
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 987 Session of
2020

INTRODUCED BY HUTCHINSON, BROWNE, K. WARD, MARTIN, MASTRIANO,
MENSCH, PHILLIPS-HILL, REGAN, J. WARD AND BLAKE,
JANUARY 15, 2020

REFERRED TO VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS,
JANUARY 15, 2020

AN ACT

1 Amending Title 35 (Health and Safety) of the Pennsylvania
2 Consolidated Statutes, in Commonwealth services, further
3 providing for definitions and for State Fire Commissioner,
4 providing for curriculum and training, further providing for
5 Pennsylvania State Fire Academy and for Fire Safety Advisory
6 Committee.

7 The General Assembly of the Commonwealth of Pennsylvania
8 hereby enacts as follows:

9 Section 1. Sections 7382 and 7383 of Title 35 of the
10 Pennsylvania Consolidated Statutes are amended to read:

11 § 7382. Definitions.

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

15 "Agency." The Pennsylvania Emergency Management Agency.

16 "Board." The State Fire Advisory Board.

17 "Commissioner." The State Fire Commissioner.

18 ["Committee." The Fire Safety Advisory Committee.]

19 § 7383. State Fire Commissioner.

1 (a) State Fire Commissioner.--There shall be a State Fire
2 Commissioner, who[, through the Lieutenant Governor,] shall
3 report to the Governor on all matters concerning fire [safety]
4 services in this Commonwealth. The Office of the State Fire
5 Commissioner shall be within the agency for administrative
6 purposes only, and the commissioner shall not report to the
7 director of the agency. The commissioner shall have the power
8 and duty to:

9 [(1) Coordinate the activities of State and local
10 community interests engaged in fire prevention and control
11 activities.]

12 [(2) Serve as a focal point for information relative to
13 fires, property damage, injuries and the loss of life.]

14 [(3) Disseminate, through periodic reports, information
15 about fire prevention efforts and fire control techniques.]

16 [(4) Develop and participate in a program of public
17 information and education designed to create a public
18 awareness of the incidence and the ravages of fire and
19 methods the individual can take to prevent fires and minimize
20 loss when they occur.]

21 [(5) Serve as a central point to support local efforts
22 and interests in all matters pertinent to fire prevention and
23 control.]

24 (b) Transfer.--The commissioner shall use, employ and
25 expend, in connection with the functions, powers and duties
26 enumerated in subsection (a) for the position of the
27 commissioner, contract obligations, if any, records, files,
28 property, supplies and equipment now being used or held in
29 connection with such functions, powers and duties and the
30 unexpended balance of appropriations, allocations, Federal

1 grants and other funds available or to be made available for use
2 in connection with such functions, powers and duties as
3 previously were vested in the agency by Reorganization Plan No.5
4 of 1981 (P.L.612).]

5 (1) Serve as the primary representative for fire
6 services in this Commonwealth. The commissioner shall work
7 with Federal agencies to ensure coordination at the State and
8 local levels.

9 (2) Chair the State Fire Advisory Board.

10 (3) Develop curriculum and provide and assist in the
11 coordination of fire, rescue and emergency services training,
12 including online training and issue certifications.

13 (4) Administer the State Fire Academy.

14 (5) Collect data, provide analysis and periodic reports
15 and serve as a focal point for information relative to fires,
16 property damage, injuries to the public and firefighters and
17 the loss of life.

18 (6) Conduct after-action reports on significant
19 incidents that involve firefighter deaths and significant
20 injuries.

21 (7) Administer grant and loan programs for fire,
22 ambulance and rescue organizations in accordance with this
23 title or as otherwise provided by law, including assistance
24 for firefighter relief associations, the Volunteer Loan
25 Assistance Program, fire and emergency medical services loan
26 assistance, fire and emergency medical services grants and
27 money received by the Office of State Fire Commissioner from
28 the Unconventional Gas Well Fund.

29 (8) Assist with Statewide recruitment and retention
30 efforts.

1 (9) Hire regional technical advisors to assist fire
2 companies with grant and loan assistance, mergers,
3 consolidation and regionalization and promote best practices
4 for systems improvements.

5 (10) Promote public education and community risk
6 reduction efforts.

7 (11) Administer a fire equipment distributor
8 certification program as provided by law.

9 (c) Qualifications and appointment.--The commissioner shall
10 be a person who, by reason of training, experience and
11 attainment, is qualified to coordinate [fire prevention and
12 control activities. The commissioner shall be appointed by the
13 Governor after consultation with the fire service community. The
14 commissioner shall act as the Commonwealth's primary
15 representative with the Statewide fire service community.]
16 services. The commissioner shall have served as a chief officer
17 or administrative officer in a career, combination or volunteer
18 fire company. The commissioner shall be appointed by the
19 Governor subject to the consent of a majority of the members
20 elected to the Senate.

21 Section 2. Title 35 is amended by adding a section to read:
22 § 7383.1. Curriculum and training.

23 (a) Duty to establish guidelines.--The commissioner shall
24 establish guidelines for the development, delivery and
25 maintenance of a system of fire and emergency services training.

26 (b) Training.--Training shall be lecture-based, hands on or
27 online. Training may be conducted at the Pennsylvania State Fire
28 Academy, a county training center, a community college, a local
29 fire station or other appropriate area. The training shall be
30 incorporated into the Train PA system or any other system

1 approved by the commissioner.

2 (c) Certificate of completion.--The commissioner shall
3 provide a certificate of completion to an individual who
4 successfully completes a fire or emergency services training
5 program.

6 (d) Publication.--The commissioner shall post a complete
7 listing of the available fire and emergency services training
8 courses on the office's publicly accessible Internet website.

9 Section 3. Sections 7384(a), (b) and (d) and 7386 of Title
10 35 are amended to read:

11 § 7384. Pennsylvania State Fire Academy.

12 (a) Creation.--There is created the Pennsylvania State Fire
13 Academy, which shall be under the operational control of the
14 commissioner. The commissioner shall administratively provide
15 for the erection or construction, the furnishing, the staffing
16 and the equipping of buildings and structures through the
17 Department of General Services and for the leasing thereof by
18 the Commonwealth for the use and support of the Pennsylvania
19 State Fire Academy. [The Pennsylvania State Firemen's Training
20 School and the powers and duties of the Department of Education
21 and the Public Service Institute Board pertaining to the
22 Pennsylvania State Firemen's Training School, which were
23 transferred to the agency under Reorganization Plan No.6 of 1981
24 (P.L.613) and which are set forth in Subchapter D (relating to
25 State Firemen's Training School), are hereby transferred to and
26 vested in the commissioner.

27 (b) Transfer.--There are transferred to the commissioner, to
28 be used, employed and expended in connection with the functions,
29 powers and duties enumerated in subsection (a), personnel,
30 contract obligations, if any, records, files, property, supplies

1 and equipment now being used or held in connection with such
2 functions, powers and duties and the unexpended balance of
3 appropriations, allocations, Federal grants and other funds
4 available or to be made available for use in connection with
5 such functions, powers and duties as previously were vested in
6 the Department of Education and the Public Service Institute
7 Board under Subchapter D, and transferred to the agency by
8 Reorganization Plan No.6 of 1981 (P.L.613).]

9 * * *

10 (d) Firefighter training and certification.--A Statewide
11 firefighter training program shall be implemented by the
12 commissioner. [to educate the fire service community about the
13 importance of firefighter health and safety. This program shall
14 include measures designed to increase the mobility of training
15 courses throughout this Commonwealth, to enhance firefighter
16 accessibility to training course offerings and to improve and
17 expand training for and response capability to emergencies with
18 emphasis on hazardous materials incidents.] The program shall
19 also include [implementation of] a firefighter certification
20 program in accordance with [parameters developed by the
21 commissioner consistent with] established standards. The
22 acquisition of physical resources to enhance Statewide
23 capability shall be coordinated by the commissioner.

24 * * *

25 § 7386. State Fire [Safety] Advisory [Committee] Board.

26 (a) Creation.--

27 (1) There is created the State Fire [Safety] Advisory
28 [Committee] Board to assist the commissioner. The [committee]
29 board shall consist of [nine] the following members[, as
30 follows:

1 (i) The director of the agency, ex officio.

2 (ii) The commissioner, who shall serve as chairman.

3 (iii) Two paid firefighters to be appointed by the
4 Governor from a list of at least six nominees submitted
5 by the Pennsylvania Professional Firefighters
6 Association.

7 (iv) One member of the public to be appointed by the
8 Governor.

9 (v) Four volunteer firefighters, one each to be
10 appointed by the President pro tempore of the Senate, the
11 Minority Leader of the Senate, the Speaker of the House
12 of Representatives and the Minority Leader of the House
13 of Representatives.]

14 (i) The commissioner, who shall serve as
15 chairperson.

16 (ii) The President of the Pennsylvania Professional
17 Firefighters Association or a designee.

18 (iii) The President of the Pennsylvania Career Fire
19 Chiefs Association or a designee.

20 (iv) The President of the Pennsylvania Fire and
21 Emergency Services Institute or a designee.

22 (v) Nine firefighters appointed by the Governor, one
23 of whom shall be a certified fire service instructor.
24 Each of the nine members shall be a current member of a
25 fire company, serve or have served as either a chief
26 officer or administrative officer of a fire company
27 within the past five years and must be certified as
28 Firefighter I or its equivalent. One member shall be
29 selected from each of the following regions:

30 (A) Region 1 - Crawford, Erie, Forest, Venango

1 and Warren Counties.

2 (B) Region 2 - Allegheny, Armstrong, Beaver,
3 Butler, Cambria, Fayette, Greene, Indiana, Lawrence,
4 Mercer, Somerset, Washington and Westmoreland
5 Counties.

6 (C) Region 3 - Cameron, Clarion, Clearfield,
7 Elk, Jefferson and McKean Counties.

8 (D) Region 4 - Bedford, Blair, Centre, Fulton,
9 Huntingdon, Juniata, Mifflin and Snyder Counties.

10 (E) Region 5 - Bradford, Clinton, Lycoming,
11 Potter, Sullivan, Tioga and Union Counties.

12 (F) Region 6 - Adams, Cumberland, Dauphin,
13 Franklin, Lancaster, Lebanon, Perry and York
14 Counties.

15 (G) Region 7 - Berks, Columbia, Luzerne,
16 Montour, Northumberland, Schuylkill and Wyoming
17 Counties.

18 (H) Region 8 - Carbon, Lackawanna, Lehigh,
19 Monroe, Northampton, Pike, Susquehanna and Wayne
20 Counties.

21 (I) Region 9 - Bucks, Chester, Delaware,
22 Montgomery and Philadelphia Counties.

23 (2) Members of the [committee] board shall serve at the
24 pleasure of their appointing authority. [The committee shall
25 advise the commissioner on matters pertaining to the
26 operation of the Pennsylvania State Fire Academy and any
27 other matters as the commissioner may request.]

28 (3) The chairperson and the minority chairperson of the
29 Veterans Affairs and Emergency Preparedness Committee of the
30 Senate and the chairperson and the minority chairperson of

1 the Veterans Affairs and Emergency Preparedness Committee of
2 the House of Representatives, or their designees, shall serve
3 as nonvoting members of the board.

4 (4) The Governor may appoint the following as nonvoting
5 members of the board:

6 (i) The director of the agency.

7 (ii) The Director of the Bureau of Emergency Medical
8 Services of the Department of Health.

9 (iii) Representatives of the following:

10 (A) Pennsylvania Association of Hazardous
11 Materials Technicians.

12 (B) The Pennsylvania Association of Fire
13 Equipment Distributors.

14 (C) The County Commissioners Association of
15 Pennsylvania.

16 (D) The Pennsylvania Municipal League.

17 (E) The Pennsylvania State Association of
18 Township Commissioners.

19 (F) The Pennsylvania State Association of
20 Township Supervisors.

21 (G) The Pennsylvania State Association of
22 Boroughs.

23 (H) The Pennsylvania Association of Councils of
24 Governments.

25 (I) Trade associations.

26 (J) Fire equipment and apparatus vendors.

27 (K) Members of the public.

28 (5) Members of the board initially appointed by the
29 Governor under paragraph (1)(v) shall serve an initial term
30 of two years as designated by the Governor at the time of

1 appointment. Upon the expiration of the initial term of
2 office of each member of the board as appointed under
3 paragraph (1)(v), the member shall hold office for a term of
4 four years and may continue to hold office for a period of
5 time not to exceed six months or until a successor is
6 appointed and qualified, whichever occurs first. Upon the
7 death, resignation or removal from office of any person so
8 appointed, the Governor shall appoint a competent person to
9 serve for the unexpired term.

10 (b) Expenses.--Members of the [committee] board shall
11 receive reimbursement for reasonable travel[, hotel] and other
12 necessary expenses incurred in the performance of their duties
13 in accordance with Commonwealth regulations.

14 (c) Meetings.--The board shall meet at least quarterly or at
15 such times and places as called upon by the commissioner. All
16 meetings of the board shall comply with 65 Pa.C.S. Ch. 7
17 (relating to open meetings).

18 (d) Duties.--The board shall advise the commissioner on
19 matters pertaining to the following:

- 20 (1) Legislation.
- 21 (2) Innovative programming.
- 22 (3) Standards of cover for municipalities.
- 23 (4) Operation of the Pennsylvania State Fire Academy.
- 24 (5) Any other matters as the commissioner may request or
25 as directed by the General Assembly.

26 Section 4. This act shall take effect in 60 days.