

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

## SENATE BILL

No. 303 Session of  
2009

INTRODUCED BY D. WHITE, FERLO, WONDERLING, O'PAKE, RAFFERTY,  
STOUT, KASUNIC, ALLOWAY, ERICKSON, MUSTO, BROWNE, KITCHEN,  
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M. WHITE, LEACH, BOSCOLA AND WASHINGTON, FEBRUARY 20, 2009

SENATOR CORMAN, APPROPRIATIONS, RE-REPORTED AS AMENDED, JUNE 15,  
2009

## 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 Center for  
4 Local Government Services within the Department of Community  
5 and Economic Development; and providing for funding.

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

8 Section 1. Short title.

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

11 Section 2. Definitions.

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

15 "Applicant." A volunteer emergency service organization.

16 "Application." A Single Application for Assistance provided  
17 by the department.

18 "Assets." Owned things that have exchange value, including

1 cash, investments, vehicles, equipment, real property and  
2 manpower.

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

7 "Center." The Center for Local Government Services.

8 "Company." A volunteer emergency service organization.

9 "Consolidation." The combination of two or more companies  
10 which results in the termination of all companies and the  
11 creation of a new company with a new name and the transfer of  
12 all assets and liabilities of the former companies to the new  
13 company.

14 "Department." The Department of Community and Economic  
15 Development of the Commonwealth.

16 "Eligible activities." A formally executed association,  
17 merger, consolidation, regional entity or other partnership not  
18 defined by this act but approved by the center and the  
19 department.

20 "Eligible expenses." The legal expenditure of grant funds  
21 for activities, products or services enumerated by this act or  
22 by guidelines under section 8.

23 "Formal agreement." An agreement in writing between two or  
24 more volunteer emergency service organizations. The term does  
25 not include a mutual aid agreement.

26 "Formal partnership." Two or more volunteer emergency  
27 service organizations entering into a formal agreement to share  
28 or combine assets, and possibly liabilities, to achieve a common  
29 goal.

30 "Merger." The combination of two or more companies which

1 results in all but one of the companies relinquishing its name  
2 and which transfers all assets and liabilities of joining  
3 companies to the surviving company.

4 "Program." The Volunteer Emergency Services Partnership  
5 Grant Program established in section 3.

6 "Volunteer emergency service organization." Any nonprofit  
7 chartered corporation, association or organization which is  
8 located in this Commonwealth and which provides fire protection  
9 services, emergency medical services or rescue services and  
10 other voluntary emergency services within this Commonwealth.

11 Section 3. Volunteer Emergency Services Partnership Grant  
12 Program.

13 (a) Authorization.--The Volunteer Emergency Services  
14 Partnership Grant Program is established and shall be authorized  
15 for a period of five years for the purpose of providing  
16 incentives to encourage volunteer emergency service  
17 organizations to consolidate, merge or form partnerships, where  
18 appropriate, for the purpose of providing emergency services in  
19 a more effective and efficient manner.

20 (b) Eligibility.--

21 (1) A volunteer emergency service organization located  
22 within this Commonwealth is an eligible applicant. A  
23 municipality may apply on behalf of a volunteer emergency  
24 service organization, but grant funds shall not be paid to a  
25 municipality.

26 (2) A relief association, social club, retirement  
27 program or length of service award program (LOSAP) shall not  
28 be eligible to receive grants under this act.

29 (c) Use of grant funds.--

30 (1) Grant funds may be used for:

1 (i) Emergency response vehicles, excluding command,  
2 officer or chief vehicles.

3 (ii) Building expansion, renovation or new  
4 buildings. This subparagraph does not include social hall  
5 renovations, expansions or additions.

6 (iii) Reduction or elimination of debt.

7 (iv) Legal and administrative costs associated with  
8 creating a partnership.

9 (v) Costs associated with development of a long-  
10 range capital budget or capital expenditure plan for a  
11 period of at least ten years.

12 (vi) Costs associated with and costs to maintain a  
13 recruitment and retention plan.

14 (vii) Costs associated with the establishment of  
15 live-in quarters.

16 (2) Funds for eligible expenses may be used in more than  
17 one location. Any use of funds not listed must be approved in  
18 writing by the department prior to any of those funds being  
19 expended.

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

21 (i) Salaries.

22 (ii) Fundraising supplies or equipment.

23 (iii) Personal benefit programs for members.

24 Section 4. Limitation on grants.

25 (a) Limits.--The following are the grant limits:

26 (1) \$100,000 for the creation of a partnership as  
27 defined by this act.

28 (2) \$50,000 for each company involved in a formal  
29 partnership.

30 (3) \$50,000 for each new company absorbed into or added

1 to an existing formal partnership.

2 (4) \$20,000 for creation of each new association of  
3 volunteer emergency service organizations.

4 (5) \$20,000 maximum for design, creation and delivery of  
5 education or communication programs designed to recruit and  
6 retain members. Funds awarded under this activity are  
7 restricted to formal partnerships and may not be used for any  
8 purposes not set forth in this paragraph.

9 (b) Conditions.--

10 (1) An applicant must provide proof of a formal  
11 partnership by presenting verification of majority vote by  
12 the membership of a company or companies to enter into a  
13 formal partnership. Official meeting minutes shall qualify as  
14 proof of a majority vote. Additionally, proof of creation of  
15 a consolidated or merged company must be supported by  
16 Department of State registration. Any other form of  
17 partnership not defined by this act shall be separately  
18 evaluated by the board of review.

19 (2) All grants received by an entity eligible under this  
20 act shall be placed in a separate account of the organization  
21 and shall not be commingled with any other funds. All  
22 vouchers for payments from the account shall be presented to  
23 the department upon demand for purposes of monitoring  
24 compliance with this act.

25 (c) Retroactivity.--A volunteer emergency service  
26 organization that entered into and executed a formal partnership  
27 after December 31, ~~1994~~ 2007, shall be eligible for funding  
28 under conditions of this act. ←

29 Section 5. Applications and review of applications.

30 (a) Submittal.--A grant application must be submitted on the

1 department's Single Application for Assistance form. An  
2 application must be submitted electronically or in hard copy  
3 form and must be directed to the center following submission. In  
4 the instance of an application for formal recruitment or  
5 retention programs, a plan must be submitted with the  
6 application indicating how funds will be spent and a schedule  
7 for the expenditure of those funds shall be provided. An  
8 applicant must state that grant funds will be maintained in a  
9 separate account of the organization and shall not be commingled  
10 with other funds.

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

14 (1) Eligibility of the organization.

15 (2) Completeness of application.

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

18 (4) The overall benefit to the region.

19 Section 6. Verification of use of grant funds.

20 (1) Volunteer emergency service organizations receiving  
21 funding under this act shall establish and maintain a  
22 separate account for any grant.

23 (2) Department staff shall be responsible for ensuring  
24 that all funds are spent in accordance with this act and any  
25 guidelines issued under section 8.

26 (3) A volunteer emergency service organization shall, on  
27 demand, provide the department with any requested information  
28 regarding the placement, accounting and disbursement of any  
29 grant funds awarded under this act.

30 Section 7. Funding.

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

4 (b) Time period.--The program shall be authorized for a  
5 period of five years and shall be financed by an initial  
6 \$25,000,000 from the sale of bonds approved by the voters of  
7 this Commonwealth in the November 2002 election.

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

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

13 (e) Additional funds.--If additional funds are necessary  
14 after five years, bonds may be reauthorized and additional bonds  
15 may be sold to finance the program.

16 Section 8. Administration.

17 (a) Administration.--This act shall be administered by the  
18 center.

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

22 (c) CONTENT OF GUIDELINES.--Guidelines shall provide, at a  
23 minimum, the following 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.



