

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

## HOUSE BILL

No. 2384 Session of  
2002

INTRODUCED BY J. TAYLOR, T. ARMSTRONG, BARRAR, BEBKO-JONES,  
BLAUM, BUXTON, CAPPELLI, CAWLEY, CIVERA, L. I. COHEN, COSTA,  
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WATSON, WOJNAROSKI, YOUNGBLOOD, YUDICHAK AND PIPPY,  
FEBRUARY 25, 2002

AS RE-REPORTED FROM COMMITTEE ON APPROPRIATIONS, HOUSE OF  
REPRESENTATIVES, AS AMENDED, SEPTEMBER 30, 2002

## AN ACT

1 Establishing the Municipal Firefighter Education and Training  
2 ~~Program; and making an appropriation.~~ PROGRAM. <—

3 The General Assembly of the Commonwealth of Pennsylvania  
4 hereby enacts as follows:

5 Section 1. Municipal Firefighter Education and Training  
6 Program.

7 The Office of the State Fire Commissioner shall establish a  
8 Municipal Firefighter Education and Training Program in  
9 accordance with the provisions of this act. The administration  
10 of this program shall be the responsibility of the Office of the  
11 State Fire Commissioner. The commissioner, in consultation with  
12 the Fire Safety Advisory Committee established under the act of  
13 November 13, 1995 (P.L.604, No.61), known as the State Fire

1 Commissioner Act, shall develop basic course criteria and  
2 guidelines for the program. The parameters developed by the  
3 commissioner shall be consistent with established standards.

4 Section 2. Definitions.

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

8 "Commissioner." The State Fire Commissioner appointed under  
9 the act of November 13, 1995 (P.L.604, No.61), known as the  
10 State Fire Commissioner Act.

11 "Municipal firefighter." Any full-time employee of a city,  
12 borough, town or township fire department assigned to  
13 firefighting duties.

14 "School." A training school or academy that offers State  
15 Fire Academy certified courses.

16 Section 3. Municipal firefighter training mandatory; penalties.

17 (a) Training.--All political subdivisions of the  
18 Commonwealth or groups of political subdivisions acting in  
19 concert shall be required to train all members of their fire  
20 departments hired by them after the effective date of this  
21 section, pursuant to this act. Any person hired as a municipal  
22 firefighter by any political subdivision or group of political  
23 subdivisions acting in concert after the effective date of this  
24 section shall be at the end of one year from the date of his  
25 employment ineligible to receive salary, compensation or other  
26 consideration or thing of value for the performance of his  
27 duties as a firefighter unless he has met all of the  
28 requirements as established by the Office of the State Fire  
29 Commissioner and has been duly certified as having met those  
30 requirements by the commissioner, unless the firefighter is

1 granted additional time to complete his training by the  
2 commissioner. However, any person hired as a municipal  
3 firefighter will be given a grace period of two years from the  
4 effective date of this section before he becomes ineligible to  
5 receive salary, compensation or other consideration of things of  
6 value.

7 (b) Penalty.--Any official of any political subdivision who  
8 orders, authorizes or pays a salary to a person in violation of  
9 the provisions of this act commits a summary offense and upon  
10 conviction shall be sentenced to pay a fine of \$100 or be  
11 imprisoned for a term of not more than 30 days.

#### 12 Section 4. Reimbursement of expenses.

13 (a) Allowable expenses.--The Office of the State Fire  
14 Commissioner shall provide for reimbursement to each political  
15 subdivision 100% of the allowable tuition and the ordinary and  
16 necessary living and travel expenses incurred by their  
17 firefighters while attending certified municipal firefighter  
18 basic training schools, provided the political subdivision  
19 adheres to the training standards, employment longevity  
20 provisions and program guidelines established by the Office of  
21 the State Fire Commissioner. The regular salary of firefighters  
22 while attending schools approved under this act shall be paid by  
23 the employing political subdivision. Eighty percent of the  
24 regular salaries of firefighters while attending schools  
25 approved under this act shall be reimbursed by the commissioner  
26 to the employing political subdivision.

27 (b) Grants.--The commissioner shall provide grants as a  
28 reimbursement for actual expenses incurred by political  
29 subdivisions for municipal firefighters who have successfully  
30 completed the required basic course of instruction established

1 by the Office of the State Fire Commissioner.

2 (c) Application.--All political subdivisions of the  
3 Commonwealth or groups of political subdivisions acting in  
4 concert may make application to the commissioner for funding  
5 pursuant to this act. The application shall be accompanied by a  
6 certified copy of a resolution or resolutions adopted by its  
7 governing body or bodies providing that, while receiving any  
8 State funds under this act, the political subdivision of the  
9 Commonwealth or group of political subdivisions acting in  
10 concert will adhere to the standards for training established by  
11 the commissioner. The application shall contain such information  
12 as the commissioner may request.

13 (D) LIMITATION.--GRANTS MAY BE AWARDED ON A PRO RATA BASIS <—  
14 IF THE TOTAL DOLLAR AMOUNT OF APPROVED APPLICATIONS EXCEEDS THE  
15 AMOUNT OF FUNDS ALLOCATED FOR THIS PROGRAM.

16 Section 5. Applicability to civil service laws.

17 Nothing in this act shall be construed to exempt any  
18 municipal firefighter from the provisions of the existing civil  
19 service or laws relating to tenure.

20 ~~Section 6. Appropriation.~~ <—

21 ~~The sum of \$500,000, or as much thereof as may be necessary,~~  
22 ~~is hereby appropriated to the Office of the State Fire~~  
23 ~~Commissioner for the fiscal year July 1, 2002, to June 30, 2003,~~  
24 ~~to carry out the provisions of this act.~~

25 SECTION 6. FUNDING. <—

26 THE GENERAL ASSEMBLY SHALL ANNUALLY APPROPRIATE SUCH MONEYS  
27 AS NECESSARY TO THE OFFICE OF THE STATE FIRE COMMISSIONER.

28 Section 7. Effective date.

29 This act shall take effect in 30 days.