

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 531

Session of  
1973

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

REFERRED TO COMMITTEE ON STATE GOVERNMENT, FEBRUARY 27, 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.

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

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

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

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

19 (2) "School" means a training school or academy which

1 provides a basic police training course within the functional  
2 organization of a police department or departments or any  
3 educational facility within the Commonwealth of Pennsylvania.

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

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

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

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

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

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

23 (2) The Attorney General of the Commonwealth.

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

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

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

30 (6) Three elected officials of the various political

1 subdivisions of the Commonwealth, to be appointed by the  
2 Governor; one to be a borough official, one a township official,  
3 and one a city official.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

30 (1) To implement and administer the minimum courses of study

1 and training for municipal police officers as set by the  
2 commission.

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

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

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

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

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

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

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

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

28 Section 7. Meetings; Quorum.--The chairman shall summon the  
29 members of the commission to the first meeting within one  
30 hundred twenty days of enactment. The commission shall meet at

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

5 Section 8. Applicability to the Civil Service Laws.--Nothing  
6 in this act shall be construed to exempt any police officer or  
7 other officer or employe from the provisions of the existing  
8 Civil Service Laws or the Tenure Act.

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

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

30 Any official of any political subdivision who orders,

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

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

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

29 (c) All political subdivisions of the Commonwealth or groups  
30 of political subdivisions acting in concert may make application

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

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

13 Section 12. Funding.--Funds for the implementation of this  
14 act shall be made to the commission through a separate line item  
15 in the budget of the State Police.

16 Section 13. Effective Date.--This act shall take effect  
17 immediately.