

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

SENATOR NOLAN, STATE GOVERNMENT, IN SENATE, AS AMENDED,
FEBRUARY 19, 1974

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~~ CERTAIN political subdivisions AND police <—
8 departments; providing penalties for violation thereof;
9 REQUIRING TRAINING AND CERTIFICATION OF SECURITY GUARDS; and <—
10 making an appropriation.

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

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

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

19 (1) "Commission" means the Municipal Police Officers'

1 Education and Training Commission.

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

6 (3) "Police officer" means any full-time or part-time
7 employe, of a city, OTHER THAN A CITY OF THE FIRST CLASS, <—
8 borough, town, township or county police department assigned to
9 criminal and/or traffic law enforcement duties, but shall
10 exclude persons employed to check parking meters and/or to
11 perform only administrative duties, auxiliary and fire police.

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

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

18 (6) "POLITICAL SUBDIVISION" MEANS ANY COUNTY, CITY, OTHER <—
19 THAN A CITY OF THE FIRST CLASS, BOROUGH, INCORPORATED TOWN OR
20 TOWNSHIP.

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

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

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

28 (2) The Attorney General of the Commonwealth.

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

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

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

5 (6) Three elected officials of the various political
6 subdivisions of the Commonwealth, to be appointed by the
7 Governor; one to be a borough official, one a township official,
8 and one a city official.

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

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

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

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

21 (11) Two noncommissioned police officers to be appointed by
22 the Governor.

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

1 commission, cease to be a member of said commission.

2 (c) A member appointed to fill a vacancy created by other
3 than expiration of a term shall be appointed for the unexpired
4 term of the member whom he is to succeed in the same manner as
5 the original appointment.

6 (d) The members of the commission shall serve without
7 compensation but shall be reimbursed the necessary and actual
8 expenses incurred in attending the meetings of the commission
9 and in the performance of their duties under this act.

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

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

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

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

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

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

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

26 (6) To make an annual report to the Governor and to the
27 General Assembly concerning (i) the administration of the
28 Municipal Police Officers' Education and Training Program, and
29 (ii) the activities of the commission, together with
30 recommendations for executive or legislative action necessary

1 for the improvement of law enforcement and the administration of
2 justice.

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

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

8 (2) To issue certificates of approval to schools approved by
9 the commission and to withdraw certificates of approval from
10 those schools disapproved by the commission.

11 (3) To certify instructors pursuant to the minimum
12 qualifications established by the commission.

13 (4) To implement and administer courses of study and in-
14 service training for municipal police officers appointed prior
15 to the effective date of this act as established by the
16 commission.

17 (5) To consult, and cooperate with, universities, colleges,
18 community colleges and institutes for the development of
19 specialized courses for municipal police officers.

20 (6) To consult and cooperate with, departments and agencies
21 of this Commonwealth and other states and the Federal Government
22 concerned with police training.

23 (7) To certify police officers who have satisfactorily
24 completed basic educational and training requirements as
25 established by the commission and to issue appropriate
26 certificates to such police officers.

27 (8) To visit and inspect approved schools at least once a
28 year.

29 (9) To make such rules and regulations and to perform such
30 other duties as may be reasonably necessary or appropriate to

1 implement the education and training program for police
2 officers.

3 SECTION 6.1. SECURITY GUARD PROCEDURES TRAINING COURSE.--(A) <—
4 THE COMMISSIONER OF THE PENNSYLVANIA STATE POLICE SHALL
5 ESTABLISH A TRAINING COURSE TO INSURE ADEQUATE SKILL AND
6 KNOWLEDGE IN THE USE OF FIREARMS AND IN THE LAWFUL USE OF
7 AUTHORITY BY SECURITY GUARDS, PRIVATE DETECTIVES, INVESTIGATORS,
8 WATCHMEN, GUARDS AND PATROLMEN. THE ADMINISTRATION THEREOF SHALL
9 BE THE RESPONSIBILITY OF THE PENNSYLVANIA STATE POLICE. THE
10 POWERS AND DUTIES OF THE COMMISSIONER IN CONNECTION THEREWITH
11 SHALL BE AS FOLLOWS:

12 (1) TO IMPLEMENT AND ADMINISTER MINIMUM COURSES OF STUDY AND
13 TRAINING FOR PRIVATE DETECTIVES, INVESTIGATORS, WATCHMEN, GUARDS
14 AND PATROLMEN.

15 (2) TO ISSUE CERTIFICATES OF APPROVAL TO SCHOOLS APPROVED BY
16 THE COMMISSIONER AND TO WITHDRAW CERTIFICATES OF APPROVAL FROM
17 THOSE SCHOOLS DISAPPROVED BY THE COMMISSIONER.

18 (3) TO CERTIFY INSTRUCTORS PURSUANT TO THE MINIMUM
19 QUALIFICATIONS ESTABLISHED BY THE COMMISSIONER.

20 (4) TO IMPLEMENT AND ADMINISTER COURSES OF STUDY AND IN-
21 SERVICE TRAINING FOR PRIVATE DETECTIVES, INVESTIGATORS,
22 WATCHMEN, GUARDS, AND PATROLMEN, LICENSED BEFORE THE EFFECTIVE
23 DATE OF THIS ACT AS ESTABLISHED BY THE COMMISSIONER.

24 (5) TO CONSULT, AND COOPERATE WITH, UNIVERSITIES, COLLEGES,
25 COMMUNITY COLLEGES AND INSTITUTES FOR THE DEVELOPMENT OF
26 SPECIALIZED COURSES FOR PRIVATE DETECTIVES, INVESTIGATORS,
27 WATCHMEN, GUARDS AND PATROLMEN.

28 (6) TO CONSULT AND COOPERATE WITH, DEPARTMENTS AND AGENCIES
29 OF THIS COMMONWEALTH AND OTHER STATES AND THE FEDERAL GOVERNMENT
30 CONCERNED WITH SIMILAR TRAINING.

1 (7) TO CERTIFY PRIVATE DETECTIVES, INVESTIGATORS, WATCHMEN,
2 GUARDS, AND PATROLMEN WHO HAVE SATISFACTORILY COMPLETED BASIC
3 EDUCATIONAL AND TRAINING REQUIREMENTS AS ESTABLISHED BY THE
4 COMMISSIONER AND TO ISSUE APPROPRIATE CERTIFICATES TO SUCH
5 PERSONS.

6 (8) TO VISIT AND INSPECT APPROVED SCHOOLS AT LEAST ONCE A
7 YEAR.

8 (9) TO MAKE SUCH RULES AND REGULATIONS AND TO PERFORM SUCH
9 OTHER DUTIES AS MAY BE REASONABLY NECESSARY OR APPROPRIATE TO
10 IMPLEMENT THE EDUCATION AND TRAINING PROGRAM FOR PRIVATE
11 DETECTIVES, INVESTIGATORS, WATCHMEN, GUARDS, AND PATROLMEN.

12 (B) NO PERSON SHALL BE LICENSED AS A SECURITY GUARD, PRIVATE
13 DETECTIVE, INVESTIGATOR, WATCHMAN, PATROLMAN OR GUARD UNLESS HE
14 HAS BEEN CERTIFIED BY THE COMMISSIONER AS HAVING SATISFACTORILY
15 COMPLETED THE BASIC EDUCATIONAL AND TRAINING REQUIREMENTS.

16 (C) NO HOLDER OF ANY UNEXPIRED LICENSE CERTIFICATE ISSUED
17 PURSUANT TO THE ACT OF AUGUST 21, 1953 (P.L.1273, NO.361), KNOWN
18 AS "THE PRIVATE DETECTIVE ACT OF 1953," SHALL KNOWINGLY EMPLOY
19 OR CONTINUE IN EMPLOYMENT IN CONNECTION WITH HIS OR ITS BUSINESS
20 ANY PERSON WHO HAS NOT BEEN CERTIFIED AS HAVING SUCCESSFULLY
21 COMPLETED THE TRAINING COURSE PROVIDED FOR IN THIS ACT.

22 (D) THE COMMISSION SHALL ESTABLISH A FEE SCHEDULE WHICH
23 SHALL INSURE THAT THE COSTS OF TRAINING, ISSUING CERTIFICATES
24 AND ADMINISTERING THIS SECTION SHALL BE MET. SUCH FEES SHALL BE
25 PAID BY THE LICENSEE OR APPLICANT TO THE DEPARTMENT OF REVENUE.

26 (E) ANY LICENSEE LICENSED UNDER THE PROVISIONS OF, OR ANY
27 PERSON EMPLOYED PURSUANT TO THE PROVISIONS OF THE ACT OF AUGUST
28 21, 1953 (P.L.1273, NO.361), KNOWN AS "THE PRIVATE DETECTIVE ACT
29 OF 1953," PRIOR TO THE EFFECTIVE DATE OF THIS ACT SHALL BE
30 REQUIRED TO CONFORM TO THE MANDATORY TRAINING COURSE PROVISIONS

1 WITHIN ONE YEAR OF THE EFFECTIVE DATE OF THIS ACT.

2 Section 7. Meetings; Quorum.--The chairman shall summon the
3 members of the commission to the first meeting within one
4 hundred twenty days of enactment. The commission shall meet at
5 least four times each year. Special meetings may be called by
6 the chairman of the commission, or upon written request of five
7 members. A quorum shall consist of nine members of the
8 commission.

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

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

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

1 grace period of two years from the effective date of this act
2 before he becomes ineligible to receive salary, compensation or
3 other consideration of thing of value.

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

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

28 (b) The commission, through the commissioner, shall provide
29 grants as a reimbursement for actual expenses incurred by
30 political subdivisions of the Commonwealth for the providing of

1 training programs to policemen from other jurisdictions within
2 the Commonwealth, in accordance with this act.

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

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

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.