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**TITLE 655 BOARD OF FIREFIGHTING
PERSONNEL STANDARDS AND EDUCATION**

LSA Document #04-138

November 4, 2004

VIA HAND DELIVERY

Senator R. Michael Young, Chairman
Administrative Rules Oversight Committee
c/o Legislative Services Agency
200 W. Washington Street, Suite 301
Indianapolis, Indiana
Attn: Sarah Burkman

Re: LSA Doc. #04-138

Dear Sen. Young,

Pursuant to the provisions of IC 4-22-2-19(c), this letter shall serve as written notification that Sections 26-49 do not comply with IC 4-22-2-19(c)(1). These sections create new voluntary certifications for fire service, and with respect to Sections 42-44, non-fire service emergency response personnel. The reasons for the non-compliance are as follows:

1. Pursuant to IC 22-14-2-7(c)(7), the Board of Firefighting Personnel Standards and Education is authorized to adopt rules to create a program of voluntary certification for fire service and non-fire service personnel and programs. This statute was effective in 1987.
2. The new certifications are designed to address the increasing complexity of rescue operations performed primarily by the fire service. The fire service is called on to perform a wide variety of emergency responses in the 21st century and, as the events of September 11, 2001, so clearly demonstrated, the types of rescues now being performed require advanced training. The fire service in Indiana strongly supports the training and certification opportunities created by these new certifications.

Please feel free to call me at 232-2226, or Mara Snyder, counsel to the Board, at 233-5341 should you have any questions or require further information about these certifications.

Sincerely,
Ivan Nevil
State Fire Marshal