

No. 1980-44

AN ACT

SB 618

Reenacting and amending the act of December 10, 1974 (P.L.802, No.264), entitled "An act prohibiting the disbanding of a paid fire force in favor of having such services performed by volunteers," further providing for disbanding of paid fire forces and establishing a method of operation for the referendum.

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

Section 1. The title, act of December 10, 1974 (P.L.802, No.264), entitled "An act prohibiting the disbanding of the paid fire force in favor of having such services performed by volunteers," is amended to read:

AN ACT

Prohibiting the disbanding of a paid fire force in favor of having such services performed by volunteers; *and providing for the conduct of a referendum.*

Section 2. Section 1 of the act is reenacted to read:

Section 1. No county, city, borough, town or township which has paid employes on its fire force, including but not limited to fire apparatus operators, except by referendum, shall disband such fire force in favor of having such services performed by volunteers.

Section 3. The act is amended by adding a section to read:

Section 1.1. (a) Whenever authorized by ordinance of the governing body, or upon petition of the registered voters of any municipality to the county board of electors of the county wherein the municipality is located, an election shall be held in the municipality upon the following question:

Shall the (county, city, borough, town or township) of _____ disband the paid fire force in favor of having fire protection services performed by volunteers?

The petition calling for such election shall be in the form required by subsection (b), hereof, and shall be signed by electors of the municipality comprising twenty per cent of the number of electors registered to vote in the municipality.

Within five days after the final enactment of an ordinance authorizing such election, the municipal clerk or secretary shall file a certified copy of the ordinance with the county board of elections, together with a copy of the question to be submitted to the electors. At the next municipal or general or primary election occurring not less than the thirteenth Tuesday after the filing of the ordinance or the petition with the county election board, it shall cause the appropriate

question above stated to be submitted to the electors of the municipality as other questions are submitted under the provisions of the act of June 3, 1937 (P.L.1333, No.320), known as the "Pennsylvania Election Code."

(b) A referendum petition under this section shall be filed not later than the thirteenth Tuesday prior to the election, and the petition and the proceedings therein shall be in the manner and subject to the provisions of the election laws which relate to the signing, filing and adjudication of nomination petitions insofar as such provisions are applicable, except that no petition shall be signed or circulated prior to the twentieth Tuesday before the election nor later than the thirteenth Tuesday before the election.

(c) A city of the third class may conduct a referendum under the provisions of this section or, at the option of city council, under the provisions of Article X of the act of June 23, 1931 (P.L.932, No.317), known as "The Third Class City Code."

Section 4. Section 2 of the act is reenacted to read:

Section 2. This act shall take effect immediately.

Section 5. This act shall take effect immediately.

APPROVED—The 9th day of May, A. D. 1980.

DICK THORNBURGH