

MAINE STATE LEGISLATURE

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L.D. 1245

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Date: 6-14-21

(Filing No. H-610)

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CRIMINAL JUSTICE AND PUBLIC SAFETY

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STATE OF MAINE

6

HOUSE OF REPRESENTATIVES

7

130TH LEGISLATURE

8

FIRST SPECIAL SESSION

9

COMMITTEE AMENDMENT *A* to H.P. 911, L.D. 1245, "An Act To Ensure the Provision of Adequate Personal Protective Equipment to Firefighters Who Are Women"

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11

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

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'An Act To Ensure the Provision of Appropriate Personal Protective Equipment to Firefighters'

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Amend the bill in the emergency preamble in the 4th paragraph in the 2nd line (page 1, line 8 in L.D.) by striking out the following: "female"

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16

Amend the bill by striking out all of section 1 and inserting the following:

17

'Sec. 1. 26 MRSA §2103, sub-§1, as amended by PL 2003, c. 570, §3 and affected by c. 570, §7, is repealed.

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Sec. 2. 26 MRSA §2103, sub-§1-A is enacted to read:

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1-A. Protective equipment. The fire department shall provide each firefighter with the appropriate equipment to protect the firefighter from the hazards of the work environment to which the firefighter is likely to be exposed.

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A. All protective equipment must fit properly and must meet or exceed the requirements of the United States Department of Labor, Occupational Safety and Health Administration or the National Fire Protection Association, whichever are more stringent, that are in effect at the time of purchase. Proper fit is determined by selecting the best-fitting protective equipment after reviewing design options specific to the firefighter's sex and options for sizing and tailoring the protective equipment.

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B. The firefighter shall use the protective equipment whenever exposed to the hazards for which that equipment is provided.

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C. Protective equipment, as provided in this section, must consist of protective clothing, helmet ensemble, foot, hand and hearing protection, self-contained breathing apparatus, personal alert safety systems and fire service life safety rope, harness and hardware.

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COMMITTEE AMENDMENT

1 **Sec. 3. Notice to fire departments and volunteer fire associations.** The
2 Department of Labor, Bureau of Labor Standards shall notify all municipal fire departments
3 and volunteer fire departments and associations of the requirements of this Act and the
4 commercial availability of firefighting protective equipment appropriately sized for
5 firefighters who are females.'

6 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section
7 number to read consecutively.

8

SUMMARY

9 This amendment replaces the bill, changes the title and removes the word "female"
10 from the emergency preamble. The amendment requires each municipal fire department
11 and volunteer fire association to provide properly fitting protective clothing and equipment
12 to firefighters. The equipment must meet or exceed the requirements of the United States
13 Department of Labor, Occupational Safety and Health Administration or the National Fire
14 Protection Association. The firefighters are required to use the protective equipment
15 whenever exposed to the hazards for which that equipment is provided. The protective
16 equipment must consist of protective clothing, helmet ensemble, foot, hand and hearing
17 protection, self-contained breathing apparatus, personal alert safety systems and fire
18 service life safety rope, harness and hardware. The amendment requires the Department
19 of Labor, Bureau of Labor Standards to notify municipal fire departments and volunteer
20 fire departments and associations of the requirements to provide appropriate firefighting
21 protective equipment and the commercial availability of firefighting protective equipment
22 for females.

FISCAL NOTE REQUIRED
(See attached)



130th MAINE LEGISLATURE

LD 1245

LR 1239(02)

An Act To Ensure the Provision of Adequate Personal Protective Equipment to Firefighters Who Are Women

Fiscal Note for Bill as Amended by Committee Amendment *ACH-610*

Committee: Criminal Justice and Public Safety

Fiscal Note Required: Yes

Fiscal Note

Potential State Mandate - Unfunded

State Mandates

Required Activity

Requires fire departments to provide protective equipment that fits properly and meets or exceeds certain standards. Proper fit is determined by selecting the best fitting protective equipment after reviewing design options specific to the firefighter's sex and options for sizing and tailoring the protective equipment.

Unit Affected

Municipality

Local Cost

Moderate statewide

The required local activities in this bill may represent a state mandate pursuant to the Constitution of Maine. If the bill does require a local unit of government to expand or modify its activities so as to necessitate additional expenditures from local revenue, the state mandate provisions of the Constitution of Maine require either: (1) General Fund appropriations be provided to fund at least 90% of any additional necessitated local costs of the mandate; or (2) a Mandate Preamble be added to the bill and two-thirds of the members of each House vote to exempt the mandate from the funding requirement. If the bill does represent a state mandate and neither one of these actions occurs, the local units of government will not be required to implement the mandated activities.

Fiscal Detail and Notes

Any additional costs to the Department of Labor, Bureau of Labor Standards, to make required notifications can be absorbed within existing budgeted resources.