



Colorado State Fire Chiefs' Association

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Legislative Committee Meeting Minutes

Friday, February 19, 2010

A meeting of the Legislative Committee was held on Friday, February 19, 2010 beginning at 1:30 PM via teleconference.

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 | <input type="checkbox"/> Dan Qualman |
| <input checked="" type="checkbox"/> Jerry Rhodes | <input type="checkbox"/> Christopher Riley | <input checked="" type="checkbox"/> Ken Watkins |
| <input checked="" type="checkbox"/> Paul Cooke (ex-officio) | <input checked="" type="checkbox"/> Roberta Robinette (ex-officio) | |
| <input type="checkbox"/> FMAC Representative _____ | | |
| <input type="checkbox"/> FLSEC Representative _____ | | |

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 2/18/10) 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).

This bill was part of a discussion that was held on Thursday with law enforcement agencies; they are opposing the bill, regardless of any amendments that may appear, and have asked the CSFCA to actively support that position. Based on conversations with CML, this bill appears to be heading towards defeat and it was suggested that we take a "wait and see" position for the time being. The Committee agreed with that position

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).

This bill was heard by Senate Committee on Transportation on 02/18/2010. The bill was amended to narrow the scope to child restraint systems. The bill was passed to the Senate Committee of the Whole. Chief Rhodes recommended we continue to support the bill as it will modernize the statutes pertaining to child restraint systems. The Committee agreed to that recommendation.

Link to amended bill: <http://www.colofirechiefs.org/10Legislature/110sstra.pdf>

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, Sen. Kopp).

This bill was heard by Senate Local Government and Energy Committee on 02/16/10 and referred unamended to Senate Committee of the Whole. There was some confusion expressed by Local Government Committee members concerning the scope of the bill, but their questions were addressed. Roberta reported that the bill passed 2nd Reading in the Senate this morning, without amendments.

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

An interesting bill in that it provides "some" relief to fire districts; however, it does not go far enough to address the impacts of TIF. Unfortunately, we do not, at this time, have a sponsor to carry a bill on our behalf, but will continue to seek one. Having said that, we are supporting this bill in concept. The lobbyists for this bill are lining up support – and the sponsor has authored a position paper (which states why this bill should pass – see recent e-mail from Paul).

This bill is scheduled to be heard by State, Veterans, & Military Affairs Committee on Tuesday, March 2, 2010, upon Adjournment, in SCR 353. CML is still seeking to amend the bill to strike the provision resetting the base of ag property to vacant land rates. If successful, the amendment would effectively gut the bill.

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

This bill was discussed Thursday at the Joint Public Safety meeting. While the Sheriffs have not taken a position (they have sent it to their legislative committee), there was some concern expressed; however, we believe any issues noted have been resolved. Since there is no formal position, and since there could be some concerns we are unaware of, it is possible there could be a sheriffs representative (or two) who show up to talk against the bill.

The bill is scheduled to be heard by House Judiciary Committee on Monday, February 22, 2010 at 1:30 p.m. in Room 0107. Chiefs Berino and Pischke will be testifying on behalf of the CSFCA in support of this bill.

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

Bill is scheduled to be heard by House Business Affairs & Labor Committee on Tuesday, February 23, 2010, Upon adjournment in Room 0112. A stakeholders meeting has been scheduled for Monday at 1:30 pm. We have been told that the plumbers will not be in attendance, but that they have an agreement with the sprinkler fitters that will exempt residential sprinkler systems from the bill. The other issue associated with this piece of legislation is that before it goes any further, a Sunset Review may be required, as the bill concerns a new regulatory function. Paul and Rib Geislinger will be at the Monday meeting. The outcome of the meeting will have an effect on how we proceed – to date we have been in a monitoring mode.

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

This bill was heard by Senate Finance Committee on 02/18/2010 and referred Amended to Appropriations. The fiscal note assumes that 9-1-1 fees will be inadequate to cover the expenses of the Department of Revenue and General Fund appropriations will be required to make up the deficit. Roberta indicated that the Department is working with the sponsor to address this, but the bill may sit in Appropriations for a while. As an aside – Chief Norris Croom did an outstanding job of testifying on behalf of this bill. The CSFCA will continue to support this bill.

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

There was considerable discussion on this bill (see the CSFCA Legislative Report for the specifics of the bill). Chiefs Noonan, Vickrey and Rhodes are monitoring this bill and recommend the CSFCA position to be to not support the bill (that creates a Type 1 Board), but to support the proposed amendment that would create a Type 2 Board under CDPHE.

An associated issue with this legislation has to do with moving (transferring) the First Responder Program from the Division of Fire Safety to CDPHE. An issue with this is the fact that currently DFS only charges \$30 per person for this certification, while CDPHE will require National Registry and have to charge \$65 per person. Due to the potential impact on small fire department, the Legislative Committee's recommendation was to not support the transfer at this time.

The bill is scheduled to be heard by House Health & Human Services Committee on Thursday, February 25, 2010 at 1:30 p.m. in LSB-A.

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 passed 2nd reading in the Senate this morning.

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

Cooke reported that the bill was passed on 2nd reading in the House this morning, as amended. The bill was amended by a "Strike Below" amendment in House Education Committee to simply require higher ed institutions to develop and disseminate school safety information to students, faculty, and staff on an annual basis.

Link to amended bill: http://www.colofirechiefs.org/10Legislature/1054_eng.pdf

Other Issues

Proposed CBI Arson Legislation

At the time of the meeting there was a proposed bill from the CO Chapter of IAAI concerning the process of how a fire department can contact CBI and ask for assistance in investigating a fire (the proposed bill was sent out by Paul). The gist of the bill was that a fire department could contact CBI directly without having to go through a law enforcement agency – which is what the statute currently requires. This proposed legislation was discussed at the Joint Public Safety meeting on Thursday and the concern was that the law enforcement agency might not be made aware of a fire investigation in progress. However, it was pointed out that CBI only comes in to assist with cause and origin and if the fire is suspicious or thought to be arson, CBI will contact the local law enforcement agency. The Legislative Committee's recommendation was to support this legislation if the sheriffs and police chiefs are okay with it.

Ballot Initiatives

This was a heads up item regarding two initiatives (Initiatives 60 and 61) and Proposition 101 that will be on the fall ballot and their affect on fire departments. CML has authored a position paper on these items (which has been distributed) and SDA is partnering with CML and CCI to put on brochures to try and defeat these items from passing. Chief Donner is going to ask CML Executive Director Sam Mamet to present on these initiatives at the CSFCA General Membership meeting.

Next Meeting

The next meeting of the Legislative Committee will be Friday, February 26, 2010 at 1:30 p.m. at South Metro Fire Headquarters. Conference call capability will be provided.