
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 798 Session of
2009

INTRODUCED BY BOSCOLA, LOGAN, TARTAGLIONE, FONTANA, ERICKSON,
ORIE, RAFFERTY, KASUNIC, MUSTO, WASHINGTON, ALLOWAY, HUGHES
AND FARNESE, APRIL 23, 2009

REFERRED TO VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, APRIL
23, 2009

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

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.