

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 LAW AND JUSTICE, HOUSE OF
REPRESENTATIVES, AS AMENDED, JUNE 12, 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.

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

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

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

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

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

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

(4) To establish the minimum qualifications for instructors.

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

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

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

(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~~ <—
27 PROVIDING of training programs to policemen from other <—
28 jurisdictions within the Commonwealth, in accordance with this
29 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 ~~made~~ APPROPRIATED to the commission through a
16 separate line item in the budget of the State Police. <—

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