

MAINE STATE LEGISLATURE

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ONE HUNDRED AND SECOND LEGISLATURE

Legislative Document

No. 715

H. P. 541

House of Representatives, January 27, 1965

Referred to Committee on State Government. Sent up for concurrence and ordered printed.

JEROME G. PLANTE, Clerk

Presented by Mrs. Carswell of Portland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-FIVE

AN ACT to Establish a Fund for Fire Fighters.

Be it enacted by the People of the State of Maine, as follows:

R. S., T. 25, c. 323, additional. Title 25 of the Revised Statutes is amended by adding a new chapter 323 to read as follows:

‘CHAPTER 323

FUND FOR FIRE FIGHTERS

Sec. 2561. Fund established. A fund shall be established to provide for payments to fire fighters injured in the line of duty and dependents of deceased fire fighters who died in the line of duty or from injuries incurred in the line of duty, in accordance with this chapter.

Sec. 2562. Payments to fund. Every company writing or underwriting fire insurance on property located in the State of Maine shall pay into the fund $\frac{1}{8}$ of 1% of each dollar of premium on fire insurance written, undertaken or in effect on and after July 1, 1965, less the amount of all direct return premiums thereon and all dividends paid to policyholders on direct fire premiums during the year.

Sec. 2563. Administration.

1. Board. The general administration and responsibility for the proper operation of the fund shall be vested in a board of 3 members who shall be appointed by the Governor, with the advice and consent of the Council. One member of the board shall be appointed from the State Insurance Department, one member shall be appointed from the Maine State Federation of Fire Fighters and the 3rd member from the Association of Fire Chiefs.

2. Chairman and secretary. A chairman and an executive secretary shall be elected by the board from their own number.

3. Terms. One member first appointed to this board shall serve for a term of one year, another member shall serve for a term of 2 years and another member shall serve for a term of 3 years. As each member's term expires, his successor, either himself or a new member from the same group that he represents, shall be appointed for a full term of 3 years.

4. Compensation. The board members shall serve without compensation, but they shall be reimbursed from the fund for all necessary expenses that they may incur through service on this board.

5. Oath of office. Each Board member shall, within 10 days after his appointment, take an oath of office to the effect that so far as it devolves upon himself, he will diligently and honestly administer the affairs of the fund and that he will not knowingly violate or willingly permit to be violated any of the provisions of law applicable to the fund, which shall be subscribed by the Board member making it, certified by the officer before whom it is taken and filed forthwith in the office of the Secretary of State.

6. Records. The board shall keep a record of all its proceedings, which shall be open to public inspection. It shall publish biennially a report showing the fiscal transactions of the fund for the preceding fiscal years, the amount of accumulated cash and securities of the fund and the last balance sheet showing the financial condition of the fund.

7. Legal advisor. The Attorney General of the State, or an assistant designated by him, shall be the legal advisor of the board.

8. Meetings. The board shall meet as often as is necessary in order to carry out the provisions and policies of this fund; in any event they shall meet in May and December of each year.

9. Application for benefits. The board shall establish and cause to have printed a form whereby application for benefits from the fund may be made. This form shall require the submission of such information as is pertinent to the application for benefits from this fund. The board shall keep a supply of such applications available at a place designated as headquarters for the fund and shall forward sufficient copies of the form to any person requesting the same. Upon receipt of an application for benefits from the fund, the board shall schedule a meeting not less than 7 nor more than 15 days after the receipt of such application in order to make a decision and determination concerning such application.

10. Payments. All payments made from the fund in accordance with this chapter shall be made only after approval by at least a majority of the board.

Sec. 2564. Payments to fire fighters. At the discretion of the board payments shall be made from the fund to fire fighters injured in the line of duty to adjust with any and all other compensation and remuneration such injured fire fighter will receive so as to total no more than a full week's pay to such fire fighter weekly during such disability.

Sec. 2565. Dependents. Payments shall be made to the dependents of deceased fire fighters, whose death is attributable to or traceable to the line of duty, so as to provide for the adequate support, maintenance and education of such dependent or dependents. Such payments shall be in addition to any and all other payments to the said deceased fire fighter or his family and the duration of such payments shall be at the discretion of the board, but in no event shall the weekly total of this and any and all other payments be greater than what such fire fighter would have received weekly if alive.

Sec. 2566. Establishment of reserve. In accordance with established practice, the board shall endeavor to build up a reserve for future contingencies. Payments made under this chapter are discretionary and not mandatory and if the best interest of the fund warrants, such payments may be reduced or discontinued.