

MAINE STATE LEGISLATURE

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NINETY-FOURTH LEGISLATURE

Legislative Document

No. 3

H. P. 13

House of Representatives, January 12, 1949.

Referred to Committee on State Lands and Forest Preservation, sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk.

Presented by Mr. Spear, Jr. of South Portland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-NINE

AN ACT Creating the Office of Fire Service.

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

R. S., c. 85, §§ 59-A - 59-D, additional. Chapter 85 of the revised statutes is hereby amended by adding thereto 4 new sections to be numbered 59-A to 59-D, to read as follows:

'Office of Fire Service

Sec. 59-A. Fire service; director; administrator; personnel. The office of fire service is hereby created and shall exercise such powers and perform such duties as are set forth in sections 59-A to 59-D, inclusive. The head of the office, who shall be the insurance commissioner, shall be the director of fire service, hereinafter in sections 59-A to 59-D, inclusive, called the "director". The assistant director of fire service shall be the director of state fire prevention.

The director shall appoint, with the approval of the governor, a state administrator who shall be a permanent fire chief of an organized fire department. He shall serve for a term of 4 years unless sooner removed for cause.

The state administrator shall appoint a deputy state administrator, 3 assistant administrators, 1 each for the northern, central and southern parts

of the state, and 1 administrator for each county. He shall also appoint as regional administrators the fire chiefs in each town.

The deputy administrator shall, during the absence of the state administrator, act as administrator. He shall perform such duties and services as may be assigned to him by the administrator.

The officers enumerated in this section shall receive no compensation for their services, but shall be paid their actual and reasonable expenses necessarily incurred in the performance of their duties under the provisions of sections 59-A to 59-D, inclusive.

The director may employ such employees as may be necessary, subject to the provisions of the personnel law.

Sec. 59-B. Duties of director. The director shall provide such technical advice and instruction in all fire matters as the state administrator may require. He shall, in cooperation with the administrator, make a survey of existing fire fighting equipment and personnel and, in the event that deficiencies therein are evident, shall take all necessary steps to have such equipment and personnel conform to proper standards. He shall cooperate with the state administrator in advising and instructing the public to place in force such protective measures as are required by law.

Sec. 59-C. Duties of administrator; emergency. The state administrator shall direct the institution, training and development of the local fire services under the town fire chiefs with the assistance of the deputy administrator and the assistant administrators. He shall, from time to time, report to the director on the state of fire facilities generally and make such recommendations for improvements, extensions and alterations as he deems necessary.

Whenever and wherever an emergency arises due to fire, which requires the assistance of the office of fire services, whether requested by local authorities or by order of the governor, the state administrator is empowered to take all necessary steps in the movement of equipment and personnel toward the effective extinguishment of such fire or fires.

Sec. 59-D. Response of fire departments to calls for aid from other cities, etc. Towns may authorize their respective fire departments to go to aid another town in extinguishing fires therein, and while in the performance of their duties in extending such aid the members of such departments shall have the same immunities and privileges as if performing the same within their respective towns. Any such ordinance, by-law or vote may authorize the head of the fire department to extend such aid,

subject to such conditions and restrictions as may be prescribed therein. The words "fire departments" as used in this section shall mean lawfully organized fire fighting forces, however constituted.

Any town aided under and in accordance with this section may compensate any town rendering aid as aforesaid for the whole or any part of any damage to its property sustained in the course of rendering the same and may reimburse it in whole or in part for any payments lawfully made to any member of its fire department or to his widow or other dependents on account of injuries or death suffered by him in the course of rendering aid as aforesaid or of death resulting from such injuries.'