

LC00011

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2005

A N A C T

RELATING TO FIRE SAFETY

Introduced By: Senators Blais, and Polisena

Date Introduced: January 18, 2005

Referred To: Senate Finance

It is enacted by the General Assembly as follows:

1 SECTION 1. Title 23 of the General Laws entitled "Health and Safety" is hereby
2 amended by adding thereto the following chapter:

3 CHAPTER 28.40

4 ACQUISITION OF THERMAL IMAGING DEVICES

5 23-28.40-1. Short title. -- This chapter shall be known and may be cited as the "Rhode
6 Island Acquisition of Thermal Imaging Devices Act of 2005."

7 23-28.40-2. Legislative Findings. -- It is hereby found and declared as follows:

8 The public health, safety, and welfare of the citizenry can be improved by the acquisition
9 of fire safety equipment, including, but not limited to, thermal imaging devices; and the public
10 interest would be served by a reduction of fatalities and injuries by use of such modern fire safety
11 equipment by local fire departments. Accordingly, the purposes of this chapter are:

12 (1) to establish a fund to provide for acquisition of thermal imaging devices and other fire
13 safety equipment; and

14 (2) to establish a fire safety equipment advisory board to establish guidelines for the
15 acquisition of such equipment, and management of the fund.

16 23-28.40-3. Definitions. -- For the purposes of this chapter, the following words and
17 terms shall have the following meanings:

18 (1) "Board" means the fire safety equipment advisory board;

19 (2) "Fire marshal" means the state fire marshal;

1 (3) "Fire safety equipment" means any equipment designed to minimize fatality or injury
2 as a result of fire, or to improve the ability of the fire departments to control fires quickly and
3 efficiently;

4 (4) "Fund" means the fire safety equipment fund.

5 **23-28.40-4. Fire safety equipment advisory board established – Appointment of**
6 **members.** -- (a) There is hereby created a fire safety equipment advisory board consisting of six
7 (6) members: one (1) of whom shall be the state fire marshal or his or her designee; one (1) of
8 whom shall be a fire chief selected by the fire chiefs association of Rhode Island; one (1) of
9 whom shall be a firefighter selected by the Rhode Island state firefighters association; and one (1)
10 of whom shall be a member of the state firefighters league to be selected by the state firefighters
11 league; and two (2) of whom shall be representatives of the community at large to be appointed
12 by the governor.

13 (b) The terms of office of the members of the board shall be as follows: the state fire
14 marshal shall serve ex-officio; the fire chief and firefighter shall serve until January 31, 2006; the
15 members of the public shall serve until January 31, 2007. In the month of January of any year,
16 the respective appointing authority shall appoint a successor to the member whose term shall
17 expire in that year, to hold office for a term of two (2) years commencing on the first (1st) day of
18 February next following. All members shall serve until their successors are appointed and
19 qualified. Any vacancy other than by expiration shall be filled in like manner as the original
20 appointment, but only for the unexpired portion of the term. All appointments shall be made in a
21 timely manner.

22 (c) Forthwith upon completion of the initial appointments, the board shall meet at the call
23 of the state fire marshal and shall elect from among themselves a chairperson.

24 **23-28.40-5. Fire safety equipment advisory board – Powers and duties – No**
25 **compensation.** -- The board shall make its recommendations to the state fire marshal concerning
26 acquisition of fire safety equipment and financing thereof. In making those recommendations,
27 the board shall seek the most efficient method to acquire fire safety equipment. The board shall
28 also advise the state fire marshal concerning the policies, plans and goals to be obtained in the
29 administration of this chapter, and shall make annual recommendations to the state fire marshal.

30 **23-28.40-6. Fire safety equipment fund.** -- (a) There is hereby established within the
31 department of administration a fire safety equipment fund. The purpose of this fund shall be:

32 (1) to provide funds for the purchase or lease of thermal imaging devices by local fire
33 departments and fire districts;

34 (2) to provide funds for the purchase or lease of fire safety equipment by local fire

1 departments and fire districts; and

2 (3) to provide grants and low interest loans to fire departments and fire districts and other
3 entities for acquisition of fire safety equipment.

4 (b) The director of administration or his or her designee may provide grants on the
5 following terms and conditions:

6 (1) the fire safety equipment advisory board has approved the grant;

7 (2) the recipient of the grant is either a local fire department, a fire district or a volunteer
8 fire department; and

9 (3) no more than eighty percent (80%) of the cost of the fire safety equipment will be
10 paid for by the grant.

11 (c) The director of administration may provide loans at an annual rate not to exceed six
12 percent (6%) to any person or entity including local fire departments, local fire districts, cities and
13 towns and volunteer fire departments for the acquisition of fire safety equipment under the terms
14 and conditions set forth in subsection (b), except that the loan may be for one hundred percent
15 (100%) of its cost; and under further condition that the term of the repayment of the loan shall not
16 exceed twenty (20) years.

17 (d) With the approval of the governor, the director of administration may contract with
18 any other public agency or any other licensed financial institution to administer grants and loans
19 provided by this section. For its service, the financial institution or public agency may charge the
20 borrower an administration fee not to exceed an additional one-half percent (1/2%) of the grant or
21 loan amount.

22 (e) The director of administration is further authorized to issue such rules and regulations
23 as are necessary to implement this section.

24 **23-28.40-7. Interpretation and severability. --** The provisions of this chapter shall be
25 liberally construed and shall be held to be in addition to, and not in substitution for a limitation of,
26 the provisions of any other law. If any provision of this chapter or the application hereof to any
27 person or circumstances held invalid, the remainder of the chapter and the application of such
28 provisions to any other person or circumstances shall not be affected thereby.

1 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO FIRE SAFETY

- 1 This act would establish a fire safety equipment acquisition fund for the acquisition of
- 2 thermal imaging devices.
- 3 This act would take effect upon passage.

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