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Week 20!

Jason Barrick & IFA Board Iowa Firefighters Association

They finally said sine die at 12:10 am on Wed May 25th.

Both chambers came back in after weeks of sporadic activity to put this session to a close.

The Senate came in to pass all the budget bills which is necessary before June 30th. The Governors bill on educational vouchers will not surface as they still did not have the votes to pass it in the House.

A disappointing bill that passed an hour before receiving the news of the horrific school shooting in Texas was a bill that creates a new deer hunting season in January allowing the use of AR-15 semi-automatic rifles. (SF 581)). This has caused much controversy over the debate of the dangers of using semi-automatic rifles for sport.

Campaigning is in full swing now as the June 7th primaries just occurred. Once the primaries are over the campaigning will begin for the Nov election. Be sure to get to know all candidates in your district (Senate & House), meet with them and make sure they support the work of a volunteer firefighter.

Bills of Interest To IFA

New action is listed in **RED**

Bills that passed this session:

DONE SF 2099/SF 2267 EMERGENCY RESPONSE DISTRICTS: Driscoll, Chair, Guth, Quirnbach-LOCAL GOVERNMENT

There was NO public bill signing, the Governor signed this bill on APRIL 23

Current law creates a pilot project authorizing a county to establish an emergency response district within the county. A commission composed of a member of the county board of supervisors, the county sheriff, and the mayor from each city within the district is responsible for governing the district and no member may appoint a designee to serve on the commission. Current law allows certain boards of supervisors to call for the creation of an emergency response district and notify the state fire marshal's office if a motion to form a district has been adopted. Upon the approval of a district, an appointed civil engineer or the county engineer is required to submit a preliminary plat exhibiting certain details of the district and a subsequent report. Current law also requires the district fire chief to appoint



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an assistant fire chief for each existing fire department and station within the district who shall be responsible for delivery of fire protection service and emergency medical service within the areas designated by the commission.

The bill repeals the pilot program and authorizes a governmental entity, as defined in the bill, to establish an emergency response district. The bill amends the definition of “commission” to mean a member or designee of each governmental entity participating in the emergency response district. The bill requires each governmental entity intending to participate in an emergency response district to issue a notice of intent to hold a public hearing concerning the establishment of a proposed district and provide certain information with such notice. The bill requires a hearing concerning the establishment of a proposed district to occur no less than 30 days and no more than 90 days after the notice is issued. The bill amends the process for changing district boundaries to require the approval of the commission and each governmental entity that is a member of the emergency response district. The bill requires incorporation documents of an emergency response district to include provisions for dissolution, the withdrawal of an individual member, and the dispensing of property in either event. The bill repeals provisions relating to the engineer’s responsibilities and the appointment of assistant fire chiefs.

DONE-SF 333 EMERGENCY RESPONDER BILL :

OPERATION IN EMERGENCY SITUATIONS. This bill allows the driver of an authorized emergency vehicle to exercise the privileges set forth in Code section 321.231 when in pursuit of a perpetrator of a misdemeanor, in addition to the circumstances allowed under current law. Under such circumstances, the bill allows the driver of an authorized emergency vehicle to drive the vehicle on the shoulder or median of a highway, to disregard laws or regulations governing turning the vehicle in specified directions, and to disregard laws or regulations governing overtaking or passing other motorists. The bill also allows the drivers of official fire department vehicles, police vehicles, rescue vehicles, ambulances, emergency medical services vehicles, emergency management vehicles, and peace officers riding a police bicycle to proceed past a red or stop signal or stop sign, but only after slowing down to or maintaining a speed deemed necessary for safe operation by the driver based on information known to the driver at the time, and to exceed the maximum speed limits so long as the driver does not recklessly endanger life or property.

Under current law, authorized emergency vehicles are permitted to operate in this manner only when such vehicles are making use of an audible or visual signaling device, except a vehicle operated by a peace officer is not required to use an audible or visual signaling device if the officer is pursuing a suspected violator of a speed limit. The bill instead requires the use of an audible warning or visual signaling device, and provides that a peace officer is not required to use an audible warning or visual signaling device if the officer reasonably believes based on the facts and circumstances at the time that a suspected violator’s knowledge of the officer’s proximity may cause the suspected violator to destroy evidence of a suspected felony or aggravated misdemeanor, evade apprehension, or endanger the public or the officer. However, the bill permits such action only if the action occurs over the shortest distance necessary and does not recklessly endanger persons or property.



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The bill provides that the driver of an authorized emergency vehicle transporting a patient to a hospital is not required to use an audible warning or visual signaling device while exceeding a speed limit if a certified emergency medical care provider reasonably believes the patient's condition warrants rapid transport.

The bill further provides that a peace officer operating an authorized emergency vehicle may execute a pursuit intervention technique, as defined in the bill, if such execution is reasonable under the circumstances based on the information perceived by the officer at the time, and the officer has completed a training course approved by the Iowa law enforcement academy that instructs participants in the proper execution of pursuit intervention techniques.

By operation of law, a violation of these provisions of the bill is punishable by a scheduled fine of \$135.

PARADES AND EVENTS. The bill allows the driver of an authorized emergency vehicle to operate the vehicle as part of an official governmental event for the purposes of the safety and security of an elected official, candidate for public office, or the public, or as part of a parade or other public service event if the parade or event is approved by the state or a municipality at least one day prior to the date on which the parade or event will occur. In addition, the bill allows an authorized emergency vehicle to operate in a parade or event while displaying the vehicle's lighting devices.

IMMUNITY FROM LIABILITY. The bill provides that a certified fire fighter, emergency medical care provider, peace officer, reserve peace officer, or emergency management agency employee who has completed certain training, or an associated entity, shall not be liable for any consequence of injury or loss arising from the operation of an authorized emergency vehicle in response to an emergency call or to an incident dangerous to the public unless the vehicle is operated with reckless disregard for the safety of persons or property. This provision of the bill only applies when, in response to an emergency call or to an incident dangerous to the public unless the vehicle is operated with reckless disregard for the safety of persons or property. This provision of the bill only applies when, in response to an emergency call or to an incident dangerous to the public, the authorized emergency vehicle is making use of a siren or flashing blue and red lights.

The bill specifies that the driver of an authorized emergency vehicle shall not be liable for any injury or loss arising from the operation of the vehicle unless reckless disregard for the safety of persons or property is proven by a preponderance of the evidence. If a person brings a tort claim against the driver of an authorized emergency vehicle, a municipality, or the state for any injury or loss arising from the operation of the authorized emergency vehicle, the bill requires a court to determine, on motion by any party or on its own motion, whether the person has presented sufficient, admissible evidence to support prima facie finding of recklessness before the matter proceeds to trial.

FUNERAL PROCESSIONS. The bill authorizes a driver of an authorized emergency vehicle to operate the vehicle as part of a funeral procession, and a peace officer may provide traffic control upon request or when necessary for the safety of all persons.



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The bill allows an authorized emergency vehicle operating in a funeral procession to display the vehicle's lighting devices.

SIRENS AND AIR HORNS. The bill allows an authorized emergency medical services program, fire department, or law enforcement agency to equip one or more vehicles with an air horn or low-frequency siren. The bill requires certain vehicles purchased, delivered, or refurbished on or after July 1, 2021, to be equipped with a 200-watt electric or electronic siren capable of emitting at least two distinct siren tones, and one or more compatible siren speakers.

The bill prohibits an authorized emergency vehicle's siren, whistle, air horn, or bell from being used except when the vehicle is operated in response to an emergency call or to an incident dangerous to the public, in a parade or designated public service event, for a demonstration, for maintenance, or in the immediate pursuit of an actual or suspected violator of the law. The bill requires the driver of the vehicle to sound the siren, whistle, air horn, or bell when the driver reasonably believes necessary to warn pedestrians and other drivers of the approach of the vehicle.

By operation of law, a violation of this provision is punishable by a scheduled fine of \$45.

DESIGNATION AS AUTHORIZED EMERGENCY VEHICLE. The bill includes in the list of vehicles authorized to be designated as authorized emergency vehicles those vehicles owned by a certified chief or certified fire officer of a volunteer fire department, a fire department comprised of a combination of volunteer and paid members, or a nonprofit corporation that delivers emergency services; and vehicles owned by a chief, medical director, or certified medical provider of an authorized emergency medical service. The bill requires the completion of certain training and proof of financial liability coverage or risk pool coverage to obtain the designation.

The bill prohibits a public or private entity from requiring an employee or volunteer to apply for or maintain a certificate of designation for an authorized emergency vehicle, and from requiring a person to operate or use an authorized emergency vehicle.

EFFECTIVE DATE AND APPLICABILITY. The bill takes effect upon enactment, and Code section 321.231B (limiting liability for certain authorized emergency vehicle operators), as enacted in the bill, applies to causes of action accrued on or after the effective date of the bill.

DONE Senate File 551-An act relating to firefighters and emergency medical services responding to emergency situations in certain vehicles. Sponsor: Sen Dickey
Subcommittee: Bossman, Kressig, Worthan

Signed by the Governor

Senate File 551H-8040 Amend Page1, after line 31 by inserting: Section321.423,subsection, paragraph a, subparagraph(2),Code 2022,is amended to read as follows(2) A vehicle authorized by the chief of the fire department if the vehicle is owned by a member of the fire department, the request for authorization is made by the member on forms provided by the department, and necessity for authorization is demonstrated in the request, and the member has received emergency vehicle operations training.



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Page1,line33,by striking<2021>and inserting<2022>

Page2,line7,by striking <2021>and inserting<2022>

Title page, line 2,by striking<responding to emergency situations in and inserting<operating

By renumbering as necessary.

House Study Bill 634/HF 2323/ HF 2573 – Opioid Fund for First Responders

To Governor

This bill creates an opioid antagonist medication fund for first responders.

The bill provides that an opioid antagonist medication fund (fund) for first responders is created within the state treasury under the control of the department of public health (department). The fund shall consist of moneys appropriated to or deposited in the fund and may include available federal or state moneys, as well as any available opioid lawsuit settlement moneys. Funds may be transferred between other state agencies and the fund as appropriate. Moneys in the fund are appropriated to the department for the purchase, maintenance, and replacement of opioid antagonist medication to be administered by first responders to persons experiencing an opioid-related overdose. Moneys in the fund may be designated for the purchase, maintenance, and replacement of opioid antagonist medication. **State and local law enforcement agencies and fire departments may make application to the fund for the procurement of opioid antagonist medications.**

The bill provides that moneys in the fund that remain unencumbered or unobligated at the close of a fiscal year shall not revert but shall remain available for expenditure, and interest or earnings on moneys in the fund shall be credited to the fund.

The bill provides that the department shall submit a report to the co-chairpersons and ranking members of the joint appropriations subcommittee on the justice system and to the legislative services agency on or before December 31 of each year which shall contain a list of all expenditures from the fund made in the previous fiscal year, the amount of moneys in the fund carried over from the previous fiscal year and how the department plans to use those moneys including any expenditures in the current fiscal year, the amount of moneys in the fund the department intends to carry over from the current fiscal year to the next fiscal year and how the department plans to use those moneys, and a list of all the sources of moneys deposited into the fund in the previous fiscal year.

SF 2298 JOINT 911 BOARDS Allows a local emergency management commission to serve as a Joint 911 board.

DONE-Signed by Governor

The Fireworks lobby presented SF 2285 which deals with where fireworks can be sold. SF 2285 passed and may impact your communities. Basically, this bill allows fireworks to be sold in any commercial or industrial locations.

Section 1. NEW SECTION. **335.2A Sale of consumer fireworks — limitation.** A county shall not adopt or enforce any ordinance under this chapter to regulate, restrict, or prohibit the



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location of permanent buildings or temporary structures used for the sale of consumer fireworks pursuant to section 100.19, in any location zoned for commercial or industrial purposes.

Sec. 2. Section 414.1, subsection 1, Code 2022, is amended by adding the following new paragraph:

NEW PARAGRAPH. f. A city shall not adopt or enforce any regulation or restriction under this chapter to regulate, restrict, or prohibit the location of permanent buildings or temporary structures used for the sale of consumer fireworks pursuant to section 100.19, in any location zoned for commercial or industrial purposes.

Sec. 3. Section 414.23, subsections 2 and 3, Code 2022, are amended to read as follows: 2. A municipality, during the time its zoning jurisdiction is extended under this section, shall increase the size of its planning and zoning commission and its board of adjustment each by two members. The planning and zoning commission shall include a member of the board of supervisors of the affected county, or the board's designee, and a resident of the area outside the city limits over which the zoning jurisdiction is extended. The member of the board of supervisors or the board's designee, if any, shall also be a resident of the county in which such extended area is located outside the city limits over which the zoning jurisdiction is extended. The additional members of the board of adjustment shall be residents of the area outside the city limits over which the zoning jurisdiction is extended. At least one of the additional members of the planning and zoning commission and at least one of the additional members of the board of adjustment shall own land that is actively used for an agricultural purpose as defined in section 570A.1, except when such requirement prevents the identification of an eligible and willing appointee for the planning and zoning commission or board of adjustment for at least six months from the effective date of the extension of zoning jurisdiction. The failure to identify an eligible and willing appointee who owns land that is actively used for an agricultural purpose shall be determined independently for the planning and zoning commission and the board of adjustment. The county supervisor, or the board's designee, and the residents shall be appointed by the board of supervisors of the county in which such extended area is located. The county supervisor, or the board's designee, and the residents shall serve for the same terms of office and have the same rights, privileges, and duties as other members of each of the bodies. However, if the extended zoning jurisdiction of a municipality extends into an adjacent county without a county zoning ordinance, the boards of supervisors of the affected counties, jointly, shall appoint one of their members, or a designee, to the planning and zoning commission. 3. Property owners affected by ~~such~~ zoning regulations pursuant to this section shall have the same rights of hearing, protest, and appeal as those property owners residing within the municipality exercising this power. A city may request, but shall not require, from a property owner affected by zoning regulations pursuant to this section the consent to annexation under chapter 368 as a condition of receiving approval for a zoning classification, special or conditional use, variance, permit, or division of land into two or more tracts.

Sec. 4. EFFECTIVE DATE. The following, being deemed of immediate importance, take effect upon enactment:

THESE BILLS DID NOT PASS:

SF 2083/SF 2375 Tax Abatement for volunteer firefighters
Passed sub and full committees in the Senate
Now goes to the Senate floor
Sent to Ways and Means
Fiscal Note published stating it would cost the state approx. 1.5 M
Did not pass

This bill authorizes a volunteer emergency services provider, as defined in Code section 100B.14(2), whose homestead is located in the local service area for which the provider is a



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volunteer and who has been a volunteer emergency services provider for five or more years, earns less than \$5,000 per year for service as a volunteer emergency services provider, and is in good standing with the provider's volunteer agency or entity, to file a petition with the county board of supervisors, requesting abatement of property taxes and special assessments assessed on the individual's homestead and giving other information as the board may require.

The petition filed with the board of supervisors shall specify the type of abatement sought under the bill. Following receipt of the petition, the board of supervisors shall forward a copy of the petition to the governing body of each taxing authority that levies taxes or special assessments on the homestead. If the board of supervisors approves the abatement, the abatement shall apply to all applicable taxes and special assessments on the homestead, excluding those for which an objection by the governing body taxing authority was filed with the board of supervisors within 30 days of the board providing a copy of the petition. The board of supervisors may order the abatement of the taxes and special assessments that are assessed against the petitioner's homestead for the assessment year during which the petition is filed and, if specified by the board, the taxes and special assessments for one or more future years, subject to the petitioner continuing to meet the qualifications of the bill. The approved abatement shall not exceed the following: (1) for a volunteer emergency services provider that is a volunteer fire fighter, an abatement of all taxes and special assessments imposed by the provider's volunteer agency or entity for fire protection service or an abatement of 10 percent of all taxes imposed on the homestead; (2) for a volunteer emergency service provider that is a reserve peace officer, an emergency medical care provider, or other personnel having voluntary emergency service duties and who are not paid full-time by the agency or entity, an abatement of 10 percent of all taxes imposed on the homestead; and (3) for a volunteer emergency service provider who has been a volunteer emergency service provider for 20 or more years, an abatement of 10 percent of all taxes imposed on the homestead during the remainder of the volunteer emergency service provider's life so long as the provider's homestead is in the local service area of the agency or entity for which the provider was a volunteer.

The bill takes effect upon enactment and applies retroactively to assessment years beginning on or after January 1, 2022.

HF 750/HF 2574 LENGTH OF SERVICE AWARD

PASSED the full HOUSE Approps committee , Rep Shannon Latham was the Approps sponsor.

PASSED HOUSE 94-0 *PLEASE THANK REP.JANE BLOOMINGDALE FOR HER LEADERSHIP IN GETTING THIS BILL THROUGH THE HOUSE!

The Senate would not bring this bill forward this year

This bill authorizes a municipality, defined as a city, county, township, benefited fire district, or agency authorized by law to provide emergency response services, to establish a length of service award program as described in section 457(e)(11) of the Internal Revenue Code for volunteer fire fighters, volunteer emergency medical care providers, and reserve peace officers. The bill provides that the governing body of a municipality that establishes a program shall, in consultation with the chief or other person in command of the fire department and police department serving the municipality, as



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applicable, adopt guidelines providing for eligibility requirements for participation by volunteer fire fighters, volunteer emergency medical care providers, and reserve peace officers, minimum vesting requirements, distribution requirements, and such other guidelines as deemed necessary to operate the program.

The bill also establishes a length of service award program grant fund under the control of the Iowa Department of Revenue. Moneys in the fund are appropriated to municipalities that have established a length of service award program to provide contributions to the program on behalf of participants. The bill requires the adoption of rules establishing a grant application process that shall provide for up to a dollar-for-dollar funding match from a municipality that has established a length of service award program.

SF2144/SF 2346 Flashing lights: Bill sponsor: Senator Shipley.

PASSED Sub committee

PASSED FULL COMMITTEE

PASSED SENATE FLOOR-HEADS TO THE HOUSE

PASSED HOUSE SUB and FULL COMMITTEE

Now ready for the House floor-put on unfinished business-DID NOT PASS

This bill was brought forward by the Iowa Police Chiefs Association

A person shall not operate a motor vehicle equipped with a flashing light if the flashing light is prohibited on or in the motor vehicle under this section or another provision of this chapter. A violation of this subsection shall be considered a moving violation. A vehicle shall not be equipped with flashing red and blue lights unless it is an emergency vehicle or a private vehicle with a certificate of designation pursuant to section 321.451. A violation of this subsection is a moving violation.

There are situations, especially with law enforcement where old police vehicles are being sold with old light bars still on them. Current law prohibits them to use the lights, this bill makes it unlawful to even have them on a vehicle that is not an emergency vehicle. There have been cases where people are impersonating an officer using those lights.

We also helped to secure 2.1M to build a burn tower at the Fire training bureau and an additional \$200,000 for the Fire Service Training Bureau for training. The legislature has not raised this amount for 13 years. 90% of State Fire Academies in the United States have one or more fixed burn/training facilities on their campus.

On May 12th IFA hosted a golf tourney at Briggs Woods Golf Course in Webster City. We want to thank all the firefighters and supporters of firefighters who joined us. The winners and sponsors will be listed in the next Firefighter Newspaper! We are considering hosting this next year at State Center.

Let us know if you have any further questions or concerns.

John & Cyndi Pederson 515-229-4748