

LEGISLATIVE MEMO #4

TO: Board of Directors, MSFFF

FR: William L. Vickerson

RE: LD#s: 53, 133, 264, 299, 309, 394, 515, 550, 555, 597, 621, 713, 789 and 847

DATE: March 14, 2009

On Monday, March 9 the Fire Protection Services Commission endorsed the concept draft prepared by Ed Holohan for a statewide LOSAP program. This is the first step in the legislative process for this important legislation. The draft will be turned into a bill that will be then by amended by the actual draft of the bill that Ed will have finished by the end of this month. I have attached a copy of the concept draft with this report.

The Commission also endorsed a bill drafted by the Federation to increase the vehicle weight limit for fire fighter licence plates from 9,000 gsw to 12,000 gsw. As many of you know, many personal pick-up trucks, especially those with tow packages exceed that limit. Town clerks are interpreting this issue differently from municipality to municipality. The higher weight limit would clarify the issue.

Bills on which the Federation has or will take a position

LD 394: An Act to Protect Nonprofit Organizations from Embezzlement would require two signatures on every check issued by a non profit, public benefit corporation. It is designed to protect small non profits. It would though present some logistical challenges for organizations like the Federation that does not have its office in one central location. The legislative committee feels that this bill although well intentioned would pose a substantial hardship on organizations like the Federation that do not have their officers under one roof. **The Judiciary Committee held a hearing on March 12. *The Federation opposes this bill.***

LD 550: An Act to Protect Maine Families from Home Fires and Carbon Monoxide would require that all single-family dwellings and multi apartment buildings sold in the State and newly constructed single-family dwellings have photoelectric-only-type smoke detectors and at least one carbon monoxide detector in an area within or giving access to a bedroom. The detectors in multifamily dwellings and newly constructed single-family dwellings must be powered by both the electrical service in the building and by battery. ***The Federation supports this bill. The Criminal Justice & Public Safety Committee has heard the bill and has held its work session. The committee has not yet reported it out.***

LD 621: An Act Allowing Workers' Compensation Benefits for Firefighters Who Contract Cancer would create a rebuttable presumption under the Maine Workers' Compensation Act of 1992 that a firefighter who contracts cancer contracted the disease in the course of employment as a firefighter if the firefighter, during the time of that firefighter's employment, received a test for cancer that failed to detect the cancer. This bill makes the last employer for whom the firefighter worked at the time of the last exposure to the risk of cancer and that employer's insurer liable for the cancer. This would make the workers' compensation act treat cancer that same way it treats heart disease under the "heart/lung" law. *The Federation supports this bill. The Labor Committee will hold a public hearing on March 19.*

LD 713: An Act to Regarding Assault on a Fire Fighter would make assaulting a fire fighter engaged in his/her official duties at the scene of a fire or emergency a Class C felony. Current law makes assault on a police officer or emergency medical services person a Class C felony. This bill extends the same penalty to assault on a firefighter. *The Federation supported this bill in the last legislature. We will support it again this year. I have heard recently though that the sponsor may withdraw it. The Criminal Justice & Public Safety Committee has scheduled the public hearing on March 18 and a workshop on March 27.*

LD 847: An Act Authorizing Statewide Mutual Aid among First Responder Agencies provides that the Maine First Responders State-wide Mutual Aid Agreement, drafted by the Maine Emergency Management Agency and dated November 2008, applies to all political subdivisions in the State. This bill eliminates the necessity for political subdivisions to adopt local ordinances to participate in the agreement. Political subdivisions retain the right to withdraw from the agreement if they so elect. By applying the agreement, this bill authorizes first responder agencies to provide emergency services, even if a political subdivision has not entered into a mutual aid agreement with the political subdivision sending the requested emergency management, fire, law enforcement, emergency medical, public works or other emergency services. *The Federation supports this bill. The Criminal Justice & Public Safety Committee has not yet scheduled a hearing.*

Fire Related bills on which the Federation is not taking a position

LD 53: An Act to Permit the Use of a Common Flue for Oil and Solid Fuel Burning Equipment would prohibit the Commissioner of Public Safety and the Oil and Solid Fuel Board from adopting rules that prohibit the use of a common chimney flue for 2 appliances using different fuels. **The Criminal Justice and Public Safety Committee heard this bill on February 25. They have tabled it and hope to reach a compromise on it. For now the Federation is not taking a position.**

LD 133: An Act to Allow a Duplicate Vanity License Plate in a Different Classification of Plate would have repealed the prohibition that vanity plates may not duplicate vanity plates issued in another class of plate. If this bill had passed, you could have had your initials on a fire fighter plate and on a breast cancer plate. The current law does not allow that. *The Federation did not take a position. The Transportation Committee killed the bill on February 17.*

LD 264: An Act to Amend the Surcharge for the E-911 System would increase the statewide E-9-1-1 surcharge from 30¢ to 50¢ per month. *The Utilities and Energy Committee has the bill. The Federation is not taking a position.*

LD 299: Resolve, Regarding Legislative Review of Portions of Chapter 4: Water Based Fire Protection Systems, a Major Substantive Rule of the Office of the State Fire Marshal is a resolve that provides for legislative review of Chapter 4: Water-based fire protection systems, a major substantive rule of the Department of Public Safety, Office of the State Fire Marshal. *The Criminal Justice and Public Safety Committee has the bill. The Federation is not taking a position.*

LD 309: An Act to Direct the Emergency Medical Services Board to Examine the Licensure Procedures for Emergency Medical Services Persons is a resolve that directs the Emergency Medical Services' Board to examine the procedure by which the board releases information to the public when a licensure request is either accepted or denied to make certain that private and confidential information is not released pursuant to the freedom of access statutes. The board is to report to the Second Regular Session of the 124th Legislature on its findings. *The Criminal Justice and Public Safety Committee has the bill. The Federation is not taking a position.*

LD 515: an Act to Allow a Municipality to Recover Emergency Response Costs from a Natural Gas Utility in Certain Cases is a bill that clarifies that the term "hazardous matter" includes natural gas that has been released into ambient air in order for that event to qualify for reimbursement when municipalities recover emergency response costs. *The Federation is not taking a position.*

LD 555: An Act to Promote Public Safety Answering Efficiency will require the E-9-1-1 Council to assist the Public Utilities Commission, Emergency Services Communication Bureau in resolving service-related complaints regarding the E-9-1-1 system. It requires the bureau to include in its annual report to the Joint Standing Committee on Utilities and Energy information regarding the performance of each of the public safety answering points during the reporting period. The bill directs the bureau to prepare and submit a report to the Joint Standing Committee on Utilities and Energy regarding the optimum configuration of public safety answering points in the State and the benefits and consequences of expanding the statewide E-9-1-1 surcharge to fund all E-9-1-1 system costs. The bill authorizes the committee to submit legislation relating to the report to the Second Regular Session of the 124th Legislature. *The Federation is not taking a position.*

LD 597: An Act to Amend the Laws Governing Public Safety Answering Points is a placeholder bill or concept draft that proposes to enact specific requirements that must be met prior to any consolidation or reconfiguration of public safety answering points. *The Federation has not yet taken a position. The legislative committee will wait for the bill itself.*

LD 789: An Act To Make Certain Changes to the Laws Regarding E-9-1-1 Surcharge Collection from Prepaid Wireless and Voice over Internet Protocol Providers is a bill designed to clarify some issues for the PUC during rule making procedures for internet and wireless phones. *The Federation is not taking a position.*

If any of you are interested in finding out more about the legislature or any particular bill, go to <http://janus.state.me.us/legis/session/>