

MAINE STATE LEGISLATURE

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(EMERGENCY)
(After Deadline)
FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

No. 700

S.P. 251 In Senate, March 10, 1987
Approved for Introduction by a Majority of the Legislative
Council pursuant to Joint Rule 27.

Reference to the Committee on State and Local Government
suggested and ordered printed.

JOY J. O'BRIEN, Secretary of the Senate
Presented by Senator PERKINS of Hancock.

Cosponsored by Senator RANDALL of Washington,
Representative ROLDE of York, Representative MCGOWAN of Canaan.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-SEVEN

1 AN ACT to Transfer the Maine Fire Training
2 and Education Program from the
3 Department of Educational and Cultural
4 Services to the Maine
5 Vocational-Technical Institute System.
6

7 Emergency preamble. Whereas, Acts of the Legis-
8 lature do not become effective until 90 days after
9 adjournment unless enacted as emergencies; and

10 Whereas, it is essential that the Executive Di-
11 rector of the Maine Vocational-Institute System imme-
12 diately assume her responsibilities under this Act
13 and undertake the management of the consolidated
14 Maine Fire Training and Education Program; and

1 Whereas, in the judgment of the Legislature,
2 these facts create an emergency within the meaning of
3 the Constitution of Maine and require the following
4 legislation as immediately necessary for the preser-
5 vation of the public peace, health and safety; now,
6 therefore,

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

9 Sec. 1. 20-A MRSA c. 319, first 2 lines, are re-
10 pealed and the following enacted in their place:

11 CHAPTER 319

12 MAINE FIRE TRAINING AND EDUCATION

13 Sec. 2. 20-A MRSA §9000 is enacted to read:

14 §9000. Definitions

15 As used in this chapter, unless the context oth-
16 erwise indicates, the following terms have the fol-
17 lowing meanings.

18 1. Executive director. "Executive director"
19 means the executive director of the system.

20 2. System. "System" means the Maine Vocational-
21 Technical Institute System, established by chapter
22 431.

23 Sec. 3. 20-A MRSA §9001, as amended by PL 1983,
24 c. 68, is repealed and the following enacted in its
25 place:

26 §9001. Program

27 The executive director may conduct programs to
28 provide fire training and education for members of
29 municipal fire departments, incorporated volunteer
30 fire departments, industrial fire brigades, institu-
31 tional fire brigades and the general public, to be
32 known as the Maine Fire Training and Education Pro-
33 gram.

1 1. Voluntary participation. The executive di-
2 rector may not require participation in these pro-
3 grams by a member of a municipal fire department, in-
4 corporated volunteer fire department, industrial fire
5 brigades, institutional fire brigades or the general
6 public nor use participation in Maine fire training
7 and education programs as a condition of eligibility
8 to receive funds for training and education programs.

9 2. Fees. The executive director may charge a
10 fee for the training and education of private indus-
11 trial fire brigades. The amount of the fee shall re-
12 flect, but not be limited to, instructional, material
13 and administrative costs.

14 Sec. 4. 20-A MRSA §9002, as amended by PL 1983,
15 c. 812, §§106 and 107, is further amended to read:

16 §9002. Advisory committee

17 An advisory committee, established by Title 5,
18 section 12004, subsection 10, shall advise the
19 ~~commissioner~~ executive director in the administration
20 of ~~section 9001~~ the Maine Fire Training and Education
21 Program.

22 1. Establishment. The ~~commissioner~~ executive
23 director shall appoint a ~~13-member~~ 17-member advisory
24 committee as follows:

25 A. One municipal chief, one call chief and one
26 volunteer chief recommended by the Maine Fire
27 Chiefs' Association, Inc.;

28 B. One municipal firefighter, one call
29 firefighter and one volunteer firefighter recom-
30 mended by the Maine Federation of Firefighters,
31 Inc.;

32 C. One city or town manager and one selectman
33 recommended by the Maine Municipal Association,
34 Inc.;

35 D. One member of an industrial or institutional
36 fire brigade recommended by the Maine Safety
37 Council;

1 E. One representative from the field of insur-
2 ance recommended by the Maine Insurance Associa-
3 tion, Inc.;

4 F. Two members recommended by the Maine Council
5 of Firefighters, Inc.; and

6 G. One member of the general public;

7 H. Two members recommended by the Southern Maine
8 Vocational-Technical Institute Fire Science Craft
9 Committee; and

10 I. Two members recommended by the Eastern Maine
11 Vocational-Technical Institute Fire Science Craft
12 Committee.

13 2. Term of office. Members shall be appointed
14 for a term of 3 years.

15 3. Chairman. The committee shall elect a member
16 as chairman.

17 4. Expenses. The members shall be compensated
18 according to the provisions of Title 5, chapter 379.

19 5. Nonvoting representative. The department's
20 consultant for the fire service training program
21 system's State Fire Administrator for Maine fire
22 training and education shall be a nonvoting represen-
23 tative of the department system at the committee
24 meetings.

25 Sec. 5. 20-A MRSA §9003, as enacted by PL 1981,
26 c. 693, §§5 and 8, is amended to read:

27 §9003. State agents for federal programs

28 The following provisions shall apply to federal
29 fire programs in the State.

30 1. Executive director; state agent. The commis-
31 sioner shall be the state agent to be contacted by
32 the United States Fire Administration about matters
33 dealing with the Federal Fire Prevention and Control
34 Act of 1974, Public Law 93-498.

10 **Emergency clause.** In view of the emergency cited
11 in the preamble, this Act shall take effect when ap-
12 proved.

14 This bill transfers authority to conduct the
15 Maine Fire Training and Educational Program from the
16 Department of Educational and Cultural Services to
17 the Maine Vocational Technical-Institute System.
18 Fire service training was a part of the Division of
19 Post-Secondary Education, Bureau of Vocational Educa-
20 tion, Department of Educational and Cultural Ser-
21 vices. When the Division of Post-Secondary Education
22 separated from the Department of Educational and Cul-
23 tural Services in to the Maine Vocational-Technical
24 Institute System, prior fire service training enab-
25 ling legislation was overlooked. This bill formalized
26 the transfer of program authority from the Commis-
27 sioner of Educational and Cultural Services to the
28 Executive Director of the Vocational-Technical Insti-
29 tute System.

1 The bill also combines the Vocational-Technical
2 Institute Fire Science Program with the Maine Fire
3 Training and Education Program and expands the pro-
4 grams advisory committee accordingly. Additionally,
5 the bill facilitates the transfers of 2 financial ac-
6 counts 4230.1162 and 4230.1263, from the Department
7 of Educational and Cultural Services to the Maine
8 Vocational-Technical Institute System as specified in
9 the Maine Revised Statutes, Title 20-A, chapter 319,
10 section 9001.

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