

By Mr. Dwinell of Millbury, petition of Richard J. Dwinell for legislation to establish a bureau of fire training and fire training council within the Division of Occupational Education in the Department of Education. Education.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Seventy-One.

AN ACT ESTABLISHING A BUREAU OF FIRE TRAINING, AND FIRE TRAINING COUNCIL WITHIN THE DIVISION OF OCCUPATIONAL EDUCATION.

1 *Whereas*, The deferred operation of this act would tend to
2 defeat its purpose, which is, in part, to provide forthwith for
3 the establishment of a Bureau of Fire Training, and a Fire
4 Training Council responsible for the planning and operation of
5 a fire training program within the Commonwealth, therefore it
6 is hereby declared to be an emergency law, necessary for the
7 immediate preservation of life and property from fire.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 15 of the General Laws as amended is hereby
2 amended by adding the following sections: —

3 *Section 46.* Bureau of Fire Training

4 The Division of Occupational Education of the Department
5 of Education as established by Chapter 837 of the acts of 1969
6 is hereby authorized and directed to establish a Bureau of Fire
7 Training; in this section and in sections 47 to 51 inclusive
8 called the bureau, to operate the Massachusetts Firefighting
9 Academy and be the sole state agency responsible for the
10 training of firefighters. The bureau shall be directed by a Chief
11 of Fire Training with such other permanent staff as may from
12 time to time be authorized by the legislature, and operate
13 under the direction of a Fire Training Council subject to the
14 supervision of the Board of Education.

15 *Section 47. Fire Training Council*

16 The Fire Training Council; in this section and in sections 46
17 and 48 to 51 inclusive called the council, shall be appointed by
18 the Governor and consist of seven (7) members, three (3) of
19 which shall be fire chiefs selected from a list of 9 names
20 submitted by the Fire Chiefs Association of Massachusetts
21 provided however, one (1) represents a fully paid, one (1) a
22 part paid-part call and one (1) a fully call fire department; one
23 (1) certified fire department training instructor that holds an
24 officers rank, but is not a fire chief, selected from a list of
25 three (3) names submitted by the Massachusetts Institute of
26 Fire Department Instructors; one (1) firefighter that is not a
27 fire officer selected from a list of three (3) names submitted by
28 the Massachusetts Firefighters Union; and two members that
29 are citizens of the Commonwealth. To be eligible for appoint-
30 ment as a fire service member, such person shall have had at
31 least ten years experience in the firefighting profession. The
32 Associate Commissioner of Occupational Education and the
33 Chief of Fire Training shall be ex officiiis members of the
34 council. Terms of appointed members shall be three (3) years
35 except that the terms of the first appointment shall be three
36 (3) members for one (1) year, two (2) members for two (2)
37 years, and two (2) members for three (3) years, however a fire
38 chief member must be appointed each year. Subsequent
39 appointments shall be made in the same manner except that
40 only three (3) names shall be submitted by the Fire Chiefs
41 Association of Massachusetts. No person shall be appointed to
42 serve more than two (2) full terms and prior service on said
43 council for a term of less than two (2) years, resulting from an
44 initial appointment or an appointment for the remainder of an
45 unexpired term shall not constitute a full term. Members shall
46 hold office until a successor is appointed and no appointive
47 member shall serve beyond the time he ceases to hold office or
48 employment by reason of which he was eligible for appoint-
49 ment to the council.

50 Membership on the council shall not disqualify a member
51 from holding any other public office or being employed by a
52 public entity except that no member of the legislature shall
53 serve on the council. The members of the council shall serve
54 without compensation, but shall be reimbursed for their actual

55 and necessary expenses incurred in the performance of their
56 duties.

57 *Section 48. Organization Meetings*

58 Within thirty (30) days after the effective date of this act
59 the Governor shall appoint the council required in section 47
60 and within thirty (30) days after such appointments the coun-
61 cil shall hold its first meeting and elect to one (1) year terms
62 its chairman and other officers. The council shall meet regu-
63 larly each month except that the chairman, with council ap-
64 proval, may omit meetings in July and August and the Chair-
65 man or the Governor may call additional meetings at other
66 times, of which all members shall be given in writing at least
67 five (5) days notice. If any member is absent from three (3)
68 regularly scheduled meetings, exclusive of July and August, in
69 any calendar year, his office as a member shall be deemed
70 vacant. The chairman of the council shall forthwith notify the
71 Governor such vacancy exists. The council shall make an an-
72 nual report to the Governor and Board of Education and
73 include in such report its recommendations for appropriate
74 legislation.

75 *Section 49. Purposes and Duties of Council*

76 The purpose of the council shall be to plan and provide
77 complete firefighters training for all fire service personnel of
78 the State.

79 The council shall provide a minimum firefighting training
80 standard for recruit firefighters and a minimum uniform train-
81 ing curriculum for all other levels of fire service personnel.

82 The council shall establish minimum requirements and stan-
83 dards for the certification of fire service instructors for the
84 state program.

85 The council shall propose legislation for locating, construct-
86 ing and operating a main fire academy and determine the
87 location and number of regional satellites or area training
88 centers necessary to provide training for all sections of the
89 state.

90 The council shall establish standards and procedures for
91 approving facilities of employing agencies desirous of conduct-
92 ing training under the Bureau.

93 The council may provide such necessary services to local fire
94 training centers meeting the established standards, as are be-

95 yond their capacity to provide.

96 The council may propose legislation for the mandatory train-
97 ing of persons desiring to enter the fire service as firefighters.

98 The council may appoint any advisory committees necessary
99 to achieve its duties.

100 The council shall issue certificates of compliance to any
101 person satisfactorily completing any course offered by the
102 bureau.

103 The council shall consult and cooperate with any employing
104 agency, the division of civil service, state university, college,
105 community college, regional vocational school or other educa-
106 tional institution concerning the development of firefighter
107 training standards and facilities.

108 The council shall annually review and update all standards,
109 courses and curriculum offered by the bureau.

110 The council shall determine what cost, if any, will be
111 charged for courses offered by the bureau.

112 *Section 50. Budget*

113 The bureau shall prepare a detailed annual budget which
114 when approved by the council shall be submitted to the Board
115 of Education. The Chief of Fire Training shall handle all
116 financial transactions in accordance with statutory laws, and
117 procedures established by the business agent of the Department
118 of Education.

119 *Section 51. Gifts and Grants*

120 The bureau with approval of the council may accept for any
121 of its purposes and functions any donations of property and
122 grants of money from any governmental unit, public agency,
123 institution, person, firm or corporation. Said grants shall be
124 kept in a separate fund by the state treasurer and shall be
125 disbursed by the state treasurer at the direction of the council
126 and pursuant to its authority.