

COLORADO STATE FIRE CHIEFS' ASSOCIATION

Post Office Box 3945 ■ Englewood, Colorado 80155
Phone: (720) 874-8116 ■ Fax:(720) 862-2181

MEMORANDUM

To: CSFCA Members
From: Paul L. Cooke, Executive Director
Subject: Legislative Update
Date: March 2, 2009

Following is a comprehensive update on the bills of interest to the Association that have been introduced in the 2009 General Assembly. To date, there have been 240 Senate bills and 291 House bills introduced and CSFCA staff is actively working or monitoring a total of 35 bills (eight bills have been killed or postponed indefinitely). Several other bills of general interest that the CSFCA is tracking are included at the end of this report.

This update includes the action that has been taken on the bills (if any), the current status, and any pending action that has been scheduled. The most current version of each of the listed bills has been posted to the website and the link to the bill is provided. **Shading denotes bills that have been killed or postponed indefinitely.**

Senate Bills

Bill Number: SB09-001 **Prime Sponsors:** Sen. Gibbs, Rep. Scanlan
Bill Title: Concerning the Establishment of Community Wildfire Protection Plans by County Governments.
Link to Bill: www.colofirechiefs.org/09Legislature/001_rer.pdf
Summary: **Interim Committee on Wildfire Issues in Wildland-Urban Interface Areas.** By a specified date, requires the state forester, in collaboration with representatives of the United States forest service, the Colorado department of natural resources, county governments, municipal governments, local fire departments or fire protection districts, and state and local law enforcement agencies, to establish guidelines and criteria for counties to consider in preparing their own community wildfire protection plans (CWPPs) to address wildfires in fire hazard areas within the unincorporated portion of a county.

Requires the state forester to send timely notice of the adoption of the guidelines and criteria to the department of local affairs and statewide organizations representing Colorado counties and municipalities and to post such information on the web site of the Colorado state forest service.

Requires the board of county commissioners of each county, with the assistance of the state forester, to determine whether there are fire hazard areas within the unincorporated portion of the county.

Requires the board of county commissioners, in collaboration with the representatives of the organizations or entities that participated in establishing the guidelines and criteria, to prepare a CWPP to address wildfires in fire hazard areas within the unincorporated portion of the county. In preparing the CWPP, requires the board to consider the guidelines and criteria. Specifies that a county that has already prepared a CWPP as of the effective date of the act and, in connection with such preparation, considered the guidelines and criteria, is not required to prepare a new CWPP to satisfy the requirements of the act.

Position: Support

History/Status: 01/07/2009 Introduced In Senate - Assigned to Local Government and Energy
01/15/2009 Senate Committee on Local Government and Energy Refer Amended to Senate Committee of the Whole
01/23/2009 Senate Second Reading Passed with Amendments
01/26/2009 Senate Third Reading Passed
01/26/2009 Introduced In House - Assigned to Local Government
02/12/2009 House Committee on Local Government Refer Unamended to Agriculture, Livestock, & Natural Resources
02/18/2009 House Committee on Agriculture, Livestock, & Natural Resources Refer Unamended to House Committee of the Whole
02/24/2009 House Second Reading Passed
02/25/2009 House Third Reading Passed

Comments

Chief Bob Harvey, Leadville Fire Department, testified in Senate Local Government and Energy Committee on behalf of the CSFCA in favor of the bill. Others that testified in favor of the bill included Jeff Jahnke, Colorado State Forester; Gary Severson, Executive Director, Northwest Colorado Council of Governments; Chris Piper, Denver Water Board; and John Giardino, Colorado Mountain College.

James Reid, Deputy County Fire Marshal, El Paso County, spoke in opposition to the bill. He said the bill will require him to implement CWPPs throughout the county and this will be cost-prohibitive.

Peg Ackerman, representing the County Sheriffs of Colorado, spoke about a recent meeting of county sheriffs in which all the sheriffs expressed their interest in keeping their legislative authority to manage wildfires. She said the bill would be more favorable if some of the language was changed to allow for existing plans to be used in lieu of requiring new CWPPs.

SB09-001 was amended by Senate Local Government and Energy Committee to allow equivalent plans that meet the guidelines for CWPPs.

A summary of the Senate Local Government and Energy Committee testimony may be found at: www.colofirechiefs.org/09Legislature/SB09-001_Summary.pdf.

SB09-001 was heard by House Agriculture, Livestock, & Natural Resources Committee yesterday. CSFCA President Riley testified on behalf of the CSFCA in support of the bill. Also testifying in of the bill support were Deputy Chief Jeff Berino of Lake Dillon Fire Rescue; Chief Bob Harvey of Leadville Fire Rescue; and Colorado State Forester Jeff Janke. The bill was referred to the Committee of the Whole on a vote of 9-0-2.

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SB09-001 passed Third and Final Reading in the House on February 25, 2009. It will now be sent to the Governor for action.

Bill Number: SB09-002 **Prime Sponsors:** Sen. Morse, Rep. Peniston
Bill Title: Concerning an Increase in the Motor Vehicle Registration Fee to Fund the Emergency Medical Services Account Within the Highway Users Tax Fund.
Link to Bill: www.colofirechiefs.org/09Legislature/002_ren.pdf
Summary: Increases the motor vehicle registration fee from \$1.00 to \$2.00 to fund the emergency medical services account within the highway users tax fund.
Position: Support
History/Status: 01/07/2009 Introduced In Senate - Assigned to Transportation
01/29/2009 Senate Committee on Transportation Refer Unamended to Appropriations
02/13/2009 Senate Committee on Appropriations Refer Amended to Senate Committee of the Whole
02/20/2009 Senate Second Reading Passed with Amendments
02/23/2009 Senate Third Reading Passed [Passed on a vote of 23-12]

Comments

Chief Dan Noonan testified in Senate Transportation Committee on behalf of the CSFCA in favor of the bill.

Sen. Williams moved that Senate Bill 09-002 be referred to the Committee on Appropriations. The motion passed on a 4-3-0 roll vote.

SB09-002 was heard by Senate Appropriations Committee on February 13, 2009 and was referred with amendments (Appropriations Clause) to the Senate Committee of the Whole on a vote of 6-3.

Bill Number: SB09-010 **Prime Sponsors:** Sen. Spence, Rep. Primavera
Bill Title: Concerning Encouraging the Use of Automated External Defibrillators.
Link to Bill: www.colofirechiefs.org/09Legislature/010_ren.pdf
Summary: Eliminates certain staffing and reporting requirements of a person or entity that acquires an automated external defibrillator (AED). Provides to a person or entity who, in good faith and without compensation, renders emergency care or treatment by the use of an AED immunity from liability for any civil damages for acts or omissions made in good faith as a result of such care or treatment, regardless of whether the person or entity that acquired the AED has satisfied statutory requirements and other provisions of law.
Position: Conceptually Support
History/Status: 01/07/2009 Introduced In Senate - Assigned to Health and Human Services
01/21/2009 Senate Committee on Health and Human Services Refer Unamended to Senate Committee of the Whole
01/26/2009 Senate Second Reading Passed with Amendments
01/27/2009 Senate Third Reading Passed
01/28/2009 Introduced In House - Assigned to Health and Human Services

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SB09-010 is scheduled to be heard by House Health & Human Services Committee on Monday, March 2, 2009 at 1:30 p.m. in Room LSB-A.

Comments

The bill was amended on 2nd reading in the Senate to condition the grant of immunity on the facility properly maintaining the AED and having written plans, approved by a physician that cover the placement of AEDs, training of personnel, and pre-planned coordination with EMS.

Bill Number: SB09-013 **Prime Sponsors:** Sen. Gibbs, Rep. Levy
Bill Title: Concerning the Extension of Civil Immunity to Persons Engaged in Emergency Response Activities.
Link to Bill: www.colofirechiefs.org/09Legislature/013_ren.pdf
Summary: **Interim Committee on Wildfire Issues in Wildland-Urban Interface Areas.** Enacts the "Marc Mullenix Volunteer Firefighter Protection Act", providing limited civil immunity for: Fire departments and other entities that donate surplus firefighting equipment for later use; and Volunteer firefighters, their commanders, and the organizations that employ them in connection with fires and other emergencies.
Position: Support
History/Status: 01/07/2009 Introduced In Senate - Assigned to Judiciary
01/21/2009 Senate Committee on Judiciary Witness Testimony/Committee Discussion Only
02/09/2009 Senate Committee on Judiciary Refer Amended to Senate Committee of the Whole
02/13/2009 Senate Second Reading Passed with Amendments
02/17/2009 Senate Third Reading Passed
02/19/2009 Introduced In House - Assigned to Judiciary

SB09-013 is scheduled to be heard by House Judiciary Committee on Thursday, March 12, 2009 at 1:30 p.m. in Room 0107.

Comments

Paul Cooke, CSFCA Executive Director testified in Senate Judiciary Committee on behalf of the CSFCA in favor of the bill.

Also speaking in favor of the bill was Deputy Chief Jeff Berino, representing Lake Dillon Fire Department and the Northwest Incident Management Team; Chief Don Angell, representing the Fairmount Fire Protection District; and Jeff Jahnke, Colorado State Forester.

Members of the Judiciary Committee raised concerns that the types of immunity protection provided by the bill were either not needed, already provided for in law, or were too broad. As a result, the bill was taken off the table to allow the sponsors an opportunity to address the concerns.

A summary of the Senate Judiciary Committee testimony may be found at:
www.colofirechiefs.org/09Legislature/SB09-013_Summary.pdf.

SB09-013 was reheard by Senate Judiciary Committee on February 9, 2009 (for action only). Sen. Gibbs and

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Schwartz proposed an amendment to exclude grossly negligent, willful, wanton or reckless acts from immunity protection. The amendment also struck the entire section dealing with immunity protection for IMT's and volunteer firefighters because Sen. Carroll argued they were already provided immunity protection under Sec. 24-10-106, C.R.S. [Governmental Immunity]. The motion to move the bill as amended to the Committee of the Whole passed on a vote of 7-0.

Bill Number: SB09-016 **Prime Sponsors:** Sen. Kopp & Penry, Rep. S. King & Scanlan
Bill Title: Concerning Measures to Encourage the Restoration of Forest Areas Affected by Bark Beetle Infestation.
Link to Bill: http://www.colofirechiefs.org/09Legislature/016_ren.pdf
Summary: **Interim Committee on Wildfire Issues in Wildland-Urban Interface Areas.** Provides a 5-year exemption from business personal property taxes for qualified businesses that remove trees killed by bark beetles if such businesses assist in forest restoration efforts on the affected land after the beetle-killed timber is removed. Establishes a revolving fund to provide start-up revenues for new Colorado businesses that process and sell beetle-killed timber for beneficial uses. Directs the state forester to: Publish a list of affected lands, designating those areas where the need for clearing of beetle-killed timber is most urgent; and Offer the services of an ombudsman to assist property owners and businesses in applying for any necessary federal and state permits or other authorization to go onto forest lands to harvest beetle-killed timber.
Position: Support
History/Status: 01/07/2009 Introduced In Senate - Assigned to Finance
02/03/2009 Senate Committee on Finance Witness Testimony/Committee Discussion Only
02/10/2009 Senate Committee on Finance Refer Amended to Senate Committee of the Whole
02/17/2009 Senate Second Reading Passed with Amendments
02/18/2009 Senate Third Reading Passed
02/19/2009 Introduced In House - Assigned to Agriculture, Livestock, & Natural Resources + Finance

SB09-016 is scheduled to be heard by House Agriculture, Livestock, & Natural Resources Committee on Wednesday, March 11, 2009 at 1:30 p.m. in Room 0107.

Comments

SB09-016 was heard by Senate Finance Committee on February 3, 2009. There was considerable discussion about the fiscal impact and the limited applicability (at least one legislator argued that the Bark Beetle problem is not a matter of statewide concern). The bill was taken off the table to allow the sponsors an opportunity to address concerns raised by the Committee.

SB09-016 was re-heard by Senate Finance Committee on February 10, 2009. In order to get the bill out of Committee, Sen. Kopp amended it to create a revolving fund to provide start-up revenues for new Colorado businesses that process and sell beetle-killed timber for beneficial uses; but with no appropriation. The Finance Committee passed the amended bill to the Senate Committee of the Whole on a unanimous vote.

Bill Number: SB09-017 **Prime Sponsors:** Sen. Tochtrop, Rep. Riesberg

Bill Title: Concerning Firefighter and Police Officer Disability and Survivor Benefits.

Link to Bill: http://www.colofirechiefs.org/09Legislature/017_ren.pdf

Summary: **Police Officers' and Firefighters' Pension Reform Commission.** Makes the following changes related to police officers' and firefighters' disability and survivor benefit plans:

- Removes the requirement that an unmarried child between the ages of 19 and 23 be in school in order to be classified as a dependent child.
- Repeals an obsolete provision related to the ability of a member of a benefit plan to elect different disability benefit options.
- Repeals the authority of the board of directors of the fire and police pension association (board) to establish a supplemental disability benefit program.
- Repeals an earned income offset for occupational disability benefits.
- Offsets disability or survivor benefits by the amount of payments from a statewide defined benefit pension plan.
- Modifies an employer's obligation to make contributions to a retirement plan while a member is receiving temporary occupational disability payments.
- Permits the board to give a disability benefit to a member injured on-duty who has a permanent occupational disability or a temporary occupational disability.
- With the exception of a surviving spouse of a member who was occupationally disabled, permits a surviving spouse to continue receiving survivor benefits upon remarriage.

Position: Monitor

History/Status: 01/07/2009 Introduced In Senate - Assigned to Finance
01/20/2009 Senate Committee on Finance Refer Unamended - Consent Calendar to Senate Committee of the Whole
01/30/2009 Senate Second Reading Passed
02/02/2009 Senate Third Reading Passed
02/03/2009 Introduced In House - Assigned to Finance

SB09-017 is scheduled to be heard by House Finance Committee on Wednesday, March 4, 2009 at 1:30 p.m. in LSB-A.

Comments

Bill Number: SB09-018 **Prime Sponsors:** Sen. Kopp & Gibbs, Rep. S. King & Scanlan

Bill Title: Concerning the Creation of a High-Risk Communities Wildfire Mitigation Grant Program.

Link to Bill: www.colofirechiefs.org/09Legislature/018_loc.pdf

Summary: **Interim Committee on Wildfire Issues in Wildland-Urban Interface Areas.** Creates the high-risk communities wildfire mitigation grant program (program). Creates the high-risk communities wildfire mitigation grant program fund (fund). Appropriates specified amounts from the general fund to the fund for the 2008-09 through 2012-13 fiscal years, and requires all fund investment earnings to be credited to the fund.

Continuously appropriates the fund to the Colorado state forest service (forest service) for expenditure only for high-risk communities wildfire mitigation grants subject to an exception that allows the forest service to expend up to a specified percentage of each annual appropriation to share the costs of developing community wildfire protection plans.

Requires the forest service to develop and implement the program and provide high-risk communities wildfire mitigation grants from the fund to local governments, the state, the federal government, fire protection districts, agencies thereof, and, in the sole discretion of the forest service, homeowners' associations for the purpose of funding nonemergency preventive wildfire mitigation measures. Specifies minimum matching requirements for grant recipients, and only allows grants for wildfire mitigation measures that are located in wild land-urban interface areas and that have been identified in a community wildfire protection plan. Requires the forest service to annually report to the general assembly regarding the program. Repeals the program on a specified date.

Position: Support

History/Status: 01/07/2009 Introduced In Senate - Assigned to Local Government and Energy
02/05/2009 Senate Committee on Local Government and Energy Refer Amended to Appropriations

Comments

SB09-018 was heard by Senate Local Government & Energy Committee on Thursday, February 5, 2009. President Chris Riley testified on behalf of CSFCA in support of the bill. Also speaking in favor of the bill was Dep. Chief Jeff Berino, representing Lake Dillon Fire Rescue, Summit County Wildfire Council, and the Northwest Colorado IMT; Rich Homan, representing the Colorado State Forest Service; and Gary Severson, representing the NWCOG. Note: The bill was amended to reduce the \$10 million annual appropriation to a one-time, \$180,000 appropriation.

Bill Number: SB09-020 **Prime Sponsors:** Sen. Gibbs, Rep. Scanlan

Bill Title: Concerning the Responsibility for Responding to Wild Land Fires.

Link to Bill: www.colofirechiefs.org/09Legislature/020_loc.pdf

Summary: **Interim Committee on Wildfire Issues in Wildland-Urban Interface Areas.** Directs the governing body of each municipality and county to designate one or more emergency response authorities for wildland fires in the municipality's or county's jurisdiction. States that the fire authority of a municipality or the sheriff of a county shall be the emergency response authority of the respective municipality or county unless otherwise designated by the municipality or county.

Designates the Colorado state forest service (forest service) as the emergency response authority for wild land fires on state-owned land, and allows the forest service to delegate the authority to another emergency response authority or another public entity with the approval of the entity's governing body. States that the forest service:

- Shall locate its emergency response resources according to its assessment of the wild land fire response needs of various areas of the state to the extent practicable;
- Shall coordinate its emergency response capabilities with local emergency response

- authorities; and
- May assist an emergency response authority in its planning activities.

Requires an emergency response authority to create a plan for the response to wild land fires in its jurisdiction that includes a description of response capabilities and tactics and the incident command structure. Specifies that the emergency response authority is not required to provide and maintain the capability for the response described in the plan but may do so directly or through agreements with other federal, state, and local agencies. States that, regardless of jurisdiction, the first emergency response authority or designated public agency to arrive at the scene of a wildland fire shall act as incident commander and be responsible for the initial emergency response until the emergency response authority that has jurisdiction over the site arrives.

Directs the board of county commissioners of each county to develop and annually update a wildfire preparedness plan for the unincorporated area of the county in coordination with each emergency response authority and fire district with jurisdiction over the unincorporated area of the county. Requires the plan to:

- Identify the emergency response authority for wildland fires in the unincorporated area of the county;
- Identify all participants in the plan and their roles and responsibilities;
- Describe the procedures for cooperation among various emergency response authorities;
- List management objectives for wild land fire prevention, preparedness, mitigation, suppression, reclamation, or rehabilitation and specify the authority with fiscal and operational responsibility for each objective;
- Describe available emergency response resources and mutual aid and other agreements related to the plan; and
- Specify reimbursement and billing procedures.

Clarifies that the county sheriff exercises authority over forest, prairie, or wildland fires in the unincorporated areas of a county in accordance with the plan prepared by the emergency response authority.

Clarifies that the fire chief of a fire protection district exercises authority over wildland fires in the jurisdiction in accordance with the plan prepared by the emergency response authority.

Position: Support

History/Status: 01/07/2009 Introduced In Senate - Assigned to Local Government and Energy
02/12/2009 Senate Committee on Local Government and Energy Refer Amended to Appropriations
02/27/2009 Senate Committee on Appropriations Refer Unamended to Senate Committee of the Whole [Passed on a vote of 8-1-1]

SB09-020 is scheduled to be heard on 2nd Reading in the Senate on Tuesday, March 3, 2009.

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Comments

Note: SB09-020 was originally scheduled to be heard on January 22, 2009 but was taken off the calendar to allow the CSFCA an opportunity to work with the County Sheriffs Association to address their concerns with the bill.

SB09-020 was heard by Senate Local Government and Energy Committee on February 12, 2009. Sen. Gibbs offered the "Strike Below" amendment (L.001) that was developed collaboratively between the CSFCA and CSOC. He also offered amendment L.002 which addressed a drafting error. CSFCA Executive Director Cooke testified on behalf of the CSFCA in favor of the Amendments. Also testifying in support were Boulder County Sheriff Joe Pelle, representing CSOC and Rich Homann, representing the CSFS. SB09-020, as amended, was passed to Senate Appropriations Committee on a vote of 6-0-1.

Bill Number: SB09-021 **Prime Sponsors:** Sen. Kopp, Rep. Scanlan

Bill Title: Concerning Incentives for Volunteer Firefighters.

Link to Bill: http://www.colofirechiefs.org/09Legislature/021_jud.pdf

Summary: **Interim Committee on Wildfire Issues in Wildland-Urban Interface Areas.** Creates a fund in the division of fire safety in the department of public safety to make grants to qualified volunteer firefighters and fire departments to cover the costs of training in fighting fires in wild land-urban interface areas.

Directs the division to collaborate with the state board for community colleges and occupational education to develop a system to provide tuition vouchers to qualified volunteer firefighters who are enrolled in full-time or part-time study and who agree to serve as volunteer firefighters for a specified number of years after completing their education.

Allows qualified volunteer firefighters to claim a tax rebate up to a specified amount for reimbursement of the costs of firefighting equipment.

Position: Support

History/Status: 01/07/2009 Introduced In Senate - Assigned to Judiciary

01/28/2009 Senate Committee on Judiciary Witness Testimony/Committee Discussion Only

02/09/2009 Senate Committee on Judiciary Refer Amended to Appropriations

Comments

SB09-021 was heard by Senate Judiciary Committee on January 28, 2009. Paul Cooke, CSFCA Executive Director testified on behalf of the CSFCA in favor of the provisions of the bill. Also speaking in favor of the bill was John Singer, representing the Colorado State Fire Fighters Association, and Rich Homan, representing the Colorado State Forest Service. John Giardino, representing Colorado Mountain College, indicated that the college he represents is a local district college that was not included in the bill. Sen. Kopp indicating his willingness to amend the bill to address this issue.

Due to the fiscal note and the unavailability of amendments, the bill was taken off the table and rescheduled for action only.

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SB09-021 was reheard by Senate Judiciary Committee on February 9, 2009 (for action only). Sen. Kopp offered a couple of amendments to address the fiscal impact; the net effect of these being that the only thing that remains in the bill is tuition vouchers to qualified volunteer firefighters who are enrolled in full-time or part-time study and who agree to serve as volunteer firefighters for four years after completing their education. The proposed funding for the bill was reduced to \$20,000 from the severance tax fund. The bill, as amended, was passed unanimously to the Senate Appropriations Committee.

Bill Number: SB09-085 **Prime Sponsors:** Sen. Scheffel, Rep. Lambert & Priola
Bill Title: Concerning a Property Tax Exemption for Business Personal Property.
Link to Bill: http://www.colofirechiefs.org/09Legislature/085_01.pdf
Summary: Exempts a percentage of business personal property, excluding state-assessed property, from property taxation. Increases the amount of the exemption every 2 years until all business personal property is exempt.
Position: Oppose
History/Status: 01/13/2009 Introduced In Senate - Assigned to Business, Labor and Technology + Finance + Appropriations
02/09/2009 Senate Committee on Business, Labor and Technology Refer Unamended to Finance
02/10/2009 Senate Committee on Finance Refer Unamended to Appropriations

Comments

This bill would eliminate the business personal property tax over a 20 year period. BPPT is assessed locally on business equipment and furniture, in addition to property taxes paid by businesses. While BPPT is a significant source of revenue for local governments, the implications of eliminating it can be even more profound for fire protection districts since they operate almost exclusively on property taxes to operate. Supporters of the bill promote it as a means to spur business investment in Colorado with the goal of stabilizing the state's slumping economy.

Bill Number: SB09-105 **Prime Sponsors:** Sen. Gibbs, Rep. Scanlan
Bill Title: Concerning Removal of the Statutory Limit on the Amount That May Be Raised in a Single Year by a Special Property Tax Levied by a Board of County Commissioners for the Purpose of Fighting Specified Types of Fires in a County.
Link to Bill: http://www.colofirechiefs.org/09Legislature/105_ren.pdf
Summary: Removes the statutory limit on the amount that may be raised in a single year by a special property tax levied by a board of county commissioners for the purpose of fighting specified types of fires in a county.
Position: Support
History/Status: 01/23/2009 Introduced In Senate - Assigned to Local Government and Energy
02/17/2009 Senate Committee on Local Government and Energy Refer Unamended to Senate Committee of the Whole
02/20/2009 Senate Second Reading Passed
02/23/2009 Senate Third Reading Passed

Comments

SB09-105 was heard in Senate Local Government and Energy Committee. Paul Cooke, CSFCA Executive Director testified on behalf of the CSFCA in support of the bill. Others testifying in support were Summit County Commissioner Bob French, and Chris Mendez, representing CCI. The bill was referred unamended to the Senate Committee of the Whole on a vote of 5-2.

Bill Number: SB09-109 **Prime Sponsors:** Sen. Newell, Rep. Schafer S.

Bill Title: Concerning Continuation of Provisions Related to the Fire Service Training and Certification Advisory Board.

Link to Bill: http://www.colofirechiefs.org/09Legislature/109_ren.pdf

Summary: **Sunset Process - Senate Judiciary Committee.** Continues indefinitely the fire service training and certification advisory board in the division of fire safety within the office of preparedness, security, and fire safety in the department of public safety, under the provisions of the sunset law. Continues the following, related to the board:

- Statutory provisions describing the duties of the board;
- Statutory provisions related to education and training programs and certification programs;
- The firefighter and first responder certification fund;
- The fire service education and training fund.

Changes the statutory reference to the department of public health and environment's emergency medical services and prevention division, which no longer exists, to the emergency medical and trauma services section within the health facilities and emergency medical services division of such department.

Position: Support

History/Status: 01/26/2009 Introduced In Senate - Assigned to Judiciary
02/09/2009 Senate Committee on Judiciary Refer Unamended - Consent Calendar to Senate Committee of the Whole
02/13/2009 Senate Second Reading Passed
02/17/2009 Senate Third Reading Passed

Comments

Note: The Sunset Report prepared by the Department of Regulatory Agencies on the Fire Service Training and Certification Advisory Board was heard by Senate Judiciary Committee on January 14, 2009. Paul Cooke, CSFCA Executive Director testified on behalf of the CSFCA in favor of continuing both the Advisory Board and the programs for which the Board was created. The Committee voted to carry this Bill and Sen. Newell agreed to sponsor it.

SB09-109 was heard by Senate Judiciary Committee on February 9, 2009. CSFCA Executive Director Cooke testified on behalf of the CSFCA in favor of continuing both the Advisory Board and the programs for which the Board was created. DFS Director Kevin Klein also testified in support of the bill on behalf of the Division of Fire Safety. The bill was passed unanimously to the Committee of the Whole, without amendments, with the recommendation that it be placed on the Consent Calendar (meaning there is no controversy, so there is no floor debate).

Bill Number: SB09-180 **Prime Sponsors:** Sen. Tochtrop, Rep. Casso
Bill Title: Concerning Collective Bargaining by Employees of Public Safety Agencies
Link to Bill: http://www.colofirechiefs.org/09Legislature/180_01.pdf
Summary: "Firefighter and Law Enforcement Officer Collective Bargaining Act." Grants firefighters and law enforcement officers the right to:

- Organize, form, join, or assist an employee organization or to refrain from doing so;
- Negotiate collectively or express a grievance through representatives of their choice;
- Engage in other lawful concerted activity for the purpose of collective bargaining or other mutual aid or protection; and
- Be represented by their exclusive representative without discrimination.

States that an employee organization recognized or elected for collective bargaining shall be the exclusive representative of all the firefighters or law enforcement officers in an agency for collective bargaining. Prohibits a fire department, police department, or sheriff's department from bargaining on matters covered by the act with any other employee or group. Grants the exclusive representative the right to be present and express its views at the adjustment of a complaint made by a member of the bargaining unit without the intervention of the exclusive representative. Allows an exclusive representative to have dues and other moneys deducted from the pay of firefighters or law enforcement officers who authorize the deduction.

Authorizes and obligates a public employer and an exclusive representative to bargain collectively in good faith. States that any agreements negotiated between an exclusive representative and a public employer, along with any terms approved by the voters of the political subdivision of the public employer, shall constitute the collective bargaining agreement between the parties. Requires a collective bargaining agreement to be for a term of one to 3 years. Allows a party to request collective bargaining by sending notice to the other party by a specified date. Requires the parties to begin collective bargaining within a specified time after the notice. Deems an impasse to exist if the parties fail to reach a collective bargaining agreement within a specified time after the beginning of collective bargaining. States that a collective bargaining agreement may require all members of the bargaining unit, as a condition of employment, to pay the exclusive representative's fees and expenses in negotiating and enforcing the agreement.

If an impasse exists, requires the parties to allow an arbitration organization to appoint an advisory fact-finder to hold a hearing on the unresolved issues and make recommendations on which party's final offer on each issue should be accepted. Specifies the factors that the advisory fact-finder shall consider. Gives the parties a specified time to consider the advisory fact-finder's recommendations and conduct further negotiations. If either party rejects the recommendations, states that the final offers of the parties on the unresolved issues shall be submitted to the voters of the political subdivision of the public employer at a special election.

Prohibits firefighters, law enforcement officers, and employee organizations from striking.

States that existing bargaining units, exclusive representatives, and bargaining relationships as of the effective date of the act shall remain unless modified by agreement or election in accordance with the act.

Position: Monitor

History/Status: 02/10/2009 Introduced In Senate - Assigned to State, Veterans & Military Affairs

Comments

There appears to only be one substantive change than what we had seen in the draft of this bill; this is in the definition of a supervisor. For fire departments, only the chief and the officer or officers in the rank or position immediately below the chief who report directly to the chief would be classified as a supervisor (although there is no specific language in the bill that excludes or allows the exclusion of supervisors from the bargaining unit; in fact it states the supervisors may be members of the employee organization).

The bill still applies to all fire departments that employ two or more firefighters [the federal act, if passed as introduced, would allow state laws to exempt jurisdictions that have a population less than 5,000 or employ fewer than 25 full-time employees].

The bill also still requires the cost of any special election to be borne by whichever party refuses to accept the recommendations of the advisory fact-finder. If both parties refuse to accept the advisory fact-finder's recommendations, the costs are shared equally by the parties. The cost of advisory fact-finding is borne equally by the employer and the union.

SB09-180 was heard by amended by Senate State, Veterans, & Military Affairs Committee on Wednesday, February 18, 2009 and action was laid over until the next day. On Thursday, February 19, 2009 Senate State, Veterans, & Military Affairs Committee amended the bill and referred it to Senate Appropriations Committee on a vote of 3-2. The amendment that was passed by the Senate State, Veterans, & Military Affairs Committee eliminated the impact on the State General Fund by requiring that the certification (or decertification) elections held by the State Department of Labor and Employment be paid for by the petitioner.

SB09-180 was scheduled to be heard by Senate Appropriations Committee on February 27, 2009; however the hearing was laid over to a later date.

Bill Number:	SB09-205	Prime Sponsors:	Sen. Tapia, Rep. Pommer
Bill Title:	Concerning Annual State Contribution to FPPA – Old Hire Plans.		
Link to Bill:	http://www.colofirechiefs.org/09Legislature/205_01.pdf		
Summary:	FY 08-09 Budget Balancing Bill. For the 2008-09, 2009-10, and 2010-11 state fiscal years, eliminates the state's annual contribution to the FPPA to assist in amortizing the unfunded accrued liability of old hire pension plans. Resumes the state's annual contribution to the FPPA beginning in the 2011-12 state fiscal year, and extends such annual contribution through the 2014-15 state fiscal year.		

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Position: Monitor

History/Status: 02/17/2009 Senate Committee on Appropriations Postpone Indefinitely

Comments

This bill was replaced by SB09-227.

Bill Number: SB09-227 **Prime Sponsors:** Sen. Tapia, Rep. Pommer

Bill Title: Concerning Assistance With the Unfunded Accrued Liability of Old Hire Pension Plans that are Affiliated With the Fire And Police Pension Association, and, in Connection Therewith, Eliminating the State Contribution to the Old Hire Pension Plans for the 2008-09, 2009-10, and 2010-11 State Fiscal Years, Extending the State Contribution Through the 2014-15 State Fiscal Year, and Extending the Amortization Period for Underfunded Old Hire Pension Plans that No Longer Receive State Assistance.

Link to Bill: http://www.colofirechiefs.org/09Legislature/227_ren.pdf

Summary: **FY 08-09 Budget Balancing Bill.** For the 2008-09, 2009-10, and 2010-11 state fiscal years, eliminates the state's annual contribution to the fire and police pension association (FPPA) to assist in amortizing the unfunded accrued liability of old hire pension plans. Resumes the state's annual contribution to the FPPA beginning in the 2011-12 state fiscal year, and extends such annual contribution through the 2014-15 state fiscal year. Extends the amortization period for old hire pension plans that are underfunded but no longer receive state assistance.

Position: Monitor

History/Status: 02/19/2009 Introduced In Senate - Assigned to Appropriations
02/20/2009 Senate Committee on Appropriations Refer Amended to Senate Committee of the Whole
02/20/2009 Senate Second Reading Special Order - Passed with Amendments
02/23/2009 Senate Third Reading Passed

Comments

House Bills

Bill Number: HB09-1005 **Prime Sponsors:** Rep. Marostica, Sen. Veiga

Bill Title: Concerning the Authority of a Special District to Establish Special Improvement Districts Within the Boundaries of the Special District.

Link to Bill: http://www.colofirechiefs.org/09Legislature/1005_ren.pdf

Summary: With specified requirements, grants a special district the authority to establish special improvement districts within the boundaries of the special district and levy special assessments on property specially benefited by such improvements. Specifies the methods for:

- Creating a special improvement district;
- Making the improvements specified for the special improvement district; and
- Levying and collecting of assessments for the costs of the improvements specified for the special improvement district.

COLORADO STATE FIRE CHIEFS' ASSOCIATION

Position: Monitor

History/Status: 01/07/2009 Introduced In House - Assigned to Local Government
01/27/2009 House Committee on Local Government Refer Unamended to House Committee of the Whole
02/02/2009 House Second Reading Passed
02/03/2009 House Third Reading Passed
02/04/2009 Introduced In Senate - Assigned to Local Government and Energy
02/24/2009 Senate Committee on Local Government and Energy Refer Amended to Senate Committee of the Whole
02/27/2009 Senate Second Reading Laid Over Daily

HB09-1005 is scheduled for Second Reading in the Senate for Monday, March 2, 2009.

Comments

Bill Number: HB09-1009 **Prime Sponsors:** Rep. S. King, Sen. (None)
Bill Title: Concerning Requiring Public Schools to Conduct Emergency Safety Drills.
Link to Bill: http://www.colofirechiefs.org/09Legislature/1009_01.pdf
Summary: Requires public elementary, secondary, and postsecondary schools to conduct certain emergency safety drills beginning in the 2010-11 academic year.
Position: Monitor
History/Status: 01/07/2009 Introduced In House - Assigned to Education
01/22/2009 House Committee on Education Lay Over Amended
02/05/2009 House Committee on Education Postpone Indefinitely

Comments

John Suthers, the Colorado State Attorney General, testified in support of the bill, and shared a handout (National Association of Attorneys General, Task Force on School and Campus Safety, Report and Recommendations, September 2007) with committee members. He noted the importance of practice drills and reviewing safety procedures.

Mr. Tom Wiens, former state senator, testified in support of the bill and shared handouts with committee members regarding federal grant money for school safety programs and safety drill procedures.

Due to concerns expressed by members of the Committee on the impact on higher education institutions, the Chairman took the bill off the table to allow the sponsor to address the concerns.

Bill Number: HB09-1013 **Prime Sponsors:** Rep. Sonnenberg, Sen. (None)
Bill Title: Concerning an Exception to Statutory Requirements Governing the Collection of Excess Property Tax Revenue By Urban Renewal Authorities in Connection With Tax Increment Financing for Certain Special Districts Providing Emergency Services.
Link to Bill: http://www.colofirechiefs.org/09Legislature/1013_01.pdf

Summary: Provides that, if the first property tax year in which the excess of any payment of property taxes is allocated and paid into a special fund in connection with tax increment financing by an urban renewal authority commences on or after a specified date, no portion of any revenues from such excess that are allocated to any special district providing emergency services, including ambulance districts, fire protection districts, and certain metropolitan districts, shall be collected and paid into the special fund. In such cases, specifies that all revenues collected from the excess of any payment of property taxes shall be distributed to the special districts providing emergency services as if there were no requirement to pay the excess into a special fund.

Position: Support

History/Status: 01/07/2009 Introduced In House - Assigned to Finance + Local Government
01/21/2009 House Committee on Finance Refer Unamended to Local Government
02/12/2009 House Committee on Local Government Refer Unamended to House Committee of the Whole
02/18/2009 House Second Reading Lost

Comments

Note: This bill is much the same as HB08-1163 by Rep. Sonnenberg & Sen. Bacon which was supported by the CSFCA, but did not pass.

Chief Brian Martens of Windsor-Severance FPD, testified in House Finance Committee on behalf of the CSFCA in support of the bill. Also speaking in favor of the bill was: Evan Goulding, Special Districts Association, and Chris Mendez, Colorado Counties Inc. Erin Goff, Colorado Municipal League, testified in opposition to the bill. The bill was referred to House Local Government Committee on a 9-2 vote.

HB09-1013 was heard by House Local Government Committee on February 12, 2009 [Rescheduled from February 5, 2009]. Chief Brian Martens of Windsor-Severance FPD, testified in House Finance Committee on behalf of the CSFCA in support of the bill. The Bill was passed to the Committee of the Whole on a vote of 7-4.

HB09-1013 was heard on 2nd reading in the House on February 18, 2009. Despite exemplary effort by Rep. Sonnenberg, the bill failed on 2nd reading. Rep. Sonnenberg also tried a "last ditch" effort to keep the bill alive by attempting to amend the Committee of the Whole report to show that the bill had passed. Rep. Sonnenberg's motion was followed by an impassioned plea to his counterparts to support the bill. Unfortunately, his "last ditch" effort fell one vote short of the required 33 and the bill died.

Bill Number: HB09-1030 **Prime Sponsors:** Rep. Labuda, Sen. Tochtrop

Bill Title: Concerning Firefighter and Police Officer Pension Plan Compliance With Requirements Set Forth in the Internal Revenue Code.

Link to Bill: www.colofirechiefs.org/09Legislature/1030_rev.pdf

Summary: Requires old hire pension plans to meet the qualification requirements that apply to governmental plans established by the internal revenue code.

For old hire pension plans, volunteer firefighter pension plans, and plans in the fire and

police pension association defined benefit system:

- Eliminates specific requirements that were intended to ensure that the plans meet the qualification requirements established by the internal revenue code; and
- Grants the applicable governing board the authority to adopt any provision for a plan that is necessary to comply with the internal revenue code.

Allows the board of directors of the fire and police pension association (board) to create a master plan document for old hire pension plans and to submit the master plan document to the IRS for a determination of the document's status as a qualified plan under the internal revenue code. Establishes what must be included in the master plan document and when the master plan document may be modified or amended. Establishes that the board may require an affiliated board to adopt the master plan document or to obtain IRS approval for its own old hire pension plan. Specifies that an affiliated board is not precluded from seeking IRS approval for its own old hire pension plan.

Position: Monitor

History/Status: 01/07/2009 Introduced In House - Assigned to Local Government
01/13/2009 House Committee on Business Affairs and Labor Refer Amended to House Committee of the Whole
01/16/2009 House Second Reading Passed with Amendments
01/20/2009 House Third Reading Passed
01/23/2009 Introduced In Senate - Assigned to Business, Labor and Technology
02/23/2009 Senate Committee on Business, Labor and Technology Refer Unamended - Consent Calendar to Senate Committee of the Whole
02/27/2009 Senate Second Reading Passed

HB09-1030 is scheduled for Third Reading and Final Passage in the Senate for Monday, March 2, 2009.

Comments

Bill Number: HB09-1031 **Prime Sponsors:** Rep. S. King, Sen. Penry & Gibbs

Bill Title: Concerning a Requirement that the State Match Local Government Contributions to the Emergency Fire Fund.

Link to Bill: www.colofirechiefs.org/09Legislature/1031_ag.pdf

Summary: **Interim Committee on Wildfire Issues in Wildland-Urban Interface Areas.** For the 2009-10 fiscal year and for each succeeding fiscal year, requires the state to make an appropriation from the general fund to the Colorado state forest service in an amount equal to the total amount of voluntary contributions made during the prior fiscal year to the emergency fire fund (fund), which is funded by voluntary contributions from most counties in the state and the Denver water board and used to pay for emergency responses to wildfires. Requires the state forester to grant the entire annual appropriation to the fund.

Position: Support

History/Status: 01/07/2009 Introduced In House - Assigned to Agriculture, Livestock, & Natural Resources

+ Appropriations

01/13/2009 House Committee on Agriculture, Livestock, & Natural Resources Lay Over Amended

01/14/2009 House Committee on Agriculture, Livestock, & Natural Resources Refer Amended to Appropriations

Comments

Chief Dave Parmley of Lake Dillion Fire Protection District and Past President of the CSFCA, testified in favor of the bill on behalf of the CSFCA. Also testifying in support of the bill was Doug Kemper, Executive Director of the Colorado Water Congress, and Peg Ackerman, representing the County Sheriffs of Colorado.

The bill was laid over until the next day to hear from the CSFS and take into account additional concerns raised by the committee. The House Agriculture, Livestock, & Natural Resources Committee referred HB09-1031, as amended, to the Appropriations Committee on a 9-4 roll call vote.

Bill Number: HB09-1041 **Prime Sponsors:** Rep. Gerou, Sen. (None)

Bill Title: Concerning a Fire Protection District Board's Authority to Fix Fees for Emergency Medical Services.

Link to Bill: http://www.colofirechiefs.org/09Legislature/1041_ren.pdf

Summary: Allows the board of any fire protection district to fix and from time to time increase or decrease fees for extrication, rescue, or safety services provided in furtherance of ambulance or emergency medical services. Specifies what is included in extrication, rescue, or safety services.

Position: Support

History/Status: 01/07/2009 Introduced In House - Assigned to Local Government + Finance
01/20/2009 House Committee on Local Government Refer Unamended to House Committee of the Whole
01/22/2009 House Committee on Local Government Refer Unamended to Finance
01/28/2009 House Committee on Finance Refer Unamended to House Committee of the Whole
02/02/2009 House Second Reading Passed
02/03/2009 House Third Reading Passed
02/04/2009 Introduced In Senate - Assigned to Local Government and Energy + Finance
02/17/2009 Senate Committee on Local Government and Energy Refer Unamended to Finance

HB09-1041 is scheduled to be heard by Senate Finance Committee on Tuesday, March 10, 2009 at 2:00 P.M. in SCR 354.

Comments

HB09-1041 was first heard by House Local Government Committee on January 20, 2009. T.J. Carne, Chairman of the Board, Foothills Fire Protection District, testified in support of the bill and discussed the need to clarify state law to allow fire protection districts to continue assessing fees for the specific emergency services provided in the bill.

COLORADO STATE FIRE CHIEFS' ASSOCIATION

Paul Cooke, CSFCA Executive Director, testified in support of the bill on behalf of the CSFCA. Also testifying in support was Deputy Chief Nick Boukas, Evergreen Fire and Rescue District; and Chief Brian Zoril, Foothills Fire Protection District. Brandon LaSalle, American Family Insurance Company, also testified in support of the bill and discussed emergency services and insurance policies.

HB09-1041 was initially passed by House Local Government Committee to the Committee of the Whole on a vote 11-0; however, it had to be returned to the Committee on January 22nd for reconsideration, as the bill had been double-assigned by the Speaker. This time the bill was passed to House Finance Committee on a vote of 8-0-3.

HB09-1041 was heard in House Finance Committee on January 28, 2009. Paul Cooke, CSFCA Executive Director, testified in support of the bill on behalf of the CSFCA. The bill was passed to the Committee of the Whole on a 10-0 vote.

HB09-1041 was heard in Local Government and Energy Committee on February 17, 2009. Paul Cooke, CSFCA Executive Director, testified in support of the bill on behalf of the CSFCA. The bill was passed to the Committee of the Whole on a 7-0 vote.

Bill Number:	HB09-1070	Prime Sponsors:	Rep. Fischer, Sen. (None)
Bill Title:	Concerning the Prohibition of Certain Types of Lands From Inclusion in Urban Renewal Areas, and, in Connection Therewith, Requiring the Participation in Urban Renewal Areas of Governmental Entities that Impose Property Taxes.		
Link to Bill:	http://www.colofirechiefs.org/09Legislature/1070_01.pdf		
Summary:	<p>Specifies that no area that has been designated as an urban renewal area (area) shall contain any agricultural or vacant land unless:</p> <ul style="list-style-type: none">• The area is a brownfield site as designated by the United States environmental protection agency;• Each public body that levies ad valorem property taxes on the area agrees to the inclusion of the area within the urban renewal area;• The area was included in an approved urban renewal plan prior to the effective date of the act; or• The area was previously developed and became vacant as a result of demolition, destruction, or acts of nature. <p>Expands existing statutory provisions governing the submission of an urban renewal plan or modification to the plan to require a municipality to submit the plan or modification and, under specified circumstances, the urban renewal impact report to the governing body of a taxing entity.</p> <p>Deletes existing statutory provisions stating that the inadvertent failure of a governing body or an authority to submit an urban renewal plan (plan), substantial modification to the plan, or an urban renewal impact report, as applicable, to a board of county commissioners neither creates a cause of action in favor of any party nor invalidates any urban renewal plan or modification to the plan.</p>		

Expands existing statutory provisions requiring each county that is entitled to receive a copy of the plan to provide data and projections to assist the governing body or the authority in preparing the urban renewal impact report to impose such duty on all taxing entities.

Expands existing statutory provisions authorizing the governing body of a municipality to approve a plan if it finds that the authority or the municipality will adequately finance, or that agreements are in place to finance, any additional county infrastructure and services required to serve development within the urban renewal area for the specified period to include any additional taxing entity infrastructure and services required to serve such development.

In the case of an irrevocable pledge by an authority of specified tax revenues for the payment of certain indebtedness in connection with tax increment financing, expands existing statutory provisions restricting the pledge from extending to taxes placed in a reserve fund to be returned to the county to include taxes placed in a reserve fund to be returned to any taxing entity.

Expands existing statutory provisions authorizing the governing body or the authority to enter into an agreement with a county for the allocation of property taxes to include a taxing entity as among the parties to the agreement. Expands the subject of the proposed agreement to include payment of the costs of any additional taxing entity infrastructure or services necessary to offset the impacts of an urban renewal project and for the sharing of revenues.

Expands existing statutory provisions giving counties the authority to challenge impacts relating to an urban renewal project as part of a dispute resolution process to give such authority to any entity levying ad valorem property taxes on any portion of the real property constituting an urban renewal area. Expands the grounds by which such taxing entities may object to actions of the municipality that has created the urban renewal plan.

Position: Support portions of the bill

History/Status: 01/07/2009 Introduced In House - Assigned to Local Government
02/05/2009 House Committee on Local Government Lay Over Unamended - Amendment(s) Failed
02/10/2009 House Committee on Local Government Lay Over Unamended - Amendment(s) Failed
02/19/2009 House Committee on Local Government Postpone Indefinitely

Comments

HB09-1070 was heard by House Local Government Committee on February 10, 2009. This hearing was a continuation of the hearing from February 5, 2009. Chief Brian Martens of Windsor-Severance FPD waited several hours on February 5th to testify on this bill and HB09-1013 (TIF Exception for Emergency Services Districts), but the bills were laid over and they never got to his testimony. Chief Martens was not available to testify at the rescheduled hearing, so CSFCA Executive Director Cooke testified on behalf of the CSFCA.

Executive Director Cooke testified that the CSFCA is not opposed to URAs or TIF, in general, and that there are provisions of HB09-1070 that are not CSFCA's issue, specifically what can and what can't be included in the URA. Executive Director Cooke discussed the impact of TIF on fire districts; the fact that URAs

(particularly those developing vacant land remote from existing facilities) creates increased demand for services and may require capital improvements and personnel to serve the new development. Yet, the URA strips the District of the revenue needed to make such improvements and address the service impacts. Executive Director Cooke advised the Committee that HB09-1070 would provide fire protection districts with standing to have the impacts of the new development considered when URAs are formed and for that reason we support these particular provisions of the bill.

At the conclusion of the testimony, HB09-1070 was taken off the table to allow the sponsor (Rep. Fischer) to meet with stakeholders and work through the issues (a significant number of municipalities and developers testified against the bill). This meeting was held on February 12, 2009 and the CSFCA was represented by Executive Director Cooke; Chief Mike Morgan of Rifle FPD; and Roberta Robinette. No agreement was reached, but CML admitted that it was time to address the issue of vacant land, particularly agricultural land, on the fringe of urbanized areas. CML indicated understanding of the issues and impacts of this on special districts, counties, and the state (School Finance Act).

Bill Number: HB09-1091 **Prime Sponsors:** Reps. Soper & Court, Sen. (None)

Bill Title: Concerning a Requirement that Carbon Monoxide Alarms Be Installed in Residential Properties

Link to Bill: http://www.colofirechiefs.org/09Legislature/1091_rer.pdf

Summary: Requires any existing single-family dwelling or dwelling unit of an existing multi-family dwelling offered for sale or transfer on or after July 1, 2009, that has a fuel-burning heater or appliance, a fireplace, or an attached garage to have an operational carbon monoxide alarm installed within a specified distance of each room lawfully used for sleeping purposes.

Requires any single-family dwelling or dwelling unit of a multi-family dwelling for which a building permit is issued for new construction on or after July 1, 2009, that has a fuel-burning heater or appliance, a fireplace, or an attached garage to have an operational carbon monoxide alarm installed within a specified distance of each room lawfully used for sleeping purposes.

Sets forth the maintenance and installation requirements for carbon monoxide alarms in single-family dwellings and dwelling units in multi-family dwellings that are used for rental purposes.

Specifies that nothing in the act shall be construed to limit a municipality, city, home rule city, city and county, county, or other local governmental entity from adopting or enforcing more stringent requirements for the installation and maintenance of carbon monoxide alarms.

Establishes that any person who installs a carbon monoxide alarm according to the manufacturer's published instructions shall have no liability to any person with respect to the operation, maintenance, or effectiveness of the carbon monoxide alarm.

Position: Support as amended

COLORADO STATE FIRE CHIEFS' ASSOCIATION

History/Status: 01/12/2009 Introduced In House - Assigned to Business Affairs and Labor
01/13/2009 House Committee on Business Affairs and Labor Witness Testimony Only
01/27/2009 House Committee on Business Affairs and Labor Refer Amended to House Committee of the Whole
02/02/2009 House Second Reading Passed with Amendments
02/03/2009 House Third Reading Passed
02/04/2009 Introduced In Senate - Assigned to State, Veterans & Military Affairs
02/18/2009 Senate Committee on State, Veterans & Military Affairs Refer Unamended to Senate Committee of the Whole
02/19/2009 Senate Second Reading Special Order - Passed with Amendments
02/20/2009 Senate Third Reading Passed with Amendments
02/25/2009 House Considered Senate Amendments - Result was to Concur - Repass

Comments

Note: HB09-1091 was amended in Business Affairs and Labor Committee to be consistent with the building code adopted by local jurisdictions.

Bill Number: HB09-1131 **Prime Sponsors:** Rep. Gerou, Sen. (None)
Bill Title: Concerning the Funding of a Training Program for Directors of Fire Protection Districts in Wild Land-Urban Interface Areas.
Link to Bill: http://www.colofirechiefs.org/09Legislature/1131_01.pdf
Summary: Repeals a prohibition on the ability of the general assembly to appropriate general fund moneys to the wild land-urban interface training fund to provide training for directors of fire protection districts. Requires a specified amount to be appropriated to the fund each year.
Position: No position taken by BOD / Recommend Conceptual Support
Status: 01/13/2009 Introduced In House - Assigned to Local Government + Appropriations
01/29/2009 House Committee on Local Government Postpone Indefinitely

Comments

Note: HB09-1131 was Pl'd at the request of the sponsor as she was able to convince the Governor's office to include it in the "Healthy Forests" omnibus bill (HB09-1199). In HB 1131 she was seeking \$8,000 GF; HB 1199 seeks a \$50K appropriation from severance tax monies.

Bill Number: HB09-1151 **Prime Sponsors:** Rep. Todd, Sen. (None)
Bill Title: Concerning Designating the Department of Public Safety as the Agency Responsible for Oversight of School Building Inspections
Link to Bill: http://www.colofirechiefs.org/09Legislature/1151_jud.pdf
Summary: Replaces the department of labor and employment with the department of public safety as the oversight agency responsible for school building code inspections. Makes conforming amendments.
Position: Support
History/Status: 01/14/2009 Introduced In House - Assigned to Judiciary

02/02/2009 House Committee on Judiciary Refer Amended to House Committee of the Whole

02/06/2009 House Second Reading Passed with Amendments

02/09/2009 House Third Reading Passed

02/10/2009 Introduced In Senate - Assigned to Judiciary

02/25/2009 Senate Committee on Judiciary Refer Amended to Appropriations

Comments

Note: A total of six amendments were passed by House Judiciary, most of them housekeeping in nature. HB09-1151 passed to House Committee of the Whole on a vote of 9-0-2. The amendments may be found at: http://www.colofirechiefs.org/09Legislature/HB1151_HS_Jud_Amend.pdf.

HB09-1151, Concerning Designating the Department of Public Safety as the Agency Responsible for Oversight of School Building Inspections (Rep. Todd, Sen. Heath) was heard by Senate Judiciary Committee on Wednesday, February 25, 2009.

There was an effort to roll the provisions of SB09-064 (Concerning Building Inspections Relating to Utilities by Sen. King) into HB 1151. SB 64 seeks to delegate plumbing and electrical inspections of school district buildings to local governments. SB 64 ran into unexpected opposition on the Senate floor and was almost killed, but as a courtesy to the sponsor was instead sent to another committee to be heard. Because of the controversy surrounding SB 64, the Senate sponsor of HB 1151 (Sen. Heath) was encouraged to resist amending the bill to include these provisions but to agree to work with Sen. King in the future to look at his proposal.

Div. Chief Jerry Stricker of the Golden Fire Department represented FMAC and CSFCA and testified in support bill of HB 1151, as amended, from the standpoint of governmental efficiency. Also speaking in support of the bill were CDPS Executive Director Weir, and DFS Director Klein. Greg Wheeler, Thornton Building Official representing ICC, also spoke in favor of the bill from the standpoint of efficiency and answered a question posed by Sen. Renfroe as to why the State is involved in public school construction.

Testifying from a the position of being "neutral" on the bill were Dianna Scott representing he Eagle County and Summit County School Districts, and Jeff Arnold of the Poudre School District, representing the Colorado School Plant Managers Association. Both spoke of their concern that the building code functions are being moved to a fire safety agency and suggested that the Division should be renamed or the fire safety functions should be subordinate to the building code functions of the Division and a building code official should be placed in charge. [Note: HB 1151 as amended does create the Public School Construction and Inspection Section within the Division of Fire Safety]

The bill was amended by Senate Judiciary Committee to add clarity that the provisions of the bill also apply to junior colleges and it was passed to Senate Appropriations Committee on a unanimous vote (there is no state fiscal impact, so why it was sent to Appropriations Committee is unclear).

Bill Number: HB09-1162 **Prime Sponsors:** Rep. Gerou, Sen. Kopp
Bill Title: Concerning Intergovernmental Cooperation for the Purpose of Mitigating Wildfires.
Link to Bill: http://www.colofirechiefs.org/09Legislature/1162_loc.pdf

Summary: On or before a specified date, requires each local government that owns any land area that is located either entirely or partially inside the territorial boundaries of a county and that contains a specified percentage of forest land or land that constitutes a wild land area to enter into an intergovernmental agreement with the county for the purpose of mitigating forest land or wild land fires affecting the contiguous land areas of the local government and county.

Specifies that the intergovernmental agreement shall address:

- The identification of all parties to the agreement and their respective roles and responsibilities with respect to the mitigation of forest land and wild land fires;
- The procedures for cooperation and coordination among the parties to the agreement;
- Management objectives for forest land and wild land fire prevention, preparedness, mitigation, suppression, reclamation, or rehabilitation and designation of the local government with fiscal and operational authority for each objective;
- A description of available emergency or mutual aid resources in the event of forest land and wild land fires; and
- The specification of reimbursement and billing procedures.

Specifies that, if a party to the intergovernmental agreement fails to satisfy its duties or responsibilities with respect to the mitigation of forest land or wild land area fires within its territorial boundaries by any deadlines specified in the agreement, any additional parties to the agreement may undertake the duties and responsibilities of the nonperforming party, even with respect to land areas within the nonperforming party's territorial boundaries. In such circumstances, permits any party that undertakes such fire mitigation efforts to obtain reimbursement from the nonperforming party for its costs incurred in connection with the efforts as specified in the agreement.

Position: Monitor

History/Status: 01/14/2009 Introduced In House - Assigned to Local Government
02/03/2009 House Committee on Local Government Refer Amended to House Committee of the Whole
02/06/2009 House Second Reading Passed with Amendments
02/09/2009 House Third Reading Passed
02/10/2009 Introduced In Senate - Assigned to Local Government and Energy
02/26/2009 Senate Committee on Local Government and Energy Refer Amended to Senate Committee of the Whole

HB09-1162 is scheduled for Second Reading in the Senate for Tuesday, March 3, 2009.

Comments

Bill Number: HB09-1199 **Prime Sponsors:** Rep. Scanlan, Sen. Gibbs

Bill Title: Concerning Increased Efforts to Address Wildfire Risk, and, in Connection Therewith, Providing Resources to the Colorado State Forest Service to Augment Its Technical Outreach Capabilities and Provide Loans and Grants for Market-Based and Forest

Treatment Solutions to Reduce Wildfire Risk.

Link to Bill: http://www.colofirechiefs.org/09Legislature/1199_01.pdf

Summary: Requires passengers on school buses that are purchased after June 30, 2010, to wear safety belts. Expands the requirement after June 30, 2014, to cover buses purchased after June 30, 2004. Exempts a person with a disability if a physician certifies that a safety belt is inappropriate for that person. Requires school buses to be equipped with passenger safety belts. Directs the department of education to enforce the requirement that buses have safety belts.

Enacts the "Colorado Healthy Forests and Vibrant Communities Act of 2009". Directs the Colorado state forest service to:

- Adopt standards for community wildfire protection plans (CWPPs) adopted by local communities pursuant to the federal "Healthy Forests Restoration Act of 2003" to promote greater consistency among CWPPs and facilitate the adoption of CWPPS by local communities, and to provide technical assistance to such local communities;
- Reduce wildfire risks by supporting the implementation of risk mitigation treatments that focus on protecting lives, homes, and essential community infrastructure and by improving inventory and monitoring of forest conditions, including by implementing a cost-share grant program and by hiring additional temporary field capacity;
- Support communities and land managers in moving from wildfire risk reduction to long-term ecological restoration;
- Support local business development and job creation through the implementation of forest treatments, including by administering a revolving loan fund to support woody biomass utilization, marketing timber products, and supporting the increased use of woody biomass in bio-heating; Issue a statewide request for proposals for loans to businesses to provide start-up capital for new facilities or equipment to harvest, remove, use, and market beetle-killed or other timber taken from private, federal, state, county, or municipal forest lands as part of a wildfire risk reduction or fuels mitigation treatment; and
- Improve outreach and technical assistance by adding full-time temporary staff and GIS capacity to assist with risk assessments and planning and by developing a web-based clearinghouse for technical assistance and funding resources.

Creates the healthy forests and vibrant communities fund. Transfers \$2,950,000 from the operational account of the severance tax trust fund to the fund for purposes of the act. Transfers \$50,000 each year from the account to the wildland-urban interface training fund for training for directors of fire protection districts.

Directs the air quality control commission to work with key regulatory and management entities, including the forest service and representatives of local health departments to identify barriers to the increased use of prescribed fire and recommend solutions to address those barriers.

Position: Support / Seek Amendments

History/Status: 01/29/2009 Introduced In House - Assigned to Agriculture, Livestock, & Natural Resources
02/18/2009 House Committee on Agriculture, Livestock, & Natural Resources Refer

Amended to Appropriations

Comments

HB09-1199 was heard by House Agriculture, Livestock, & Natural Resources Committee on February 18, 2009. Deputy Chief Jeff Berino of Lake Dillon Fire Rescue testified on behalf of the CSFCA in support of this bill. The bill was amended and referred to House Appropriations Committee.

Bill Number:	HB09-1259	Prime Sponsors:	Rep. Hullinghorst, Sen. (None)
Bill Title:	Concerning the Imposition of Impact Fees by Local Governments for Certain Authorized Local Purposes.		
Link to Bill:	http://www.colofirechiefs.org/09Legislature/1259_01.pdf		
Summary:	<p>Modifies existing statutory provisions authorizing a county, municipality, and city and county to impose an impact fee or other similar development charge to finance capital facilities to address the impacts from new development in the following respects:</p> <ul style="list-style-type: none">• Authorizes the fee or charge to be imposed to fund expenditures by the local government on service programs, in addition to capital facilities as under current law, needed to serve new development that is located within the territorial boundaries of the local government.• Authorizes a local government, pursuant to an IGA, to impose a fee or charge on behalf of a school district or special district to fund expenditures by the school district or special district on capital facilities or service programs needed to serve new development that is located within the territorial boundaries of the school district or special district that is a party to the IGA.• Modifies existing standards requiring the fee or charge to be imposed pursuant to a legislatively adopted schedule to specify that the fee or charge must be intended to reasonably defray the projected impacts on capital facilities or service programs caused by proposed development.• Enables a local government to set the fee or charge at a level no greater than necessary to defray the impacts reasonably related to proposed development.• Expands the term "capital facility" to include any improvement or facility that is reasonably related to any service that a school district or special district is authorized to provide where the school district or special district on whose behalf the local government is imposing the fee or charge have entered into an IGA under which the local government is obligated to transfer all or any portion of the revenues derived from the fee or charge to the school district or special district and the amount of the fee or charge has been determined in accordance with existing law.• At the request of a local government, authorizes the office of smart growth in the department of local affairs to provide technical assistance to the local government to facilitate the adoption or administration of a fee or charge.• Eliminates provisions prohibiting a fee or charge from being imposed on applications for development permits submitted before legislative adoption of the fee or charge.		
Position:	Support		
History/Status:	02/03/2009 Introduced In House - Assigned to Finance 02/18/2009 House Committee on Finance Postpone Indefinitely		

Comments

HB09-1259 was heard by House Finance Committee on February 18, 2009. Chief Jerry Rhodes of Cunningham FPD testified on behalf of the CSFCA in support of the bill. Others that testified in support of the bill were Pat Ratliff, representing CCI and Dale Case, Director, Boulder County Land Use Department. Several individuals/organizations testified in opposition to the bill, including the Colorado Homebuilders Association; David Kuhns, a Builder in Summit County who serves on Summit County Building Authority; Colorado Association of Realtors; Summit County Association of Realtors; and Micki Hackenberger representing the National Association of Industrial and Office Properties (NAIOP). In the end, the bill was viewed as an anti-growth measure and one that would adversely impact the building industry at a time "when we need to put the homebuilders back to work." The bill failed on a vote of 8-3 and was postponed indefinitely.

Bill Number: HB09-1275 **Prime Sponsors:** Rep. Apuan, Sen. Morse

Bill Title: Concerning the Ability of the Department of Public Health and Environment to Issue a Provisional Certification to an Applicant Seeking Certification as an Emergency Medical Technician.

Link to Bill: www.colofirechiefs.org/09Legislature/1275_01.pdf

Summary: Allows the department of public health and environment to issue a provisional 90-day certification to an applicant seeking certification as an emergency medical technician if the applicant satisfies all statutory and regulatory requirements for certification. Allows the department to issue a provisional certification even if the department has not yet received the results of the fingerprint-based criminal history record check on the applicant. Authorizes the state board of health to adopt rules to implement provisional certifications, including rules establishing fees for provisional certifications.

Position: Support

History/Status: 02/04/2009 Introduced In House - Assigned to Health and Human Services

HB09-1275 is scheduled to be heard by House Health & Human Services Committee on Monday, March 2, 2009 at 1:30 p.m. in Room LSB-A.

Comments

Bills of General Interest

Bill Number: SB09-029 **Prime Sponsors:** Sen. B. Shaffer, Rep. (None)

Bill Title: Concerning a Requirement That People on a School Bus Wear Safety Belts.

Link to Bill: http://www.colofirechiefs.org/09Legislature/029_ren.pdf

Summary: Requires passengers on school buses that are purchased after June 30, 2010, to wear safety belts. Expands the requirement after June 30, 2014, to cover buses purchased after June 30, 2004. Exempts a person with a disability if a physician certifies that a safety belt is inappropriate for that person. Requires school buses to be equipped with passenger safety

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belts. Directs the department of education to enforce the requirement that buses have safety belts.

Position: Monitor

Status: 01/07/2009 Introduced In Senate - Assigned to Judiciary
02/12/2009 Senate Committee on Transportation Refer Amended to Senate Committee of the Whole
02/20/2009 Senate Second Reading Passed with Amendments
02/23/2009 Senate Third Reading Passed

Comments

Bill Number: SB09-064 **Prime Sponsors:** Sen. King, K, Rep. Massey

Bill Title: Concerning Building Inspections Relating to Utilities

Link to Bill: http://www.colofirechiefs.org/09Legislature/064_edu.pdf

Summary: Removes the requirement that state inspectors shall perform plumbing and electrical inspections of school district buildings. Requires local governments to utilize journeymen or master plumbers when contracting for plumbing inspections within their respective jurisdictions. Requires a local government to reimburse the state examining board of plumbers if the local government fails to timely notify the state board of its intent to commence or cease local plumbing inspections.

Requires state and local electrical and plumbing inspectors to inspect to the standards specified in the state electrical and plumbing codes.

Position: No position taken by BOD / Recommend Monitor (by FMAC)

Status: 01/12/2009 Introduced In Senate - Assigned to Education
01/21/2009 Senate Committee on Education Refer Amended to Senate Committee of the Whole
02/03/2009 Senate Second Reading Referred to Business, Labor and Technology

SB09-064 is scheduled to be heard by Senate Business, Labor and Technology Committee on Monday, March 2, 2009 at 1:30 P.M. in SCR 354.

Comments

Bill Number: SB09-087 **Prime Sponsors:** Sen. Carroll M., Rep. Peniston

Bill Title: Concerning Increased Accountability Requirements for Special Districts.

Link to Bill: http://www.colofirechiefs.org/09Legislature/087_sta.pdf

Summary: Requires information about special district audits, budgets, and election results to be posted on the official web site of the division of local government in the department of local affairs.

Permits the division to establish a standard form for the annual report that the board of directors of a special district may use when submitting the report.

Requires the board of a metropolitan district to mail a mail-in ballot to each eligible elector on the list of such eligible electors that the board is required to maintain. Requires the board of a metropolitan district to annually provide notice to eligible electors that includes specified information about the special district and its elections.

Permits a specified number of electors of a special district to request the board to prepare an application for a quinquennial finding of reasonable diligence. Requires copies of the application to be mailed to the electors' sole designated recipient and filed with the appropriate board of county commissioners or governing body of a municipality. Permits the board of county commissioners or governing body to make a determination based upon the application.

Requires a seller of residential real property to provide to a purchaser a list of all special districts that are taxing authorities in which the property is located, and establishes a civil penalty for failing to do so.

Position: Monitor

Status: 01/14/2009 Introduced In Senate - Assigned to State, Veterans & Military Affairs + Appropriations
 02/11/2009 Senate Committee on State, Veterans & Military Affairs Refer Amended to Appropriations
 02/27/2009 Senate Committee on Appropriations Refer Amended to Senate Committee of the Whole

SB09-087 is scheduled for Second Reading in the Senate on Tuesday, March 3, 2009.

Comments

Bill Number:	SB09-122	Prime Sponsors:	Sen. Gibbs, Rep. Scanlan
Bill Title:	Concerning the Release of Security Assessment Reports to the County Sheriff of the County in Which a Critical State Infrastructure is Located.		
Link to Bill:	http://www.colofirechiefs.org/09Legislature/122_loc.pdf		
Summary:	Requires the office of preparedness, security, and fire safety to notify and release the report of any security assessment conducted on any critical state infrastructure to the county sheriff of the county in which the critical state infrastructure is located.		
	Allows an exemption to the confidentiality requirements of security assessment reports, which exemption permits the county sheriff of the county in which the critical state infrastructure is located to inspect and obtain copies of such reports.		
Position:	Monitor		
Status:	01/26/2009 Introduced In Senate - Assigned to Local Government and Energy 02/27/2009 Senate Second Reading Laid Over with Amendments [Note: Bill was laid over until Friday, May 15, 2009; effectively killing the bill]		

Comments

SB09-122 was heard in Senate Local Government and Energy Committee on February 18, 2009. A number of individuals testified against the bill, including Mason Whitney, Governor's Homeland Security Director; Peter Weir, Executive Director of the Colorado Department of Public Safety; Kevin Klein, Director of the Division of Fire Safety; Tim Gablehouse, representing the Colorado Emergency Preparedness Partnership; Robert Olislagers, Centennial Airport Manager; and an individual representing the American Society for Infrastructure Protection. Additionally, an individual representing the Building Owners & Managers Association testified in support of an amendment to exclude CIP information on privately owned facilities. Kevin Klein was the spokesperson for the Department of Public Safety and testified that the bill was not needed as the information sought by sheriffs and other responders was available through ACAMS. The balance of the opposition testimony echoed this and indicated that it would have a chilling effect on private sector participation in the CIP Program managed by the Colorado State Patrol.

Testifying in support of the bill were Summit County Sheriff John Minor, representing the County Sheriffs Association; Rick Homann, Breckenridge Police Chief, representing the Colorado Chiefs of Police; and Joel Cochran, Summit County Emergency Manager, representing the NW All-Hazards Region. All testified on the need for the sharing of CIP information between the State and local law enforcement, a recommendation consistent with the Report of the 9-11 Commission. All indicated that ACAMS was not the solution, at least in the short term, because it does not and will not contain all of the information they need access to. They argued that the CIP information needs to be in the hands of the first responders who must deal with an emergency when it occurs.

The bill was amended to include Police Chiefs as recipients of CIP information; to make the release of information between the state and local law enforcement consistent with DHS guidelines (and penalties for unauthorized disclosure; and to exclude CIP information on privately owned facilities. A conceptual amendment to sunset the statute when ACAMS is fully implemented and functional was discussed. The bill, as amended, was referred to the Senate Committee of the Whole on a vote of 5-2, with the Sponsor's agreement to continue to work with stakeholders to address concerns with the bill.

Note: Sen. Gibbs negotiated an agreement between the Colorado Department of Public Safety and the Sheriffs and Police Chiefs Association for the sharing of information between the State and local law enforcement and for the training of local law enforcement on ACAMS. As a result, he agreed to allow SB09-122 to die. On February 27, 2009, SB09-122 was taken up on 2nd Reading in the Senate and was laid over (at the request of the Sponsor) until Friday, May 15, 2009; which has the same effect as killing the bill.

Bill Number: HB09-1057 **Prime Sponsors:** Rep. A. Kerr, Sen. Bacon

Bill Title: Concerning Parental Involvement in Kindergarten through Twelfth Grade Education.

Link to Bill: http://www.colofirechiefs.org/09Legislature/1057_ren.pdf

Summary: Allows an employee of an employer who employs at least 10 employees in this state to take unpaid leave for the purpose of attending parent-teacher conferences or other academic activities related to the educational advancement of the employee's child. Limits the unpaid leave to 6 hours per month and 40 hours in any academic year. Permits the employer to require the employee to take leave in no greater than 3-hour increments and to provide written verification from the school or school district of the academic activity necessitating

the leave. Requires the employee to provide the employer with at least 3 days' notice of the leave except in emergency situations where the employee is not aware of the need for leave 3 days in advance. Directs employees to make reasonable attempts to schedule conferences or other activities outside of regular work hours. Allows an employee to elect to substitute accrued paid vacation leave, personal leave, or other types of paid leave for unpaid leave. Specifies that an employer that provides comparable leave to its employees is in compliance with the act and is not required to provide its employees any additional leave.

Position: Monitor

Status: 01/07/2009 Introduced In House - Assigned to Education
01/22/2009 House Committee on Education Witness Testimony and/or Committee Discussion Only
01/29/2009 House Committee on Education Lay Over Amended
02/05/2009 House Committee on Education Refer Amended to House Committee of the Whole
02/06/2009 House Second Reading Passed with Amendments
02/09/2009 House Third Reading Passed
02/10/2009 Introduced In Senate - Assigned to Education

Comments

Note: The CSFCA worked with the sponsor and the proponents of HB09-1057 to address the concerns of the CSFCA regarding this bill. The House amendments addressed the CSFCA concerns.

See letter to Rep. A. Kerr at: http://www.colofirechiefs.org/09Legislature/Kerr_Letter_HB1057.pdf

Bill Number: HB09-1071 **Prime Sponsors:** Rep. Gagliardi, Sen. (None)
Bill Title: Concerning the Moneys in the Search and Rescue Fund, and, in Connection Therewith, Increasing Surcharges on Outdoor Recreation Activities and Expanding the Use of Moneys in the Fund.
Link to Bill: http://www.colofirechiefs.org/09Legislature/1071_sa.pdf
Summary: Expands the scope of the search and rescue fund to include search and rescue activities involving at-risk adults and at-risk juveniles. Increases the surcharges for the search and rescue fund that are assessed on hunting and fishing licenses and on vessel, snowmobile, and off-highway vehicle registrations sold by the division of wildlife. Specifies that the department of local affairs (department) shall make Colorado outdoor recreation search and rescue cards available to equestrians and rock climbers.

Requires an agency or political subdivision of the state that receives grant moneys from the great outdoors Colorado trust fund to promote the purchase of Colorado outdoor recreation search and rescue cards by providing information on the program on web sites, trail head signs, and brochures on outdoor recreation.

Allows the chief of police of a municipality in which search and rescue activity occurs to certify claims to the department for reimbursement of costs of search and rescue activities.

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Allows municipalities to apply for and receive year-end grants from the search and rescue fund. Specifies that moneys in the search and rescue fund may be used to reimburse costs or provide grants for national, regional, or state certification programs.

Position: Monitor

Status: 01/07/2009 Introduced In House - Assigned to State, Veterans, & Military Affairs + Finance
02/03/2009 House Committee on State, Veterans, & Military Affairs Refer Amended to Finance
02/04/2009 House Committee on Finance Re-Refer Unamended to Appropriations

HB09-1071 is scheduled to be heard by House Appropriations Committee on Friday, March 6, 2009 at 7:30 a.m. in Room LSB-A.

Comments

Bill Number: HB09-1080 **Prime Sponsors:** Rep. Marostica, Sen. Williams

Bill Title: Concerning a Grant of Qualified Immunity to Building Code Officials Rendering Assistance During a Disaster Emergency.

Link to Bill: http://www.colofirechiefs.org/09Legislature/1080_ren.pdf

Summary: Grants qualified immunity from civil action to a building code official who, while acting in his or her official capacity, assists during a state of disaster emergency.

Position: No position taken by BOD / Recommend Monitor (by FMAC)

Status: 01/08/2009 Introduced In House - Assigned to Judiciary

01/29/2009 House Committee on Judiciary Refer Unamended to House Committee of the Whole
02/03/2009 House Second Reading Passed with Amendments
02/04/2009 House Third Reading Passed
02/06/2009 Introduced In Senate - Assigned to Judiciary
02/06/2009 Introduced In Senate - Assigned to Judiciary
02/23/2009 Senate Committee on Judiciary Refer Unamended to Senate Committee of the Whole
02/26/2009 Senate Second Reading Laid Over Daily

HB09-1080 is scheduled to be heard on Second Reading in the Senate on Monday, March 2, 2009.

Comments

Bill Number: HB09-1094 **Prime Sponsors:** Rep. Levy, Sen. Bacon

Bill Title: Concerning Wireless Telephone Prohibitions for Drivers.

Link to Bill: www.colofirechiefs.org/09Legislature/1094_te.pdf

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Summary: Prohibits operators of a motor vehicle who are under 18 years of age, operators of a school bus, and motor vehicle carriers regulated by the public utilities commission from using a wireless telephone while a motor vehicle they are operating is in motion. Otherwise, permits operators of a motor vehicle who are 18 years of age or older to use a wireless telephone equipped with a hands-free accessory. Deems the use of a wireless telephone by an operator as a class A traffic infraction.

Position: Monitor

Status: 01/12/2009 Introduced In House - Assigned to Transportation & Energy
02/03/2009 House Committee on Transportation & Energy Refer Amended to Appropriations

Comments

Bill Number: HB09-1120 **Prime Sponsors:** Rep. Stephens, Sen. (None)

Bill Title: Concerning Criminalizing Certain Acts in Order to Protect the Safety of Certain Public Servants, and Making an Appropriation in Connection Therewith.

Link to Bill: http://www.colofirechiefs.org/09Legislature/1120_ju.pdf

Summary: Makes it a second degree assault when a person with the intent to infect, injure, harm, harass, annoy, threaten, or alarm a peace officer, a firefighter, or emergency medical technician causes that person to come into contact with blood, seminal fluid, urine, feces, saliva, mucus, vomit, or any toxic, caustic, or hazardous material. States that a person convicted of said offense is not subject to the aggravating sentencing provisions that apply to second degree assault on a peace officer or firefighter.

Clarifies that a person commits the crime of disarming a peace officer if he or she knowingly, without justification and without consent, removes the self-defense electronic control device, direct-contact stun device, or other similar device of a peace officer who is acting under his or her official authority. Makes the 5-year statutory appropriation.

Position: Monitor / Conceptual Support

Status: 01/13/2009 Introduced In House - Assigned to Judiciary + Appropriations
01/29/2009 House Committee on Judiciary Refer Amended to Appropriations

Comments

Bill Number: HB09-1226 **Prime Sponsors:** Rep. McGihon, Sen. Carroll M.

Bill Title: Concerning Creation of the "Colorado No-Fault Motor Vehicle Insurance Act"

Link to Bill: http://www.colofirechiefs.org/09Legislature/1226_01.pdf

Summary: Creates the "Colorado No-fault Motor Vehicle Insurance Act", which requires owners and operators of motor vehicles to maintain a complying policy of motor vehicle insurance. [more]

Position: Monitor

Status: 01/30/2009 Introduced In House - Assigned to Business Affairs and Labor

02/18/2009 House Committee on Business Affairs and Labor Postpone Indefinitely

Comments

Please let me know if you have any comments, questions or if you have any problems with any of the links to bills.

Paul