



FLASHPOINT

January 2011

Maine State Federation of Fire Fighters

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PRESIDENT'S MESSAGE

Dear Fellow Firefighters,
Again we had a very successful convention in Presque Isle. Thank you Presque Isle. Thank you for the confidence for re-electing me for the another term. I know some of you are not happy with the fundraiser we are doing. The reason that we do it to benefit the Firefighters of Maine and the causes we support.

We are also involved with American income life Benefits and Liberty Mutual at no cost to the Firefighters. At this time we are looking for other

ways of doing fundraisers. One such fundraiser is listed just below this message. In an effort to find new ways of fundraising, Jeannie Conway, Knox County VP, has set up a fundraiser with The Texas Roadhouse Restaurants in Maine. See below for details-we look forward to all of our members supporting this effort and are excited to try this new fundraiser. We hope all members will be at The Texas Roadhouse on March 8, 2011 and mention the Maine State Federation of Fire Fighters. We can't do this without

your help and support! If anyone else has any other ideas, please get in touch with your county VP or me.

Waterville will be the host for the 2011 convention-let us support them.

Let us try and work together as a team to protect and help the people of this great State that depend on us.

Submitted,
Richard A. Cyr, President

Attention all MSFFF members:

We have our first fundraiser all set up. The Texas Roadhouse has agreed to do a fundraiser for us. It will be on March 8, 2011 at all 3 restaurants in Maine, Bangor, Augusta and Scarborough. We will get a % of their total sales for the night from everyone that says they are there because of the MSFFF. Tell all your family and friends to come and support the MSFFF and eat supper at Texas Roadhouse on March 8, 2011. This will be reposted from time to time to remind everyone.

I am in hopes of getting posters sent out to all fire departments through their VP's when they deliver their new membership packets.

My work number is 863-4421. I will be there until 4:30 pm.

Thanks, Jeannie Conway,
Knox VP, MSFFF.

Please come to the **Texas Roadhouse** in Scarborough, Bangor & Augusta on **Tuesday, March 8th** & support the **Maine State Federation of Firefighters**.

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THE GRINDLES OF FRANKLIN: A FAMILY OF VOLUNTEERS

The Grindles are one of Franklin's first families.

In other words, they are among the first to volunteer to help friends and neighbors when the need arises.

Mother, Father and both sons have been involved with the local volunteer fire department for as long as they can remember.

Bob Grindle, Jr. has volunteered with the department since 1983 and has been fire chief since 1995.

Becky Grindle is very active with the Women's Auxiliary, always at ready with sustenance for an exhausted firefighter or to help cradle the head of an accident victim.

Sons Stephan and Billy Grindle, who are both Eagle Scouts, are following in their parents' footsteps, prepared to leave their jobs at a moment's notice to help at an accident scene or fire.

"If there is life safety at stake, I can drop everything and go," said Stephan, an auto body technician and wrecker driver for Autobuff Autobody in Hancock.

Billy said it is more difficult for him to get away at night since he is an overnight custodian at Ellsworth Elementary-Middle School, but he's available during the day when other volunteers might not be.

Bob is an auto technician at Morrison Chevrolet and said his employer will let him leave if there is a major structural fire.

He no longer dashes into burning buildings but remains outside directing the volunteers.

"Someone has to be in charge of the scene," said Bob.

Becky, who works at the Franklin Trading Post, said she always worries about her husband and boys, particularly when the fire alarm sounds.

"If there is a fire scene, I go a little ballistic," she said.

The Grindles say volunteerism is best taught when a town's future firefighters and emergency medical technicians are young.

"Kids realize helping their community out is a good thing," said Becky.

"If someone dies...or you lose everything," Bob adds,

"It's good to be there just to comfort people," said Becky.

Stephan said he enjoys the challenge and thrill of solving a problem as much as helping others in need.

While headed to a scene, Stephan said he is already planning how best to tackle a fire or extricate someone trapped in a motor vehicle based on the information he has received from dispatchers.

"He's more like I am trying to pre-plan something before he gets there, coming up with a plan of attack," said Bob.

Becky adds, "Stephan tells the firefighters where to go."

Each of the Grindles struggles to remain dispassionate when arriving at a fire or accident scene, fully aware the person or people involved could be a friend or relative.

"You have to go into a different mindset, take a deep breath," said Becky. "You're there as a rescuer," said Stephan, "not as a friend or family member."

Billy said the work has constant rewards. He recalls the satisfaction in being able to contain a fire to one room in a home, and the owner's gratitude.

"All of the stuff that meant a lot to him was saved," said Billy.

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NORTH LAKES FIRE DEPARTMENT RECEIVES SECOND SHAPE AWARD FROM DEPT OF LABOR

Inspection by the Department of Labor demonstrated an excellent safety record with 100% compliance which is very rare.

Chief Darren R. Woods stated that during its building inspections and review of training and documentation, the North Lakes Fire & Rescue did extremely well.

Chief Woods credits the firefighters in the department for their dedication to ensuring that their training is complete and that their work environment is as safe as possible.

While it is not always possible to be completely safe doing this kind of work, our firefighters strive to ensure that proper

safety measures are always taken, and that their training is kept up to date.

It is almost unheard of to have an inspector come in to do a spot inspection and not be able to find a single item to correct. Chief Woods further stated that the inspector even checked some items twice because he was surprised that everything was so well kept.

The North Lakes Fire & Rescue covers the areas of Sinclair, Cross Lake, Square Lake and Madawaska Lake. More information can be found at the department's website at www.northlakesfireandrescue.org.

MAINE 7 RED KNIGHTS MOTORCYCLE CLUB NEWS

Caribou Fire Department hosted the November monthly meeting of the Maine Chapter 7 U! Red Knights Motorcycle Club. This club is open to only firefighter or EMS personnel who hold a motorcycle license, have access to a motorcycle and an interest in supporting the sport of motorcycle riding. This club has several fund raisers each year that are donated to a

diabetes ramp for children, a victims burn fund and the Learn Not to Burn program. Some of the events they participated in this past summer of 2010 were the Federation Parade, the County muster parade, 4th of July parades and a 12 station tour of Aroostook Fire Departments. For further information check out their website at www.redknightsme7.com



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COUNTY NEWS

Androscoggin County

Recently the Androscoggin County Firefighter Association held their annual elections. Elected President was George Merrill, Assistant Chief of Lewiston Fire. Chief Fred Sturdevant of Mechanic Falls Fire was elected Vice President. Don Patterson of Mechanic Falls Fire was elected Treasurer.

Livermore Fire Department sent one of its members of the department to Texas to drive back a squad truck that they purchased. This unit will help create much needed area on their other trucks.

The county has had a change in leadership in a few of the departments. Chief Anthony Siderio was appointed Chief in Wales after Chief Carl Hinkley stepped down. Chief Gerry Pineau was chosen as Livermore Falls Chief after Chief Mark Chretien stepped down. Recently Chief Steve French announced that he was stepping down as Chief for Minot Fire.

Livermore Falls Fire Department is selling one of their old pumpers so that they can purchase a newer pumper. They also have an old forest unit that they are selling.

For Kent FD News



Fort Kent Fire took delivery of a new heavy rescue this summer.

2010 International 7600, 2 Door Chassis Walk Around Rescue

81Kw Hydraulic Generator

Wilburt Light Tower

Extruded Aluminum Body

Hancock County

Long time Trenton Vol. Fire Department Chief retires, Richard Gray appointed Chief Chief Kelton Muise recently retired from the Trenton Vol. Fire Department after many years at the helm. He has been chief off and on for the department for at least 27 years. The Trenton Select Board appointed Richard Gray to take the helm after Chief Muise's announcement. Chief Gray has been with the department for 28 plus years and many in an officer roles.

Trenton Vol. Fire Department had a structure fire recently on Route 3 on Sunday, December 19 at 10:30

p.m. The first engine arrived on scene within five minutes and reported that it was a fully involved structure fire and all occupants were out. Trenton FD has an automatic mutual aid agreement with the towns of Lamoine, Ellsworth and Hancock, who all responded shortly after the call. Bar Harbor was also called in for help with water supply. In the end, the house was a loss, but the elle and a business attached to the main building was saved. There were seven engines or pumper/tankers on scene and over 40 firefighters or support personnel from all the towns involved as well County Ambulance & Hancock's Rehab Vehicle. A fine job done by everyone thank you all the responding towns.

Hancock County Fire Fighter's Association Training & Education Committee is gearing up for their seventh year of HCFFA Fire Academy. From January to May, 26 Hancock, Penobscot & Washington County Firefighters will spend every other weekend, Saturday and Sunday, honing their skills as firefighters. They will be following the Jones and Bartlett curriculum for the FFI & II skills and in June will be eligible to sit for the state end tests. This Fire Academy is led by Lead Instructor Kevin Bland and the staff of qualified, enthusiastic firefighters willing to share their knowledge for this proud profession.

Lisa Winger, Trenton Vol. Fire Department, Captain Hancock County FF Association - Secretary/Treasurer Chair, Training & Education Committee

York Beach Ladder Refurb



1989 E-One 110' Ladder Refurb done in a 3 phase program. 1st phase was done in June 09 which included all the hydraulic components under the chassis. The 2nd & 3rd phase was done June - Sept 2010. These two phases consisted of all the upper hydraulics, Ladder taken off and acid dipped, brakes replaced, all the red was repainted and new "Z" stripeing, heated mirrors & many other items replaced and upgraded. LED light package was changed in house when it came back from Greenwood of Brunswick, Me The truck was worked on at both Greenwood locations.

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Hancock County Firefighters Association

Hancock County Firefighters Association's Training & Education Committee is coordinating the 7th HC Fire Academy. To date this Academy has seen over 140 students go through with many of them receiving State certification.

This Academy will hold classes throughout the county and will include a Class A & Class B burn. The students will follow the Jones & Bartlett curriculum and will learn skills from a fine instructing staff led by Lt. Kevin Bland.

Going through this Academy, the students can come out with HazMat Ops, First Aid & CPR, and Wildland certifications.

This Academy is made possible by the continuous dedication of the County Firefighters who take the course, the Hancock County Chiefs, and the County Commissioners who support the Academy financially, and with houses to burn, tools and equipment.

The Training & Education Committee puts in many hours of coordination throughout the year in putting this together.

Thank you, Hancock County Firefighters & Chiefs.

Washburn Fire News



They took delivery of a 2010 International fire engine that was built by MetalFab in Centerville, New Brunswick, Canada.

North Lakes Fire & Rescue News



North Lakes Fire and Rescue which covers Madawaska, Cross, Square and Long Lakes in Aroostook County recently had a tower and antenna donated to their department from a retired business owner. It was disassembled, transported and installed by department members at their Madawaska Lake Station and serves as

a dispatch repeater. The tower is 85 feet tall and the antenna is 21 ft long.

Washington County

Jonesport Fire Department has the following items for sale:

11 Aluminum 2.2 tanks

5 Service Air tanks

Call Boyd Crowley at (207) 497-5403 for more information. Price – best offer.

Van Buren Fire Department News



Check out this picture that Van Buren Fire is using to recruit new members.

Orland Fire



The Orland Fire Department recently purchased a 2009 KME Commercial Pumper through Bulldog Fire Apparatus of Woodville Massachusetts. The truck was offered as a one of two identical demo models by KME-Kovatch, a fire apparatus manufacturer out of Pennsylvania.

The new Engine 512, a Class A pumper is on a Ford f-750 chassis and fitted with a KME Challenger high low style body. Powered by a Caterpillar 300hp C7

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COUNTY NEWS CONT'D

engine and Allison 3000 EVS transmission, it also sports a Hale CSD 1250gpm pump with a Hale Foamlogix 2.1 foam system and 1000 gallon poly tank. This new engine gives the town a greater firefighting and mutual aid response capability, complementing their 1999 Pierce 1250/1000 Class A pumper, and replacing their Engine 513, a 1988 Metalfab 4x4 pumper that had been de-certified for structural firefighting due to several pump test failures. They will retain the older pumper and put in into service as a wildland interface pumper/ brush truck.

Bar Harbor

On the night of October 12, 2010 the Bar Harbor Fire Dept. was called to 9 Roberts Square for a reported structure fire. On arrival fire was showing from second floor widows on side A. Initial report was all occupants were out. At this time police on scene alerted fire crew to a man trapped on the third floor roof on side C. Fire fighters and police officers were able to get a ladder to the victim and assist him down. He was then transported to M.D.I. Hospital and treated for injuries he received during his close call.

The other four occupants made a narrow escape through thick smoke to a fire escape leading to the ground.

The initial attack was done with a 1 3/4 line to the second floor, and a second 1 3/4 line to the third floor which was used to knock down fire extended to the attic space. The fire was brought under control at around 12:20 a.m. and overhaul was done with the assistance of mutual aid crews from the following departments: Mount Desert, Southwest Harbor, and Trenton. Fire crews remained on scene until an investigation by the State Fire Marshal's office was conducted. The State Electrical Inspector determined the nature of the cause to be electrical.

Reported by Firefighter Jai M. Higgins

Picture courtesy of Earl Brecklin, Editor of the Mount Desert Islander news paper

Newcomb's Auto Body fire Verona Island

Call came in to Bucksport Public Safety at approx. 12:55 PM, for vehicle on fire inside the Newcomb's



Auto Body shop located on Route 1 on Verona Island.

Heavy smoke was visible above the tree line when Bucksport's first responding Engine 1 turned onto the Verona Island Bridge and the fire was free burning through roof on arrival about three minutes after the initial call. Quick defen-



sive action by the first fire fighters on scene saved several vehicles parked outside near the building. Pre-fab truss roof of main section of building started to collapse within 15 minutes of arrival. Attention was given to the center of the structure that contained the chemical storage area. The Structure was con-

sidered a total loss. Fire Fighters cleared the scene at approximately 5:20 p.m.

The weather was hot, mid-90's, bright sunshine and very humid.

Orland, Orrington, Prospect, Penobscot, Ellsworth, Surry, Castine FDs responded through the mutual aid pact with fire apparatus and personnel; Stockton Springs EMS provided backup EMS & Re-Hab on-scene while one of our ambulances transported one employee to EMMC for minor smoke inhalation. Crews were rotated often through rehab due to the high heat and humidity conditions.

Bucksport PD provided traffic control for a steady stream of multiple tankers refilling at hydrant on Main St. in Bucksport near the bridge, and Waldo County SO worked Prospect end of The Penobscot Narrows Bridge. Orland FD traffic officers detoured vehicles onto East Side and West Side Drive loop as US Highway 1 was closed.

The sole occupant of the business states he had been welding on a vehicle and had left the garage area for a few minutes and returned to find the fire. The fire remains under investigation by the Bucksport Fire Department and the Maine Fire Marshall's Office. DEP responded to the scene but determined that little environmental damage occurred, as responders had set up dikes and pads to catch the run-off.

ELLSWORTH FIRE DEPT. & SENATOR HALE HOSE CO. 2013 FIREFIGHTERS CONVENTION

THE ELLSWORTH FIRE DEPT. & SENATOR HALE HOSE CO.

Thirty-One Gun Raffle

A gun a day in the month of May 2011

Only \$20. 00 per Ticket

ONLY 1000 TICKETS WILL BE SOLD

Help us raise funds for the 2013 Fire Fighters Convention!

Tickets available at the Ellsworth Fire Station

EFD/SHHC 2013 CONVENTION COMMITTEE

Gun Raffle Rules

1. The Gun Raffle is for 31 guns. We will give a gun a day away for the month of May 2011.
2. Each ticket sold can win more than once. If a ticketholder wins on day one the ticket goes back in the drawing to possibly be picked again.
3. Raffle tickets cost \$20 each (printed on ticket). Checks are preferred, but cash is acceptable. Make all checks payable to; EFD/SHHC 2013 Convention
4. Only 1000 tickets will be sold. A spreadsheet, located at the station, will track all of the tickets handed out as well as those sold/unsold.
5. All guns will be provided by Willey Sport Center, Ellsworth.
6. Willey's will do all state and federal gun checks (printed on tickets). If a winner does not pass the state and/or federal gun checks, they will receive store credit to Willey's for that gun's value.
7. Tickets cannot be sold to someone under the age of 18. Handguns cannot be sold to anyone under the age of 21. This is state law.
8. The name of the winner and the ticket # will be announced by radio (and other media, such as the departments Facebook page) each day at a time to be determined. All gun winners will be contacted by someone at the firehouse.
9. If a winner of a gun does not come forward and pick up the gun from Willey's in one year's time from the date of winning, the value of the gun will come back to the sponsor of the raffle (which is the EFD/SHHC 2013 Convention Committee).

2010/2011 ELLSWORTH FIRE DEPT. GUN LIST

(Subject to change due to manufacturer availability Price will be of equal value)

- | | |
|--|---|
| 1- Savage Edge XP 308 Bolt Action W/ Scope | 17- Savage edge youth 7mm08 bolt action rifle |
| 2- Ruger 10/22 semi auto 22 rifle | 18- H&R 243 youth w/scope |
| 3- Stoeger Out Back O/U Shotgun, 20ga | 19- CVA Buckhorn 50 cal. Black powder |
| 4- Savage 93F 22 magnum rifle | 20- Walther P-22 semi auto handgun |
| 5- Stoeger SxS Coach gun 20Ga | 21- New England Firearms 30/06 single shot |
| 6- Heritage 22-22 magnum revolver | 22- Marlin Model 60, 22 cal. Semi auto rifle |
| 7- New England Fireatins 12ga. Shotgun | 23- Remington 7600 pump rifle 270 |
| 8- Marlin XL7 30/06 Bolt action rifle | 24- Rock Island 1911 45 cal. Handgun |
| 9- Glock Model 19 9mm handgun | 25- Mossberg 500 Cruiser 12ga. Shotgun |
| 10- Remington 870 Express 12ga Shotgun | 26- Taurus 63R 22 semi auto rifle |
| 11- Hi Point 40 cal. Semi auto handgun | 27- Ruger M-345 Semi auto Handgun |
| 12- Mossberg 30/30 lever rifle | 28- Savage MK11 22 Bolt action rifle |
| 13- Braztech single BBL 410 shotgun | 29- Keltec 380 semi auto handgun |
| 14- Remington 750, 308 carbine | 30- Rossi 38 spc. Revolver |
| 15- Marlin 980 22 cal. Bolt action rifle | 31- Stoeger Condor O/U Shotgun, |
| 16- Ruger SR9 9mm semi auto handgun | |

Save the Dates: Western Maine Fire Attack School

May 14th & 15th, 2011, Bethel, Maine

Visit: www.franford.org FMI

NEW QUINT AERIAL FOR ELLSWORTH FIRE DEPARTMENT

The Ellsworth Fire Department has taken delivery of a 2010 Smeal 75' Quint aerial apparatus. The new apparatus will replace the current 1983 100' American LaFrance quint. The new aerial boasts a 1500gpm Hale CAFS-Pro pump with a 400 gallon water tank and a 30 gallon Class-A foam tank. There is seating for 4 in the cab. The apparatus carries a full complement of firefighting equipment including 1000' of 4' and supply hose 500' of 2-1/2" attack/supply hose along with 4 pre-connected hand lines.

Kevin Bland of Downeast Acceptance and Service Testing performed an acceptance test the day after arrival which includes a lengthy pump test to certify the pump and all associated equipment perform as the manufacturer states and meets National Fire Protection Association (NFPA) standards. A road test will also be conducted to verify acceleration and braking meet NFPA standards.

From there, there is still a vast amount of work to do to get the truck in service. Most importantly we will need to be trained on the operation of the various systems the truck offers. Four days of training are provided with the purchase of the truck. Training will consist of operation of the aerial, operation of the apparatus, maintenance, and operation of the Compressed Air Foam System (CAFS). Continuing with this training each of the engineers will have to log driving time to become familiar with the size and handling characteristics of the truck. Once we verify the apparatus performs as required and the engineers are certified we will place the apparatus in service.

All our firefighters will have to be trained on climbing

the ladder and operation of the foot stands, creeper controls, and nozzle function as well. These functions are similar to what we have now but are different.

Along with all the training we will have to install all the loose equipment on the truck. We initially were going to have New England Fire Equipment and Apparatus, the dealer for Smeal, install the loose equipment but decided to perform the installations ourselves so that we could place things precisely where we want them.

Once again, as we have in the past, we plan to take advantage of our in house resource. Gary Saunders with his business Finishline Graffix, will be installing the lettering and striping. This is definitely one

area where doing it yourself, so to speak, really pays off. Not only will we get exactly what we want but we can make subtle changes from time to time- such a fire safety messages.

On another note: Richard Peck, our sales representative, has informed us that our current ladder truck will most likely find a new home outside the United States. He was not able to give us all the details. It would be quite interesting to find out it ends up in Brazil, the location it was destined for to begin with.

We held our first Aerial committee meeting on October 14, 2008. Just over two years later, and countless hours spent, all our hard work has come to fruition. We have definitely done our best to bring together the biggest bang for the buck. We are very proud to say the Ellsworth Fire Department and the City of Ellsworth will see many years of excellent service from this unit.



PORTSMOUTH NAVAL SHIPYARD

Ambulance 2 is a 2010 Ford F450 Super Duty chassis built by Wheeled Coach. Vehicle has 72" head room in patient compartment, air ride suspension, drop down chains, oxygen bottle lift and LED warning light. Placed in service 10/9/2010.

Engine 3 is a 2009 Pierce Contender with custom cab, vehicle has 1250 GPM Wateros pump, 780 gallon poly tank, Husky foam system, Elkhart remotely operated master stream, 6KW generator, 330 horse power 6 cylinder Cummins diesel with Allison EVS 3000 transmission. Engine 3 was placed in service January 2010 and the first run engine for the base. Engine 3 was one of 29 engines purchased by the Navy in late 2009.



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To put their life on the line,
To save another life instead.

It takes a special kind of person,
To stay and stand their ground
To stare the fire in the eye,
And try to take it down.

It takes a special kind of person,
To leave all that they own.
To rush into the darkness,
Into the dark unknown.

It takes a special kind of person,
To hear the weakest shout.
And run into a raging fire,
When everyone is running out.

It takes a special kind of person,
To do all that you do.
So from the bottom of every heart,
Firefighters, we thank you.

Jenny MacPherson, December 2005

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This package is available Sunday through Thursday until July 31st, 2011

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LOSAP COMMITTEE REPORT

SEPTEMBER 23, 2010

STATUS OF HOUSE AND SENATE BILLS

H.R. 1792 was introduced on March 30, 2009 by Representative Peter T. King (NY-3) and has 21 co-sponsors. It was referred to the Subcommittee on Health, Employment, Labor, and Pensions on May 14, 2009 and has not been moved out of committee.

S.3319 was introduced on May 5, 2010 by Senator Susan M. Collins of Maine and has 2 cosponsors. It was referred to the Committee of Finance on the same date and has not been moved out of committee.

Attached is a list of states, the number of representatives each state has and the number of representatives of each state who support the passage of H.R. 1792 as of September 1, 2010. A similar column is shown for members of the senate.

It is obvious that the support we are receiving for these bills (5.1% House; 3.0% Senate) indicates to the legislative leadership that there is no groundswell for these bills.

This committee was formed by Chairman Stittleburg at our meeting in Sitka, AK on September 11, 2002. Since that time we have met with actuarial and legal consultants to draft legislation, which to date has cost the association in excess of \$18,000.

The original bills were introduced in the 109th Congress. We are presently in the 111th Congress which expires in January 2011.

We are presently in the election cycle for all members of the House and some members of the Senate.

We need more cosponsors if we have any hopes of getting these bills out of committee and onto the floor for voting.

One opportunity that may present itself is that the "Bush tax cuts" expire on December 31, 2010 and there is pressure on Congress to extend them for two years. Also, certain tax benefits (principally the alternative minimum tax) has not been extended for 2010.

The bottom line: We need, especially directors from states with large delegations, to have their associations communicate with their legislators and have them cosponsor these bills.

Respectfully submitted, Martin P. Carrier, Chair

LOSAP - NUMBER OF SUPPORTING MEMBERS				
STATE	HOUSE	H.R. 1792	SENATE	S. 3319
AL	7		2	
AK	1	1	2	
AR	4		2	
AZ	8		2	
CA	53		2	
CO	7		2	
CT	5	1	2	1
DE	1		2	
FL	25		2	
GA	13		2	
HI	2		2	
ID	2		2	
IL	19		2	
IN	9		2	
IA	5	2	2	
KS	4	2	2	
KY	6		2	
LA	7		2	
ME	2	1	2	
MD	8		2	
MA	10		2	
MI	15		2	
MN	8		2	
MS	4		2	
MO	9		2	
MT	1		2	
NE	3	1	2	
NV	3		2	
NH	2	1	2	
NJ	13	1	2	
NM	3		2	
NY	29	7	2	1
NC	13	1	2	
ND	1		2	
OH	18		2	
OK	5		2	
OR	5		2	
PA	19	1	2	
RI	2		2	
SC	6		2	
SD	1		2	
TN	9		2	
TX	32	1	2	
UT	3		2	
VT	1		2	
VA	11	1	2	
WA	9		2	
WV	3		2	
WI	8	1	2	
WY	1		2	
TOTAL	435	22	100	3

NOTES: H.R. 1792 was introduced by Rep. Peter King (NY-3) on 3/30/2009.

S. 3319 was introduced by Sen. Susan Collins (ME) on 5/5/2010

Updated: September 1, 2010

NVFC LEGISLATIVE REPORT

By Dave Finger, Director of Government Relations

September 2010

Here is an update on key issues affecting America's volunteer fire and emergency services:

PRIORITIES

1. Broadband for First Responders Act (H.R. 5081, S. 3625, S. 3756)
2. Assistance to Firefighters Grant Program
3. Volunteer Emergency Services Recruitment and Retention Act (H.R. 1792/S. 3319)
4. Volunteer Responder Incentive Protection Reauthorization Act (H.R. 3666/S. 3136)
5. Volunteer Firefighter and EMS Job Protection Act (S. 1025)
6. U.S. Fire Administration
7. Fire Sprinkler Incentive Act (H.R. 1194, S. 2947)
8. Supporting Emergency Responders Volunteer Efforts Act (H.R. 2601/S. 857)
9. Good Samaritan Volunteer Firefighter Assistance Act
10. Citizen Corps/Fire Corps Funding and Authorization

1. Broadband for First Responders Act (H.R. 5081, S. 3625, S. 3756)

Since well before the September 11th attacks, first responders have had a clear need for additional radio spectrum space so they can communicate more effectively. In the wake of those terrorist acts, the 9/11 Commission made it clear that providing more radio spectrum to emergency services was a priority for improving both security and safety. Gaining access to a greater range of the spectrum would allow emergency services personnel to communicate more effectively.

Though bills have been passed as far back as 1997 attempting to set a timetable for this transition, they had always been plagued by loopholes supported by the TV broadcasters, who fear a loss of viewership if they go completely digital before consumers have the needed equipment to utilize it. Finally, in 2006, Congress made 24 MHz of radio spectrum in the 700 MHz band available to first responders.

On July 31, 2007 the Federal Communications Commission (FCC) revised plans to auction portions of the 700 MHz band of radio spectrum in order to create a nationwide interoperable broadband network for use by public safety. The revised FCC rule bundled 10 MHz already scheduled to be auctioned with 12 of the 24 MHz designated for public safety to be auctioned to a private entity that will enter into a partnership with public safety organizations to develop a shared nationwide interoperable network for commercial and public safety users. Public safety users would have priority access to the network during major emergencies.

The public auction of additional radio spectrum took place in January 2008. Originally, commercial entities

like Google and Verizon Wireless expressed interest in the commercial market, but the "D Block," or the public safety portion, encountered several set-backs. Frontline Wireless, a corporation made up of wireless industry and government veterans, was expected to be the largest bidder but dropped out of the auction unexpectedly. Subsequently, the "D Block" auction has been categorized as a failure. The plan received only one anonymous bid that fell far short of the \$1.33 billion reserve price set by the FCC.

The NVFC's top priority for D block funding is the establishment of a nationwide broadband network that volunteer departments can plug into at a relatively inexpensive rate. Establishment of a nationwide broadband network that includes rural areas would be hugely beneficial to volunteer agencies because they wouldn't have to pay any money to build it and would potentially be able to subscribe to for a nominal fee. Additionally, they would potentially be able to upgrade intra- and interoperability without having to purchase expensive new equipment.

In March 2010, the FCC proposed that portions of the radio spectrum that had previously been scheduled to be auctioned in January 2008 be put up for auction again, only this time without many of the conditions that private bidders were required to meet in the previous auction to address the needs of public safety. The idea would still be to build out a nationwide broadband network that public safety would have access to, but public safety would have less control over what the network would look like and how priority access would be obtained.

H.R. 5081, introduced on April 20, 2010, by Congressman Peter King (R-NY), would (1) allocate the D block for public safety broadband communications while establishing rules and regulations for the manner in which the network would function.

On July 21, 2010, Senator Joe Lieberman (I-CT), along with original co-sponsor Senator John McCain (R-AZ) introduced S. 3625, which would allocate the D-block to public safety as well as create a Public Safety Broadband Licensee with a Board of Directors made up of representatives of various public safety organizations, including NVFC.

On July 29, 2010, Senator John Rockefeller (D-WV) introduced S. 3756, which would (1) ensure the deployment of a nationwide public safety interoperable broadband network in the 700 MHz band which is deployed in both rural and urban areas; (2) reallocate and integrate the 700 MHz D block spectrum for use by public safety entities; (3) permit flexible use of the narrowband spectrum; (4) ensure that the nationwide public safety broadband network is fully interoperable on a nationwide basis; and (5) establish a 10-year public safety advisory board.

The NVFC is supportive of all three bills.

2. Assistance to Firefighters Grant Program (AFG and SAFER)

The NVFC strongly supports full funding of the Assistance to Firefighters Grant (AFG) program and the Staffing for Adequate Fire and Emergency Response (SAFER) grant

program. AFG is a competitive program that awards one-year grants directly to fire departments nationwide in an effort to give every department the basic tools needed to respond to all hazards. Fire departments can apply for federal assistance for training, equipment, firefighting vehicles, communications equipment, health and safety programs and fire prevention and education programs.

The SAFER Grant program provides grants to fire departments for the hiring of personnel and/or to fire departments or regional and state fire associations to implement retention and recruitment programs. Ten percent of SAFER funding is statutorily required to be set aside for volunteer recruitment and retention. In addition, the program includes NVFC-backed provisions that ensure at least ten percent of the funds for hiring firefighters go to volunteer and majority volunteer departments and that any firefighter hired under this program cannot be discriminated against for or prohibited from engaging in volunteer activities in another jurisdiction during off-duty hours.

The NVFC participates regularly in stakeholder meetings hosted by DHS to discuss AFG and SAFER program priorities. Every year, three NVFC board members will participate in criteria development for AFG and SAFER at the National Fire Academy in Emmitsburg, MD. The criteria development meeting has been held annually since the inception of AFG nearly a decade ago and the NVFC has always participated. NVFC board members also participate in periodic strategic planning meetings for AFG and SAFER held at different times throughout the year.

AFG was funded at \$390 million in FY 2010, a reduction of \$175 million from FY 2009. President Obama proposed reducing funding to \$170 million in his FY 2010 budget request. The President proposed doubling funding for SAFER from \$210 million in FY 2009 to \$420 million in FY 2010, a recommendation that was adopted by Congressional appropriators.

For FY 2011, the President has proposed funding AFG and SAFER at \$305 million each. The NVFC signed onto a letter with a number of other fire service organizations asking for AFG and SAFER to be funded at \$420 million and subsequently met with House and Senate Appropriations Committee staff to explain the request in detail. The House Homeland Security Appropriations Subcommittee has approved preliminary legislation providing the \$420 million for AFG and SAFER that the NVFC requested. The Senate Homeland Security Appropriations Subcommittee has approved legislation that would provide \$390 million — flat funding — for AFG.

AFG and SAFER are also due to be reauthorized this year. In November 2009, the House of Representatives passed H.R. 3791, the Fire Grants Reauthorization Act, which extends AFG and SAFER for five years and makes a number of changes to both programs. The NVFC is supportive of H.R. 3791, which includes several important reforms that the NVFC pushed for, including: eliminating the local match for fire departments applying for Fire Prevention and Safety (FP&S) funding through AFG; allowing national organizations to apply for SAFER recruitment and retention funding, which state and regional organizations are already allowed to do; and making state fire training academies eligible to apply for AFG funds to purchase equipment and apparatus.

The Senate version of the Fire Grants Reauthorization Act (S. 3267) was introduced in April 2010 and has been reported favorably to the Homeland Security and Governmental Affairs Committee. The NVFC joined with other major fire service organizations in sending a letter expressing support for the Senate moving forward with the reauthorization process, while raising concerns over some of the differences between the House and Senate bills.

3. Volunteer Emergency Services Recruitment and Retention Act (H.R. 1792, S. 3319)

Length of Service Award Programs (“service award programs”) providing benefits in the form of deferred payments to volunteers in firefighting and prevention services, emergency medical services and ambulance services have been authorized and established under State law for many years. Approximately 20 percent of the 800,000 volunteer firefighters in the United States today participate in service award programs.

While service award programs are similar to traditional pension plans, they are treated differently for tax purposes. For instance, taxation cannot be deferred in a service award program unlike in a traditional pension plan where employers can set aside funds each year until the employee retires and begins drawing payment. As a result, service award programs are “unfunded” which leads to insecurity as to whether there will be adequate resources available to pay benefits when due. Another consequence is that volunteer first responders who leave their department for any reason must begin drawing payment immediately or lose their benefit.

The NVFC has developed legislation that would simplify the requirements for service award programs and reduce the administrative burden of both governmental agencies and potential sponsors by using existing statutory and regulatory schemes. Under the new legislation, a service award program could be treated as an “eligible deferred compensation plan” if the program sponsor meets certain requirements and elects to do so. The legislation would not create any new service award programs or require changes to existing service award programs, but simply provide increased flexibility for program sponsors. While the legislation would allow for deferred taxation of service award programs in some cases, in the long-term the legislation would be revenue neutral.

Congressman Peter King (R-NY) introduced H.R. 1792 on March 30, 2009, along with original cosponsors Bill Pascrell (D-NJ), Heath Schuler (D-NC) and Joseph Crowley (D-NY). On May 5, 2010, Senator Susan Collins (R-ME) introduced companion legislation, S. 3319, along with original co-sponsor Christopher Dodd (D-CT).

4. Volunteer Responder Incentive Protection Reauthorization Act (H.R. 3666/S. 3136)

The Volunteer Responder Incentive Protection Act (VRI-PA) was signed into law on December 20, 2007, amending the Internal Revenue Code of 1986 to exclude property tax benefits and up to \$360 per year of any other type of benefit provided to volunteer firefighters and EMS

personnel from employment taxes and wage withholding. Passage of VRIPA was a top legislative priority for the NVFC in the 110th Congress.

The IRS determined in April of 2008 that it would continue to withhold Social Security, FICA, etc. taxes from all benefits received by volunteers, including those exempted from taxation by VRIPA. Congress passed legislation in July of 2008 to clarify that the IRS should not withhold any money from the tax-exempt benefits of volunteer first responders.

VRIPA is slated to expire at the end of 2010. On September 29, 2009, Congresswoman Tammy Baldwin (D-WI), along with original co-sponsor Dave Reichert (R-WA) introduced the Volunteer Responder Incentive Protection Reauthorization Act (H.R. 3666), which would extend VRIPA through 2013 and increase the amount of non-property tax-related benefits that volunteers can receive tax-free from \$360 to \$600 per year. Senator Chris Dodd (D-CT) and Senator Susan Collins (R-ME) introduced Senate companion legislation (S. 3136) on March 18, 2010.

5. Volunteer Firefighter and EMS Personnel Job Protection Act (S. 1025)

The NVFC strongly supports the passage of the Volunteer Firefighter and EMS Personnel Job Protection Act, which would protect the jobs of volunteer emergency services personnel responding to a Presidentially-declared national disaster for up to 14 days. Currently, volunteer firefighters and emergency medical services personnel are not protected from termination or demotion by their employers should they miss work when asked to respond to a national emergency. This protection is similar to that provided to members of the National Guard.

On May 12, 2009, Senator Thomas Carper (D-DE) along with Senator Susan Collins (R-ME) introduced S. 1025. Congressman Robert Andrews (D-NJ) has agreed to introduce companion legislation in the House.

6. U.S. Fire Administration

The United States Fire Administration (USFA) provides training and education for emergency services personnel and the public. USFA also performs research and collects data specific to the fire service and fire service activities. The long-term health of USFA and its National Fire Academy are critical to the fire service.

USFA was reauthorized by Congress in September of 2008. The NVFC worked closely with the House and Senate sponsors to help develop and ensure final passage of the reauthorization, which runs through 2012 and contains several important provisions, including: an increase in authorized funding for USFA; establishes that activities in wildland fire, emergency medical services, urban search and rescue and hazardous materials are core elements of USFA's mission; and updates the National Fire Incident Reporting System.

USFA received \$44.98 million in FY 2009, much lower than the \$70 million authorized but more than the \$40.9 million the President had requested and a \$1.6 million increase from FY 2008. For FY 2010, the President requested \$45.59 million for USFA, the funding level adopted in the House and Senate versions of the Homeland Security Appropriations Act. The President has requested \$45.93

million for USFA in FY 2011 and the House Homeland Security Appropriations Subcommittee has approved preliminary legislation funding USFA at the requested level.

While we have seen enormous increases in overall homeland security spending in recent years, USFA's funding level has actually been slightly reduced over the same period, causing the agency to struggle in executing its core mission. The NVFC is pleased to see the recent upward trend in funding for USFA. Although we continue to support full funding, the NVFC is not seeking additional funding above the President's requested level in FY 2011.

7. Fire Sprinkler Incentive Act (H.R. 1194, S. 2947)

The National Volunteer Fire Council strongly supports the passage of the Fire Sprinkler Incentive Act, which would provide tax incentives for the voluntary installation and retrofitting of automatic sprinklers in buildings. This bill would reduce the tax depreciation time on non-residential real property from 39 years to only 5. While this tax incentive may appear sizeable, benefits of passage include lower local fire department costs, increased loan activity, reduced insurance claims and premium costs, larger numbers of retrofitting and installation jobs, and the generation of payroll tax revenue.

The importance of automatic fire sprinkler systems was tragically demonstrated in February 2003 when 99 people were killed in a pyrotechnic fire at a nightclub in Rhode Island. Three days earlier, there was another pyrotechnic fire in a nightclub in Minnesota. That establishment had an automatic fire sprinkler system and the fire did not cause a single injury.

The benefits of fire sprinkler systems have long been known. In fact, the National Fire Protection Association has no record of a fire killing more than two people in a public assembly, educational, institutional or residential building with a complete and fully operational automatic fire sprinkler system. The effectiveness of sprinkler systems in extinguishing fires or extending the time available for firefighters to respond is indisputable. Unfortunately, due to the costs of implementation, there has been little movement amongst property owners to install these systems.

Congressman Jim Langevin (D-RI) re-introduced the Fire Sprinkler Incentive Act on February 25, 2009, along with 55 original co-sponsors. The bill number is H.R. 1194. On January 22, 2010, Senator Thomas Carper introduced the Senate companion bill, S. 2947.

8. Supporting Emergency Responders Volunteer Efforts Act (H.R. 2601/S. 857)

The NVFC strongly supports the passage of the Supporting Emergency Responders Volunteer Efforts (SERVE) Act, which would provide a \$1,000 annual tax credit for active members of volunteer fire and EMS organizations.

A \$1,000 tax credit for volunteer firefighters and EMS personnel can serve as an important recruitment and retention tool for local volunteer fire departments who are struggling to meet increased the demands placed on them. With the ranks of the volunteer fire service decreasing over ten percent in the last 20 years, the Federal government should provide a small incentive to these

brave men and women who risk their lives for little or no compensation to help reverse this trend. In fact, the cost of this tax incentive to the Federal government would be quite small compared to the estimated \$37.2 billion annual cost savings provided by the volunteer emergency services.

Senator Charles Schumer (D-NY) introduced S. 857 on April 22, 2009. Congressman Maurice Hinchey (D-NY) introduced companion legislation (H.R. 2601) on May 21, 2009, along with 12 original cosponsors.

9. Good Samaritan Volunteer Firefighter Assistance Act

Every year quality fire equipment, including hoses, fire trucks, protective clothing, and breathing apparatus, with an estimated worth in the millions of dollars, is destroyed or discarded by industry and larger fire departments instead of being donated to small fire departments in order to avoid civil liability lawsuits. The fear of litigation has forced heavy industry and wealthier fire departments to waste surplus equipment, which in many cases has years of potential use remaining.

Under the Good Samaritan Volunteer Firefighter Assistance Act, a company or fire department that donates fire control or fire rescue equipment to a volunteer fire company will not be held liable for personal injuries or property damage caused by a defect in the equipment. The bill does not protect those persons who act with malice, gross negligence, or recklessness in making the donation; nor does it protect the manufacturer of the donated equipment.

Language that was nearly identical to the Good Samaritan Volunteer Firefighter Assistance Act was inserted into the conference report of the reauthorization of the Patriot Act, which was signed into law on March 9, 2006. Under the Patriot Act language, equipment must be recertified as meeting the manufacturer's specifications by a technician who has been certified by the manufacturer of fire control or fire rescue equipment to inspect such equipment in order for the protection from liability to apply.

The NVFC is concerned that this language has created a standard that is unreachable for most organizations considering donating equipment. It isn't clear who would actually recertify the equipment as it is not a practice that manufacturers, who the Patriot Act tasks with recertification, currently participate in. Even if manufacturers were willing to recertify equipment, it is doubtful that they would do it for free and also unlikely that the donating party would be willing to bear the significant costs associated with recertification. The NVFC is working in the 111th Congress to enact the Good Samaritan Volunteer Firefighter Assistance Act as originally written.

10. Citizen Corps/Fire Corps Funding and Authorization

State and local governments have embraced the concept of Citizen Corps to help provide better coordination between all groups involved in emergency response, from Neighborhood Watch groups to fire and police departments and organizations such as the Red Cross. They are developing the management capacity of the Councils, conducting public education, providing training for citi-

zens, and engaging citizens through volunteer programs.

Citizen Corps grants help fund programs such as Fire Corps, Medical Reserve Corps, Neighborhood Watch, Volunteers in Police Service (VIPS), and Community Emergency Response Teams (CERT) across the nation. Many VIPS, Medical Reserve Corps, and Fire Corps programs have received funding to cover costs associated with volunteer management, running background checks, providing training, or purchasing equipment or uniforms needed to run their program. Fire Corps promotes the use of citizen volunteers to enhance the capacity of fire and rescue departments by performing non-operational functions.

Citizen Corps received \$15 million in FY 2009, matching the FY 2008 funding level as well as President Bush's budget request. The House and Senate FY 2010 Department of Homeland Security Appropriations bills both included \$15 million for Citizen Corps, but the final conference report, which was signed into law in October 2009, only included \$13 million. The President's FY 2011 Budget Request does not include a line item for Citizen Corps but indicates that it will be funded out of the State Homeland Security Grant (SHSG) Program account. Preliminary legislation approved by the House Homeland Security Appropriations Subcommittee consolidates Citizen Corps into SHSG.

UPDATE ON MONITORED LEGISLATIVE ITEMS

Ryan White First Responder Notification

When the Ryan White HIV/AIDS Treatment Modernization (RWHATM) Act was passed in 2006, a provision was removed that had previously required hospitals to notify emergency response agencies when a responder, stuck by a needle or exposed to blood or other body fluids, was at risk of contracting an infectious disease. The NVFC is concerned that without a law requiring that this information be provided, many hospitals will refuse to provide it based on the concern that doing so would violate patient confidentiality under the Health Insurance Portability and Accountability Act (HIPAA). In October 2009,

RWHATM was reauthorized including a re-codification of the responder notification provisions that were removed in 2006. Congress chose to modify the language slightly to give the Secretary of the Department of Health and Human Services (HHS) the authority to waive the requirement in the event of a declared public health emergency.

Volunteer Mileage Reimbursement Rate (H.R. 524/S. 243)

In some volunteer agencies, firefighters and EMS personnel respond to incidents in their personal vehicles and qualify for a federal mileage reimbursement of 14 cents per mile, the charitable deduction rate. This rate was established in 1997 when the average price of gasoline fluctuated between \$1.18 and \$1.28 per gallon. On September 1, 2008, the average price of gasoline in the United States was \$3.68 per gallon, approximately 300 percent higher than in 1997. By contrast, the business mileage reimbursement rate is 50 cents per mile.

The NVFC believes that the charitable deduction rate should be increased and a mechanism established for adjusting the rate in the future as the price of gas fluctuates. Senator Benjamin Cardin (D-MD) introduced the Giving Incentives to Volunteers Everywhere (GIVE) Act (S. 243) on January 14, 2009. The legislation would increase the charitable deduction rate for mileage to the same level as business reimbursement and establish that reimbursement of operating expenses from a volunteer organization for expenses related to the use of a passenger vehicle for the benefit of that organization are not considered taxable income. Congressman John Lewis (D-GA) introduced companion legislation (H.R. 524) in the House on the same day that the Senate bill was introduced. The NVFC supports passage of the GIVE Act.

Volunteer Fire Assistance (VFA) Program

This is a federal grant program administered by the U.S. Forest Service through the state foresters. Rural fire departments that protect communities with populations under 10,000 apply for 50/50 matching grants to subsidize training, equipment, and protective clothing to help them prepare for wildland fires. VFA received \$13.8 million in FY 2009 and \$16 million in FY 2010. In the President's budget for FY 2011, the VFA total is \$14 million.

Department of Interior Rural Fire Assistance Program

The Department of Interior (DOI) Rural Fire Assistance (RFA) Program is aimed at enhancing the fire protection capabilities of rural fire districts in the wildland urban interface. The program assists with training, equipment purchase, and prevention activities, on a 90/10 cost-share basis. The rural fire department must serve a community with a population of 10,000 or less and must have a statewide agreement with the state forester or a cooperative fire agreement with an agency in the DOI.

RFA was funded at \$7 million in FY 2009 and FY 2010 after being zeroed-out in FY 2007 and receiving \$6 million in FY 2008. RFA has been funded but never authorized, making it vulnerable to funding reductions or even elimination.

Community Building Code Administration Grant Act (H.R. 2246/S. 970)

The NVFC supports passage of the Community Building Code Administration Grant (CBCAG) Act, which would create a federal grant program to help communities adopt and enforce building codes, including fire safety

measures. Congressman Dennis Moore (D-KS) and Senator Mary Landrieu (D-LA) introduced the House and Senate versions of the CBCAG Act (H.R. 2246 and S. 970, respectively) on May 5, 2009.

Supporting America's Volunteer Emergency Services Act

The Supporting America's Volunteer Emergency Services (SAVES) Act would create a federal funding stream to help volunteer fire departments pay for gasoline and diesel fuel. Volunteer fire departments are extremely vulnerable to spikes in fuel prices like we've seen over the course of the past year. Emergency response in rural areas, where volunteers are most prevalent, is extremely fuel-intensive because of the large areas that individual fire and EMS agencies in those communities serve. Additionally, because there is often no readily available water source near structures in rural areas, fire suppression often involves multiple trucks pumping and hauling water to the scene of an incident.

Protect Children from Dangerous Lighters Act (H.R. 2050/S. 723)

The NVFC supports a federal ban on sales of cigarette lighters that resemble children's toys, also known as novelty lighters. Under H.R. 2050 and S. 723, novelty lighters are defined as "lighters that have features that make them attractive to children under five," including "lighters with features entertaining to children, such as visual effects like flashing lights or sound effects like musical notes."

Novelty lighters have been responsible for injuries, deaths and accidents across the nation. Because they resemble toys, children are tempted to play with them even if they have been taught that handling lighters is dangerous. Fatal fires caused by novelty lighters have been documented in several states and some local and state governments are taking action by banning their sale and distribution. The NVFC supports efforts at every level of government to restrict sales of novelty lighters and is working with Congress to enact a federal ban.

Senator Ron Wyden (D-OR) introduced S. 723 on March 26, 2009, along with original co-sponsors Thomas Carper (D-DE), Chris Dodd (D-CT) and Susan Collins (R-ME). Congressman Michael Michaud (D-ME) introduced companion legislation in the House (HR. 2050) on April 22, 2009.