

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 767 Session of
2003

INTRODUCED BY J. TAYLOR, BARD, BARRAR, BEBKO-JONES, BELARDI, BELFANTI, BUXTON, CAPPELLI, CIVERA, COY, CRAHALLA, CREIGHTON, CRUZ, CURRY, DAILEY, DIVEN, EACHUS, FLEAGLE, FLICK, GEIST, GEORGE, HARHAI, HENNESSEY, HERMAN, HORSEY, JAMES, KELLER, KIRKLAND, LAUGHLIN, LEDERER, MACKERETH, MANDERINO, MANN, MARKOSEK, MCGEEHAN, MELIO, PETRONE, PRESTON, READSHAW, REICHLEY, RUBLEY, SAINATO, SCHRODER, SCRIMENTI, SHANER, SOLOBAY, STURLA, THOMAS, TIGUE, WALKO, WASHINGTON, WATSON, WILT, YOUNGBLOOD, YUDICHAK AND ZUG, MARCH 6, 2003

REFERRED TO COMMITTEE ON VETERANS AFFAIRS AND EMERGENCY
PREPAREDNESS, MARCH 6, 2003

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. Municipal Firefighter Education and Training
6 Program.

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

1 guidelines for the program. The parameters developed by the
2 commissioner shall be consistent with established standards.

3 Section 2. Definitions.

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

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

10 "Municipal firefighter." Any full-time employee of a city,
11 borough, town or township fire department assigned to
12 firefighting duties.

13 "School." A training school or academy that offers State
14 Fire Academy certified courses.

15 Section 3. Municipal firefighter training mandatory; penalties.

16 (a) Training.--All political subdivisions of the
17 Commonwealth or groups of political subdivisions acting in
18 concert shall be required to train all members of their fire
19 departments hired by them after the effective date of this
20 section, pursuant to this act. Any person hired as a municipal
21 firefighter by any political subdivision or group of political
22 subdivisions acting in concert after the effective date of this
23 section shall be at the end of one year from the date of his
24 employment ineligible to receive salary, compensation or other
25 consideration or thing of value for the performance of his
26 duties as a firefighter unless he has met all of the
27 requirements as established by the Office of the State Fire
28 Commissioner and has been duly certified as having met those
29 requirements by the commissioner, unless the firefighter is
30 granted additional time to complete his training by the

1 commissioner. However, any person hired as a municipal
2 firefighter will be given a grace period of two years from the
3 effective date of this section before he becomes ineligible to
4 receive salary, compensation or other consideration of things of
5 value.

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

11 Section 4. Reimbursement of expenses.

12 (a) Allowable expenses.--The Office of the State Fire
13 Commissioner shall provide for reimbursement to each political
14 subdivision 100% of the allowable tuition and the ordinary and
15 necessary living and travel expenses incurred by their
16 firefighters while attending certified municipal firefighter
17 basic training schools, provided the political subdivision
18 adheres to the training standards, employment longevity
19 provisions and program guidelines established by the Office of
20 the State Fire Commissioner. The regular salary of firefighters
21 while attending schools approved under this act shall be paid by
22 the employing political subdivision. Eighty percent of the
23 regular salaries of firefighters while attending schools
24 approved under this act shall be reimbursed by the commissioner
25 to the employing political subdivision.

26 (b) Grants.--The commissioner shall provide grants as a
27 reimbursement for actual expenses incurred by political
28 subdivisions for municipal firefighters who have successfully
29 completed the required basic course of instruction established
30 by the Office of the State Fire Commissioner.

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

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

15 Section 5. Applicability to civil service laws.

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

19 Section 6. Funding.

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

22 Section 7. Effective date.

23 This act shall take effect in 30 days.