

LEGISLATIVE MEMO #7

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, 847, 1067, 1076, 1177 and 1210

DATE: April 10, 2009

News this week: Ed Holohan of Penflex has completed his draft of a Length of Service Award Program (LOSAP) bill that the Commission will file this year. The Commission's LOSAP subcommittee, chaired by Jeff Maker met with Ed Monday. Ed then presented the bill to the entire commission. The Commission endorsed the bill and we hope to have it in the revisor's office within a week.

The Labor Committee held two more work sessions on **LD 621**, the cancer presumption bill. On April 9 the committee voted the bill Ought to Pass as amended. The amendment eliminates certain cancers from the bill. It also adds a requirement that a firefighter must have a minimum of 5 years of service to qualify for the presumption. Finally it sets an age limit of 70. Under the bill as now written, volunteer fire fighters are still covered.

New bills this week: None

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 Federation opposed this bill. The Judiciary Committee killed it on April 2.***

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 voted it OTP-AM on April 9.***

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 voted it OTP-AM April 9.*

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. The Criminal Justice & Public Safety Committee killed it on April 2.*

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 voted OTP-AM on April 9.*

LD 1177: An Act To Establish the Maine Emergency Services Institute is the bill establishing the training facility. The Criminal Justice and Public Safety committee has this bill. As discussed at the board meeting last week, *the Federation will support it.* The Criminal Justice and Public Safety Committee has the bill. It has not yet scheduled a hearing.

Fire and 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 amended the bill and voted it OTP-AM on April 3. *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 is not taking a position.*

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.*

LD 1067: Resolve, To Establish a Blue Ribbon Commission To Study Methods of Protecting Emergency Medical Services Personnel During the Transportation of Persons with Mental Illness is a resolve to establish a blue ribbon commission to conduct a study and make recommendations on the issue of emergency medical services personnel and the transportation of people with mental illnesses and specifically address the best way to protect emergency medical services workers with established protocols for the occasions when attacks and threats occur to the personnel and when to use law enforcement intervention and arrest as opposed to using commitment to mental health facilities. The blue ribbon commission shall make a report and recommendations to the Joint Standing Committee on Criminal Justice and Public Safety, which is authorized to introduce a bill on this matter. The Criminal Justice & Public Safety Committee has the bill. *The Federation is not taking a position.* The public hearing is April 3.

LD 1076: An Act to Create a Statewide Training and Protocol for Responding to Mental Health Crises will require the Maine Criminal Justice Academy Board of Trustees, the State Fire Marshal and the Emergency Medical Services' Board to establish statewide protocols and a training program for firefighters, police officers and first responders to ensure that they are trained in serving people with mental illness. Training must include 4 hours of initial training and periodic review, and programs and protocols must be reviewed annually. The Criminal Justice & Public Safety Committee has the bill. *The Federation is not taking a position.*

LD 1210: An Act Pertaining to Volunteer Lobbyists for Nonprofit Organizations provides that a person who acts as a lobbyist or a lobbyist associate for a nonprofit organization whose only compensation for that lobbying is reimbursement for travel expenses and the employer of that person are exempt from the requirement to pay a registration fee. The Legal and Veterans Affairs Committee has this bill. *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/>