
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 96

Session of
2007

INTRODUCED BY D. WHITE, WAUGH, KITCHEN, CORMAN, BOSCOLA,
KASUNIC, FONTANA, EARLL, VANCE, RHOADES, MADIGAN, COSTA,
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WOZNIAK, TOMLINSON, ORIE, LOGAN, GORDNER, FERLO, PIPPY,
BROWNE AND WASHINGTON, FEBRUARY 15, 2007

SENATOR ARMSTRONG, APPROPRIATIONS, RE-REPORTED AS AMENDED,
SEPTEMBER 24, 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
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 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." "PARTNERSHIP" OR "FORMAL PARTNERSHIP." Two or~~ <—
11 ~~more volunteer emergency service organizations entering into a~~
12 ~~formal agreement to share or combine assets, and possibly~~
13 ~~liabilities, to achieve a common 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.~~ FOR THE ←
2 PURPOSE OF PROVIDING INCENTIVES TO ENCOURAGE VOLUNTEER EMERGENCY
3 SERVICE ORGANIZATIONS TO CONSOLIDATE, MERGE OR FORM
4 PARTNERSHIPS, WHERE APPROPRIATE, FOR THE PURPOSE OF PROVIDING
5 EMERGENCY SERVICES IN A MORE EFFECTIVE AND EFFICIENT MANNER.
6 This program may be reauthorized and funded by vote of the
7 General Assembly at any time during or after the initial five-
8 year period.

9 (b) Eligibility.--All volunteer emergency service
10 organizations located within this Commonwealth are eligible
11 applicants. Local governments may apply on behalf of volunteer
12 emergency service organizations, but grant funds shall not be
13 paid to local governments. RELIEF ASSOCIATIONS, SOCIAL CLUBS, ←
14 RETIREMENT PROGRAMS OR LENGTH OF SERVICE AWARD PROGRAMS (LOSAP)
15 SHALL NOT BE ELIGIBLE TO RECEIVE GRANTS UNDER THIS ACT.

16 (c) Use of grant funds.--

17 (1) Grant funds may be used for:

18 (i) Emergency response vehicles, excluding command,
19 officer or chief vehicles.

20 (ii) Building expansion, renovation or new buildings
21 but shall not be used for social hall renovations,
22 expansions or additions.

23 (iii) Reduction or elimination of debt.

24 (iv) Legal and administrative costs associated with
25 creating a formal partnership.

26 (v) Costs associated with development of a long-
27 range, ten years or more, capital budget or capital
28 expenditure plan.

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

1 (vii) Costs associated with the establishment of
2 live-in quarters.

3 Funds for eligible expenses may be used in more than one
4 location. Any use of funds not listed must be approved in
5 writing from the department prior to any of those funds being
6 expended.

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

8 (i) Salaries.

9 (ii) Fundraising supplies or equipment.

10 (iii) Personal benefit programs for members.

11 Section 4. Limitation on grants.

12 (a) Limits.--

13 (1) \$100,000 for the creation of a formal partnership as
14 defined by this act.

15 (2) \$50,000 for each company involved in a formal
16 partnership.

17 (3) \$50,000 for each new company absorbed into or added
18 to an existing formal partnership.

19 (4) \$20,000 for creation of each new association of
20 volunteer emergency service organizations.

21 (5) \$20,000 maximum for design, creation and delivery of
22 education or communication programs designed to recruit and
23 retain members. Funds awarded under this activity are
24 restricted to partnerships as defined by this act and this
25 activity and may not be used for other purposes.

26 (b) Conditions.--

27 (1) Applicants shall provide proof of formal
28 partnerships by presenting verification of majority vote by
29 the membership of a company or companies to enter into a
30 formal partnership. Official meeting minutes shall qualify as

1 proof of a majority vote. Additionally, proof of creation of
2 a consolidated or merged company shall be supported by
3 Department of State registration. Any other form of
4 partnership not defined by this act shall be evaluated on an
5 individual basis by the board of review.

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

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

16 Section 5. Applications and review of applications.

17 (a) Submittal.--Grant applications shall be submitted on the
18 department's Single Application for Assistance form. This form
19 is available electronically or by hard copy and may be acquired
20 by contacting the department. An application may be submitted
21 electronically or in hard copy form and shall be directed to the
22 center following submission.

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

26 (1) Eligibility of the organization or organizations.

27 (2) Completeness of application.

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

30 (4) In the instance of an application for formal

1 recruitment or retention programs, a plan shall be submitted
2 with the application indicating how funds will be spent and a
3 schedule for the expense of those funds shall be provided.

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

7 (6) The overall benefit to the region.

8 Section 6. Verification of use of grant funds.

9 (1) Volunteer emergency service organizations receiving
10 funding under this act shall establish and maintain a
11 separate fund for any grant.

12 (2) Department staff shall be responsible for ensuring
13 that all funds are spent in accordance with this act and any
14 ensuing guidelines.

15 (3) Volunteer emergency service organizations shall, on
16 demand, provide the department with any requested information
17 regarding the placement, accounting and disbursement of any
18 grant funds awarded under this act.

19 Section 7. Funding.

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

23 (b) Time period.--The program shall be authorized for a
24 period of five years AND SHALL BE financed by an initial ←
25 \$25,000,000 from the sale of bonds approved by the voters of
26 this Commonwealth in the November 2002 election.

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

29 (d) Rollover.--Any funds not used during a fiscal year shall
30 roll over to the successive fiscal year for purposes enumerated

1 under this act.

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

5 Section 8. Administration.

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

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

11 (c) Board of review.--In the event that ~~an undefined A~~ <—
12 COMPANY PROPOSES A partnership ~~is proposed by a company that is~~ <—
13 ~~not clearly~~ THAT IS NOT SPECIFICALLY defined by this act, the <—
14 center shall create and appoint a board of review comprised of
15 the center policy manager in charge of the program, the State
16 Fire Commissioner, a representative from the Department of
17 Health and the deputy secretary for programs of the department.
18 Any decision of the board of review with regard to any
19 application for funding is final.

20 (d) Information.--The center shall provide, as necessary,
21 any information to applicants regarding eligibility,
22 applications and enforcement of grant provisions in the form of
23 informational and/or training sessions in no less than ten
24 locations throughout this Commonwealth in each of the five years
25 or each of the ensuing years of the program.

26 (e) Guidelines shall provide, at a minimum, the following
27 elements:

- 28 (1) An explanation of purpose.
- 29 (2) Applicant eligibility.
- 30 (3) Program objectives.

- 1 (4) Program requirements.
- 2 (5) Eligible activities.
- 3 (6) Grant allocation and limitations.
- 4 (7) The application process.
- 5 (8) Evaluation criteria.
- 6 (9) Application review procedure.
- 7 (10) Award selection.
- 8 (11) Program administration.
- 9 (12) Any other requirement deemed necessary to enforce
- 10 the provisions of this act.
- 11 Section 9. Effective date.
- 12 This act shall take effect in 60 days.