

# Illinois Fire Services Association

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**LEGISLATIVE SUMMIT 2008**



Picture courtesy of Motorola

**Legislative Initiatives for the Illinois Fire Service Caucus**

# Acknowledgement

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This year's summit was a success and I want to begin by thanking Motorola Corporation once again for hosting The 2008 Annual Legislative Summit. Cynthia Leighton has done an outstanding job preparing for our summit and I cannot thank her and the Motorola staff enough for all that they do to make the summit a success. And to the Illinois Fire Services Associations Executive Director John Schuldt, we thank you John along with Mitch for the dedication and commitment to ensure that the summit is successful in every way. With every Illinois fire service association present and participating, the one -day summit went extremely well. Everyone left satisfied with the work that was accomplished.

This summary report contains the 2009 Illinois Fire Caucus Initiatives which will be presented to Representative Moffitt who will seek sponsors for each. Once all initiatives are filed and bill numbers assigned, I will be forwarding announcements and alerts to all members asking for their support by contacting their local Senators and Representatives. If all goes well, we hope to have another year of successful legislation that will only enhance our abilities to providing the best possible service to those we serve.

Thank you!

# Illinois Fire Service Association

Legislative Initiatives for the IGA Spring of 2009

Category	Lead Organization	Language Submitted	Comments
Property Tax Extension Limitation Law	IAFPD	HB 4682 HB 4680	Amend property tax code in regards to PTELL exemptions for-tort liability, pension contributions, risk management programs, and insurance. Split into three bills.
.60% Levy Authority	IAFPD		To add authority for a maximum corporate tax rate of .60%. Municipalities already have this authority in 65 ILCS 5/11-7-3. In PTELL counties, this would automatically bump up the maximum rate for the corporate levy to .6% under the last amendment made to PTELL [a referendum would be required, in all likelihood, to raise the limiting rate to take advantage of the .60% rate authority]. In non-PTELL counties, voters would have to approve going to .60%.
Remove the requirement on fire protections to publish its entire budget	IAFPD		Amend Section 7 (70ILCS705/7) by striking the phrase "or making any appropriation", thereby removing the requirement on fire protections to publish its entire budget. Each FPD must currently publish its budget resulting in many \$1000s that could otherwise be spent on providing necessary services.
Allow the investment of proceeds of the sale of real estate or personal property owned by a fire protection district that has dissolved to pay the contract for services.	IAFPD		We propose that a fire protection district that dissolves its fire department and contracts with a neighboring department shall be able to sell its assets and invest the proceeds in the Illinois funds for purpose of paying a portion of the contract for protection and such funds shall not be considered excess accumulated funds such that they will reduce the district's tax levy below that necessary to pay the contract.
Allow elected boards to increase from 3 to 5 members by passing an ordinance	NIA		Allow the same process for elected boards as stated for appointed board of trustees when increasing the number size of the board from 3 to 5 in that the change may be done passing an ordinance rather than requiring a referendum.
Amend Section 35 of the Property Tax Code to include Cook County	NIAFPD	HB4681	Fire protection districts in the notification of property tax appeals that exceed \$100,000 and deletes a provision exempting counties with 3,000,000 or more inhabitants from certain notice requirements concerning tax objections
Natural Gas/Utilities in HazMat/Spiller Pays	IFCA		Add natural gas, gas liquids, and liquefied natural gas to the "hazardous material emergency response reimbursement act to provide for cost recovery subsequent to natural gas leaks caused by improper locating of the gas service lines or by careless actions of the contractor. Include electrical transmission. Extra ordinary expenses can also be recovered.

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Fire District Non Resident Fee's	IFCA	HB4675	Amends the Fire Protection District Act. Provides that, until January 1, 2009, the fee charged to persons and entities that are not residents of the fire protection district for the cost of providing services shall not exceed \$250 per vehicle (now, \$125) and shall not exceed \$70 per hour per firefighter (now, \$35 per hour per firefighter). Provides that those amounts shall be adjusted annually to reflect changes in the Consumer Price Index during the previous 12-month period. Deletes everything after the enacting clause. Reinserts the engrossed bill with the following changes. Provides that the charge for fire protection services provided to persons and entities who are not residents of the fire protection district shall be increased or decreased by the percentage change (instead of adjusted annually to reflect changes) in the Consumer Price Index-U during the previous 12-month period. Effective immediately.
Increase Compensation Limits for Trustees	NIA	HB4678	Amend section 6 to add an additional category or increase per annum for Fire Protection Districts with more than 30 paid fire fighters not to exceed \$4,000.00
Fire Training for Retired Fire Personnel	MABAS, IFA	HB4686	Amends the Illinois Fire Protection Training Act. Provides that certain persons who are retired from active fire service duties may receive training certification regardless of the fact that they are not employed or otherwise engaged by an organized Illinois fire department. Effective immediately. Final bill to be crafted and approved by all members.
Public/Private Partnerships for Mutual Aid	MABAS	SB2747	Local government does not have the resources including funding to handle all emergencies. In some cases, private sector partnerships must be created in order for the local emergency service agencies to mitigate the emergency without cause for liability issues. Local emergency responders who respond to all types of emergencies are covered under the Tort Immunity Law. However, there are some emergencies that demand a response of special equipment such as cranes, drilling equipment, and the like which are owned and operated by private sector companies who are willing to assist but are open for lawsuits. Further, in many rural areas of the state, the response time of the private contractor would be more expedient given the geographic proximity to the emergency scene versus mutual aid or a state asset, thus resulting in a more efficient incident management.

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Provide a share of the Special Tax Allocation Funds from TIF Districts Enterprise Zones for Fire Districts	IFCA	SB2743	To include a budget formula that provides a share of the Special Tax Allocation Funds, from a Tax Increment Financing District, for fire districts. The formula should be based on a calculation similar to the school or library district calculations, found in 65 ILCS 5/11-74.4-3(q) 7.5 through 7.7, that determine the projected impact on the fire district by the increased number of housing units located within the fire district. The formula should also consider other factors that may increase the demand for services such as, increases in the working population, increase in the hazards due to industrial or storage occupancy development, and increase is traffic due to retail development.
Mandatory health, safety and general welfare inspections of rental properties that are rented to College and university students.	IFCA	SB2745	Home rule communities have the power to require these life safety inspections of rental properties under the current state statute, cities that have less than 25,000 in population, as non-home rule communities, do not. The problem here is not a home rule or non-home rule situation, the problem is life safety for renters in communities that have higher than normal percentages of residential rental units. In a university town we are dealing with a high percentage of college student age renters, who have less money, fewer options and are typically a less knowledgeable and sophisticated group of renters. With college age renters, we find a significant number of persons living in units that are substantially below any minimum standards and they do not know it or just think they have no other choice. Younger renters are also less likely to understand their rights to have their dwelling unit meet minimum standards and it is easier for unscrupulous property owners to convince the students that they have to put up with unsafe conditions.
Novelty cigarette lighters that resemble toys.	IFIA, IFA		This proposal is needed to curb the use of novelty cigarette lighters by children. Young children are not capable of differentiating between a toy and a fire tool. Hundreds of novelty lighters that resemble toys are sold at stores across America. These lighters <b>do not</b> meet existing child-resistant cigarette lighter safety standards. (16C.F.R., Part 1210). Visit the EBay website for a firsthand look at lighters that resemble ordinary children's toys.

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Amend Fire Sprinkler Licensing Act	IFIA		Amend the Fire Sprinkler Contractor Licensing Act by deleting section 225 ILCS 317/15 (i) from the current Fire Sprinkler Contracting Licensing Act: (i) No license is required for a person or business that is engaged in the installation of fire sprinkler systems only in single family or multiple family residential dwellings up to and including 8 family units that do not exceed 2 ½ stories in height from the lowest grade level. <b>AND</b> replace with: <u>“No license is required for a person or business that is engaged in the installation of single sprinkler heads that are installed in single family residential furnace rooms.”</u>
Exclude volunteer firefighters from unemployment insurance	IAFPD	SB2814	Exclude volunteer firefighters from unemployment insurance contributions to be made by the fire district for volunteers (Volunteers who receive no pay, reimbursement, or stipend as a member of the Volunteer Fire Department). Add language in regards to what constitutes a “lay off”.
Fire Station Revolving Loan Fund	Representative Moffit	HB4645	Authorizes (now, requires) the fire station revolving loan program. Provides that the revolving loan program may (now, shall) provide zero-interest loans, and conditions the Authority's lending upon the program receiving funding. Provides that the loan funds may (now, shall) be paid out of the Fire Station Revolving Loan Fund and that the Fund may (now, shall) consist of funds transferred or appropriated into it and loan repayments. Makes the use of the Fund permissive and conditioned upon the program receiving funding.
Amend the Fire Chief License Plate Public Act	IFCA		Amendment is needed with the following additions to Sec. 3-611.5. Subsection (b),The fee for this plate for a vehicle owned by the fire chief shall be the same as the fee prescribed for first division vehicles in Section 3-806 of this code. Permanent license plates shall be issued at the fee prescribed in Section 3-808.1 (b) to fire chief vehicles owned by a municipal fire department or fire protection district.

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<p>Increase Revenue Streams that are coming into the Fire Prevention Fund to be divided as by the formula currently present in the Act and does not affect future fees.</p> <p>Create Funding Source for MABAS</p> <p>Establish a continuous funding source to support of fire based EMS re: personnel structure, testing, training and licensure</p>	<p>IFSA</p>		<p>The Fire Prevention Fund (FPF) as defined in the Fire Investigation Act, is the sole source of State funding for firefighter training for the statutory State Fire Academy (Illinois Fire Service Institute) and for the City of Chicago Fire Department. Only that portion of the FPF that is generated by the 1% fire insurance premium fee is allocated by formula (12.5%) to IFSI and (10%) to Chicago FD. In recent years the demand for training associated with basic firefighter skills, homeland security, implementation of fire service mutual aid, creation of regional fire and emergency training facilities and high rise response has exponentially increase the demand for training courses and resources. In 2007, IFSI received less than 30% of the total funding required to support its operations through the FPF, with the remainder provided through fees assessed on local fire departments and from State and federal grants. Similarly, Chicago Fire Department (CFD) relies significantly upon City funding and federal grants to fully fund its training requirements. Much of the grant funding that is associated with new homeland security tasks and DHS grants have been steadily decreasing annually. This funding is the basis for specialized HAZMAT, technical rescue and incident command / NIMS training. Federal DHS grants are expected to decrease further in the future. Local departments simply cannot replace the lost federal grant funding for these teams. Therefore, there is a real and continuing need to increase the annual State funding available to IFSI and CFD by providing alternative sources of funding either through the FPF or directly to IFSI and CFD to underwrite training costs for Illinois firefighters. Any new source of FPF funding that is intended to be shared with IFSI and CFD by the 12.5% /10% formula must be explicitly added to the Fire Investigation Act.</p> <p>Establish a Bill to generate the revenue needed to maintain MABAS so that the financial burden does not rest on the individual departments especially for those smaller departments/areas that may not have the same risk as others. Needed funding level 1.7M.</p> <p>For several years, the issue of EMS oversight personnel continuity, licensure, testing, availability and costs have resulted in the IFCA fighting for these elements to be reinstated, fixed, purchased and/or contracted in last minute efforts to assure field service levels were not interrupted or delayed. Several times these efforts fell short because of funding issues. The State budget process and timely approval has also negatively affected the provider service levels due to lack of testing ability. We need to identify the needs of the EMS service providers and build a self sustaining structure to maintain these programs with a funding source that is continuous and secured from annual budget politics. A long term plan needs to be in place to identify the needed and projected costs. Create shell bill.</p>