

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1773 Session of
1990

INTRODUCED BY PUNT, LaVALLE, BELAN, HOLL, FISHER, HOPPER,
REIBMAN, MELLOW, MUSTO, SHUMAKER, O'PAKE, CORMAN,
PORTERFIELD, WENGER, SALVATORE, ROCKS AND SHAFFER,
SEPTEMBER 24, 1990

SENATOR TILGHMAN, APPROPRIATIONS, RE-REPORTED AS AMENDED,
OCTOBER 2, 1990

AN ACT

1 Providing for a flag for firefighters who have died in the line
2 of duty; providing for responsibility of the Pennsylvania
3 State Fire Commissioner; and making an appropriation from
4 contributions.

5 THE GENERAL ASSEMBLY HEREBY ENACTS ON BEHALF OF ALL <—
6 COMMONWEALTH CITIZENS THIS LEGISLATION TO HONOR FIREFIGHTERS WHO
7 HAVE DIED IN THE LINE OF DUTY. THE PROVISION OF THIS FLAG IS A
8 SMALL BUT IMPORTANT ACT BY COMMONWEALTH GOVERNMENT TO SIGNIFY
9 ITS THANKS AND RECOGNITION FOR THE SACRIFICE OF A LIFE IN
10 SERVICE TO THE CITIZENS OF THIS COMMONWEALTH.

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

13 Section 1. Firefighters memorial flag.

14 (a) Establishment.--There is hereby established a
15 Firefighters' Memorial Flag for this Commonwealth.

16 (b) Description.--The flag established in subsection (a)
17 shall be a field of blue with a gold keystone in the center

1 which surrounds a Maltese cross, and at the bottom of the blue
2 field, in gold capital letters, there is shown the phrase, "Lest
3 We Forget."

4 Section 2. Use of flag.

5 The Firefighters' Memorial Flag may be displayed over
6 firefighters' memorials, firefighter funeral processions and
7 from the poles of any public ground or political subdivision for
8 a period of not more than seven days after the death of a
9 firefighter, and as further directed by the Pennsylvania State
10 Fire Commissioner.

11 Section 3. Agency responsibility.

12 ~~The office of the Pennsylvania State Fire Commissioner shall~~ <—
13 ~~keep the official flag and have the responsibility to implement~~
14 ~~the provisions of this act, overseeing the production and~~
15 ~~acquisition of the flag and, in compliance with the act of June~~
16 ~~25, 1982 (P.L.633, No.181), known as the Regulatory Review Act,~~
17 ~~shall develop and promulgate rules and regulations for~~
18 ~~distribution of the flag.~~

19 THE PENNSYLVANIA EMERGENCY MANAGEMENT AGENCY, THROUGH THE <—
20 OFFICE OF THE PENNSYLVANIA STATE FIRE COMMISSIONER, SHALL
21 MAINTAIN THE OFFICIAL FLAG AND HAVE THE RESPONSIBILITY TO
22 IMPLEMENT THE PROVISIONS OF THIS ACT AND OVERSEE THE PRODUCTION,
23 ACQUISITION AND DISTRIBUTION OF THE FLAG.

24 Section 4. Limitation.

25 Authorized utilization of the Firefighters' Memorial Flag by
26 the Commonwealth or an entity thereof shall not constitute a
27 presumption of eligibility nor be permissible as substantiating
28 evidence for claims filed under the act of June 24, 1976
29 (P.L.424, No.101), referred to as the Emergency and Law
30 Enforcement Personnel Death Benefits Act.

1 Section 5. Appropriation.

2 ~~The moneys necessary for the production, acquisition and~~ <—
3 ~~distribution of the Firefighters' Memorial Flag shall be paid~~
4 ~~from funds of agencies or organizations who may use the flag to~~
5 ~~memorialize firefighters in this Commonwealth and who elect to~~
6 ~~contribute such funds to a segregated account maintained by the~~
7 ~~State Fire Commissioner.~~

8 THE MONEYS NECESSARY FOR THE PRODUCTION, ACQUISITION AND <—
9 DISTRIBUTION OF THE FIREFIGHTERS' MEMORIAL FLAG IN THE FIRST
10 YEAR SHALL BE PAID FROM THE INITIAL LINE ITEM APPROPRIATION OF
11 \$10,000 IN THE PENNSYLVANIA EMERGENCY MANAGEMENT AGENCY'S BUDGET
12 APPROPRIATION WITH SUBSEQUENT APPROPRIATIONS PERIODICALLY
13 REQUESTED AS ADDITIONAL FUNDS ARE REQUIRED FOR THIS STATED
14 PURPOSE TO SUPPORT MEMORIALIZING FIREFIGHTERS IN THIS
15 COMMONWEALTH. SUCH FUNDS ARE TO BE ALLOCATED TO A SEGREGATED
16 ACCOUNT MAINTAINED BY THE STATE FIRE COMMISSIONER.

17 Section 6. Effective date.

18 This act shall take effect in 60 days.