

Legislative History for Connecticut Act

PA 14-137

HB5150

| | | |
|---------------|--|-----------|
| House | 1651-1655 | 5 |
| Senate | 3455, 3474, 3480-3481 | 4 |
| Public Safety | 41, 43, 54-66, 89-90, 127, <u>135-139</u> | 23 |
| | | 32 |

H – 1185

**CONNECTICUT
GENERAL ASSEMBLY
HOUSE**

**PROCEEDINGS
2014**

**VOL.57
PART 5
1361 – 1680**

pat/gbr
HOUSE OF REPRESENTATIVES

142
April 22, 2014

REP. SAWYER (55th):

Thank you, Mr. Speaker. Many of you might remember when you were little and your mother said, what would you like for your birthday? Well, today a certain four-year-old's birthday. He told his mother he wanted to come to the Capitol.

Mr. Speaker, I would like to present to the Chamber my grandson, Jackson, whose birthday is today and his younger brother Max, with my daughter, Elizabeth.

(Applause.)

DEPUTY SPEAKER GODFREY:

And from all of us a happy birthday. I hope you enjoy your time visiting.

And let's return to the Call of the Calendar.

Mr. Clerk, Calendar 57.

THE CLERK:

On Page 5, Calendar 57, Favorable Report of the Joint Standing Committee on Public Safety and Security, Substitute House Bill 5150 AN ACT CONCERNING FIRE SAFETY ENFORCEMENT OFFICIALS.

DEPUTY SPEAKER GODFREY:

The distinguished Chairman of the Public Safety Committee, Representative Dargan.

pat/gbr
HOUSE OF REPRESENTATIVES

143
April 22, 2014

REP. DARGAN (115th):

Thank you very much, Mr. Speaker. I move acceptance of the Joint Committee's Favorable Report and passage of the bill.

DEPUTY SPEAKER GODFREY:

The question is on acceptance and passage. Would you explain the bill, please, sir.

REP. DARGAN (115th):

Thank you very much, Mr. Speaker. This bill makes certain changes to certification requirements of fire officials and two, it requires the State Fire Marshall and Codes and Standards Committee to jointly certify fire officials.

Mr. Speaker, the Clerk is in possession of amendment LCO Number 3545. May he please call and I be allowed to summarize.

DEPUTY SPEAKER GODFREY:

The Clerk is indeed in possession of LCO Number 3545, which will be designated House Amendment Schedule "A". Mr. Clerk, please call the Amendment.

THE CLERK:

House "A", LCO 3545 introduced by Representative Dargan and Senator Hartley.

DEPUTY SPEAKER GODFREY:

pat/gbr
HOUSE OF REPRESENTATIVES

144
April 22, 2014

The Representative has asked leave of the Chamber to summarize. Is there any objection? Hearing none, Representative Dargan.

REP. DARGAN (115th):

Thank you very much, Mr. Speaker. This Amendment just clarifies that State Fire Marshall and Codes and Standards Committee and I move for its adoption.

DEPUTY SPEAKER GODFREY:

The question is on adoption. Will you remark further on House "A"? Will you remark further on House "A"?

If not, let me try your minds. All those in favor signify by saying aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER GODFREY:

Opposed, nay? The ayes have it. The Amendment is adopted.

Will you remark further on the bill as amended? The distinguished Ranking Member of the Public Safety Committee, my good friend from Danbury, my favorite town, Representative Giegler.

REP. GIEGLER (138th):

Thank you, Mr. Speaker. The bill before us just

pat/gbr
HOUSE OF REPRESENTATIVES

145
April 22, 2014

clarifies some inconsistencies within the statutes on the duties of the State Fire Marshall. Some of these came about when the State Fire Marshalls were put under the Department of Administrative Services, so I urge my colleagues' support. Thank you.

DEPUTY SPEAKER GODFREY:

Will you remark further on the bill as amended?
Will you remark further on the bill as amended?

If not, staff and guests please come to the Well of the House. Members take your seats. The machine will be opened.

THE CLERK:

The House of Representatives is voting by Roll.
The House of Representatives is voting by Roll.

Will members please return to the Chamber immediately.

DEPUTY SPEAKER GODFREY:

Have all the members voted? Have all the members voted? If so, the machine will be locked. The Clerk will take a tally and the Clerk will announce the tally.

THE CLERK:

House Bill 5150 as amended by House "A".
Total number voting 141

pat/gbr
HOUSE OF REPRESENTATIVES

146
April 22, 2014

| | |
|-----------------------------|-----|
| Necessary for passage | 71 |
| Those voting Yea | 141 |
| Those voting Nay | 0 |
| Those absent and not voting | 9 |

DEPUTY SPEAKER GODFREY:

The bill is passed.

Mr. Clerk, 189.

THE CLERK:

On Page 47, House Calendar 189, Favorable Report of the Joint Standing Committee on Planning and Development, Substitute House Bill 5531 AN ACT CONCERNING MUTUAL CONSOLIDATION OF DISPATCH FACILITIES.

DEPUTY SPEAKER GODFREY:

Representative Dargan, one more time.

REP. DARGAN (115th):

Thank you very much, Mr. Speaker. I move for acceptance of the Joint Committee's Favorable Report and passage of the bill.

DEPUTY SPEAKER GODFREY:

The question is on acceptance and passage. Will you explain the bill, please, sir.

REP. DARGAN (115th):

Thank you very much, Mr. Speaker. This bill will

**S - 679
CONNECTICUT
GENERAL ASSEMBLY
SENATE**

**PROCEEDINGS
2014**

**VETO
SESSION**

**VOL. 57
PART 11
3246 – 3508**

pat/gbr
SENATE

270
May 7, 2014

SENATOR LOONEY:

Calendar 448, House Bill 5145, move to place on the
Consent Calendar.

THE CHAIR:

So ordered, sir.

SENATOR LOONEY:

Calendar 446, House Bill 5150, move to place on the
Consent Calendar.

THE CHAIR:

So ordered, sir.

SENATOR LOONEY:

And Calendar 452, House Bill 5531, move to place on
the Consent Calendar.

THE CHAIR:

So ordered, sir.

SENATOR LOONEY:

Thank you, Madam President. Moving to Calendar Page
14 where there are also five items. The first,
Calendar 457, House Bill 5516, move to place on the
Consent Calendar.

THE CHAIR:

So ordered, sir.

SENATOR LOONEY:

Calendar 455, House Bill 5325, move to place on the
Consent Calendar.

THE CHAIR:

So ordered, sir.

pat/gbr
SENATE

289
May 7, 2014

Calendar 334, House Bill 5339.

Calendar 336, House Bill 5056.

On Page 7, Calendar 345, House Bill 5443.

On Page 9, Calendar 417, House Bill 5410.

On Page 10, Calendar 420, House Bill 5258.

Calendar 421, House Bill 5263.

Calendar 424, House Bill 5439.

On Page 11, Calendar 429, House Bill 5581.

On Page 12, Calendar 445, House Bill 5418.

Calendar 438, House Bill 5336.

On Page 13, Calendar 453, House Bill 5133.

Calendar 446, House Bill 5150.

Calendar 452, House Bill 5531.

On Page 14, Calendar 457, House Bill 5516.

Calendar 455, House Bill 5325.

Calendar 456, House Bill 5440.

Calendar 459, House Bill 5321.

Calendar 461, House Bill 5140.

On Page 15, Calendar 468, House Bill 5450.

Calendar 465, House Bill 5341.

On Page 16, Calendar 474, House Bill 5337.

Calendar 469, 5538.

Calendar 473, House Bill 5328.

On Page 17, Calendar 496, House Bill 5115.

pat/gbr
SENATE

295
May 7, 2014

SENATOR LOONEY:

If we might pause for just a moment to verify a couple of additional items.

Madam President, to verify an additional item, I believe it was placed on the Consent Calendar and Calendar Page 30, on Calendar Page 30, Calendar 592, Substitute for House Bill 5476.

THE CHAIR:

It is, sir.

SENATOR LOONEY:

It is on? Okay. Thank you. Thank you, Madam President. If the Clerk would now, finally, Agenda Number 4, Madam President, Agenda Number 4 one additional item ask for suspension to place up on Agenda Number 4 and that is, ask for suspension to place on the Consent Calendar an item from Agenda Number 4.

THE CHAIR:

Seeing no objection, so ordered, sir.

SENATOR LOONEY:

Thank you, Madam President, and that item is Substitute House Bill Number 5566 from Senate Agenda Number 4.

Thank you, Madam President. If the Clerk would now, if we might call for a vote on the Consent Calendar.

THE CHAIR:

Mr. Clerk. Will you please call for a Roll Call Vote on the Consent Calendar. The machine will be opened.

THE CLERK:

An immediate Roll Call has been ordered in the Senate.

pat/gbr
SENATE

296
May 7, 2014

An immediate Roll Call on Consent Calendar Number 2 has been ordered in the Senate.

THE CHAIR:

If all members have voted, all members have voted, the machine will be closed. Mr. Clerk will you please call the tally.

THE CLERK:

Consent Calendar Number 2.

| | |
|-----------------------------|----|
| Total number voting | 36 |
| Necessary for adoption | 19 |
| Those voting Yea | 36 |
| Those voting Nay | 0 |
| Those absent and not voting | 0 |

THE CHAIR:

The Consent Calendar passes. Senator Looney.

SENATOR LOONEY:

Thank you, Madam President. Two additional items to take up before the, our final vote on the implementer. If we might stand for just, for just a moment.

The first item to mark Go is, Calendar, to remove from the Consent Calendar, Calendar Page 22, Calendar 536, House Bill 5546. If that item might be marked Go.

And one additional item, Madam President, and that was from Calendar, or rather from Agenda Number 4, ask for suspension to take it up for purposes of marking it Go, that is House Bill, Substitute for House Bill 5417. Thank you, Madam President.

THE CHAIR:

Seeing no objection, so ordered, sir.

SENATOR LOONEY:

**JOINT
STANDING
COMMITTEE
HEARINGS**

**PUBLIC
SAFETY
PART 1
1 – 381**

**2014
INDEX**

SHEILA MATTHEWS: Okay. I thank you very much, and the only thing I would just add regarding the amendment process is that on -- on the Bill 13-3 that was passed at the last minute of the session only allocated money for, you know, the process of identifying children, and on -- our organization just really urges informed consent and the MedWatch. So, thank you so much.

SENATOR HARTLEY: Thank you, Sheila.

And I would like to now invite Mike Muszynski -- oh, yes, CCM. Yes.

MIKE MUSZYNSKI: Good afternoon, Chairman Dargan, Chairman Hartley, ranking member -- members of the Public Safety Committee.

HB5150
SB100
SB101

My name is Mike Muszynski with the Connecticut Conference of Municipalities. We've submitted testimony on several bills on today's agenda. I just wanted to take this opportunity to touch on a couple of them in greater detail. You already heard from Mayor Boughton who testified on behalf of CCM supporting Senate Bill 98, which would establish standards for public school security personnel.

The next bill I wanted to discuss is Senate Bill 103 regarding fire department apparatus maintenance standards.

Municipal officials value those in the fire service, and best efforts are made to ensure that municipal vehicles are maintained properly. While well intended, CCM has concerns with the

noncompliance would impose a more strict level of negligence.

On a personal note, I am a firefighter in the town of Wethersfield. We, as a department and a company, we have -- we already conduct weekly inspections, testing; we have annual pump and aerial testing certifications; we have particularly documentation and reporting requirements, and it's likely that most departments around the state already have similar protocols.

I also serve as a lieutenant, and so I strive to ensure that my crew check the apparatus and report any problems. Leadership within these departments can ensure that safety is properly maintained.

CCM recommends that the committee allows towns and cities the option to adopt these standards, as many of them already probably do.

Another bill, 5150, regarding fire safety enforcement official standards; CCM supports the proposal. These standards would ensure that fire marshals and fire inspectors are better trained and equipped to serve the needs of the community.

Senate Bill 100, Bazaars and Raffles. At initial review, CCM has concerns in the fee-sharing structure and the review process. CCM would just ask the committee to first obtain a detailed analysis on the potential impact this proposal would have on local budgets and, at the very

SENATOR HARTLEY: Thank you for identifying yourself.
You may proceed, please.

KEITH FLOOD: Senator Hartley, Representative Dargan, members of the Public Safety and Security Committee, my name is Keith Flood. I am the fire marshal for the First Fire Taxation District in West Haven, and I represent the Connecticut Fire Marshals Association.

I am here today to speak on House Bill 5150. The Connecticut Fire Marshals Association has authored the raised bill before you, which is a change to Connecticut General Statutes 29-298, certification of local fire marshals, deputies, inspectors, and investigators.

The concern of the constituents that I represent is that the fire marshal, deputy fire marshal, and fire inspector certification process should be comparable to the process by which building officials are certified.

The bill before you provides professionalism to the career by instituting prerequisites in order to participate in the precertification training for fire marshal, deputy fire marshal, and fire inspector. The prerequisites that CFMA is recommending for the position of fire marshal, deputy fire marshal, and fire inspector are as follows:

- 1) At least three years' experience in fire suppression or fire prevention activities;
- 2) in responding and controlling releases or potential releases of hazardous materials;
- 3) in inspection

activities concerning the fire safety or prevention code or hazardous materials; 4) in investigation of the cause and origin of fires and explosions; 4, 5) as a sworn member of the division of state police with the Department of Emergency Services and Public Protection, or an organized local police department.

The adoption of such prerequisites shall bring parity between the building officials and the fire marshal community. The adoption of the bill would reduce the amount of tracking that the Office of Education and Data Management would have to accomplish.

As it is right now, the Office of Education and Data Management tracks officials who are eligible to be certified, certified and uncertified. The bill would enable ODOM to only have to track certified and noncertified officials.

The Connecticut Fire Marshals Association would also like to recommend a change to the certification authority from the Codes and Standards Committee, to the Fire Marshal Training Counsel. This change is also identified in the bill before you. This change would enable the Fire Marshal Training Council, along with the State Fire Marshal, the authority to establish training guidelines for the precertification program.

I would like to thank the security committee - Public Safety and Security Committee for letting me testify, and I'll answer any questions at this time.

SENATOR HARTLEY: Well, thank you for appearing before us.

I'd like to just refresh my memory. Is this a proposal that we had before us previously?

KEITH FLOOD: This was a proposal from last year that was the same proposal.

SENATOR HARTLEY: Yes, I do remember.

KEITH FLOOD: The only addition to this proposal is the change from the Codes and Standards Committee to the Fire Marshal Training Council.

SENATOR HARTLEY: Yes, okay. And on that note, so give me your rationale of why the authority should be with the Fire Training Council as opposed to Codes and Standards. What's the history there?

KEITH FLOOD: Well, the history is that the -- our feeling is that the Fire Marshal Training Council is the one that answers and sets up the certification process and the classes; and they answer to the Codes and Standards Committee.

The Codes and Standards Committee, which I sit on, and within the last year I have no -- no recollection of ever having then to make a decision on fire marshal classes. So our feeling is that we have a Fire Marshal Training Council, and where would it be better set to determine the classes by which our certification goes through.

SENATOR HARTLEY: So, but Fire Marshal Council answers
to Codes and Standards?

KEITH FLOOD: Correct.

SENATOR HARTLEY: In what respect? When they are
asking you to certify your -- your process? Your
enrollees?

KEITH FLOOD: No. The Fire Marshal Training Council
would set up the classes for certification. But
right now they just -- they answer to the Codes
and Standards Committee. So they make
recommendations, but the Codes and Standards
Committee comes up with the certification process
-- the classes.

SENATOR HARTLEY: I see. On the -- on the proposal we
had last year -- so it was to eliminate those
three categories: certified, eligible to be
certified, and uncertified?

KEITH FLOOD: Correct.

SENATOR HARTLEY: And you're saying it should be
certified and uncertified?

KEITH FLOOD: Yes. There would only be certified and
uncertified individuals.

SENATOR HARTLEY: Because? What happens to that whole
category of eligible to be certified?

KEITH FLOOD: There will be no eligible -- right now,
if you were to sign up for the precertification
process, you would go through the three modules

of fire marshal training, and then once you become employed or sworn in by a municipality for that position, then you become certified. Right now you take the classes and you are eligible to be certified, so you're not -- you're not certified until you are employed or appointed.

SENATOR HARTLEY: So the people who have taken the classes that are not yet employed are nothing?

KEITH FLOOD: Correct.

JOHN YACOVINO: They're eligible -- they're eligible to be certified.

KEITH FLOOD: Right now, when you sign up -- when you --

SENATOR HARTLEY: And so that's the category you're eliminating?

JOHN YACOVINO: You're -- you're not going to be eligible to be certified. Correct. ODOM, the Office of Education and Data Management had concerns that it was too cumbersome to have two categories, an eligible-to-be-certified and a certified list, and that's what spawned this bill. So what we're presenting in this is that there be just two classes; you'd either be certified or uncertified, whether you didn't continue with your continuing education hours, or you just gave up your certification. So there will not longer be that eligible-to-be-certified list that ODOM would be burdened with maintaining. You'd go through the training class, and you'd become a certified fire marshal,

and that would just carry you over if you did get appointed to a position, or you didn't get appointed to a position and you just had the training.

So it was just -- it was really a clear up on ODOM, Office of Education and Data Management, their record keeping. They said it was too burdensome to have those lists.

SENATOR HARTLEY: So this is their proposal.

JOHN YACOVINO: Well this is -- they made the proposal last year, and then we asked if we could have prerequisites added to it. I believe communication broke down last year and the bill didn't move forward, and we're back again. And we've included in that -- in our proposal, the elimination of the eligible-to-be-certified category.

SENATOR HARTLEY: Okay. I thank you so very much for your testimony and being with us.

Are there questions?

Yes, Representative Dargan.

REP. DARGAN: Thank you very much for being here. Not as much related to what's before us today, we did have some input from volunteer communities with trying to get fire marshals certified, and within those respective volunteer communities, they usually have a full-time job, and when the courses are offered, and they were looking for us, this committee, to offer either on weekends

or nights. And understanding the amount of hours that you have to put in to get certified, I was just trying to get some input from you on -- on that proposal that came to us.

KEITH FLOOD: I would think on -- in that respect, I would -- I would think -- I'm not sure of a mandate or a funded mandate that would cost to run a class nights and weekends. That would be an Office of Education and Data Management function to run the class on nights and weekends. I'm not -- just not sure of a cost factor to run a class like that, unless you were to bring it to the Fire Academy and have certified fire service instructors teach the class, which is certainly a do-able.

REP. DARGAN: Has the problem been with the -- the fire marshals with the consolidation and where you guys were, and where you are now, and what agency you were under, and the agency you're underneath now?

KEITH FLOOD: You mean a problem between the agencies and the fire marshals?

REP. DARGAN: Correct.

KEITH FLOOD: I don't -- I don't foresee any -- I don't think there's any problems or -- or head butting as there was in the past. I think things are working as they should. You know, we -- we -- we work well with the -- the Fire and Explosion Unit; we work well with the State Fire Marshal's Office.

I think that this bill, in -- in regards to this bill, this bill was -- was brought to our attention, and we just felt that it would -- it would be more professional to have a fire marshal who had some training in fire service to go through this program. And that's why we brought the bill back again for a second year. You know, we felt if you -- in order to go to the building official's training, you have to have five years experience in a trade in order to go to the building official's training. And then we -- we sat down and said, you know that's -- it would -- it would be more professional for a fire marshal to have some kind of experience before they went through this training, so that's pretty much where our prerequisites came from.

SENATOR HARTLEY: Thank you, Keith.

Yes, Representative Giegler.

REP. GIEGLER: Thank you, Madam Chair. Just a short question.

KEITH FLOOD: Sure.

REP. GIEGLER: Now, you stated that they are not certified until they are hired by a community.

KEITH FLOOD: So -- so if I just -- just on that note. What happens is when you sign the application to go to the precertification class, and the application states that once you finish a class, you are supposed to be appointed by a municipality or a town; that's what's supposed to happen. But whatever happens once you finish

that precertification, whether you are appointed, you cannot be appointed; it just may fall through.

REP. GIEGLER: But would a community, or a town, or a municipality, will they hire someone that is deemed eligible to be certified, because they are not certified at that point?

KEITH FLOOD: Yeah. Just for my own experience, I took a promotional test for fire inspector and came out number one in the testing process, and then was put through the precertification class, and with the assumption that once I pass that class, I will be appointed to the fire inspectors. So that's a little bit of what happens.

JOHN YACOVINO: Just say I -- I retire from the City of Meriden Fire Department. I would move from the eligible status list to a eligible-to-be-certified, so I -- under the current system. I would still be able to be employed; I could get picked up by the City of West Haven to work as a fire inspector, and then I'd move from eligible to be certified to certified. So, this is just looking to remove that eligible to be certified so that everybody would be certified; again, this sort of bookkeeping for ODOM was less troublesome.

Because you would -- a town certainly could hire -- under the current system, a town certainly could hire a person who was eligible to be certified, and then they would be certified once they were sworn into the position.

REP. GIEGLER: So you could be eligible in Meriden, then you leave that job, and then you become eligible to be certified, and then you go to say Waterbury, and you get hired, then you go back to being eligible?

JOHN YACOVINO: Right. I'm -- I'm certified right now.

REP. GIEGLER: Uh-huh.

JOHN YACOVINO: If I retire from the City of Meriden, I would go into the eligible-to-be-certified list.

REP. GIEGLER: Uh-huh.

JOHN YACOVINO: And then I could get hired in the City of Waterbury, and then I would move to the certified list again.

REP. GIEGLER: Is there anything that you have to do to change -- I mean, other than if you're hired by a town, you just have to show documentation that you were hired by someone? Or is there a process that you have to go through to become eligible to be certified, to certified?

JOHN YACOVINO: No matter what you have to keep up with your continuing education hours and you're evaluated over a three-year period. You need to have 90 hours of continuing ed over three years. So that keeps your status current. And then all that has to happen is if you move to a different municipality, that municipality just writes a

letter to, I think it is now the State Fire Marshal, the Commissioner or DAS, to say that we've employed John Yacovino as a fire inspector for the City of Waterbury. And that's -- that's really the only process.

REP. GIEGLER: Okay. Thank you very much.

SENATOR HARTLEY: Okay.

Representative Dargan.

REP. DARGAN: You see, I think that's where the confusion comes in sometimes, I mean who that governing authority is, right? Because if you go to law school, and then you take the Connecticut Bar and you pass it, you're a lawyer. You might not be certified, because you might not have a job, or you might be an LPN or registered nurse, but you might not be, you know, underneath that assumption, your're certified, right? I mean, whether you have -- if you don't have a job, you're still a lawyer.

JOHN YACOVINO: Yeah, Representative Dargan, that's the -- the issue with taking this to being a certified level versus an eligible to be certified, is you're taking the -- that authority away from the local municipality in essence, and you're putting it to the State Office of Education and Data Management. That's -- that's what's happening with changing it from eligible to be certified, to just certified as you would be with building officials. When a building official goes through class, he either comes out as a certified building official and he can go

work in West Haven, East Haven, Camden, wherever they employ him.

SENATOR HARTLEY: Yes, Representative Rovero.

REP. ROVERO: I agree with you 100 percent. I can't imagine going through all the classes, being certified and so forth, and just because I don't have a job, I'm not really certified. I know what a -- an engineer, for instance, he has to work x-number of years with a professional engineer. Once he does that, he takes the test and passes it, he's a professional engineer with a stamp, regardless of whether he has a job or not. So, it doesn't make much sense for us to turn it around, make you get certified, go through all the steps and hoops, and so forth, and then, because you don't have a job at the particular time, you're not really considered certified. I --

JOHN YACOVINO: Correct. And -- and like I said, we're just trying to make it a more professional career by instituting some prerequisites and having some fire training and fire background to being a fire marshal.

REP. ROVERO: Thank you very much.

Thank you, Madam Chairman.

SENATOR HARTLEY: Yes, thank you. So, then is ODOM going to also be -- I guess they've just submitted testimony, but they won't be testifying.

61
rc/gbr PUBLIC SAFETY COMMITTEE

February 18, 2014
11:00 A.M.

Are there any further questions from committee members? Seeing none, thanks very much again. This is an intriguing conversation.

KEITH FLOOD: It always is.

SENATOR HARTLEY: It sure is. Okay, thanks very much for being with us, both of you.

KEITH FLOOD: Thank you again; thanks for having us.

SENATOR HARTLEY: Absolutely.

And we'd like to now invite John Schultz. Is John here? Yeah.

And John, how was your traverse on 84? Very wise.

Okay, so if for the record, you might identify yourself, sir.

JOHN SCHULTZ: Certainly. My name is John Schultz. I am the union president from Waterbury Firefighters. I am an 18-year firefighter with the City of Waterbury, and currently assigned as a lieutenant.

I'd like to thank the chairs and the committee as a whole for offering an opportunity to speak today on State Bill 103.

And, just as a point of interest, our Local put this issue forward last year, and we were unsuccessful, and we're back again hopefully with

RICK HART: The only time there would be a post-inspection is if that apparatus is out of service, and it's in our standard operating procedures that when that apparatus comes back into service, the driver has to do that pre-trip inspection, no matter what time of day or night it is.

SENATOR HARTLEY: That's the pre?

RICK HART: Yes.

SENATOR HARTLEY: Do they then have to do the post?

RICK HART: No, not in the morning. That's the oncoming shift will do the -- the inspection.

SENATOR HARTLEY: Okay. Thank you very much for your testimony, being here, and also what you've submitted for those members who haven't had a chance to hear you. I appreciate it.

If there are no further questions, I appreciate your being here.

RICK HART: Thank you very much.

SENATOR HARTLEY: And with that, we'll invite Chief Salvatore who says he is going to testify on several bills.

CHIEF ANTHONY SALVATORE: As always.

Good afternoon, Senator, Representative, members of the Public Safety and Security Committee. Starting out with -- my name is Anthony

HB5150
HB5151
SB 98

Salvatore, Chief of Police for the Town of Cromwell, representing the Connecticut Police Chief's Association.

Raised Bill No. 5150, AN ACT CONCERNING FIRE SAFETY ENFORCEMENT OFFICIALS, with some minor revisions, we definitely can support this bill. We strongly urge that the statute on Fire Marshal Training Council 29-298a be looked at so that in conjunction with these proposed changes, it would mesh. I took a quick look at it. I think there needs to be some modification to that statute.

In addition to -- under this proposed bill, Section II, Subsection A, after the new-inserted language of other inspectors and/or investigators, that you add: except those employed under Section I, Subsection A(5) of this bill which is the exception for sworn members of the division of state police within the Department of Emergency Services and Public Protection and organized local police departments.

Here also to support Raised Bill 5151, AN ACT CONCERNING HOOKAH LOUNGES, and definitely some of the previous testimony as well as some of the issues we feel can be addressed by this proposed legislation.

I am here to oppose Raised Bill 98. Unfortunately some of the previous testimony that I've heard is really not subject to this proposal, more of a concern of police officers -- sworn police officers in schools which is a



CONNECTICUT STATE FIREFIGHTERS ASSOCIATION, INC.

February 18, 2014

Senator Joan Hartley, Co-Chair Public Safety Committee
 Representative Stephen Dargan, Co-Chair Public Safety Committee
 Senator Tony Guglielmo, Ranking Member Public Safety Committee
 Representative Jan Giegler, Ranking Member Public Safety Committee

Members of the Public Safety Committee,

My name is Ted Schroll, Legislative Representative for the Connecticut State Firefighters Association. Our Association represents more than 26,000 paid and volunteer firefighters in Connecticut. I would like to comment on a few of the bills on the agenda for today's public hearing.

Raised Senate Bill #101 – AN ACT ESTABLISHING FIRST RESPONDER DAY – We would support the concept behind this bill. We will be following this bill to ensure proper language to include organized volunteer personnel.

Raised Senate Bill #103 – AN ACT CONCERNING COMPLIANCE WITH FIRE DEPARTMENT APPARATUS MAINTENANCE STANDARDS – We would fully support this initiative. We believe that proper maintenance of fire apparatus must be performed to ensure the safety of fire personnel.

Raised House Bill #5150 – AN ACT CONCERNING FIRE SAFETY ENFORCEMENT OFFICIALS – We are in support of this legislative initiative. It is our understanding that this bill is a collaborative effort between the Department of Administrative Services and the Connecticut Fire Marshals Association (CFMA). We fully support the CFMA in their efforts to improve fire safety for the citizens of the State of Connecticut.

Respectfully,

Ted Schroll Jr.

Ted Schroll Jr., Legislative Representative
 Connecticut State Firefighters Association

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165 Capitol Avenue
Hartford, CT 06106-1658

Department of Administrative Services
Testimony on Raised Bill 5150 AAC Fire Safety Enforcement Officials

William Abbott, State Fire Marshal
Joseph Cassidy, State Building Inspector/Bureau of Technical & Regulatory Compliance
Public Safety & Security Committee
February 18, 2014

The Office of the State Fire Marshal (OSFM) and the Office of the State Building Inspector (OSBI) are currently part of the Department of Administrative Services (DAS). OSFM, OSBI and DAS (together, the "agency") would like to thank the Committee for allowing us to provide comment on Raised House Bill 5150.

HB 5150 is offered on behalf of the local fire marshals. This proposal has been a topic of on-going discussions between the proponents and the agency, specifically State Fire Marshal, and the Office of Education & Data Management, which administers the process for the certification of fire safety enforcement officials.

Section 1 of HB 5150 includes a prior technical agency submission to address administrative confusion by proposing the deletion of the separate "eligible to be certified" status. The agency appreciates and supports the inclusion of these changes. Presently, pursuant to statute (C.G.S. 29-298), after completing a recognized training program, the Office of State Fire Marshal certifies individuals as "eligible to be certified." The inconsistency is that the statute does not allow a community to hire an individual unless the person is "certified;" and it is further complicated by the fact that one cannot be certified until hired by a community.

Eliminating the separate "eligible to be certified" status would eliminate this confusion and inconsistency in the statutes, and would make processing of credentials uniform and more efficient. The individuals who have passed the certification examinations, but are not appointed (employed), would be certified. Certification would be based on successful completion of credentialing exams, which is similar to the process for Building Officials.

Section 1 of HB 5150 also proposes to include the Fire Marshal Training Council and remove the Codes & Standards Committee from its current role in working with and advising the State Fire Marshal on qualification standards and certification processes.

These provisions run counter to the efforts of the Governor and the state to have a unified Fire Safety, Fire Prevention, & Building Code, and the agency does not support them. OSFM and OEDM staff appreciates and respects the contributions that the Fire Marshal Training Council provides on certification processes and training recommendations. However, with its statutorily defined advisory role to the State Fire Marshal and the Codes & Standards Committee, and its two appointments on the Committee from the local marshal community, the agency believes that the Fire Marshal Training Council is already equitably represented. The Codes & Standards Committee provides an invaluable resource to both the fire and building communities with regard to certifications and Code plan review, and the agency does not support replacing the Codes & Standards Committee with the Fire Marshal Training Council in these areas.

Furthermore, the agency would like to point out that replacing the Codes & Standards Committee with the Fire Marshal Training Council to establish standards and certifications would make the process used by the fire professionals inconsistent with that used by the building officials; and it is the agency's understanding that the proponents seek to be treated similarly to the building officials. The Codes & Standards Committee works with the State Building Inspector on matters pertaining to certification and standards for building officials (see C.G.S. § 29-262) – not the Building Advisory Council, the Fire Advisory Council's equivalent in these matters.

Finally, the bill adds prerequisite standards to the certification statute for local fire officials. It is our understanding that the proponents believe that such standards should be codified in statute "like the building officials." The agency might agree that some prerequisites make sense. The exact categories, however, should be based on some diligent investigation by the agency and should include the input of the Codes & Standards Committee as that committee is statutorily charged with adopting minimum standards for qualifications for local fire marshals jointly with the State Fire Marshal. In addition, DAS has always been upfront with the proponents that codification of these requirements in statute is likely to result in a state cost since several state employee job specifications may require changes.

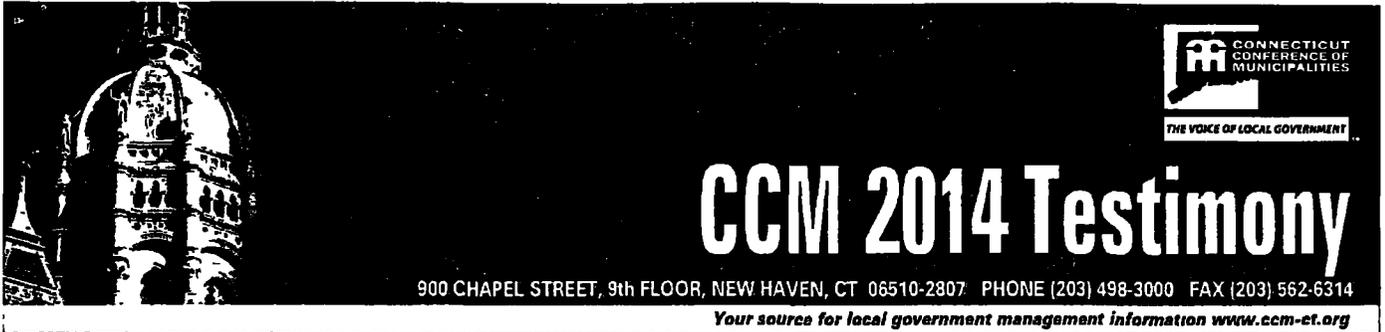
The agency may support codification of standards in the certification statutes if the bill were amended to include some flexibility by the Commissioner in determining equivalent experience. Specifically, in line 16, after "department" the agency would request the inclusion of "or equivalent experience as determined by the Commissioner of Administrative Services." This addition would assist in minimizing the fiscal impact of adding new requirements to state job classifications.

Without the additional language requested above, DAS would have to amend a number of state job classifications to include the new pre-requisites, increasing the level of qualifications needed for the state to hire individuals in these classes. Doing so most

often increases the associated pay scales for these jobs. The job classes at issue include, but may not be limited to: Building & Fire Safety Inspector 1; Building Plan Reviewer (Code Compliance); Building & Fire Safety Inspector 2; Fire & Life Safety Specialist; Fire & Life Safety Supervisor; and State Fire Marshal. Other job classes and series may be impacted as well.

The agency cannot support Raised Bill 5150 in its current form. The agency's offer to work with the Committee and proponents remains available and we look forward to the opportunity to discuss these matters further.

Thank you for the opportunity to provide comments. Please don't hesitate to contact Terrence Tulloch-Reid, terrence.reid@ct.gov if the Committee has additional questions.



PUBLIC SAFETY & SECURITY COMMITTEE

February 18, 2014

The Connecticut Conference of Municipalities (CCM) is Connecticut's statewide association of towns and cities and the voice of local government - your partners in governing Connecticut. Our members represent over 92% of Connecticut's population. We appreciate the opportunity to testify on bills of interest to towns and cities.

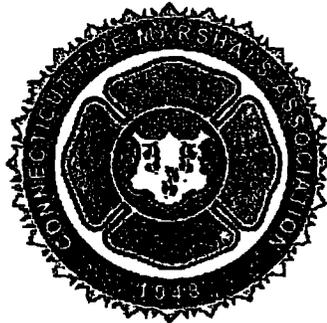
CCM *supports* **HB 5150** "*An Act Concerning Fire Safety Enforcement Officials*" which would require that fire safety enforcement officers have a particular set of standards and prerequisites. In addition, HB 5158 would allow the Fire Marshal Training Council, in conjunction with the State Fire Marshal to establish these requirements - and both certify certain fire safety officials and recognize particular private training programs.

This proposal would support existing practices, as these standards would be required in order to obtain employment. Furthermore, these standards would ensure that fire marshals and fire inspectors are better trained and equipped to serve the needs of the community.

CCM urges the Committee to *favorably report* **HB 5150**.

★★★★

If you have any questions, please contact Mike Muszynski, Senior Legislative Associate of CCM at mmuszynski@ccm-ct.org or (203) 500-7556.



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Fire Marshal Keith Flood- 2nd Vice President CFMA
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Testimony before the Public Safety and Security Committee
February 18, 2014
Raised House Bill 5150 An Act Concerning Fire Safety Enforcement Officials

Senator Hartley, Representative Dargan, members of the Public Safety and Security Committee, my name is Keith Flood, I am the Fire Marshal for the First Fire Taxation District in West Haven and I represent the Connecticut Fire Marshals Association. I am here today to speak on HB 5150.

The Connecticut Fire Marshals Association has authored the raised bill before you which is a change to CGS 29-298, Certification of local fire marshals, deputies, inspectors and investigators. The concern of the constituents that I represent is that the Fire Marshal, Deputy Fire Marshal or Fire Inspector certification process should be comparable to the process by which building officials are certified. The Bill before you provides professionalism to the career by instituting prerequisites in order to participate in the precertification training for Fire Marshal, Deputy Fire Marshal, and Fire Inspector. The prerequisites the CFMA is recommending for the position of Fire Marshal, Deputy Fire Marshal and Fire Inspector are as follows: at least three years experience (1) in fire suppression or fire prevention activities, (2) in responding and controlling releases or potential releases of hazardous materials, (3) in inspection activities concerning the fire safety or prevention code or hazardous materials, (4) in the investigation of the cause and origin of fires and explosions, or (5) as a sworn member of the Division of State Police within the Department of Emergency Services and Public protection or an organized local police department. The adoption of such prerequisites shall bring parity between the building officials and the Fire Marshal community. The adoption of the bill would reduce the amount of tracking that OEDM would have to accomplish. As it is right now OEDM tracks officials who are eligible to be certified, certified and uncertified. The bill would enable OEDM to only have to track certified and noncertified officials.

The Connecticut Fire Marshals Association would also recommend a change to the certification authority from the Codes and Standards Committee to the Fire Marshal Training Council. This change is also identified in the Bill before you. This change would enable the Fire Marshal Training Council along with the State Fire Marshal the authority to establish training guidelines for the precertification program.