

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 172 Session of
2005

INTRODUCED BY J. TAYLOR, BARRAR, BELARDI, BUXTON, BEBKO-JONES,
CALTAGIRONE, CREIGHTON, DeLUCA, DeWEESE, FLICK, FRANKEL,
GEIST, GEORGE, HARRIS, HERMAN, JAMES, M. KELLER, W. KELLER,
KIRKLAND, LEDERER, MANN, MARKOSEK, McGEEHAN, PETRONE,
PHILLIPS, PRESTON, READSHAW, RUBLEY, SAINATO, SHANER,
SOLOBAY, THOMAS, TIGUE, WATSON, WILT, YOUNGBLOOD, CAPPELLI,
GOODMAN, SATHER, WALKO, ZUG, O'NEILL, REICHLEY, CRAHALLA,
HARHAI, BROWNE, BOYD, GERGELY, CURRY, PALLONE, MANDERINO,
YUDICHAK, SHAPIRO, BIANCUCCI, WANSACZ AND MELIO,
FEBRUARY 1, 2005

AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES,
MARCH 16, 2005

AN ACT

1 Establishing the Municipal Firefighter Education and Training
2 Program.

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

5 SECTION 1. SHORT TITLE.

<—

6 THIS ACT SHALL BE KNOWN AND MAY BE CITED AS THE MUNICIPAL
7 FIREFIGHTER EDUCATION AND TRAINING ACT.

8 SECTION 2. DEFINITIONS.

9 THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS ACT SHALL
10 HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE
11 CONTEXT CLEARLY INDICATES OTHERWISE:

12 "COMMISSIONER." THE STATE FIRE COMMISSIONER APPOINTED UNDER
13 THE ACT OF NOVEMBER 13, 1995 (P.L.604, NO.61), KNOWN AS THE

1 STATE FIRE COMMISSIONER ACT.

2 "MUNICIPAL FIREFIGHTER." ANY FULL-TIME EMPLOYEE OF A CITY,
3 BOROUGH, TOWN OR TOWNSHIP FIRE DEPARTMENT ASSIGNED TO
4 FIREFIGHTING DUTIES.

5 "SCHOOL." A TRAINING SCHOOL OR ACADEMY THAT OFFERS STATE
6 FIRE ACADEMY CERTIFIED COURSES.

7 Section ~~1~~ 3. Municipal Firefighter Education and Training <—
8 Program.

9 The Office of the State Fire Commissioner shall establish a
10 Municipal Firefighter Education and Training Program in
11 accordance with the provisions of this act. The administration
12 of this program shall be the responsibility of the Office of the
13 State Fire Commissioner. The commissioner, in consultation with
14 the Fire Safety Advisory Committee established under the act of
15 November 13, 1995 (P.L.604, No.61), known as the State Fire
16 Commissioner Act, shall develop basic course criteria and
17 guidelines for the program. The parameters developed by the
18 commissioner shall be consistent with established standards.

19 ~~Section 2. Definitions.~~ <—

20 ~~The following words and phrases when used in this act shall~~
21 ~~have the meanings given to them in this section unless the~~
22 ~~context clearly indicates otherwise:~~

23 ~~"Commissioner." The State Fire Commissioner appointed under~~
24 ~~the act of November 13, 1995 (P.L.604, No.61), known as the~~
25 ~~State Fire Commissioner Act.~~

26 ~~"Municipal firefighter." Any full time employee of a city,~~
27 ~~borough, town or township fire department assigned to~~
28 ~~firefighting duties.~~

29 ~~"School." A training school or academy that offers State~~
30 ~~Fire Academy certified courses.~~

1 Section 3 4. Municipal firefighter training mandatory; <—
2 penalties.

3 ~~(a) Training. All political subdivisions of the~~ <—

4 ~~Commonwealth or groups of political subdivisions acting in (A)~~ <—

5 TRAINING.--ALL MUNICIPALITIES OR GROUPS OF MUNICIPALITIES ACTING

6 IN concert shall be required to train all members of their fire

7 departments hired by them after the effective date of this

8 section, pursuant to this act. Any person hired as a municipal

9 firefighter by any ~~political subdivision or group of political~~ <—

10 ~~subdivisions~~ MUNICIPALITY OR GROUP OF MUNICIPALITIES acting in <—

11 concert after the effective date of this section shall be at the

12 end of one year from the date of his employment ineligible to

13 receive salary, compensation or other consideration or thing of

14 value for the performance of his duties as a firefighter unless

15 he has met all of the requirements as established by the Office

16 of the State Fire Commissioner and has been duly certified as

17 having met those requirements by the commissioner, unless the

18 firefighter is granted additional time to complete his training

19 by the commissioner. However, any person hired as a municipal

20 firefighter will be given a grace period of two years from the

21 effective date of this section before he becomes ineligible to

22 receive salary, compensation or other consideration or things of

23 value.

24 (b) Penalty.--Any official of ~~any political subdivision A~~ <—

25 MUNICIPALITY who orders, authorizes or pays a salary to a person

26 in violation of the provisions of this act commits a summary

27 offense and upon conviction shall be sentenced to pay a fine of

28 \$100 or be imprisoned for a term of not more than 30 days.

29 Section 4 5. Reimbursement of expenses. <—

30 (a) Allowable expenses.--The Office of the State Fire

1 Commissioner shall provide for reimbursement to each ~~political~~ <—
2 ~~subdivision~~ MUNICIPALITY 100% of the allowable tuition and the <—
3 ordinary and necessary living and travel expenses incurred by
4 their firefighters while attending certified municipal
5 firefighter basic training schools, provided the ~~political~~ <—
6 ~~subdivision~~ MUNICIPALITY adheres to the training standards, <—
7 employment longevity provisions and program guidelines
8 established by the Office of the State Fire Commissioner. The
9 regular salary of firefighters while attending schools approved
10 under this act shall be paid by the employing ~~political~~ <—
11 ~~subdivision~~ MUNICIPALITY. Eighty percent of the regular salaries <—
12 of firefighters while attending schools approved under this act
13 shall be reimbursed by the commissioner to the employing
14 ~~political subdivision~~ MUNICIPALITY. <—

15 (b) Grants.--The commissioner shall provide grants as a
16 reimbursement for actual expenses incurred by ~~political~~ <—
17 ~~subdivisions~~ MUNICIPALITIES for municipal firefighters who have <—
18 successfully completed the required basic course of instruction
19 established by the Office of the State Fire Commissioner.

20 ~~(c) Application. All political subdivisions of the~~ <—
21 ~~Commonwealth or groups of political subdivisions acting in~~ (C) <—
22 APPLICATION.--ALL MUNICIPALITIES AND GROUPS OF MUNICIPALITIES
23 ACTING IN concert may make application to the commissioner for
24 funding pursuant to this act. The application shall be
25 accompanied by a certified copy of a resolution or resolutions
26 adopted by its governing body or bodies providing that, while
27 receiving any State funds under this act, the ~~political~~ <—
28 ~~subdivision of the Commonwealth or group of political~~
29 ~~subdivisions~~ MUNICIPALITY OR GROUP OF MUNICIPALITIES acting in <—
30 concert will adhere to the standards for training established by

1 the commissioner. The application shall contain such information
2 as the commissioner may request.

3 (d) Limitation.--Grants may be awarded on a pro rata basis
4 if the total dollar amount of approved applications exceeds the
5 amount of funds allocated for this program.

6 Section ~~5~~ 6. Applicability to civil service laws. <—

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

10 Section ~~6~~ 7. Funding. <—

11 The General Assembly shall annually appropriate such moneys
12 as necessary to the Office of the State Fire Commissioner.

13 Section ~~7~~ 8. Effective date. <—

14 This act shall take effect in 30 days.