

HOUSE BILL NO. 14  
INTRODUCED BY COBB

IN THE HOUSE

DECEMBER 30, 1988	INTRODUCED AND REFERRED TO COMMITTEE ON EDUCATION & CULTURAL RESOURCES.
JANUARY 2, 1989	FIRST READING.
JANUARY 5, 1989	COMMITTEE RECOMMEND BILL DO PASS. REPORT ADOPTED.
JANUARY 6, 1989	POSTED ON CONSENT CALENDAR.  ENGROSSING REPORT.
JANUARY 11, 1989	CONSENT CALENDAR, QUESTIONS AND ANSWERS.  THIRD READING, PASSED. AYES, 94; NOES, 0.  TRANSMITTED TO SENATE.

IN THE SENATE

JANUARY 13, 1989	INTRODUCED AND REFERRED TO COMMITTEE ON EDUCATION & CULTURAL RESOURCES.
JANUARY 30, 1989	COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.
FEBRUARY 1, 1989	SECOND READING, CONCURRED IN.
FEBRUARY 3, 1989	THIRD READING, CONCURRED IN. AYES, 45; NOES, 5.  RETURNED TO HOUSE.

IN THE HOUSE

FEBRUARY 4, 1989

RECEIVED FROM SENATE.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

## HOUSE BILL NO. 14

INTRODUCED BY COBB

A BILL FOR AN ACT ENTITLED: "AN ACT TO TRANSFER THE FIRE SERVICES TRAINING SCHOOL FROM THE BOARD OF PUBLIC EDUCATION TO THE BOARD OF REGENTS; AMENDING SECTIONS 2-15-1518, 2-15-1519, 20-31-101, 20-31-102, 20-31-104, 20-31-202, 20-31-301, 20-31-401, AND 20-31-402, MCA; AND PROVIDING AN EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

**Section 1.** Section 2-15-1518, MCA, is amended to read:

"2-15-1518. Director of fire services training school.

(1) The board of public-education regents shall appoint the director of the fire services training school.

(2) The director may be removed for cause.

(3) The director must have the following qualifications:

(a) a bachelor's degree in a field of study related to fire protection; or

(b) 5 years' experience in an organized training program as an instructor and 7 years' experience as a firefighter or fire combat officer."

**Section 2.** Section 2-15-1519, MCA, is amended to read:

"2-15-1519. Fire services training advisory council.

(1) The board of public-education regents shall appoint a fire services training advisory council to work with the director of the fire services training school. The membership of the council shall include the following:

(a) a fire chief;

(b) a volunteer firefighter;

(c) a paid firefighter;

(d) a fire service instructor;

(e) a person involved in fire prevention;

(f) a representative of the insurance industry; and

(g) a professional educator.

(2) The board shall solicit and consider the recommendations of appropriate organizations and associations of fire service personnel in making appointments under subsection (1) of this section.

(3) Members appointed shall serve for a 4-year term and may be removed for cause. If a vacancy occurs, a member shall be appointed to fill the unexpired term. A member may be reappointed.

(4) The state fire marshal, a fire control officer designated by the commissioner of state lands, and the director of the fire services training school are ex officio members of the council."

**Section 3.** Section 20-31-101, MCA, is amended to read:

"20-31-101. Definitions. In this chapter, unless the

context requires otherwise, the following definitions apply:

(1) "Board" means the board of ~~public--education~~ regents provided for in Article X, section 9, subsection (3) (2), of the 1972 Montana constitution and ~~2-15-1507~~ 2-15-1505.

(2) "Council" means the fire services training advisory council provided for in 2-15-1519.

(3) "Director" means the director of the fire services training school provided for in 2-15-1518."

**Section 4.** Section 20-31-102, MCA, is amended to read:

"20-31-102. Fire services training school -- creation -- supervision by board of ~~public-education~~ regents. There is a fire services training school. The fire services training school is allocated to the board of ~~public education~~ regents for purposes of planning and coordination. The budget request for the fire services training school shall be submitted through the board of ~~public--education~~ regents. The general supervision of the school is vested in the board of ~~public-education~~ regents."

**Section 5.** Section 20-31-104, MCA, is amended to read:

"20-31-104. Coordination with other agencies. The fire services training school shall coordinate its programs and cooperate with state and local fire services to the maximum possible extent in accordance with the policy of the board of ~~public-education~~ regents."

**Section 6.** Section 20-31-202, MCA, is amended to read:

"20-31-202. Duties of director. The director shall appoint a staff and execute policies and programs established by the board of ~~public-education~~ regents for the fire services training school. The director is responsible for the direction of staff and operation of the school."

**Section 7.** Section 20-31-301, MCA, is amended to read:

"20-31-301. Organization -- procedural rules -- compensation of members. (1) The members of the fire services advisory council shall elect a chairman, a vice-chairman, and such other officers considered advisable by the council. The terms of the officers shall be established by the council.

(2) The council shall adopt rules governing its procedures subject to approval of the board of ~~public education~~ regents.

(3) Members of the council shall receive compensation under 2-18-501 through 2-18-503."

**Section 8.** Section 20-31-401, MCA, is amended to read:

"20-31-401. Acceptance of gifts and grants -- contractual agreements. The board of ~~public--education~~ regents may accept gifts, donations, and grants of property and services on behalf of the fire services training school. The board may enter into contractual agreements necessary to facilitate achievement of the purposes of the school."

1       **Section 9.** Section 20-31-402, MCA, is amended to read:  
2       "20-31-402. Cost recovery fee. The board of public  
3       education regents may establish a cost recovery fee for  
4       training of commercially employed firefighters, and such  
5       fees shall be deposited to the general fund."  
6       **Section 10.** Effective date. [This act] is effective  
7       July 1, 1989.

-End-

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2    INTRODUCED BY COBB  
3  
4    A BILL FOR AN ACT ENTITLED: "AN ACT TO TRANSFER THE FIRE  
5    SERVICES TRAINING SCHOOL FROM THE BOARD OF PUBLIC EDUCATION  
6    TO THE BOARD OF REGENTS; AMENDING SECTIONS 2-15-1518,  
7    2-15-1519, 20-31-101, 20-31-102, 20-31-104, 20-31-202,  
8    20-31-301, 20-31-401, AND 20-31-402, MCA; AND PROVIDING AN  
9    EFFECTIVE DATE."

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11    BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

12            **Section 1.** Section 2-15-1518, MCA, is amended to read:

13            "2-15-1518. Director of fire services training school.

14            (1) The board of public-education regents shall appoint the  
15    director of the fire services training school.

16            (2) The director may be removed for cause.

17            (3) The director must have the following  
18    qualifications:

19            (a) a bachelor's degree in a field of study related to  
20    fire protection; or

21            (b) 5 years' experience in an organized training  
22    program as an instructor and 7 years' experience as a  
23    firefighter or fire combat officer."

24            **Section 2.** Section 2-15-1519, MCA, is amended to read:

25            "2-15-1519. Fire services training advisory council.

1            (1) The board of public-education regents shall appoint a  
2    fire services training advisory council to work with the  
3    director of the fire services training school. The  
4    membership of the council shall include the following:

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9            (e) a person involved in fire prevention;

10            (f) a representative of the insurance industry; and

11            (g) a professional educator.

12            (2) The board shall solicit and consider the  
13    recommendations of appropriate organizations and  
14    associations of fire service personnel in making  
15    appointments under subsection (1) of this section.

16            (3) Members appointed shall serve for a 4-year term  
17    and may be removed for cause. If a vacancy occurs, a member  
18    shall be appointed to fill the unexpired term. A member may  
19    be reappointed.

20            (4) The state fire marshal, a fire control officer  
21    designated by the commissioner of state lands, and the  
22    director of the fire services training school are ex officio  
23    members of the council."

24            **Section 3.** Section 20-31-101, MCA, is amended to read:

25            "20-31-101. Definitions. In this chapter, unless the

context requires otherwise, the following definitions apply:

(1) "Board" means the board of ~~public--education~~ regents provided for in Article X, section 9, subsection (3) (2), of the 1972 Montana constitution and 2-15-1507 2-15-1505.

(2) "Council" means the fire services training advisory council provided for in 2-15-1519.

(3) "Director" means the director of the fire services training school provided for in 2-15-1518."

**Section 4.** Section 20-31-102, MCA, is amended to read:

"20-31-102. Fire services training school -- creation -- supervision by board of ~~public-education~~ regents. There is a fire services training school. The fire services training school is allocated to the board of ~~public education~~ regents for purposes of planning and coordination. The budget request for the fire services training school shall be submitted through the board of ~~public--education~~ regents. The general supervision of the school is vested in the board of ~~public-education~~ regents."

**Section 5.** Section 20-31-104, MCA, is amended to read:

"20-31-104. Coordination with other agencies. The fire services training school shall coordinate its programs and cooperate with state and local fire services to the maximum possible extent in accordance with the policy of the board of ~~public-education~~ regents."

**Section 6.** Section 20-31-202, MCA, is amended to read:

"20-31-202. Duties of director. The director shall appoint a staff and execute policies and programs established by the board of ~~public-education~~ regents for the fire services training school. The director is responsible for the direction of staff and operation of the school."

**Section 7.** Section 20-31-301, MCA, is amended to read:

"20-31-301. Organization -- procedural rules -- compensation of members. (1) The members of the fire services advisory council shall elect a chairman, a vice-chairman, and such other officers considered advisable by the council. The terms of the officers shall be established by the council.

(2) The council shall adopt rules governing its procedures subject to approval of the board of ~~public education~~ regents.

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**Section 8.** Section 20-31-401, MCA, is amended to read:

"20-31-401. Acceptance of gifts and grants -- contractual agreements. The board of ~~public--education~~ regents may accept gifts, donations, and grants of property and services on behalf of the fire services training school. The board may enter into contractual agreements necessary to facilitate achievement of the purposes of the school."

LC 0180/01

1       **Section 9.** Section 20-31-402, MCA, is amended to read:

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6       NEW SECTION. **Section 10.** Effective date. [This act]  
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