

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 161 Session of  
2005

INTRODUCED BY BOSCOLA, STACK, O'PAKE, KASUNIC, COSTA, MUSTO,  
PIPPY, ORIE, LOGAN, RAFFERTY, WAUGH, KITCHEN, ERICKSON,  
WONDERLING, LAVALLE AND C. WILLIAMS, FEBRUARY 7, 2005

REFERRED TO VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS,  
FEBRUARY 7, 2005

AN ACT

1 Establishing the Municipal Firefighter Education and Training  
2 Program; providing for the powers and duties of the State  
3 Fire Commissioner; and prescribing penalties.

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

6 Section 1. Short title.

7 This act shall be known and may be cited as the Municipal  
8 Firefighter Education and Training Program Act.

9 Section 2. Definitions.

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

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

16 "Municipal firefighter." A full-time employee of a city,  
17 borough, town or township fire department assigned to

1 firefighting duties.

2 "School." A training school or academy that offers State  
3 Fire Academy certified courses.

4 Section 3. Municipal Firefighter Education and Training  
5 Program.

6 The Office of the State Fire Commissioner shall establish a  
7 Municipal Firefighter Education and Training Program in  
8 accordance with the provisions of this act. The administration  
9 of this program shall be the responsibility of the Office of the  
10 State Fire Commissioner. The commissioner, in consultation with  
11 the Fire Safety Advisory Committee established under the act of  
12 November 13, 1995 (P.L.604, No.61), known as the State Fire  
13 Commissioner Act, shall develop basic course criteria and  
14 guidelines for the program. The parameters developed by the  
15 commissioner shall be consistent with established standards.  
16 Section 4. Municipal firefighter training mandatory; penalties.

17 (a) Training.--

18 (1) A political subdivision of the Commonwealth or a  
19 group of political subdivisions acting in concert shall train  
20 all members of its fire department hired by it after the  
21 effective date of this section, pursuant to this act.

22 (2) Any person hired as a municipal firefighter by a  
23 political subdivision or group of political subdivisions  
24 acting in concert after the effective date of this section  
25 shall be, at the end of one year from the date of the  
26 person's employment, ineligible to receive salary,  
27 compensation or other consideration or thing of value for the  
28 performance of the person's duties as a municipal firefighter  
29 unless:

30 (i) The person has met all of the requirements as

1 established by the Office of the State Fire Commissioner.

2 (ii) The person has been duly certified as having  
3 met those requirements by the commissioner.

4 (3) Paragraph (2) shall not apply if the municipal  
5 firefighter is granted additional time to complete the  
6 training by the commissioner.

7 (4) Any person hired as a municipal firefighter shall be  
8 given a grace period of two years from the effective date of  
9 this section before the person becomes ineligible to receive  
10 salary, compensation or other consideration of things of  
11 value.

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

17 Section 5. Reimbursement of expenses.

18 (a) Allowable expenses.--

19 (1) The Office of the State Fire Commissioner shall  
20 provide for reimbursement to each political subdivision 100%  
21 of the allowable tuition and the ordinary and necessary  
22 living and travel expenses incurred by their firefighters  
23 while attending certified municipal firefighter basic  
24 training schools, provided the political subdivision adheres  
25 to the training standards, employment longevity provisions  
26 and program guidelines established by the Office of the State  
27 Fire Commissioner.

28 (2) The regular salary of firefighters while attending  
29 schools approved under this act shall be paid by the  
30 employing political subdivision.

1           (3) Eighty percent of the regular salaries of  
2       firefighters while attending schools approved under this act  
3       shall be reimbursed by the commissioner to the employing  
4       political subdivision.

5       (b) Grants.--The commissioner shall provide grants as a  
6       reimbursement for actual expenses incurred by political  
7       subdivisions for municipal firefighters who have successfully  
8       completed the required basic course of instruction established  
9       by the Office of the State Fire Commissioner.

10      (c) Application.--A political subdivision of the  
11     Commonwealth or a group of political subdivisions acting in  
12     concert may make application to the commissioner for funding  
13     pursuant to this act. The application must be accompanied by a  
14     certified copy of a resolution or resolutions adopted by its  
15     governing body or bodies providing that, while receiving any  
16     State funds under this act, the political subdivision or group  
17     of political subdivisions acting in concert will adhere to the  
18     standards for training established by the commissioner. The  
19     application shall contain such information as the commissioner  
20     may request.

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

24     Section 6. Applicability to civil service laws.

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

28     Section 7. Effective date.

29       This act shall take effect in 30 days.