

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1531 Session of 2012

INTRODUCED BY BAKER, SOLOBAY, TOMLINSON, MENSCH, GORDNER, ERICKSON, VOGEL, TARTAGLIONE, SCHWANK, FONTANA, YUDICHAK, RAFFERTY, STACK, SCARNATI, COSTA, BOSCOLA, BRUBAKER AND WARD, MAY 29, 2012

SENATOR CORMAN, APPROPRIATIONS, RE-REPORTED AS AMENDED, SEPTEMBER 24, 2012

AN ACT

1 Amending Titles 51 (Military Affairs) and 75 (Vehicles) of the
2 Pennsylvania Consolidated Statutes, in State Veterans'
3 Commission and Deputy Adjutant General for Veterans' Affairs,
4 ~~establishing the Pennsylvania Veterans Trust Fund;~~ PROVIDING ←
5 FOR FUNDS FOR VETERANS' TRUST FUND; IN REGISTRATION OF
6 VEHICLES, PROVIDING FOR CONTRIBUTIONS TO VETERANS' TRUST
7 FUND; and, in registration of vehicles, further providing for
8 special plates for veterans.

9 The General Assembly of the Commonwealth of Pennsylvania
10 hereby enacts as follows:

11 Section 1. Chapter 17 of Title 51 of the Pennsylvania
12 Consolidated Statutes is amended by adding a subchapter to read:

SUBCHAPTER C ←

PENNSYLVANIA VETERANS TRUST FUND AND

PENNSYLVANIA VETERANS FOUNDATION

16 Sec.

17 1721. Pennsylvania Veterans Trust Fund.

18 1722. Contributions from drivers' licenses, registrations and
19 special license plates.

1 ~~1723. Use of driver's license or identification card to~~  
2 ~~indicate veteran status.~~

3 ~~1724. Administrative provisions.~~

4 ~~1725. Pennsylvania Veterans Foundation.~~

5 ~~§ 1721. Pennsylvania Veterans Trust Fund.~~

6 ~~(a) Establishment. The Pennsylvania Veterans Trust Fund is~~  
7 ~~established in the State Treasury.~~

8 ~~(b) Source of revenue. The Pennsylvania Veterans Trust Fund~~  
9 ~~shall be funded from the following sources:~~

10 ~~(1) Proceeds paid by the Department of Transportation~~  
11 ~~under section 1722 (relating to contributions from drivers'~~  
12 ~~licenses, registrations and special license plates) and 75-~~  
13 ~~Pa.C.S. § 1364(b) (relating to special plates for veterans).~~

14 ~~(2) In fiscal year 2012, the sum of \$1,700,000 shall be~~  
15 ~~transferred from the General Fund. This transfer shall occur~~  
16 ~~after sale of lands, buildings or other real estate used for~~  
17 ~~veterans' facilities or programs under the jurisdiction and~~  
18 ~~control of the department, excluding proceeds deposited in~~  
19 ~~the State Treasury Armory Fund under section 1511 (relating~~  
20 ~~to State Treasury Armory Fund).~~

21 ~~(3) Grants, gifts, donations and other payments from the~~  
22 ~~Federal Government, individuals, corporations, other trusts~~  
23 ~~and foundations or other legal entities.~~

24 ~~(4) Such funds as may, from time to time, be~~  
25 ~~appropriated to the Pennsylvania Veterans Trust Fund.~~

26 ~~(c) Appropriation. Moneys in the Pennsylvania Veterans~~  
27 ~~Trust Fund are specifically appropriated on a continuing basis~~  
28 ~~to the department for the purposes specified in subsection (d).~~

29 ~~(d) Expenditures. The department may expend moneys from the~~  
30 ~~Pennsylvania Veterans Trust Fund for the following purposes:~~

1 ~~(1) To make grants to the Pennsylvania Veterans~~  
2 ~~Foundation or other Statewide charitable foundations or~~  
3 ~~veterans' service organizations for funding programs and~~  
4 ~~projects to support Pennsylvania veterans and their families.~~

5 ~~(2) To make grants to, and provide funding support for,~~  
6 ~~new, innovative and expanded efforts and programs operated by~~  
7 ~~the County Directors of Veterans Affairs.~~

8 ~~(3) To make grants to Statewide veterans' service~~  
9 ~~organizations in addition to the grants authorized and funded~~  
10 ~~pursuant to section 9304 (relating to grants to veterans'~~  
11 ~~service officer programs).~~

12 ~~(4) To assist Pennsylvania veterans in need of shelter~~  
13 ~~and the necessities of living to the extent that other funds~~  
14 ~~are not appropriated and other resources are not available~~  
15 ~~for that purpose.~~

16 ~~(5) To assist in the operation, maintenance and repair~~  
17 ~~of Pennsylvania monuments honoring Pennsylvania service~~  
18 ~~members and veterans who served in the United States or~~  
19 ~~overseas.~~

20 ~~(e) Contributions and solicitation of funds. The department~~  
21 ~~is authorized to solicit and accept, on behalf of the~~  
22 ~~Commonwealth, gifts, donations, legacies and usages of money for~~  
23 ~~the Pennsylvania Veterans Trust Fund from individuals,~~  
24 ~~organizations, public or private corporations or other similar~~  
25 ~~entities.~~

26 ~~(f) Procedures, policies and guidelines. The department~~  
27 ~~shall establish procedures, policies and guidelines for~~  
28 ~~operation and maintenance of the Pennsylvania Veterans Trust~~  
29 ~~Fund within 60 days of the effective date of this section. The~~  
30 ~~guidelines shall be published as a notice in the Pennsylvania~~

1 ~~Bulletin, but shall not be subject to review under section 205-~~  
2 ~~of the act of July 31, 1968 (P.L.769, No.240), referred to as~~  
3 ~~the Commonwealth Documents Law, sections 204(b) and 301(10) of~~  
4 ~~the act of October 15, 1980 (P.L.950, No.164), known as the~~  
5 ~~Commonwealth Attorneys Act or the act of June 25, 1982 (P.L.633,~~  
6 ~~No.181), known as the Regulatory Review Act.~~

7 ~~(g) Reports. Beginning on or before July 31, 2013, and~~  
8 ~~every year thereafter, the department shall submit a report to~~  
9 ~~the chairman and minority chairman of the Veterans Affairs and~~  
10 ~~Emergency Preparedness Committee of the Senate and the chairman~~  
11 ~~and minority chairman of the Veterans Affairs and Emergency~~  
12 ~~Preparedness Committee of the House of Representatives detailing~~  
13 ~~the Pennsylvania Veterans Trust Fund revenues and expenditures~~  
14 ~~in the prior fiscal year and describing the activities, programs~~  
15 ~~and projects funded.~~

16 ~~§ 1722. Contributions from drivers' licenses, registrations and~~  
17 ~~special license plates.~~

18 ~~(a) General rule. Beginning as soon as practicable, but not~~  
19 ~~later than one year from the effective date of this section, the~~  
20 ~~Department of Transportation shall provide an applicant for:~~

21 ~~(1) An original or renewal driver's license or~~  
22 ~~identification card the opportunity to make a contribution of~~  
23 ~~\$2 to the Pennsylvania Veterans Trust Fund. The contribution~~  
24 ~~shall be added to the regular fee for an original or renewal~~  
25 ~~driver's license or identification card. One contribution may~~  
26 ~~be made for each issuance or renewal of a driver's license or~~  
27 ~~identification card. Contributions shall be used exclusively~~  
28 ~~for the purposes enumerated in section 1721 (relating to~~  
29 ~~Pennsylvania Veterans Trust Fund).~~

30 ~~(2) A renewal vehicle registration the opportunity to~~

1 ~~make a contribution of \$2 to the Pennsylvania Veterans Trust~~  
2 ~~Fund. The contribution shall be added to the regular fee for~~  
3 ~~a renewal of a vehicle registration. One contribution may be~~  
4 ~~made for each renewal vehicle registration. Contributions~~  
5 ~~shall be used exclusively for the purposes described in~~  
6 ~~section 1721.~~

7 ~~(b) Special veterans' license plates. The Pennsylvania~~  
8 ~~Veterans Trust Fund shall receive the proceeds for all special~~  
9 ~~motor vehicle license plates issued by the Department of~~  
10 ~~Transportation to honor Pennsylvania veterans as provided by 75-~~  
11 ~~Pa.C.S. § 1364(b) (relating to special plates for veterans).~~  
12 ~~§ 1723. Use of driver's license or identification card to~~  
13 ~~indicate veteran status.~~

14 ~~(a) General rule. Beginning as soon as practicable, but not~~  
15 ~~later than 18 months following the effective date of this~~  
16 ~~section, the Department of Transportation shall process requests~~  
17 ~~from military veterans to place a veteran designation on the~~  
18 ~~driver's license or identification card of the veteran.~~

19 ~~(b) Application process. Upon receipt of an application~~  
20 ~~from a veteran accompanied by a one time payment of a \$5 license~~  
21 ~~designation fee, which shall be in addition to any renewal or~~  
22 ~~duplicate driver's license or identification card fee, and by~~  
23 ~~such documentation as the Department of Transportation shall~~  
24 ~~require, the Department of Transportation shall issue the~~  
25 ~~veteran a driver's license or identification card displaying a~~  
26 ~~veteran designation.~~

27 ~~§ 1724. Administration provisions.~~

28 ~~(a) Agreement. The Department of Transportation and the~~  
29 ~~department shall enter into an agreement which provides that the~~  
30 ~~department shall reimburse the Motor License Fund from the~~

1 ~~Pennsylvania Veterans Trust Fund for the Department of~~  
2 ~~Transportation's actual annual operating costs of the veteran~~  
3 ~~programs in sections 1722 (relating to contributions from~~  
4 ~~drivers' licenses, registrations and special license plates) and~~  
5 ~~1723 (relating to use of driver's license or identification card~~  
6 ~~to indicate veteran status).~~

7 ~~(b) Deposits. The Department of Transportation shall~~  
8 ~~monthly determine the total amount collected under sections 1722~~  
9 ~~and 1723 and shall report that amount to the State Treasurer,~~  
10 ~~who shall transfer that amount to the Pennsylvania Veterans~~  
11 ~~Trust Fund.~~

12 ~~(c) Cost of administration. The Pennsylvania Veterans Trust~~  
13 ~~Fund shall reimburse the Motor License Fund for the actual costs~~  
14 ~~incurred by the Department of Transportation in the development~~  
15 ~~and implementation of the programs under sections 1722 and 1723~~  
16 ~~as well as the actual operating costs of the programs.~~  
17 ~~§ 1725. Pennsylvania Veterans Foundation.~~

18 ~~(a) Charter granted. The Pennsylvania Veterans Foundation,~~  
19 ~~a Statewide charitable foundation whose purpose is to assist and~~  
20 ~~provide benefits for Pennsylvania veterans and their families,~~  
21 ~~is chartered and recognized.~~

22 ~~(b) Board of directors and governance. The Deputy Adjutant~~  
23 ~~General for Veterans' Affairs or his successor or designee shall~~  
24 ~~serve as ex officio members of the board of directors of the~~  
25 ~~Pennsylvania Veterans Foundation. The foundation will be~~  
26 ~~governed by a board of directors in accordance with its~~  
27 ~~corporate bylaws.~~

28 ~~(c) Funding. In addition to raising funds in any manner~~  
29 ~~authorized by law for charitable foundations, the Pennsylvania~~  
30 ~~Veterans Foundation shall receive grants and other funding from~~

1 ~~the Pennsylvania Veterans Trust Fund. The department or the~~  
2 ~~Auditor General may conduct such audits and reviews of the~~  
3 ~~foundation's use of grants from the Pennsylvania Veterans Trust~~  
4 ~~Fund as the Adjutant General or Auditor General deems~~  
5 ~~appropriate. Copies of all such audit reports and reviews shall~~  
6 ~~be furnished to the chairman and minority chairman of the~~  
7 ~~Veterans Affairs and Emergency Preparedness Committee of the~~  
8 ~~Senate and the chairman and minority chairman of the Veterans~~  
9 ~~Affairs and Emergency Preparedness Committee of the House of~~  
10 ~~Representatives.~~

11 SUBCHAPTER C

12 FUNDS

13 SEC.

14 1721. VETERANS' TRUST FUND.

15 § 1721. VETERANS' TRUST FUND.

16 (A) SOURCE OF REVENUE.--IN ADDITION TO TRANSFERS UNDER  
17 SECTION 1719-G OF THE ACT OF APRIL 9, 1929 (P.L.343, NO.176),  
18 KNOWN AS THE FISCAL CODE, THE VETERANS' TRUST FUND SHALL INCLUDE  
19 FUNDS FROM THE FOLLOWING SOURCES:

20 (1) PROCEEDS PAID BY THE DEPARTMENT OF TRANSPORTATION  
21 UNDER 75 PA.C.S. § 1320 (RELATING TO CONTRIBUTIONS TO  
22 VETERANS' TRUST FUND).

23 (2) AMOUNTS PAYABLE TO THE FUND UNDER 75 PA.C.S §  
24 1364(B) (RELATING TO SPECIAL PLATES FOR VETERANS).

25 (3) GRANTS, GIFTS, DONATIONS AND OTHER PAYMENTS FROM A  
26 PERSON OR GOVERNMENTAL ENTITY.

27 (4) MONEY APPROPRIATED TO THE FUND.

28 (B) APPROPRIATION.--MONEY IN THE FUND IS APPROPRIATED ON A  
29 CONTINUING BASIS TO THE DEPARTMENT FOR PURPOSES SET FORTH IN  
30 SUBSECTION (C).

1 (C) AUTHORIZED PURPOSES.--THE DEPARTMENT MAY EXPEND MONEY  
2 FROM THE VETERANS' TRUST FUND FOR THE FOLLOWING PURPOSES:

3 (1) GRANTS FOR PROGRAMS OR PROJECTS TO SUPPORT  
4 PENNSYLVANIA VETERANS AND THEIR FAMILIES TO:

5 (I) THE PENNSYLVANIA VETERANS FOUNDATION;

6 (II) VETERANS' SERVICE ORGANIZATIONS; AND

7 (III) OTHER STATEWIDE CHARITABLE ORGANIZATIONS.

8 (2) GRANTS OR FUNDING FOR NEW, INNOVATIVE AND EXPANDED  
9 ACTIVITIES OR PROGRAMS OPERATED BY A COUNTY DIRECTOR OF  
10 VETERANS AFFAIRS OR THE STATE ASSOCIATION OF COUNTY DIRECTORS  
11 OF VETERANS AFFAIRS.

12 (3) GRANTS TO STATEWIDE VETERANS' SERVICE ORGANIZATIONS  
13 IN ADDITION TO THE GRANTS AUTHORIZED AND FUNDED UNDER SECTION  
14 9304 (RELATING TO GRANTS TO VETERANS' SERVICE OFFICER  
15 PROGRAMS).

16 (4) ASSISTANCE TO PENNSYLVANIA VETERANS IN NEED OF  
17 SHELTER OR OTHER NECESSITIES OF LIVING TO THE EXTENT THAT  
18 OTHER FUNDS OR RESOURCES ARE NOT AVAILABLE.

19 (5) ASSISTANCE TO OPERATE, MAINTAIN AND REPAIR  
20 PENNSYLVANIA MONUMENTS HONORING PENNSYLVANIA SERVICE MEMBERS  
21 AND VETERANS WHO SERVED IN THE UNITED STATES OR OVERSEAS.

22 (6) PAYMENTS TO THE MOTOR LICENSE FUND FOR ACTUAL COSTS  
23 INCURRED BY THE DEPARTMENT OF TRANSPORTATION TO IMPLEMENT 75  
24 PA.C.S. §§ 1320 (RELATING TO CONTRIBUTIONS TO VETERANS' TRUST  
25 FUND) AND 1510 (RELATING TO ISSUANCE AND CONTENT OF DRIVER'S  
26 LICENSE).

27 (D) CONTRIBUTIONS.--THE DEPARTMENT MAY SOLICIT AND ACCEPT  
28 GIFTS, DONATIONS, LEGACIES AND OTHER MONEY FOR DEPOSIT INTO THE  
29 FUND FROM A PERSON OR A GOVERNMENT ENTITY ON BEHALF OF THE  
30 COMMONWEALTH.



1     (E) OPERATION.--THE DEPARTMENT SHALL ADOPT A STATEMENT OF  
2 POLICY FOR THE MAINTENANCE AND USE OF THE FUND WITHIN 60 DAYS OF  
3 THE EFFECTIVE DATE OF THIS SECTION. THE POLICY SHALL BE  
4 PUBLISHED AS A NOTICE IN THE PENNSYLVANIA BULLETIN, BUT SHALL  
5 NOT BE SUBJECT TO REVIEW UNDER SECTION 205 OF THE ACT OF JULY  
6 31, 1968 (P.L.769, NO.240), REFERRED TO AS THE COMMONWEALTH  
7 DOCUMENTS LAW, SECTIONS 204(B) AND 301(10) OF THE ACT OF OCTOBER  
8 15, 1980 (P.L.950, NO.164), KNOWN AS THE COMMONWEALTH ATTORNEYS  
9 ACT OR THE ACT OF JUNE 25, 1982 (P.L.633, NO.181), KNOWN AS THE  
10 REGULATORY REVIEW ACT.

11     (F) REPORT.--BY JULY 31, 2013, AND EVERY YEAR THEREAFTER,  
12 THE DEPARTMENT SHALL SUBMIT TO THE CHAIRMAN AND MINORITY  
13 CHAIRMAN OF THE VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS  
14 COMMITTEE OF THE SENATE AND THE CHAIRMAN AND MINORITY CHAIRMAN  
15 OF THE VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS COMMITTEE OF  
16 THE HOUSE OF REPRESENTATIVES A REPORT DETAILING THE VETERANS'  
17 TRUST FUND REVENUES AND EXPENDITURES IN THE PRIOR FISCAL YEAR  
18 AND DESCRIBING THE ACTIVITIES, PROGRAMS AND PROJECTS WHICH  
19 RECEIVED FUNDS.

20     SECTION 1.1. TITLE 75 IS AMENDED BY ADDING A SECTION TO  
21 READ:

22     § 1320. CONTRIBUTIONS TO VETERANS' TRUST FUND.

23     (A) OPTION.--WITHIN ONE YEAR OF THE EFFECTIVE DATE OF THIS  
24 SECTION THE DEPARTMENT SHALL PROVIDE FOR ALL OF THE FOLLOWING:

25         (1) ABILITY OF AN APPLICANT FOR AN ORIGINAL OR RENEWAL  
26 DRIVER'S LICENSE OR IDENTIFICATION CARD TO MAKE A  
27 CONTRIBUTION OF \$3 TO THE VETERANS' TRUST FUND.

28         (2) ABILITY OF AN APPLICANT FOR A RENEWAL VEHICLE  
29 REGISTRATION TO MAKE A CONTRIBUTION OF \$3 TO THE VETERANS'  
30 TRUST FUND.

1 (B) IMPLEMENTATION.--

2 (1) A CONTRIBUTION UNDER SUBSECTION (A) SHALL BE ADDED,  
3 AS APPROPRIATE, TO THE REGULAR FEE FOR:

4 (I) AN ORIGINAL OR RENEWAL DRIVER'S LICENSE OR  
5 IDENTIFICATION CARD; AND

6 (II) A RENEWAL OF A VEHICLE REGISTRATION.

7 (2) ONE CONTRIBUTION UNDER SUBSECTION (A) MAY BE MADE  
8 FOR:

9 (I) EACH ISSUANCE OR RENEWAL OF A DRIVER'S LICENSE  
10 OR IDENTIFICATION CARD; AND

11 (II) EACH RENEWAL VEHICLE REGISTRATION.

12 (C) USE.--CONTRIBUTIONS UNDER SUBSECTION (A) SHALL BE USED  
13 EXCLUSIVELY FOR PURPOSES SET FORTH IN 51 PA.C.S. § 1721(C)  
14 (RELATING TO VETERANS' TRUST FUND).

15 (D) DEPOSITS.--

16 (1) THE DEPARTMENT SHALL DETERMINE ON A MONTHLY BASIS  
17 THE TOTAL AMOUNT COLLECTED UNDER THIS SECTION AND REPORT THE  
18 AMOUNT TO THE STATE TREASURER.

19 (2) THE STATE TREASURER SHALL TRANSFER THE AMOUNT  
20 COLLECTED TO THE VETERANS' TRUST FUND.

21 (E) REIMBURSEMENT.--THE VETERANS' TRUST FUND SHALL REIMBURSE  
22 THE MOTOR LICENSE FUND FOR THE ACTUAL COSTS INCURRED BY THE  
23 DEPARTMENT IN THE ADMINISTRATION OF THIS SECTION.

24 Section 2. Section 1364 of Title 75 is amended to read:

25 § 1364. Special plates for veterans.

26 (a) Honorably discharged veterans.--Upon application of any  
27 person who is an honorably discharged veteran of the armed  
28 forces of the United States or a reserve component of the armed  
29 forces as defined in 51 Pa.C.S. § 7301 (relating to  
30 definitions), accompanied by a fee of \$20 which shall be in

1 addition to the annual registration fee and by such  
2 documentation as the department shall require, the department  
3 shall issue to the person a special registration plate  
4 designating the vehicle as belonging to a person who is a  
5 veteran of the armed forces of the United States. The special  
6 registration plate may be used only on a passenger car or truck  
7 with a registered gross weight of not more than 10,000 pounds.

8 (b) Honoring our veterans.--Upon application of any person,  
9 accompanied by a fee of \$35, which shall be in addition to the  
10 annual registration fee and by such documentation as the  
11 department shall require, the department shall issue to the  
12 person a special registration plate designating the vehicle as  
13 belonging to a person who is honoring veterans of the armed  
14 forces of the United States. The special registration plate may  
15 be used only on a passenger car or truck with a registered gross  
16 weight of not more than 10,000 pounds. The Pennsylvania Veterans ←  
17 VETERANS' Trust Fund shall receive \$15 of the fee paid by the ←  
18 applicant for the plate.

19 ~~Section 3. This act shall take effect as follows:~~ ←

20 ~~(1) The amendment of 75 Pa.C.S. § 1364 shall take effect~~  
21 ~~in 180 days.~~

22 ~~(2) The remainder of this act shall take effect~~  
23 ~~immediately.~~

24 SECTION 3. THIS ACT SHALL TAKE EFFECT IN 30 DAYS. ←