring
8 that all funds are spent in accordance with this act and any
9 guidelines established pursuant to this act.

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

14 Section 7. Funding.

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

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

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

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

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

30 Section 8. Administration.

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

3 (b) Guidelines.--The center, through the department, shall
4 promulgate guidelines in order to carry out the provisions of
5 this act.

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

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

20 (e) Guidelines shall provide, at a minimum, the following
21 elements:

- 22 (1) An explanation of purpose.
- 23 (2) Applicant eligibility.
- 24 (3) Program objectives.
- 25 (4) Program requirements.
- 26 (5) Eligible activities.
- 27 (6) Grant allocation and limitations.
- 28 (7) The application process.
- 29 (8) Evaluation criteria.
- 30 (9) Application review procedure.

1 (10) Award selection.
2 (11) Program administration.
3 (12) Any other requirement deemed necessary to enforce
4 the provisions of this act.
5 Section 9. Effective date.
6 This act shall take effect in 60 days.