

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1338 Session of 2019

INTRODUCED BY BARRAR, SAINATO, BERNSTINE, HILL-EVANS, JAMES, MARKOSEK, MURT, READSHAW AND GILLEN, APRIL 26, 2019

AS REPORTED FROM COMMITTEE ON VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, HOUSE OF REPRESENTATIVES, AS AMENDED, MAY 8, 2019

AN ACT

1 Amending Title 51 (Military Affairs) of the Pennsylvania
2 Consolidated Statutes, in National Guard Youth Challenge
3 Program, further providing for definitions and for
4 administration, establishing the Keystone State Challenge
5 Academy Fund and further providing for report and for audit
6 required.

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

9 Section 1. Section 9801 of Title 51 of the Pennsylvania
10 Consolidated Statutes is amended by adding a definition to read:

11 § 9801. Definitions.

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

15 "Fund." The Keystone State Challenge Academy Fund
16 established under section 9807 (relating to Keystone State
17 Challenge Academy Fund).

18 * * *

19 Section 2. Sections 9806, 9807, 9810 and 9811 of Title 51,

1 added June 28, 2018 (P.L.365, No.51), are amended to read:

2 § 9806. Administration.

3 (a) Staffing.--Subject to 32 U.S.C. § 509 (relating to
4 National Guard Youth Challenge Program of opportunities for
5 civilian youth) and its implementing regulations and applicable
6 agreements, the program shall be staffed by the administrative,
7 professional, technical and clerical employees necessary for the
8 operation of the program.

9 (b) Statement of policy.--The department shall adopt a
10 statement of policy for the maintenance and use of the fund
11 within 60 days of the effective date of this subsection. The
12 policy shall be transmitted as a notice to the Legislative
13 Reference Bureau for publication in the Pennsylvania Bulletin
14 but shall not be subject to review under section 205 of the act
15 of July 31, 1968 (P.L.769, No.240), referred to as the
16 Commonwealth Documents Law, sections 204(b) and 301(10) of the
17 act of October 15, 1980 (P.L.950, No.164), known as the
18 Commonwealth Attorneys Act, or the act of June 25, 1982
19 (P.L.633, No.181), known as the Regulatory Review Act.

20 § 9807. [Funding.] Keystone State Challenge Academy Fund.

21 (a) Establishment.--The Keystone State Challenge Academy
22 Fund is established as a special fund in the State Treasury.

23 (b) Appropriation.--All money deposited into the fund and
24 the interest the fund accrues are appropriated to the department
25 on a continuing basis to be used for the purposes provided under
26 this chapter.

27 (c) Use of fund.--The fund may only be used for the purposes
28 provided for under this chapter and no money in the fund may be
29 transferred or diverted to any other purpose by administrative
30 action.

1 (d) Sources of money.--Money available to the fund shall
2 include appropriations and transfers from the General Fund,
3 special funds, Federal funds and other sources of revenue made
4 available to the fund.

5 (e) Allocation.--Money from the fund shall be allocated for
6 the purposes provided for under this chapter no later than
7 October 31, 2019, and each October 31 thereafter.

8 (f) Funding.--The department shall apply for funding, as
9 provided for under 32 U.S.C. § 509(d) (relating to National
10 Guard Youth Challenge Program of opportunities for civilian
11 youth). Under 32 U.S.C. § 509(j), the department may supplement
12 such funding with other resources, including gifts, made
13 available to the department and may also accept, use and dispose
14 of gifts or donations of money, other property or services for
15 the program.

16 § 9810. Report.

17 [The department shall submit annually to] By July 31, 2020,
18 and each July 31 thereafter, the department shall submit to the
19 chairperson and minority chairperson of the Appropriations
20 Committee of the Senate, the chairperson and minority
21 chairperson of the Education Committee of the Senate, the
22 chairperson and minority chairperson of the Veterans Affairs and
23 Emergency Preparedness Committee of the Senate, the chairperson
24 and minority chairperson of the Appropriations Committee of the
25 House of Representatives, the chairperson and minority
26 chairperson of the Education Committee of the House of
27 Representatives and the chairperson and minority chairperson of
28 the Veterans Affairs and Emergency Preparedness Committee of the
29 House of Representatives a written report concerning the
30 program. The report shall include, but not be limited to, all of

1 the following:

2 (1) The number of individuals who applied to the program
3 in the previous fiscal year.

4 (2) The number of individuals who participated in the
5 program in the previous fiscal year.

6 (3) The number and percentage of program participants in
7 the previous fiscal year who achieved each of the following:

8 (i) Earned a high school diploma or its equivalent.

9 (ii) Enrolled in a course of study at an institution
10 of higher education.

11 (iii) Accepted a position of full-time, paid
12 employment.

13 (iv) Accepted a position of part-time, paid
14 employment.

15 (v) Entered the armed forces of the United States,
16 including a reserve component or the National Guard.

17 (4) The demographic makeup of the applicants to, and
18 participants in, the program, including, but not limited to,
19 the following:

20 (i) Race.

21 (ii) Age.

22 (iii) Gender.

23 (4.1) Details on the revenues and expenditures of the
24 fund in the prior fiscal year and the identification and
25 description of activities, programs and projects which
26 received money from the fund.

27 (5) Any information the department provides to the
28 Secretary of Defense under 32 U.S.C. § 509(k) (relating to
29 National Guard Youth Challenge Program of opportunities for
30 civilian youth).

1 § 9811. Audit required.

2 The department shall undergo an annual audit of the program.
3 The audit shall be conducted by a qualified [independent]
4 certified public accountant under generally accepted audit
5 standards of the Governmental Accounting Standards Board. The
6 audit shall be submitted to the following:

7 (1) The chairperson and minority chairperson of the
8 [Education] Appropriations Committee of the Senate.

9 (1.1) The chairperson and minority chairperson of the
10 Education Committee of the Senate.

11 (2) The chairperson and minority chairperson of the
12 Veterans Affairs and Emergency Preparedness Committee of the
13 Senate.

14 (2.1) The chairperson and minority chairperson of the
15 Appropriations Committee of the House of Representatives.

16 (3) The chairperson and minority chairperson of the
17 Education Committee of the House of Representatives.

18 (4) The chairperson and minority chairperson of the
19 Veterans Affairs and Emergency Preparedness Committee of the
20 House of Representatives.

21 Section 3. This act shall take effect ~~in 60 days~~

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22 IMMEDIATELY.

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