



FLASHPOINT

January 2010

Maine State Federation of Fire Fighters

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PRESIDENT'S MESSAGE

Fellow Firefighters:

Another year has come and gone. We have seen some big fire events throughout the State. Luckily, we as firefighters were fortunate to be safe in our work.

Please take note that our membership dues have gone up from \$6.00 to \$8.00 for the upcoming year. Federation dues have not increased since 1997. With all the benefits the Federation offers,

the board felt it was time for an increase.

The Federation works closely with the Legislators on bills that pertain to the Fire Service. We also interact with the Maine Fire Training and Education services, for the best possible training.

We have the Achievement of the Year Award, for a deserving firefighter who went above and beyond the call of duty.

We have done a Sup-

per Raffle for the past 6 months. I want to thank all of the officers for the work they did on that project. Also congratulations to all the winners.

I also want to offer a big word of thanks to all Federation officers for your work during the past year. Working together will bring success for the upcoming year of 2010.

Sincerely,
Richard A. Cyr
President, MSFFF, Inc.

47TH MSFFF CONVENTION

Presque Isle Fire & Rescue

47th M.S.F.F.F. • Convention • 2010
September 10, 11 & 12

Convention Chair: Grant Spinney

Cell # 207-551-3837

Co-Chair: Dale Morrison Cell # 207-227-3174

The City of Presque Isle would like to invite everyone to the 47th MSFFF State Convention that is going to be held in 2010 in Presque Isle.

It will be a memorable event with the Keynote speaker being Randolph Mantooth from the television series "Emergency."

He played Johnny Gage. Meet Randy in person when he hosts a fundraising autograph session on behalf of the County of Los Angeles Fire Museum.

Entertainment on Saturday night will be Bob Marley, a well known humorist who is a native of Maine.

There are lots of neat events planned, such as a bike show, Main Street Shopping Event, parade, a banquet before the entertainment on Saturday evening, and muster events on Sunday.

Convention packets will be available after January 1, 2010.

Lodging

Hampton Inn, 768 Main Street, Presque Isle, 760-9292

P.I. Inn & Convention Center, 116 Main Street, Presque Isle, 764-3321

Northeastland Hotel, 436 Main Street, Presque Isle, 768-5321

Budget Traveler, Main Street, Presque Isle, 769-0111

Campgrounds:

Arndt's Campground, Parkhurst Siding Rd., Presque Isle, 764-8677

Aroostook State Park, 87 State Park Rd., Presque Isle, 768-8341

Michaud's Campground, Houlton Rd., Presque Isle, 769-1951

COUNTY NEWS

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Lamoine

The Lamoine Volunteer Fire Department took delivery in November of a 2009 Brush Truck/Rapid Response truck. Built on a Ford F550 chassis, the truck features the department's first Compressed Air Foam System. The truck will be used in multiple response capacities, including scene safety at accidents, accompanying the department's rescue truck for extrication activities, hauling the department's rescue boat for launch and recovery. The new truck replaces a 1986 military surplus pickup truck that was sold to the Denny's River Fire District in Washington County and a 1976 FMC Bean Pumper that was traded to the truck manufacture (K&T Equipment) and will be placed into service in the Town of Crystal in Aroostook County after some repairs.

Hancock

Members of the Hancock VFD have just put a new Rescue Truck into service. The vehicle is a former County Ambulance rig the department has converted to carry a cascade system, the extrication tools, and water rescue gear. It can be used as a firefighter rehab center and a command post for fire scenes. Chief Chris Holmes says the unit was placed into service on November 11, 2009.

Other

Numerous fire departments responded to a pair of multi-agency water emergencies in August and October. A fast moving squall through Frenchman Bay put several boaters and kayakers in distress on

August 7th. Simultaneous calls for assistance came to Gouldsboro, Sorrento, Hancock and Lamoine, and all the craft and persons were successfully rescued. In early October fire departments from Lamoine to Gouldsboro to Bar Harbor launched watercraft in a search for a missing sailor who never arrived at his Bar Harbor destination. The man's body was recovered after an intensive search of Frenchman Bay. The effort by local fire departments pointed to some communication and coordination efforts which may be addressed in a joint Coast Guard exercise in 2010.

Hancock County

On October 30, Eastbrook Fire Department received its new truck. Eastbrook Fire Department fundraisers, donations and town residents helped to pay for the truck. Greenwood Fire Equipment Co. and E-one Fire Equipment Co. covered the cost of the spare air pack compartment, lettering, a picture of Sparky the Fire Dog on the back,

and a chrome dress-up package. These donations were generously made in memory of Thomas McNeil, who passed away in a fire April 19, 1908. He was the son of the Chief, Rick McNeil. Chief McNeil would like to say a huge thanks to the Hancock County Firemen's Association for all the support.



Ogunquit firefighters honored for service

Two have served 20 years

By Steve Bodnar

sbodnar@seacoastonline.com

May 28, 2009 6:00 a.m.

OGUNQUIT - The Fire Department publicly recognized two of its own Tuesday, May 5, each for having an outstanding record of service over their 20-year careers.

Chris Brassard and David Moore, who both serve as firefighters/emergency medical technicians, were presented with engraved watches to honor their work, and were met with a standing ovation from a packed house during a ceremony at the beginning of the night's Board of Selectmen meeting.

"Tonight is a special night for the Ogunquit Fire Department and it's a pleasure for me as chief to make this happen," said Fire Chief Ed Smith during a brief presentation before handing out the awards.

Smith identified major career highlights for both Brassard and Moore.

He said Moore started working with the department in the Junior Firefighter Program about 30 years ago, but officially came on board in 1989 after serving in the U.S. Air Force as a firefighter in Alaska.

In 1992, he received a firefighter heroism award for saving the life of a community member who was accidentally shot in the leg the year before, the chief said.

Brassard, who also joined the department in 1989, brought expertise in fighting wildfires in the western United States and Canada, Smith said. He also went to Bosnia in 2002 as a helicopter medic with the Army

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Reserve, and in 2005 helped lead a team of people in New Orleans after Hurricane Katrina.

"I speak for all the citizens and all the tourists and other visitors on recognizing the great job the fire department has done," said selectman Chairman Donato Tramuto.

Amid family and other fire personnel after the ceremony, Brassard and Moore expressed their gratitude to the department.

"This is very special," said Moore. "I feel lucky to have a chief like that, who recognizes hard work and dedication." Brassard too said he feels fortunate to be part of the department.

"It's an interesting job," Brassard said. "I have a job I look forward to going to every day, but you never know what can happen at any of those times."

Lifetime achievement award bestowed upon Ogunquit fire chief

By Steve Bodnar

OGUNQUIT - Fire Chief Ed Smith has served the town for 56 years, yet when he received a lifetime achievement award for his efforts, he was a bit surprised.

The moment came earlier this summer when the York County Chiefs' Association honored Smith - who humbly accepted the award - for serving the community as a firefighter, safety instructor and department leader.

"I couldn't believe it," Smith said in his fire station office July 23. "It's a great tribute and quite the honor."

Smith, a Wells resident, began his career in 1953 as an Ogunquit volunteer firefighter.

He served in various firefighter groups and educational programs for many years as well.

While professionally Smith also owned a propane distribution service, he always remained an active and connected volunteer and educator.

Smith was president of the volunteers in Ogunquit from 1991 until 2006, when he took over as fire chief.

He taught fellow firefighters propane safety courses in Sanford during the 1980s and '90s.

Wells Fire Chief Dan Moore, president of the York County Chiefs' Association, said the decision to honor Smith was made through discussion among association members, including the past two recipients - former Kennebunkport Fire Administrator Jim Burrows and Sanford Fire Chief Ray Parent.

Smith has excelled at managing the Ogun-

quit Fire Department and has remained dedicated to serving the community, according to staff firefighters.

There are eight full-time fire personnel in Ogunquit; four firefighter paramedics and four firefighter emergency medical technicians. The department also has 25 to 30 volunteers.

"There's a lot to be said about someone in the community who has been around as long as he has," said 20-year department veteran Chris Brassard, a firefighter/EMT.

Brassard said Smith's understanding of how the department has operated for decades has helped him create a responsible budget and seek out much-needed emergency equipment.

Chief Parent, who has known the Ogunquit chief for about 40 years, said, most remarkably, Smith stays connected to the firefighters throughout York County year after year.

"He's a dedicated man and has always been there when people needed him," Parent said.

Parent said Smith's clear support of emergency personnel in and out of the Ogunquit Fire Department indicates how seriously Smith takes his job.

In Ogunquit, town leaders said Smith's achievements have added to the success of the fire department.

Town Manager Tom Fortier said Smith has been an asset to the town.

"Chief Smith is a true professional," Fortier said. "We are all proud of his lifetime achievement award. He deserves it."

South Berwick Fire Dept. honors teen for heroism

SOUTH BERWICK, Maine - A teenager was honored Sunday as Fire Chief George Gorman named him an honorary firefighter during the fire department's Fire Prevention Week open house.

Thirteen-year-old Maxwell Willette was recognized for his role in saving his mother and himself from danger during an accidental early-morning fire at their Locust Lane home on Sept. 20. Maxwell was asleep on a couch at about 12:30 a.m. when he heard a loud sound and woke to see the flickering light of a fire on the outside deck, his mother, Alice, said.

Maxwell ran upstairs, banging on the walls as he went to wake up anyone who might have been home. His sister, Rebekah and brother, William, a University of Michigan student, were away at the time, but Alice was asleep in her bedroom, she said.

Alice Willette said the pair ran out of the

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COUNTY NEWS CONT'D

house with seconds to spare, escaping with singed hair, but no injuries. Their two-and-a-half story saltbox style home was a total loss, and four pets – two dogs, a cat and a turtle – died in the blaze, she said.

"A disaster was averted by the quick action of a young man," said Gorman.

He tied the fire to Fire Prevention Week, which he said began after the Great Chicago Fire of 1871, which consumed 5,000 buildings over four square miles. Fires like that "stick in your mind," he said, adding that two weeks ago the fire on Locust Lane nearly became such a fire.

Major fires always have an impact that extends beyond the individual

families involved, he said. A house fire affects the family, their neighbors, the fire department and eventually the whole community, he said.

After he presented Maxwell with a plaque, members of his Boy Scout Troop 338 presented the Willettes with donations to help recover their losses. South Berwick Rescue, in conjunction with Pet Paradise in Rochester, N.H., gave Maxwell a new pet turtle as well as a tank and supplies for the pet.

"The real story here is the community," said Alice Willette as she held back tears.

The family thanked the community for the support, which Alice said has been tremendous, from

the firefighters and rescue staff who responded that night to neighbors who offered firefighters coffee and bacon the morning of the fire and those who have offered clothing, lodging and rides around town in the wake of the blaze.

"We never felt so loved," Rebekah Willette said.

The Willettes described the community outpouring as the positive that derived from such a tragic event. It also brought back memories of the family's patriarch who passed away 10 years ago. Rebekah Willette said her father used to shoot hoops with the children in the driveway and after the fire, a heart shape was burned into the basketball hoop.

The family plans to rebuild. Alice Willette said they will tear the structure down this week and begin work on the new home. She envisions a cottage-style home this time, she said.

After receiving his plaque, Maxwell Willette proceeded to blend in with the crowd. His mother said "he doesn't like to be the center of attention," but his composure in a crisis saved them both.

She added that there might be a future for him as a firefighter; after all, he did have a pedal fire truck as a young boy.

"We'll support him whatever he does," Rebekah Willette said.



Orland, Bucksport, Penobscot and Hancock Joint Training

The Orland Fire department burned an acquired structure for training on September 20, 2009. The two-story home had been damaged in a fire, but was still structurally sound, so the OFD, along with firefighters from Bucksport, Penobscot and Hancock, were able to run a number of good interior attacks before letting the fire go. Additional training on ventilation and search & rescue was carried out in the house prior to the burn.

WHERE HAS THE BROTHERHOOD GONE?

Editor's Note: Jason Zigmont poses the question in the following article that more and more folks seem to be asking - where has the brotherhood gone? Do you agree with his perspective or do you feel it's still alive and well within the fire service? And, what exactly is brotherhood today? Use your free [FireRescue1 log-in](#) to have your say in the [member comments section](#).

By Jason Zigmont

Related Article:
[Brotherhood Redux](#)

Related Resource:
[TKT - Brother/Sisterhood: Illusion or Elusive?](#)

Whenever I visit different fire departments and talk to senior members, they all seem to say the same thing: "The fire service is not the way it used to be." They may have a point. It's not just the ever-changing technology and regulations. The biggest change seems to be in the decay of the brotherhood of firefighters.

There was a time when you could rely on your

fellow firefighters for help with anything and the firehouse was the center of the community. Now you are lucky if you know the names of your brethren. When it comes to volunteer departments, the sense of community that the firehouse brought to its members was a large part of why people would volunteer.

The lack of brotherhood may be a part of the reason why we are having trouble recruiting and retaining members. I grew up in a fire department - my father was Chief, among other titles. Looking back, every member of the department knew each other and all the families grew up together. Family picnics and carnivals were the norm, and Santa Claus always visited on a fire truck.

Big events meant that the entire family would be involved and the Women's Auxiliary was always there to help. Parades and parties were legendary and are still spoken about fondly 30 years later.

Always there

When my father was burnt badly in a gas explosion, the department was there for him both in person and in raising funds. Anytime anyone needed help, they were there.

Family members would get visits when they were sick and if you needed a hand painting anything, half a dozen guys would

show up with rollers, pizza and beer.

Even common courtesies have been lost. It used to be that if one of your family members passed, that the entire department would be at the funeral in full dress uniform, maybe even with an honor guard. Now you are lucky if your department sends a sympathy card.

It's no great mystery why we've ended up here. Fire departments historically had generations of members from the same family; there was no doubt that your son or daughter would join the department because it was where they grew up and a part of their life.

Now we are begging people to volunteer and saying that volunteerism is dying. We are very good at serving our communities - but our members and families seem to have become secondary. Even worse, some departments are so segmented that they help those members they "like" and not others, causing widespread dissention.

Everyday life

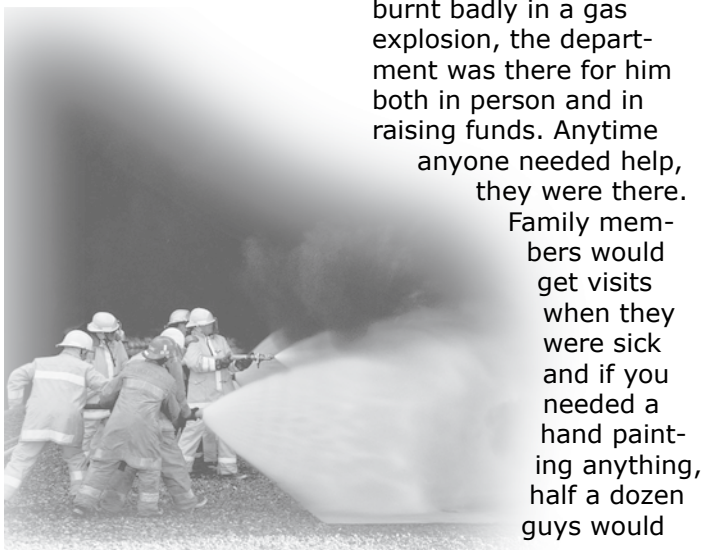
Maybe rather than pointing our fingers at volunteerism or changes in our community, we should look at the changes within our department. Our members - whether you like them or not - must always come first and we should always be able to count on each other. This should not be limited to the fireground, but encompass everyday life, too. Members should not have to ask for help but know that their fellow firefighters are there no matter what is going on.

Departments regularly respond to public calls for help, but overlook our own.

If you think about your department, you can probably name a handful of members who could use a helping hand today! We all have members who are out of work, serving overseas, or who have a family member or are sick themselves. Little acts of support go a long way toward showing members the department as a whole values them and their contribution to it.

The question is, what are we doing to help them? How about visiting their sick loved one in the hospital or cooking a dinner for them and their family? If they are serving our country overseas, how about your department volunteers to help with the upkeep of their house and members take turns mowing the lawn? How about holding a fundraiser for your out-of-work members to help them make ends meet? For the volunteer service, throwing money at recruitment and retention rarely works, but supporting your fellow firefighters does.

The brotherhood may be fading, but it is not gone completely, and it can be salvaged. I challenge each of you to do one good act for a fellow member each week. It can be as simple as making a phone call to see how they are doing, but you will be amazed at the results. If each of us can commit to doing one good thing each week, I guarantee that within a year you will have a completely different department.



LEGISLATIVE REPORT



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

PRIORITIES

1. Assistance to Firefighters Grant Program
2. Volunteer Emergency Services Recruitment and Retention Act (H.R. 1792)
3. Volunteer Firefighter and EMS Job Protection Act (S. 1025)
4. U.S. Fire Administration
5. Fire Sprinkler Incentive Act (H.R. 1194)
6. Supporting Emergency Responders Volunteer Efforts Act (H.R. 2601/S. 857)
7. Good Samaritan Volunteer Firefighter Assistance Act
8. Volunteer Mileage Reimbursement Rate (H.R. 524/S. 243)
9. Ryan White First Responder Notification
10. Protect Children from Dangerous Lighters Act (H.R. 2050/S. 723)
11. Volunteer Responder Incentive Protection Act Extension and Expansion

1. 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. On July 21-23, 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.

AFG was funded at \$565 million in FY 2009, but President Obama proposed reducing funding to \$170 million in his budget request for FY 2010. The Presidential request was the lowest for AFG since FY 2003, when then-President Bush proposed eliminating the program altogether. The President proposed doubling funding for SAFER from \$210 million in FY 2009 to \$420 million. At budget hearings in the House and Senate, DHS Secretary Napolitano explained that the administration was shifting funding from AFG to SAFER in order to help alleviate layoffs in career fire departments.

The NVFC is opposed to reducing AFG funding for any reason. After Secretary Napolitano spoke, the NVFC contacted her office to ask for a meeting to express concerns regarding the budget request and sent a letter to the House and Senate Appropriations Committees asking them to maintain funding for AFG at its FY 2009 level of \$565 million. NVFC staff met with FEMA Grants Preparedness Directorate Administrator Ross Ashley in June to discuss the President's budget request. The House and Senate have since passed legislation that funds AFG at \$390 million, close to a 33 percent reduction from FY 2009 but more than double the President's request.

AFG and SAFER are also due to be reauthorized this year. The NVFC's primary interest with the reauthorization is preserving AFG and SAFER so that they continue to function in much the same way that they have in the past. However, the NVFC is supporting several minor changes to the programs, 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.

2. Volunteer Emergency Services Recruitment and Retention Act (H.R. 1792)

Passage of HR 1792 is critical to the passage of LOSAP legislation in Maine. The Federation's legislative committee has contacted Senators Collins and Snowe and Representatives Michaud and Pingree to make them aware of this bill's importance to all Maine firefighters and to ask for their support.

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). There is currently no companion legislation in the Senate.

3. 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. There is currently no companion legislation in the House.

4. 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.

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.

5. Fire Sprinkler Incentive Act (H.R. 1194)

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. No Senate companion legislation has been introduced yet.

6. 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.

7. 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.

8. 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 was raised in June from 50 cents to 58.5 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.

9. 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). The NVFC is seeking to re-codify the responder notification provisions that were removed in 2006.

In June, the Federal Firefighters Fairness Act (S. 599) was amended to include the first responder notification requirements that were eliminated in 2006. The NVFC was already supportive of S. 599, which would create a presumption that federal firefighters who die from certain diseases contracted those diseases as a direct result of their work as firefighters. The NVFC is working for passage of S. 599, with the first responder notification requirements, into law.

RWHATM is set to expire at the end of September, which means that the emergency responder notification provisions that were eliminated in 2006 will go back into effect if nothing is done. Congress is expected to pass legislation temporarily extending the 2006 law while they develop a full reauthorization. The NVFC sent a letter to the House and Senate Committees of jurisdiction requesting that they not extend the provisions eliminating first responder notification in the RWHATM extension.

10. 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 current statute, 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.

11. Volunteer Responder Incentive Protection Act Extension and Expansion

The Volunteer Responder Incentive Protection Act (VRIPA) was signed into law on December 20, 2007, amending the Internal Revenue Code of 1986 to exclude tax benefits and up to \$360 per year in other benefits 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.

The initial guidelines that the IRS developed for implementation of VRIPA seemed to indicate that only tax benefits and reimbursement payments were eligible for the VRIPA tax credit. On January 25, 2009, the NVFC sent a letter to the IRS asking for clarification on this discrepancy. In May, the IRS responded with a letter stating that "a 'qualified reimbursement payment' is a payment a state or local government provides to reimburse expenses incurred in connection with performing services as a member of a qualified volunteer emergency response organization." The letter went on to say that, "A 'qualified payment' under section 139B of the Code, however, is not limited to reimbursements. Thus, a taxpayer excludes from gross income qualified payments, even if they do not reimburse an expense..."

The NVFC has come into a possession of a letter from the IRS that appears to indicate that length of service award programs (LOSAPs) do not qualify under VRIPA and is working with Congressman John Larson to set up a meeting to discuss the matter with the IRS. Depending on the results of that meeting, the NVFC may pursue legislation that clarifies that LOSAP qualifies for VRIPA.

VRIPA is slated to expire at the end of 2010. The NVFC will be working in the 111th Congress to extend VRIPA as well as increasing the \$360 cap on tax-free non-property tax-related benefits.

UPDATE ON MONITORED LEGISLATIVE ITEMS

Additional Radio Spectrum for Public Safety

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.

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 the House Interior Appropriations Act for FY 2010 includes \$17 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 popula-

tion 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 after being zeroed-out in FY 2007 and receiving \$6 million in FY 2008. The NVFC is pursuing Congressional authorization of RFA in the 111th Congress. RFA has been funded but never authorized, making it vulnerable to funding reductions or even elimination.

Citizen Corps Funding

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 citizens, 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 include \$15 million for Citizen Corps. The NVFC is pursuing a Congressional authorization for Citizen Corps and Fire Corps, which have been funded but never officially authorized.

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. Emer-

gency 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.

M.S.F.F.F. 2009 CONVENTION

MUSTER RESULTS

TEAM	DRY HOSE	WET HOSE	MYSTERY	OVERALL MUSTER POINTS
Winslow #1	29.78 (7)	22.03 (3)	1:38:18 (3)	14
Ashland	27.75 (5)	DQ	1:57:66 (7)	6
Sanford	28.62 (6)	44.22 (6)	1:34:58 (1)	12
Goodwins Mills	31.37 (8)	25.10 (5)	1:53:07 (6)	10
So. Thomaston	24.81 (2)	22.50 (4)	1:43:40 (5)	13
Anson	21.50 (1)	19.03 (1)	1:35:17 (2)	23
Winslow #2	25.65 (4)	20.50 (2)	1:42:52 (4)	14
Peru	24.97 (3)	44.64 (7)	2:18:16 (8)	6

Eugene Temple Award For Overall Muster Point Winner Won By:
Anson

Erwin Faunce Sportsmanship For Entire Convention Won By:
Goodwins Mills

Fire Marshal Award For Winning The Water Ball Event Won By:
Goodwins Mills

Wallingford Award For Muster Sportsmanship Won By:
Sanford

MSFFF RAFFLE

\$50 Winners

James Caron
Alan Barker
Richard Lamontagne
Tyler McDonald
David Levesque
Austin Desmond
Roger Albert
Ron Jandreau
Steve Thomas

Orman Gray
Oxton Camden
Catherine Quenga
Danny & Jessica Martin
Therese Albert
Ken Burton, Jr.
Bert Cyr
Jesse Bell
Louis Martin
Pierie Demonds

\$100 Winners

Peter Hilyard
Mat Theriault
Andi Lahaye
Tina Parent
Brad Morin
Orman Gray
Al Jonston
Bujan Clairmont
Paul Traverse

\$250 Winners

Paul Brackett
Jeanne Cyr
Sue Gay
Lewis Easler

\$500 Winners

Lorraine Walter
Peter Lavlee

\$1,000 Winner

Jacky Chassé



FLASHPOINT

January 2010

Maine State Federation of Fire Fighters

www.msfff.org

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