

**MnFAC**

**Minnesota Fire Services Association Coalition  
2011 Legislative Platform**



It happens every 2 minutes .  
.. somewhere in Minnesota  
firefighters are responding  
to a call.

**Live Fire Training Exercise**

# MnFAC

## Minnesota Fire Services Association Coalition



The Minnesota Fire Services Coalition (MnFAC) formed 15 years ago and consists of the Fire Marshals Association of Minnesota, Minnesota Chapter of the International Association of Fire Investigators, Minnesota State Fire Chiefs Association, Minnesota State Fire Department Association, and the Minnesota Area Relief Association Coalition.

Additionally, the MnFAC group works regularly with the Minnesota Professional Firefighter (MPFF) on legislative issues including our annual **Fire Service Day at the Capitol** which will be held **Thursday March 10, 2011**.

MnFAC works closely with its members to identify and prioritize legislative issues and initiatives. MnFAC representatives meet on a regular basis and weekly during session. MnFAC has retained Capitol Access - Sherry Munyon and Bill Strusinski to represent the Coalition at the Capitol.

Combined, the five associations represent virtually Minnesota's entire fire service in one way or another. Volunteers represent 90% of all Firefighter in the state as there are approximately 20,000 total. Minnesota is disproportionately represented by volunteers as compared to other states due to several factors; a very supportive Fire Marshals office, volunteer pension system, training and education, and a strong focus on prevention, especially fire and building codes. According to the Minnesota Taxpayers Association "How Does Minnesota Compare," we annually rank between 45th and 48th in per capita fire cost; this despite ranking 20th in population.

### 2011 Legislative Issues

Allocating Fire Safety Account Revenue to statutory designated needs - funding the State Fire Marshals division, firefighter training, and funding our states regional response teams.

Civil immunity for donated used equipment to Minnesota Fire Departments and local governments.

Exception to purchasing requirements (need to bid) when buying used equipment.

Opposition to expansion of fireworks.

Support building and fire code adoption via the rulemaking process.

## Fire Safety Account

**Problem - Severe funding shortage for training *and* redirection of fire safety revenues from their statutorily intended uses.**

**Solution - Appropriate ALL revenues collected from the fire safety surcharge into the fire safety account allowing use of these revenues for the three statutorily designated uses:**

### Background:

Session Laws 2006 (Representative Smith, Mound) (Senator Rest, New Hope).  
Repealed hidden insurance tax on homeowners and commercial policies.  
Replaced tax with transparent fee & dedicated revenue to the Fire Safety Account.  
Net result - Minnesota Insurance Companies increased their competitive advantage.

### Statutorily designated uses:

**1. Funding the operation of the State Fire Marshal Division which provides support to local fire departments including but not limited to:**

Fire Investigations  
Code Adoption, Support, Plan Review  
Public Fire Education & Data Collection and Analysis  
Fire Inspections (Schools, Hotel/Lodging, Day Care)

**2. Funding the Firefighter Training and Education Board**

Provides training dollars directly to local departments to aid in offsetting training costs. Current revenue collection would provide \$200 per fire fighter but needs to be appropriated by the legislature. Initial training tuition and certification cost for new firefighter is \$3,000; career or volunteer.

**3. Funding State Regional Response Teams**

Task Force 1, comprised of five teams around the state dealing with structural collapse. The unit was created and trained in 2004, but has yet to receive any measurable financial support. (The unit has responded to incidents like the 35W Bridge Collapse in Minneapolis, the grain bin extrication in Farmington and the natural gas home explosion in St. Paul).

Eleven hazardous materials teams, situated around the state to deal with chemical contaminations like mercury spills and meth labs.

Mass Decontamination Program - currently being studied as previous program failed due to a number of issues including no funding.  
Homeland Security in process of completing study to determine most efficient program.



Task Force 1 team members with federally funded apparatus and equipment. Team members are required to maintain skills and knowledge on all equipment the team carries and deploys. Currently, host department is underwriting cost of the training, maintenance, and operation.

Tanker crash and spill  
in outstate Minnesota



Task Force 1 team members training on  
patient packaging and removal from  
high rise occupancy



## Donated Equipment

**Problem - Threat of lawsuit preventing donation of used equipment from one Minnesota fire department to another.**

**Solution - Reform current law so fire departments who donate used equipment in good faith to fellow Minnesota Fire Departments are protected by civil immunity**

Fire Departments across the state are in crisis! The combination of the lack of volunteers, especially day available volunteers along with the economic conditions has placed enormous pressure on budgets and has left many wondering where their future lies.

Providing civil immunity to donating departments (unless guilty of malfeasance) seems like a common sense approach, especially given the fact this equipment is still being donated; unfortunately out of state and out of the country.

Historically, larger departments and departments fortunate enough to obtain federal grants or local donations would in turn donate their used apparatus, radios, personal protective gear and miscellaneous firefighter tools to those less fortunate.

However, due to a continued increase in litigation across the nation of fire departments who donated equipment, the grace of giving to our neighbors has all but ceased to exist here in Minnesota. Fire departments receiving this equipment will gladly assure that it is in proper working condition and departments donating are often called to these very same departments and use the donated equipment.

Trial lawyers have opposed this effort the past three years wanting assurances that the used equipment is "safe" which is practically impossible as even when new, it breaks or fails.

## Purchasing

**Problem - Current law requires fire departments to obtain three bids when purchasing large capital items, this includes used equipment.**

**Solution - Enact legislation to reform current purchasing laws, eliminating unnecessary regulation specific to the acquisition of used fire apparatus.**

Current law requires public entities to secure three bids when making purchases of items with a value in excess of \$25,000. Many fire departments are exploring the purchase of used equipment, especially fire apparatus which costs in excess of \$500,000 brand new. However, obtaining three bids on a used piece of equipment is practically impossible as each one is unique and counter intuitive given the purchase of used is arguably equivalent to good purchasing practices. Change will simplify purchasing of used apparatus and save precious taxpayer dollars.

## Fireworks

**Problem - Legislation introduced every year to expand fireworks**

**Solution - Oppose any expansion of fireworks.**

The 2005 legislature legalized Class C “Safe and Sane” consumer fireworks defined as devices containing less than a specified amount of gunpowder and being non-aerial or in other terms, does not launch and fly through the air. The most common examples include sparklers, fountains and other types of colored “fizzing” devices.

Since legalization there has been a dramatic increase in the use of illegal fireworks and subsequent increase in fires (both from legal and illegal). While there have been no deaths in Minnesota attributed to legalization; injuries, property damage, and wildland loss have occurred.

Expanding the definition to legalize more fireworks will result in placing a greater strain on fire departments, police departments, the DNR, and the health care system.

No valid data exists showing consumer demand for an expansion; rather special interest and specifically the fireworks industry is looking/seeking expansion for fiscal gain with little regard for public safety.

Given the challenges already facing fire departments, local governments, and the need to protect our wildlands, policy makers should carefully consider the minimal gains (sales tax revenue) in expanding fireworks and reject the need for expansion given the significant negative consequences.

### **U.S. 2008 Fireworks Statistics (National Fire Protection Association)**

22,500 Fires (of which 20,600 were wildland)

1 Death (Civilian)

7,000 injuries

40% of injuries occurred to people under the age of 15

\$42 million direct property loss

## Building and Fire Codes

**Problem - Using legislative process to alter, amend or adopt state construction codes.**

**Solution - Support time tested system of adopting codes using rulemaking process.**

Occasionally, interests groups will attempt to circumvent this process and seek legislative solutions to code issues which is premature and disruptive to the process and can result in unintended consequences.

The 2012 International Residential Code contains a requirement to include a residential fire sprinkler system in **NEW** one and two family dwellings (they are and have been required in multi-family homes and apartments for years).

At issue is the public safety concerns balanced against minimal increased building costs and affordability. From the public safety viewpoint the data is irrefutable and is uncontested; sprinklers are incredibly effective in controlling fires and the minimal additional costs are more than offset by other construction trade-offs, insurance savings, and controlling property taxes via more efficient fire department operations.

Despite this, the affordability argument rages on, however, literally thousands of homes in Minnesota and hundreds of thousands in the nation have been constructed and equipped with sprinklers thus demonstrating affordability.

Numerous studies, reports, and experience place the cost of a residential system at \$1.61 per square foot or about \$4,000 per home; about the same as a lawn irrigation system or other amenity. While smoke detectors have played a significant role in reducing the loss of life, there has not been significant reduction in life loss now for more than 10 years. A major reason is that the two major risk groups; elderly and young, cannot escape given the rapid growth of fire and thus, residential sprinklers become critical in protectin our young and elderly.

Of equal importance is the literal explosion of lightweight construction (trusses) in new home construction which has been proven to fail in less than five minutes when exposed to fires. In the past five years alone, firefighter injures and deaths have skyrocketed in areas with new homes using lightweight construction.

Minnesota adopts national codes via the rulemaking process and the legislature has tasked the Department of Labor and Industry (DOLI) to facilitates and carry out this process. The Department starts with model codes created by national code bodies who use extremely deliberate open processes that includes a balance of public safety and private sector interests, an appeals process, transparency, and thus, consensus to arrive at a model code. The state then has the ability to adopt as published or amend if needed.

Beginning next spring, DOLI will form numerous committees to focus on the various codes (Fire, Building, Residential, Plumbing, Electrical, Mechanical, etc) and subsets of those codes. By the time the process is complete and the code is adopted; 18 months will typically pass.

State	Per Capita		Per \$1000 of Income	
	Amount	Rank	Amount	Rank
Alabama	\$123.93	21	\$3.77	13
Alaska	\$189.89	5	\$4.59	5
Arizona	\$148.05	12	\$4.53	7
Arkansas	\$77.21	42	\$2.51	41
California	\$193.53	3	\$4.57	6
Colorado	\$131.09	19	\$3.15	22
Connecticut	\$145.09	13	\$2.61	37
Delaware	\$34.55	51	\$0.86	51
D.C.	\$345.36	1	\$5.39	2
Florida	\$182.60	6	\$4.73	4
Georgia	\$106.00	30	\$3.16	20
Hawaii	\$120.71	23	\$3.02	28
Idaho	\$92.06	40	\$2.90	31
Illinois	\$170.87	7	\$4.08	9
Indiana	\$121.08	22	\$3.60	15
Iowa	\$66.83	46	\$1.86	44
Kansas	\$94.22	38	\$2.53	39
Kentucky	\$97.94	34	\$3.14	23
Louisiana	\$117.08	25	\$3.30	19
Maine	\$98.74	33	\$2.85	33
Maryland	\$158.20	9	\$3.36	16
Massachusetts	\$155.20	10	\$3.13	25
Michigan	\$94.64	37	\$2.70	35
<b>Minnesota</b>	<b>\$68.61</b>	<b>45</b>	<b>\$1.64</b>	<b>47</b>
Mississippi	\$75.17	43	\$2.58	38
Missouri	\$107.38	29	\$3.12	26
Montana	\$103.38	31	\$3.07	27
Nebraska	\$97.73	35	\$2.63	36
Nevada	\$191.78	4	\$4.82	3
New Hampshire	\$132.42	18	\$3.14	24
New Jersey	\$114.88	26	\$2.28	43
New Mexico	\$130.48	20	\$4.16	8
New York	\$149.56	11	\$3.16	21
North Carolina	\$93.08	39	\$2.76	34
North Dakota	\$69.45	44	\$1.84	45
Ohio	\$133.71	17	\$3.83	11
Oklahoma	\$120.21	24	\$3.35	17
Oregon	\$143.82	14	\$4.05	10
Pennsylvania	\$51.93	49	\$1.32	50
Rhode Island	\$256.86	2	\$6.34	1
South Carolina	\$77.90	41	\$2.50	42
South Dakota	\$58.79	48	\$1.61	49
Tennessee	\$100.56	32	\$2.99	29
Texas	\$95.14	36	\$2.53	40
Utah	\$108.48	28	\$3.63	14
Vermont	\$66.46	47	\$1.73	46
Virginia	\$140.84	15	\$3.34	18
Washington	\$158.49	8	\$3.81	12
West Virginia	\$48.33	50	\$1.61	48
Wisconsin	\$108.70	27	\$2.95	30
Wyoming	\$138.43	16	\$2.87	32

**State Comparison of  
Fire Service  
Expenditures Per Capita  
and Per \$1,000 of Income**

**Police, Education,  
Highway Rankings**

<b>Police</b>	<b>18</b>	<b>25</b>
<b>Education</b>	<b>17</b>	<b>34</b>
<b>Highways</b>	<b>6</b>	<b>16</b>

U.S. Average \$130.38                      \$3.33

Source: Minnesota Taxpayers Association 2008 "How Do We Compare?" report

## Cost to Outfit a Firefighter

Helmet . . . . . \$300

Coat . . . . . \$800

Breathing  
Apparatus . . . \$4,000

Gloves . . . . . \$90

Pants . . . . . \$600

Boots . . . . . \$250

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**Total . . . . \$6,040.00**



Actually using it... PRICELESS!!!

## **Editorial: Our heroes walk among us, live next door to us**

Heroes. That word gets tossed around too casually, the net flung too widely. But that's the only way to describe what occurred south of Nevis Saturday noon and the emergency responders who risked their lives to pull three people out of semi-frozen Island Lake.

### **Heroes.**

That word gets tossed around too casually, the net flung too widely.

But that's the only way to describe what occurred south of Nevis Saturday noon and the emergency responders who risked their lives to pull three people out of semi-frozen Island Lake.

All three survived after their amphibious vehicle broke down, had its pontoons punctured by jagged ice and its engine flooded. It sunk with all three on board.

We're not even sure we could name all the agencies that responded, let alone the individuals. You know who you are. All we can do is thank you.

Nevis Fire & Rescue deserves a special commendation for leading the way.

Walker's Fire Department deserves a shout out for finishing the job under conditions that should have caused all involved to hesitate.

They were entering the icy water with a similar watercraft, like the one submerged in the lake.

The deputies, First Responders, volunteer firefighters and others all acted heroically, with precision and determination.

Not on our watch, the looks on their grim faces seemed to say.

As shouts arose from the ice during the hour-long rescue mission and new agencies kept flocking to the scene, the single enemy they were all working against was time.

The trio was in the icy waters 14 minutes. A timekeeper kept an eye on a stopwatch from shore and periodically announced the moments ticking by too quickly. No one panicked, but the moments passing added to the drama and urgency of the situation off-shore.

"About two more (minutes) and it would have been all over," said one rescuer.

Aside from the deputies and ambulance personnel, these are folks who volunteer their time to keep us safe. They left their families, lives and jobs without hesitation.

They meet monthly, weekly, all year round to train and re-train.

They've trained for ice dives, fires, chemical spills, extrication, explosions, bomb threats, car accidents, you name it.

It's deadly serious and there's no horsing around in the drills.

What hampered their efforts Saturday was the limited budgets they work with. It wasn't a shortage of experience, it was a shortage of equipment.

Much of those departmental budgets are donated funds. Many scrounge for grants and public dollars.

It shouldn't be that way.

If there was ever a cause this Christmas to give generously, this is the place to start. Volunteer firefighters and First Responders are always there for us.

It's time for us to be there for them.

Our heroes deserve nothing less.