

# COMMITTEE REPORT

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## MADAM PRESIDENT:

The Senate Committee on Corrections, Criminal, and Civil Matters, to which was referred House Bill No. 1365, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

- 1           Page 1, line 3, strike "A" and insert "**Except as provided in**  
2           **subsection (b), the**".
- 3           Page 1, line 3, after "department" insert "**that responds first to an**  
4           **incident**".
- 5           Page 1, between lines 10 and 11, begin a new line blocked left and  
6           insert:  
7           "**A second or subsequently responding volunteer fire department**  
8           **may not impose a charge on an owner or responsible party under**  
9           **this section, although it may be entitled to reimbursement from the**  
10          **first responding volunteer fire department in accordance with an**  
11          **interlocal or other agreement.**
- 12          **(b) A volunteer fire department that is funded, in whole or in**  
13          **part:**
- 14                **(1) by taxes imposed by a unit; or**  
15                **(2) by a contract with a unit;**
- 16          **may not impose a charge under subsection (a) on a natural person**  
17          **who resides or pays property taxes within the boundaries of the**  
18          **unit described in subdivision (1) or (2), unless the spill or the**  
19          **chemical or hazardous material fire poses an imminent threat to**  
20          **persons or property."**
- 21          Page 1, line 11, strike "(b)" and insert "(c)".

- 1 Page 2, line 11, strike "(c)" and insert "**(d)**".
- 2 Page 2, line 14, strike "(d)" and insert "**(e)**".
- 3 Page 2, line 17, strike "(e)" and insert "**(f)**".
- 4 Page 2, line 19, strike "(f)" and insert "**(g)**".
- 5 Page 2, line 20, after "may" insert ", **if it prevails,**".
- 6 Page 2, line 21, after "including" insert "**reasonable**".
- 7 Page 2, line 42, strike "and".
- 8 Page 3, line 3, delete "report." and insert "report;
- 9 **(C) must contain verification that the bill has been**
- 10 **approved by the chief of the volunteer fire department;**
- 11 **and**
- 12 **(D) must contain language indicating that correspondence**
- 13 **from the property owner and any question from the**
- 14 **property owner regarding the bill should be directed to the**
- 15 **department.**".
- 16 Page 3, line 42, after "may" insert ", **if it prevails,**".
- 17 Page 4, line 1, after "including" insert "**reasonable**".
- 18 Page 5, line 21, after "may" insert ", **if it prevails,**".
- 19 Page 5, line 21, after "including" insert "**reasonable**".
- (Reference is to HB 1365 as printed February 15, 2011.)

**and when so amended that said bill do pass .**

Committee Vote: Yeas 9, Nays 0.

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**Senator Steele, Chairperson**