

MAINE STATE LEGISLATURE

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September 2, 1942

John S. S. Fessenden, Deputy Attorney General

C. H. Arber, Civilian Defense Corps

In reply to your memorandum of August 29, 1942, relative to the status of firemen under existing laws, ordinances, regulations or Executive Orders of the State, you are advised that under the provisions of Section 2 of Chapter 55 of the Revised Statutes of Maine, the State, Counties, water districts and all other quasi-municipal corporations of a similar nature, cities and also such towns as vote to accept the provisions of the Act, are employers subject to the provisions of the Act. This means then, that a fireman employed by any city or by any town which had voted to accept the provisions of the Act would be protected in case of injury and receive benefits in accordance with the regular provisions of the Workman's Compensation Law.

This law would probably provide very little protection for a volunteer fireman who is not on a paid basis since the benefit provisions of the law are geared to the employee's wage at the time he is injured.

There is no State law applying specifically to the status of a fireman since the status of firemen and of fire departments is purely a local matter. We therefore cannot give you any compilation of ordinances or regulations applying to fire departments and firemen since such ordinances or regulations do not emanate from the State government but almost exclusively from the respective town and city governments.

You would, of course, be familiar with any Executive Orders or directives applying to firemen or fire departments since any such orders or directives would be initiated by the Office of Civilian Defense in the first instance.

For the information that you need, I would suggest that you try the Maine Municipal Association which is located in the City Hall, Hallowell. In seeking information from this organization I would suggest that you be a little clearer in stating your problem. I have assumed that the problem you are interested in is reparation for injuries when a fireman is hurt in the performance of his duties. However, your inquiry is not clear in this respect and while you, yourself, may be entirely clear as to your problem, it may not mean anything to the Maine Municipal Association without more elaboration.