



Colorado State Fire Chiefs' Association

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Legislative Committee Meeting Minutes

Friday, February 12, 2010

A meeting of the Legislative Committee was held on Friday, February 12, 2010 at 1:30 PM in the 1st floor west conference room at South Metro Fire Rescue. Teleconference capability was provided.

Committee Members Present

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| <input checked="" type="checkbox"/> Steve Pischke | <input checked="" type="checkbox"/> Larry Donner | <input checked="" type="checkbox"/> Doug McBee |
| <input checked="" type="checkbox"/> Daniel Noonan | <input type="checkbox"/> Dave Parmley (joined late) | <input checked="" type="checkbox"/> Dan Qualman |
| <input type="checkbox"/> Jerry Rhodes | <input checked="" type="checkbox"/> Christopher Riley | <input checked="" type="checkbox"/> Ken Watkins (joined late) |
| <input checked="" type="checkbox"/> Paul Cooke (ex-officio) | <input checked="" type="checkbox"/> Roberta Robinette (ex-officio) | |
| <input checked="" type="checkbox"/> FMAC Representative | <u>Rob Geislinger</u> | |
| <input checked="" type="checkbox"/> FLSEC Representative | <u>Einar Jensen</u> | |

Others Participating: None

The following items were covered during this meeting/teleconference call:

Current Legislation Cooke reported that the current versions of all bills of interest to the CSFCA are posted on the CSFCA website at: <http://www.colofirechiefs.org/legislative.htm>.

Cooke reported that the Status report of bills of interest to the CSFCA (current as of 2/11/10) was distributed by email yesterday and may be downloaded from the website.

Legislation Discussed

Note: Certain discussion of strategy in supporting or opposing legislation will not be reflected in these minutes, particularly when it involves other stakeholder groups as such discussions should be held as confidential.

- SB10-084, Concerning the Creation of a Colorado Peace Officers' Bill of Rights** (Sen. Tochtrop, Rep. Gagliardi).

Cooke reported that Roberta had met with Sen. Tochtrop a couple weeks ago about the fact that fire investigators who are employed by fire departments are included in the scope of her bill and asked if she would consider amending them out. Sen. Tochtrop indicated that she didn't have a problem with this, but would have to check with the proponents. We have not followed up with Sen. Tochtrop directly as not to interfere with discussions going on between her and CML. The bill is scheduled to be heard by Senate Judiciary Committee on Wednesday, February 17, 2010 at 1:30 p.m. in SCR 352.

"Serving the Chief Fire Officers of Colorado Since 1968"

SB10-102, Concerning the Certification of Users of Prescribed Fire According to Standards Established by the Colorado State Forest Service (Sen. Gibbs, Rep. Fischer).

Cooke reported that the bill was heard by Senate Agriculture and Natural Resources Committee on 2/11/10. Rich Homann, CSFS Fire Director testified in support of the bill, as did Justin Whitesall of the Larimer County Sheriff's Office, representing the Colorado Prescribed Fire Council. Director Homann testified that the provisions of the bill fall within the scope of their existing authority and could be accomplished within existing resources (although he later reported that a fee may need to be assessed or federal grant funds used to support the program). There was no testimony against the bill. The CSFCA did not testify since our position is "monitor." The bill passed, unamended to the Committee of the Whole with a recommendation that it be placed on the consent calendar.

SB10-110, Concerning the Enforcement of Offenses Involving Failure of Certain Persons in a Vehicle to Use an Appropriate Restraining Device (Sen. Williams, Rep. Ryden).

Cooke reported that the bill was heard in Senate Transportation Committee on 2/9/10. Witness testimony was taken and action on the bill was laid over to allow the sponsor to work on amendments. It appears the bill will be amended to remove all provisions that apply to adult drivers.

HB10-1018, Concerning Increased Authority to Regulate Waste Tires (Rep. Looper and Primavera, Sen. Gibbs).

Cooke reported that the bill was heard on 2/2/10 by House Transportation & Energy Committee and was favorably amended and referred to House Appropriations,

HB10-1054, Concerning Presenting School Safety Information at Institutions of Higher Education (Rep. King S., Sen. Carroll M.).

Rob Geislinger reported that the bill was heard by House Education Committee on 02/08/10. The bill was amended by a "Strike Below" amendment that simply requires higher ed institutions to develop and disseminate school safety information to students, faculty, and staff. The amended bill was referred to the House Committee of the Whole.

HB10-1095, Concerning a Limitation on the Authority of a Fire Protection District to Charge Fees for Providing Certain Rescue Services to Those Services Provided at the Scene of a Motor Vehicle Accident (Rep. Gerou).

Cooke reported that the bill is scheduled to be heard by Senate Local Government and Energy Committee on Tuesday, February 16, 2010 at 2:00 P.M. in SCR 353. Cooke also reported that he and Roberta met with the Senate sponsor, Rep. Kopp, that morning to brief him on our concerns with the bill and what our testimony will be. Ralph Vickrey will be testifying on this bill.

HB10-1107, Concerning Limitations on the Inclusion of Agricultural Lands within Urban Renewal Areas (Rep. Fischer, Sen. M. Carroll)

Cooke reported that the bill has passed the House and has been introduced in the Senate and assigned to State, Veterans & Military Affairs Committee. Roberta reported that one of the amendments in the House was to strike the "Safety Clause" which means the bill would not go into effect until 90 days after the end of the legislative session. Roberta will also do some nosing around to see if it was assigned to State Affairs Committee to kill the bill.

Dan Qualman reported that Parker's proposed URA has expanded in scope to include significant commercial areas and he wanted to know where we were with the possibility of our own bill exempting fire district revenues from TIF. It was recommended that we set a meeting up with Sen. Scheffel and/or Rep. Joe Rice (both from Dan Qualman's area) to discuss the impacts. Cooke reported that he and Roberta also talked to Sen. Kopp briefly about the issues and would be sending him our white paper.

HB10-1123, Concerning Controlled Agricultural Burns in Arson Cases (Rep. Sonnenberg, Sen. Renfroe)

Cooke reported that the bill is scheduled to be heard by House Judiciary Committee on Monday, February 22, 2010 at 1:30 p.m. in Room 0107. Cooke also reported that the El Paso County and Jeffco Sheriffs reps had expressed concern with the bill at the Wildland Fire Section meeting and he suggested that they get with CSOC. Cooke expressed that we should check with CSOC before the hearing to make sure where they are at. Steve Pischke and Jeff Berino have the lead on this bill.

HB10-1136, Concerning Emergency Safety Procedures in K-12 Schools (Rep. S. King)

Bill was heard by House Education Committee on 2/11/10. Rob Geislinger reported that Rep. King offered a "Strike Below" amendment to require two all-hazard drills in addition to the required fire drills (which was a favorable amendment). Rob indicated that most of the testimony opposed to the legislation was based on the bill as introduced. The bill, as amended, failed on a 7-4 vote and was subsequently postponed indefinitely.

HB10-1241, Register Fire Suppress Sprinkler Fitters (Rep. Casso, Sen. Tochtrop)

Dan Noonan had a number of questions concerning the bill that he had forwarded in an email. There were:

- Who wrote this and why?
- Is there a difference between a Sprinkler Contactor and a Sprinkler Fitter?
- What issues do we as Chiefs have and is this the best way to resolve them?
- Is this bill being used to stifle competition?
- What will rural communities do with an already low number of installers?
- So before you can be licensed you need 8000 hours practical – plus 700 classroom (over 4 years of work)!
- You will pay a fee that is undetermined!
- This high level is needed for all NFPA 13, 13R and 13D systems?
- Apprentice Program - why do we follow this program? And we don't know what it is or says. (I will attempt to look this up)
- Who is the administrator?
- Who will assure the Administrator is doing their job correctly?

Cooke reported that he had discussed the bill with Kevin Klein and that it was introduced on behalf of the Sprinkler Fitters (Local 669) and that they have assured the Plumbers (Local 3) that they do not intend to "trample in their turf" with respect to combination systems. Cooke indicated that he asked Kevin that he either assist in coordinating a stakeholders meeting or pull one together as the program administrator. Kevin indicated that he would. Noonan asked if conference call capability could be provided for the meeting and Cooke indicated that it would depend on who was hosting it, where it was to be held, and if the capability existed.

SB10-120, Prepaid Wireless Telephone 911 Surcharge (Sen. White, Rep. Rice)

Cooke reported that the bill is scheduled to be heard by Senate Finance Committee on Thursday, February 18, 2010, Upon Adjournment, in SCR 354. He indicated that an information sheet on the issue is posted on the website and that Andy Marsh has the lead on this bill. Cooke indicated that he would be putting a list of Senate Finance Committee members with their corresponding fire chiefs together for Marsh. In turn, Marsh will be asking the chiefs to make contact with their Senator(s) who serve on the Committee and express their support for the bill.

HB10-1260, Sunset Review Board of Medical Examiners (Rep. Riesberg and Acree, Sen. Newell)

Dan Noonan reported that he had discussed the bill with Randy Kuykendall and CDPHE is proposing an amendment that will make the Board a Type 2 Board so it can be more readily incorporated into the existing EMTS framework. As to the First Responder certification, Noonan said that Randy

expressed interest in the program, but only if the Division of Fire Safety were willing to give it up. Randy advised him that there would be some initial start up cost but no long term FTE needed to do this. Cooke reported that he had discussed the issue with Kevin Klein, who indicated that he would talk to Randy about it, but was non-committal on whether or not the Division of Fire Safety would support it.

Other Issues

Proposed CBI Arson Legislation.

Cooke reported that this issue will be discussed with the Sheriffs and Police Chiefs at the Joint Public Safety meeting on Thursday, February 18, 2010,

Next Meeting

The next meeting of the Legislative Committee will be Friday, February 18, 2010 at 1:30 p.m. at South Metro Fire Headquarters. Conference call capability will be provided.