

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 531

Session of
1973

INTRODUCED BY MESSRS. ECKENSBERGER, ZORD, ZELLER, BURNS,
FRANKENBURG, PITTS, RITTER, LINCOLN, M. E. MILLER, JR.,
MURTHA, MRS. GILLETTE, MESSRS. FRYER, MALONEY, SHANE, GEKAS,
LEHR, WILSON, DOYLE, WISE, RUGGIERO, KOWALYSHYN, SHELHAMER,
RENWICK, EARLY AND ROWE, FEBRUARY 27, 1973

AS RE-REPORTED FROM COMMITTEE ON APPROPRIATIONS, HOUSE OF
REPRESENTATIVES, AS AMENDED, OCTOBER 1, 1973

AN ACT

1 Creating the Municipal Police Officers' Education and Training
2 Commission; providing for the commission's membership,
3 selection, compensation, and removal; providing for the
4 powers and duties of the commission; providing for the
5 appointment and duties of the chairman; providing for the
6 act's applicability to the civil service laws; requiring
7 training by all political subdivisions, police departments
8 ~~and~~ providing penalties for violation thereof; AND MAKING AN <—
9 APPROPRIATION.

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

12 Section 1. Municipal Police Officers' Education and Training
13 Program.--The commission shall establish a Municipal Police
14 Officers' Education and Training Program in accordance with the
15 provisions of this act. The administration of this program shall
16 be the responsibility of the Pennsylvania State Police.

17 Section 2. Definitions.--As used in this act:

18 (1) "Commission" means the Municipal Police Officers'
19 Education and Training Commission.

(2) "School" means a training school or academy which provides a basic police training course within the functional organization of a police department or departments or any educational facility within the Commonwealth of Pennsylvania.

(3) "Police officer" means any full-time or part-time employe, of a city, borough, town, township or county police department assigned to criminal and/or traffic law enforcement duties, but shall exclude persons employed to check parking meters and/or to perform only administrative duties, auxiliary and fire police.

(4) "Police department" means any public agency of a political subdivision having general police powers and charged with making arrests in connection with the enforcement of the criminal and/or traffic laws.

(5) "Commissioner" means the Commissioner of the Pennsylvania State Police.

Section 3. The Municipal Police Officers' Education and Training Commission; Creation.--There is hereby created a Municipal Police Officers' Education and Training Commission.

Section 4. Commission Members; Selection, Compensation and Removal.--(a) The commission shall be composed of seventeen members as follows:

(1) The Secretary of the Department of Community Affairs.

(2) The Attorney General of the Commonwealth.

(3) The Commissioner of the Pennsylvania State Police, who shall serve as chairman of the commission.

(4) A member of the Senate of Pennsylvania, to be appointed by the President Pro Tempore of the Senate.

(5) A member of the Pennsylvania House of Representatives, to be appointed by the Speaker of the House of Representatives.

1 (6) Three elected officials of the various political
2 subdivisions of the Commonwealth, to be appointed by the
3 Governor; one to be a borough official, one a township official,
4 and one a city official.

5 (7) Four incumbent chiefs of police from the various
6 political subdivisions of the Commonwealth, to be appointed by
7 the Governor; at least one to be a chief of a borough police
8 department, at least one to be a chief of a township police
9 department, at least one to be a chief of a city police
10 department.

11 (8) One Federal Bureau of Investigation special agent-in-
12 charge to be appointed by the Governor.

13 (9) One educator qualified in the field of law enforcement,
14 to be appointed by the Governor.

15 (10) One member representing the public at large, to be
16 appointed by the Governor.

17 (11) Two noncommissioned police officers to be appointed by
18 the Governor.

19 (b) All members of the commission appointed by the Governor
20 shall serve for a period of three years except that upon the
21 effective date of this act, the Governor shall appoint two
22 police chiefs for a period of three years, one police chief for
23 a period of two years, and one police chief for a period of one
24 year. Any member of the commission shall, immediately upon
25 termination of his holding of the position by virtue of which he
26 was eligible for membership or appointed as a member of the
27 commission, cease to be a member of said commission.

28 (c) A member appointed to fill a vacancy created by other
29 than expiration of a term shall be appointed for the unexpired
30 term of the member whom he is to succeed in the same manner as

1 the original appointment.

2 (d) The members of the commission shall serve without
3 compensation but shall be reimbursed the necessary and actual
4 expenses incurred in attending the meetings of the commission
5 and in the performance of their duties under this act.

6 (e) Members of the commission may be removed by the Governor
7 for cause after written notice from the Governor.

8 Section 5. Powers and Duties of the Commission.--The powers
9 and duties of the commission shall be as follows:

10 (1) To establish the minimum courses of study and training
11 for municipal police officers.

12 (2) To establish courses of study and in-service training
13 for municipal police officers appointed prior to the effective
14 date of this act.

15 (3) To approve or revoke the approval of any school which
16 may be utilized to comply with the educational and training
17 requirements as established by the commission.

18 (4) To establish the minimum qualifications for instructors.

19 (5) To promote the most efficient and economical program for
20 police training by utilizing existing facilities, programs and
21 qualified State, local and Federal police personnel.

22 (6) To make an annual report to the Governor and to the
23 General Assembly concerning (i) the administration of the
24 Municipal Police Officers' Education and Training Program, and
25 (ii) the activities of the commission, together with
26 recommendations for executive or legislative action necessary
27 for the improvement of law enforcement and the administration of
28 justice.

29 Section 6. Powers and Duties of the Commissioner.--The
30 duties of the commissioner shall be as follows:

1 (1) To implement and administer the minimum courses of study
2 and training for municipal police officers as set by the
3 commission.

4 (2) To issue certificates of approval to schools approved by
5 the commission and to withdraw certificates of approval from
6 those schools disapproved by the commission.

7 (3) To certify instructors pursuant to the minimum
8 qualifications established by the commission.

9 (4) To implement and administer courses of study and in-
10 service training for municipal police officers appointed prior
11 to the effective date of this act as established by the
12 commission.

13 (5) To consult, and cooperate with, universities, colleges,
14 community colleges and institutes for the development of
15 specialized courses for municipal police officers.

16 (6) To consult and cooperate with, departments and agencies
17 of this Commonwealth and other states and the Federal Government
18 concerned with police training.

19 (7) To certify police officers who have satisfactorily
20 completed basic educational and training requirements as
21 established by the commission and to issue appropriate
22 certificates to such police officers.

23 (8) To visit and inspect approved schools at least once a
24 year.

25 (9) To make such rules and regulations and to perform such
26 other duties as may be reasonably necessary or appropriate to
27 implement the education and training program for police
28 officers.

29 Section 7. Meetings; Quorum.--The chairman shall summon the
30 members of the commission to the first meeting within one

1 hundred twenty days of enactment. The commission shall meet at
2 least four times each year. Special meetings may be called by
3 the chairman of the commission, or upon written request of five
4 members. A quorum shall consist of nine members of the
5 commission.

6 Section 8. Applicability to the Civil Service Laws.--Nothing
7 in this act shall be construed to exempt any police officer or
8 other officer or employe from the provisions of the existing
9 civil service laws or the tenure act.

10 Section 9. Police Training Mandatory; Penalties.--All
11 political subdivisions of the Commonwealth or groups of
12 political subdivisions acting in concert shall be required to
13 train all members of their police departments hired by them
14 after the effective date of this act, pursuant to the provisions
15 of this act.

16 Any person hired as a municipal police officer by any
17 political subdivision or group thereof acting in concert after
18 the effective date of this act shall be at the end of one year
19 from the date of his employment ineligible to receive any
20 salary, compensation or other consideration or thing of value
21 for the performance of his duties as a police officer unless he
22 has met all of the requirements as established by the Municipal
23 Police Officers' Education and Training Commission and has been
24 duly certified as having met those requirements by the
25 commissioner, unless the police officer is granted additional
26 time to complete his training by the commissioner. However, such
27 persons hired as a municipal police officer will be given a
28 grace period of two years from the effective date of this act
29 before he becomes ineligible to receive salary, compensation or
30 other consideration of thing of value.

1 Any official of any political subdivision who orders,
2 authorizes or pays as salary to a person in violation of the
3 provisions of this act shall on summary conviction thereof be
4 sentenced to pay a fine of one hundred dollars (\$100) or be
5 imprisoned for a term not to exceed a period of thirty days.

6 Section 10. Reimbursement of Expenses.--(a) The commission,
7 through the commissioner, shall provide for reimbursement to
8 each political subdivision of one hundred per cent of the
9 allowable tuition and the ordinary and necessary living and
10 travel expenses incurred by their officers while attending
11 certified municipal police basic training schools, providing
12 said political subdivision adheres to the training standards
13 established by the commission. The regular salary of police
14 officers while attending approved schools, within the meaning of
15 this act, shall be paid by the employing political subdivision.
16 Fifty per cent of the regular salaries of police officers while
17 attending approved schools within the meaning of the act shall
18 be reimbursed by the commission to the employing political
19 subdivision. This act shall not be construed to preclude the
20 employing political subdivision from applying for grants from
21 the Governor's Justice Commission under the Omnibus Crime
22 Control and Safe Streets Act of 1968 for the payment of salary
23 to a substitute police officer while the permanent officer is
24 attending such school.

25 (b) The commission, through the commissioner, shall provide
26 grants as a reimbursement for actual expenses incurred by
27 political subdivisions of the Commonwealth for the providing of
28 training programs to policemen from other jurisdictions within
29 the Commonwealth, in accordance with this act.

30 (c) All political subdivisions of the Commonwealth or groups

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

11 Section 11. Repeals.--All acts or parts of acts inconsistent
12 with the provisions of this act are repealed to the extent of
13 such inconsistency.

14 ~~Section 12. Funding. Funds for the implementation of this~~ <—
15 ~~act shall be appropriated to the commission through a separate~~
16 ~~line item in the budget of the State Police.~~

17 SECTION 12. APPROPRIATION.--THE SUM OF FIVE HUNDRED THOUSAND <—
18 DOLLARS (\$500,000), OR AS MUCH THEREOF AS MAY BE NECESSARY, IS
19 HEREBY APPROPRIATED FOR THE FISCAL YEAR BEGINNING JULY 1, 1973
20 AND ENDING JUNE 30, 1974 TO THE PENNSYLVANIA STATE POLICE FOR
21 THE USE OF THE MUNICIPAL POLICE OFFICERS' EDUCATION AND TRAINING
22 COMMISSION IN CARRYING OUT THE PROVISIONS OF THIS ACT.

23 Section 13. Effective Date.--This act shall take effect
24 immediately.