

MAINE STATE LEGISLATURE

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M
R.S.

L.D. 1428

DATE: 5-12-99

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CRIMINAL JUSTICE

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
119TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 1017, L.D. 1428, "Resolve, to Enhance Fire Protection Services throughout the State"

Amend the resolve by striking out the title and substituting the following:

'Resolve, to Create the Commission to Study the Enhancement of Fire Protection Services throughout the State'

Further amend the resolve by striking out everything after the title and before the summary and inserting in its place the following:

'Emergency preamble. Whereas, Acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, firefighters provide the State with many valuable services and training, and incentives are crucial to the continued provision of these services; and

Whereas, public safety and public health will be improved for all Maine residents by enhancing fire protection services across the State;

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

COMMITTEE AMENDMENT

R 0 8

2 **Sec. 1. Commission established. Resolved:** That the Commission
to Study the Enhancement of Fire Protection Services throughout
4 the State, referred to in this resolve as the "commission," is
established; and be it further

6
7 **Sec. 2. Commission membership. Resolved:** That the commission
8 consists of 6 members appointed as follows:

10 1. The President of the Maine Fire Chiefs Association or
the president's designee;

12
13 2. The President of the Professional Firefighters of Maine
14 or the president's designee;

15 3. The President of the Maine State Federation of
16 Firefighters or the president's designee;

17
18 4. Two members of the House of Representatives who serve on
20 the Joint Standing Committee on Criminal Justice, appointed by
the Speaker of the House; and

21
22 5. One member of the Senate who serves on the Joint
24 Standing Committee on Criminal Justice, appointed by the
President of the Senate; and be it further

25
26 **Sec. 3. Chairs. Resolved:** That the Senate member serves as
28 the Senate chair and the first House member appointed serves as
House chair; and be it further

29
30 **Sec. 4. Appointments. Resolved:** That all appointments must be
32 made no later than 30 days following the effective date of this
resolve. The appointing authorities shall notify the Executive
34 Director of the Legislative Council upon making their
appointments. When the appointment of all members is complete,
36 the chairs of the commission shall call and convene the first
meeting of the commission no later than 15 days after the final
38 member is appointed; and be it further

39
40 **Sec. 5. Duties. Resolved:** That the commission shall examine
and make recommendations concerning:

41
42 1. Proposals to strengthen the Office of the State Fire
44 Marshal, including, but not limited to: employing additional fire
investigators; providing additional public fire safety education
46 resources; enhancing education opportunities in code management
for local public officials and private sector professionals;
48 developing a statewide fire data information system; and
promoting the application of the latest investigative
50 technologies;

2 2. Incentives for more citizens to join and remain active
3 in volunteer and on-call fire departments and to encourage
4 volunteer and on-call firefighters to become better trained and
5 to maintain higher levels of life-saving skills;

6
7 3. Approaches to enhance the safety of and reduce the
8 health risk to career firefighters, including, but not limited
9 to: providing insurance coverage for retired firefighters'
10 health care costs; creating opportunities for communities to hire
11 younger firefighters; and providing a mechanism to lower
12 firefighter injury rates and the benefit costs to local
13 communities; and

14
15 4. Proposals for strengthening firefighter training and
16 education in Maine communities, including, but not limited to:
17 training more firefighters than are currently trained in local
18 communities statewide; increasing grant funds available to local
19 communities to support construction of specialized training
20 facilities; providing all firefighters with the opportunity for
21 fire science education and leadership education; providing
22 current training and education materials to local fire
23 departments; providing a one-stop resource center for all
24 firefighters; and supporting the development of fire and
25 emergency leaders throughout the State.

26
27 In carrying out its duties, the commission may seek the
28 expertise of the Department of Public Safety, Office of the State
29 Fire Marshal; the Maine Technical College System, Maine Fire
30 Training and Education Program; the Maine State Retirement
31 System; the State Employee Health Commission; the Bureau of
32 Revenue Services; the Bureau of Insurance; the Maine Association
33 of Insurance Companies; and the Maine Municipal Association; and
34 be it further

35 **Sec. 6. Staff assistance. Resolved:** That, upon approval of the
36 Legislative Council, the Office of Policy and Legal Analysis
37 shall provide necessary staffing services to the committee; and
38 be it further

39
40 **Sec. 7. Compensation. Resolved:** That legislative members are
41 entitled to receive legislative per diem and reimbursement of
42 necessary expenses for their attendance at authorized meetings of
43 the commission. Public members not otherwise compensated by
44 their employers or other entities whom they represent are
45 entitled to receive reimbursement of necessary expenses and a per
46 diem equal to the legislative per diem for their attendance at
47 authorized meetings of the commission; and be it further
48

2 **Sec. 8. Reporting date established. Resolved:** That the
 4 commission shall submit a report with recommendations and any
 6 accompanying legislation to the Joint Standing Committee on
 8 Criminal Justice by January 15, 2000. If the commission requires
 10 a limited extension of time to conclude its work, it may apply to
 the Legislative Council, which may grant the extension.
 Following receipt of the report, the Joint Standing Committee on
 Criminal Justice may introduce legislation to the Second Regular
 Session of the 119th Legislature; and be it further

12 **Sec. 9. Budget. Resolved:** That the chairs of the commission,
 14 with assistance from the commission staff, shall administer the
 16 commission budget. Within 10 days after its first meeting, the
 18 commission shall present its work plan and proposed budget to the
 20 Legislative Council for approval. The commission may not incur
 22 expenses that would result in the commission exceeding its
 approved budget. Upon request from the commission, the Executive
 Director of the Legislative Council shall promptly provide the
 commission chairs and staff with a status report on the study
 budget, expenditures incurred and paid and available funds; and
 be it further

24 **Sec. 10. Appropriation. Resolved:** That the following funds are
 26 appropriated from the General Fund to carry out the purposes of
 this resolve.

28 **1999-00**

30 **LEGISLATURE**

32 **Commission to Study the Enhancement of
 34 Fire Protection Services throughout the State**

36	Personal Services	\$825
	All Other	1,250

38 Provides funds for the per diem and expenses
 40 of legislative members for 5 meetings of the
 42 Commission to Study the Enhancement of Fire
 Protection Services throughout the State and
 to print the required report.

44 **LEGISLATURE**
 46 **TOTAL**

 \$2,075

48 **Emergency clause.** In view of the emergency cited in the
 preamble, this resolve takes effect when approved.'

COMMITTEE AMENDMENT "A" to H.P. 1017, L.D. 1428

Further amend the resolve by inserting at the end before the summary the following:

FISCAL NOTE**1999-00****APPROPRIATIONS/ALLOCATIONS**

General Fund \$2,075

This resolve includes an additional General Fund appropriation of \$2,075 in fiscal year 1999-00 for the Legislature for the per diem and expenses of legislative members of the Commission to Study the Enhancement of Fire Protection Services throughout the State and to print the required report.

The additional costs associated with providing staffing assistance to the commission during the interim between legislative sessions can be absorbed by the Legislature utilizing existing budgeted resources. If an extension of the reporting deadline is granted and the commission requires staffing assistance during the legislative session, the Legislature may require an additional General Fund appropriation to contract for staff services.

The Department of Public Safety, the Department of Administrative and Financial Services, the Department of Professional and Financial Regulation, the Maine State Retirement System and the Maine Technical College System will incur some minor additional costs to provide necessary expertise to the commission. These costs can be absorbed within the agencies' existing budgeted resources.'

SUMMARY

This amendment retitles and replaces the resolve. The amendment creates the Commission to Study the Enhancement of Fire Protection Services throughout the State. It also adds an emergency preamble and emergency clause, an appropriation section and a fiscal note to the resolve.