



**Chair: Frank Heumann Vice-Chair: Marty Peterson Secretary/Treasurer: Ryan Mellor**

Minutes of February 12, 2009

**Members Present:** Steve Ball, Ted Black, Dawayne Coombs, Ryan Eckardt, Eldon Farnsworth, Frank Heumann, Ryan Mellor, Ron Morris, Marty Peterson, Paul Patve, Coy Porter, George Sumner, and Jay Westergard

**On the phone:** Kevin Ward, and Dave Spatafore

**Bureau Staff:** Jenny Allred, Jim Hansen, and Paul Patrick

**Excused:** Jim Judd, Chris Evans, Kevin Nalder, and Brad Wardle

**1. Call to Order:**

a. Roll Call and Contact List Update

Frank Heumann welcomed those present and called the meeting to order. He asked everyone to sign the roll and update the contact list.

**2. Consent Agenda:**

a. Approval of Previous Meeting Minutes

Frank Heumann asked for a motion for the approval of the last meeting minutes.

**Marty Peterson made a motion to approve the minutes of February 5, 2009 with minor changes. Ted Black seconded the motion and voting was approved by all. There were no abstentions or negative votes.**

**3. Old Business:**

a. Nothing to report.

**4. New Business:**

a. Legislative Watch List (refer to the list on the following website: [www.firecouncil.com](http://www.firecouncil.com)).

The Joint Fire Council discussed the following bills:

- H.B. 23 S01 Certified Tax Rate Amendments – Sponsor: Fred R. Hunsaker  
On 2/10/2009 this bill was in the Senate/committee report favorable. There was one amendment to change the effective date for entities with a calendar year budget for districts and counties. The date moves from effective January 1, 2009 to January 1, 2010.

- H.B. 31 Utah Sudden Cardiac Arrest Survival Act – Sponsor: Carl Wimmer  
This bill passed the house on Tuesday with a vote of 71 in favor and 0 opposed. Whereas it passed the Senate last Friday with a vote of 28 in favor and 0 opposed. This bill has been moved forward to legal for enrolling.
- H.B. 50 Firefighter Special Group License Plate Amendments – Sponsor: Ronda Rudd  
On 2/10/2009 this bill was in the House/received from Senate and going for enrollment.
- H.B. 95 Restrictions on Use of Wireless Communications Devices in Vehicles – Sponsor: Phil Riesen  
On 2/10/2009 this bill was in the House/to standing committee.
- H.B. 212 Enhanced Public Safety Retirement Systems Cost-of-Living Adjustment Option Amendments – Sponsor: Carl Wimmer  
On 1/27/2009 this bill was in the House/received bill with fiscal note from print.
- H.B. 226 Disaster Recovery and Emergency Management Amendments – Sponsor: Curtis Oda  
Kevin Ward reported this bill passed the House and Senate.
- H.B. 245 Utah State 911 Committee Amendments – Sponsor: Curtis Oda  
There was no change on this bill as of 1/27/2009. This bill was in the House Committee not considered.
- H.B. 248 Restrictions on Use of Wireless Communication Devices in Vehicles – Sponsor: Carol Spackman Moss  
On 2/10/2009 this bill was in the House/ to the standing committee.
- H.B. 252 Emergency Management Administration Council Amendments – Sponsor: Curtis Oda  
Kevin Ward reported this bill passed the House/Senate.
- H.B. 273 Contracting for Inter-facility Medical Transports – Sponsor: Michael E. Noel  
On 2/9/2009 this bill was in the House 3<sup>rd</sup> reading calendar.

There was a lengthy discussion on this bill and a number of concerns.

Ryan Mellor announced that there is a meeting to discuss H.B. 273 on February 12 at 3:00 p.m. at the State Capital with Representative Curtis Bramble, Representative Rebecca Lockhart; Fire Chiefs; a representative of Utah League of Cities and Towns; representative of PFFU; representative of Salt Lake City; representative of Southwest Ambulance; and representative of Gold Cross Ambulance.

Ryan Mellor stated that it would alleviate a lot of issues and concerns if the cities had local control. Each city could make decisions on emergency services that best serve the citizens in their jurisdiction. It would eliminate the augment what constitutes 911 or non 911. The Bureau of EMS would review the service at the time of applying for a license and relicensed process.

Paul Patrick explained that the Utah Department of Health's position is neutral. The motion at the hearing was to move the bill to interim study.

George Sumner recommended that Ryan Mellor draft the language for discussion.

Dave Spatafore recommended that this is an option to put on the table and it should be thoroughly discussed.

- H.B. 281 Wireless Communication Device Use Limitations While Operating a Motor Vehicle Amendments – Sponsor: Paul Ray  
On 2/10/2009 this bill was in the House/to standing committee.  
Ryan Eckardt reported that this bill prohibits a person younger than 18 years of age from using a wireless communication device while operating a motor vehicle on a highway in this state. It allows for hands-free talking and listening and is used in that manner.
- H.B. 290 Prohibition of Wireless Communication Device Use in a Motor Vehicle Amendments – Sponsor: Stephen D. Clark  
On 2/9/2009 this bill was in the House/to standing committee.  
Representative Clark will not combining his bill with the other bills. His bill is specifically on texting.
- S.B. 84 Impact Fees Revision – Sponsor: Gregory S. Bell  
Kevin Ward reported that this bill is in the Senate/to printing with fiscal note.
- S.B. 89 Public Safety Retirement Death Benefit Modifications – Sponsor: Jon J. Greiner  
On 1/26/2009 this bill was in the Senate/1<sup>st</sup> reading.
- S.B. 127 Retirement Amendments – Sponsor: Daniel R. Liljenquist  
On 2/9/2009 this bill was in the Senate/2<sup>nd</sup> reading.  
Marty Peterson explained that this bill legally for fire departments to enroll firefighters into the Firefighters Retirement System.
- S.B. 135 Local District Taxing Authority – Sponsor: Curtis S. Bramble  
On 2/4/2009 this bill was in the Senate/2<sup>nd</sup> reading.  
Ted Black reported there is new language forth coming. The language could address local service area vs. local districts. The language may include City appointee.
- S.B. 145 Public Safety Retirees Death Benefit Revisions – Sponsor: Jon J. Greiner  
On 2/9/2009 this bill was in the Senate/2<sup>nd</sup> reading.  
Marty Peterson reported that this bill allows a public safety retiree to choose a death benefit of 75% instead of 65% of the retiree's allowance to be paid to the surviving spouse in exchange for an actuarially reduced retirement allowance; provides that public safety retiree must make the choice at the time of retirement; allows a 12-month window for certain public safety retirees. This allows better flexibility for retirees.
- S.B. 149 Prohibition of Text Messaging or Electronic Mail Communication on While Driving – Sponsor: Lyle W. Hillyard  
On 2/10/2009 this bill was in the Senate/committee report/amended.

Ryan Eckardt stated that this bill is the most punitive while using a wireless device.

b. EMS Grants

Paul Patrick reported that the EMS grants have been a moving target. One thing that has been established is not changing legislation and the statute on the 14% of the criminal fines portion. The Health and Human Services Appropriations Subcommittee could take away 1.3 million dollars from the general fund. The funding for the high school training program has been eliminated. The best case scenario is that the Bureau of EMS be cut \$300,000 and the worst case scenario would be to cut \$500,000. The Bureau of EMS is discussing a two cycled grant for next year.

c. Other

Frank Heumann stated that he will add S.B. 211 Building Code Amendments – Sponsor: Curtis S. Bramble to the watch list. Kevin Nalder agreed to watch this bill.

Although Steve Lutz was not present, Frank gave his report. Senator Stowell has pulled the bill. He didn't feel that he could get it through with a fiscal note this year. The bill will be reintroduced at the Interim Committee Meeting. Hopefully, it will pass out of committee. There was discussion at the Natural Resources Appropriations meeting on Wednesday on the funding. No objections were raised to fund a new restricted account from growth of premium taxes as long as there is no negative impact on the existing fire related accounts. The League of Cities and Towns commented that they wanted some sort of "sliding scale" for counties with little risk. It was explained that there was already a sliding scale with premium taxes coming from insurance policies base on ISO rating that took risk into their formula for policy costs.

**5. Board Member and District Representative Reports:**

- a. Chair – Frank Heumann announced that there will be a Fire Caucus meeting following next weeks meeting.
- b. Vice-Chair – Marty Peterson reported that there was a Utah Retirement meeting this morning regarding PEHP insurance.
- c. Treasurer – Ryan Mellor had nothing to report.
- d. District Representatives – Kevin Ward requested copies of the legislative rosters.

**6. Good of the Order:**

- a. Nothing reported.

**7. Next Meeting:**

The next meeting is scheduled for February 19, 2009, 9:00 a.m., Cannon Health Building, Conference Room 125.