

Letter from the President



The Northern Alliance has been busy progressing and rebuilding. We have had a great year legislatively and we hope to keep the momentum moving. 17 of the 22 bills supported by the NIAFPD passed! Now it's time to format our docket and contact Springfield. Please forward your thoughts to the office so that we can forward to our Legislative Committee.

The "proposed" Bylaw revision could not pass due to a "lack of quorum" at our last meeting. The Board is in need of the additional revision due to a technicality in language. The NIAFPD has applied to the Illinois Fire Services Association and is required to offer membership "State wide". The NIAFPD would like to join the Illinois Fire Services Association and have a vote at the Legislative Summit on legislation the Fire Caucus will pursue. It is obvious that we need to make some operational adjustments as well. We **cannot** be productive on your behalf if we do not meet the current quorum criteria. The board will need to consider procedural changes in our daily operations to make us functional again. Your support will be greatly appreciated!

Our relationships continue to build as the three fire organizations (Illinois Association of Fire Districts, Illinois Fire Chiefs Association and Northern Illinois Alliance of Fire Protection Districts) will meet this October to discuss future goals and objectives. Feedback is positive on our Alliance from our Legislators, which we will continue to enhance. Primarily, the focus is directed on our Education and Legislation involvements in conjunction with working together to fund them accordingly.

Doubletree Hotel Oak Brook is moving along with their renovations. Our conference will be one of the first major events hosted for 2006 with the new improvements. The committee visited the new room designs at our last meeting and we all agreed that your accommodations should be exceptional.

The NIAFPD is always striving to represent your Fire District and its needs in the best way possible. Help us educate your administrations and Fire Protection Districts. Be a part of determining each of our futures! Get involved - "stay safe", have fun, and thanks for doing what you do!

*Jack L. Mancione, President
Northern Illinois Alliance of Fire Protection Districts
Darien Woodridge Fire Protection District*

Message From Executive Director



The NIAFPD fiscal year will come to a close at the end of October, and members should of received membership dues invoices, membership directory update, and salary/benefits update requests. Members can simply fax the directory changes to me at 847-945-8951. Members' quick response will keep our database and mailing lists current.

You will notice that the NIAFPD 2006 Conference information is part of this newsletter. Please place our conference on your next Board of Trustees Meeting Agenda. Consider having your administrative support staff attend the conference. Conference registration is due January 13, 2006. An additional fee will be charged based on the prevailing hotel rate after the due date.

If I can be of help to anyone please give me a call at 847-945-4120. I look forward to seeing everyone at our upcoming conference.

*Kathleen Haage, Executive Director
Northern Illinois Alliance of Fire Protection Districts*

Fire Guard



New Laws Affecting Fire Protection Districts

by Brian O'Connor, Ottosen Trevarthen Britz Kelly & Cooper, Ltd.

Following the Spring Session of the 94th General Assembly, the Governor approved 677 bills submitted by both the House and Senate that became Public Acts and laws. The following are highlights of the more significant Public Acts relating to fire protection districts:

Open Meetings Act

Starting January 1, 2006, a public body that has a website, maintained by a full-time staff member, must post on its website its annual schedule of regular meetings, and the agenda and notice of its regular meetings, which need to remain posted until conclusion of the respective meeting. Starting July 1, 2006, the public body also needs to post approved minutes of regular meetings on the website for a period of at least sixty (60) days. The failure to post a notice on the website shall not invalidate any meeting or actions taken at a meeting. (P.A. 94-0028 (SB 0226); effective January 1, 2006)

A public body's failure to strictly comply with the requirements of the required semi-annual review of closed meetings minutes will not make the minutes or verbatim recordings open to the public or available in judicial proceedings if the public body, within sixty (60) days of the discovery of its failure, conducts the review and reports in an open meeting that the need for confidentiality remains or no longer exists. (P.A. 94-0542 (SB 1857); effective August 10, 2005)

Freedom of Information Act – Financial Information

This new law expands FOIA's existing exemption of certain trade secrets and commercial or financial information obtained by a public body from inspection and copying requirements, by adding that the exemption specifically includes certain information relating to private equity funds. The act provides that the exemption concerning the financial information does not apply to the identity of a privately held company within the invest-

ment portfolio of a private equity fund, unless the disclosure of the identity of a privately held company may cause competitive harm. (P.A. 94-0508 (SB 0052); effective August 8, 2005)

Access to Patient Records

With this change to provisions on examination of patient records, starting January 1, 2006, a person, entity, or organization presenting a valid authorization for the release of records, signed by the patient or the patient's representative, is permitted to examine a health care facility's records of a patient. A written request by a person, entity, or organization presenting a valid signed authorization for the release of records must be satisfied within 30 days of receipt. (P.A. 94-0155 (SB 1907); effective January 1, 2006)

Public Contracts and Change Orders

This new law provides that if a change order for any public works contract (i) is entered into by a unit of local government or school district, (ii) is not procured in accordance with the Illinois Procurement Code and the State Finance Act, and (iii) authorizes or necessitates any increase in the price of a subcontract under the contract that is 50% or more of the original subcontract price, then the portion of the contract that is subject to the change order must be resubmitted for bidding in the same manner as the original contract was bid. (P.A. 94-0460 (HB 2533); effective August 4, 2005)

Health and Safety Inspections

This act amends the Safety Inspection and Education Act and the Health and Safety Act on January 1, 2006. The act changes, adds, and reorganizes various provisions of the Safety Inspection and Education Act concerning: workplace inspections



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by the Department of Labor; complaints by employees or employee organizations; discrimination; civil and criminal penalties and reduction of civil penalties; procedures in contested cases; access to records of employers; scheduling of workplace inspections; safety education programs; laboratory services; and other matters. The act also amends the Health and Safety Act, expanding its coverage (the Act applies to public employers, instead of employers in general), and also changes, adds, and reorganizes a number of provisions, including: records and reports of work-related death, injuries, and illnesses; adoption of federal workplace safety and health standards as State standards; and granting vari-

ances from State workplace health and safety standards. (P.A. 94-0477 (SB 1267); effective January 1, 2006)

Annexation and Disconnection

The Illinois General Assembly has created a new statutory mechanism whereby two adjacent fire protection districts can agree to transfer certain adjoining properties from one district to the other district. Tracts of land that adjoin both districts, contain sixty (60) acres or less, and which can receive better fire protection from an adjoining fire district may be transferred between fire districts upon compliance with the notice and other procedural requirements of the statute. Notably, the property owners

do not have to consent to the transfer, but they must be notified in advance of the transfer as set forth in the statute. (P.A. 94-0337 (HB 3831); effective January 1, 2006)

Blood and Organ Donor Leave

This act creates the Employee Blood Donation Leave Act (820 ILCS 149/1 et seq.) and amends parts of the Organ Donor Leave Act. The act provides that beginning January 1, 2006, on request, an employee of any unit of local government, board of election commissioners, or any private employer in the State that has fifty-one (51) or more employees may be entitled to paid employment leave for

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Message from Our Lobbyist

by Charles R. Vaughn, Vaughn Consulting Services



As we have previously told you, 2005 was a huge success for NIAFPD and the Fire Service in general. With only a few exceptions (the notably the needed relief from tax caps)

we achieved all our goals. Cap bills were "off-limits" for everyone, but we will propose other innovative alternatives to see cap relief in 2006.

Our legislative process begins in late October with the Fire Service Summit being held at the Motorola Campus. Here, we formulate ideas and legislative

topics that the Fire Caucus can introduce and promote in 2006 during the Spring Session. In addition we ask you to give your Legislative Committee ideas you wish to be considered. This combination will be our focus as we work the process in Springfield from January until June. We need to submit topics for bill drafting by late December, for introduction in January.

As the session begins we encourage you to stay up-dated on the legislative web sites of the Illinois Fire Chiefs Association and the Illinois Association of Fire Protection Districts. We work together with them to develop a bill list and the

positions on bills by each group. This helps keep a two-way information flow as we work toward our goals.

Our group has never been so well positioned to success in the legislative process. Your role in this is the key element. Stay informed, participate, and support your NIAFPD Legislative Committee and Leadership. This is a great team that is worthy of your trust.

Thank you for your support.



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the purpose of blood donation for up to one (1) hour every fifty-six (56) days in accordance with appropriate medical standards. (P.A. 94-0033 (HB 0324); effective January 1, 2006)

Service Member's Employment Tenure

This act adds a new section to the Service Member's Employment Tenure Act. The act provides that if an employer has given an individual a date to commence performing services for the employer, but the individual is called to active military duty before the date on which the individual's services for the employer were to have commenced, then the employer, upon request by the individual, must provide the individual with a written copy of the employment offer. If an individual, upon honorable discharge from the military or after satisfactory completion of his or her military service, is still qualified to perform the duties of the position for which he or she was first offered employment, and if the individual submits an application to the employer within ninety (90) days after he or she is relieved from military service, then the individual must be given preference for employment with that employer. The act provides that if circumstances have changed and it is impossible or unreasonable for the employer to employ the individual immediately, the individual must remain eligible to begin employment for a period of up to one year after the date the individual first notified the employer of his or her desire to perform such services. The provisions of this act (i) do not apply if the original offer of work was limited to part-time employment,

temporary employment, or casual labor; and (ii) do not require an employer to hold a job position open, violate any employment law, collectively bargained employment recall, or other employment obligation, or create additional employment to satisfy the requirements of these provisions. (P.A. 94-0162 (HB 0593); effective July 11, 2005)

Workers' Compensation

This act amends a number of provisions of the Illinois Insurance Code, the Workers' Compensation Act, and the Workers' Occupational Diseases Act. Changes in the Workers' Compensation Act include provisions regarding failure of an employer to provide coverage as required by the Act, payments for burial expenses, payments and transfers to the Rate Adjustment Fund, standards for payments for accidental injuries and medical expenses, payment of health care providers in accordance with fee schedules, creation of a Workers' Compensation Medical Fee Advisory Board, utilization review programs for workers' compensation services, and payments to employees for medical examinations requested by an employer. (P.A. 94-0277 (HB 2137); effective July 20, 2005)

Public Labor – Employee Names and Addresses

This new law amends the Illinois Public Labor Relations Act. Effective January 1, 2006, a public employer must furnish the exclusive bargaining representative with the names and addresses of its public employees if requested by the exclusive

bargaining representative. The act provides that an employer is not required to furnish the list of the names and addresses of its public employees more than once per payroll period. The act requires that the exclusive bargaining representative use the list only for bargaining representation purposes, and prohibits the representative from disclosing information in the list for any other purpose. The act provides that a bargaining representative is not prohibited from disseminating a list of its union members. (P.A. 94-0472 (SB 0274); effective January 1, 2006)

Illinois Public Labor Relations Act

The Illinois Public Labor Relations Act has been amended to omit a clause that set the minimum number of employees necessary to file for formation of a public labor unit in the State of Illinois. Previously, the number was set at twelve (12) employees for fire protection districts, because fire protection districts are required by the Fire Protection District Act to appoint a Board of Fire Commissions upon the hiring of the twelfth full time employee. Currently, the number stands at five (5) employees, the same number that is applicable to municipal fire departments. (P.A. 94-0067 (HB 1313); effective January 1, 2006)

Family Military Leave

This act creates the Family Military Leave Act (820 ILCS 151/1 et seq.), that allows an employee who is the spouse or parent of a person called to military service lasting longer than thirty (30) days to take unpaid leave of fifteen (15) days when the employer employs between 15-50 employees and unpaid leave of thirty (30) days when the employer employs more than fifty (50) employees. The act provides that the employee must give at least fourteen (14) days notice prior to the intended date of the family military leave, if the leave will consist of five (5) or more consecutive work days. If able, the employee must consult with the employer to schedule the leave to avoid disruption of the

employer's operations. (P.A. 94-0589 (SB 1627); effective August 15, 2005)

Pension Code – QILDRO

This act amends the provision in the Illinois Pension Code, making various changes in provisions concerning the Qualified Illinois Domestic Relations Orders (QILDROs) beginning July 1, 2006. Under certain circumstances, the act now requires the retirement system to provide a lump sum amount to which a QILDRO percentage is applied within thirty (30) days after the retirement system receives the QILDRO. (P.A. 94-0657 (SB 1446); effective July 1, 2006)

Firemen's Disciplinary Act

This act amends the Firemen's Disciplinary Act, clarifying the current statutory language of "72 hours" to "24 duty hours." (P.A. 94-0188 (HB 1402); effective July 12, 2005)

Political Activities in Fire Departments

This act amends the Local Governmental Employees Political Rights Act, allowing a paid firefighter of a municipality to serve as mayor or on the municipal council of the municipality in which the firefighter is employed. The act also allows a paid firefighter of a fire protection district to serve on the fire protection district board in which the firefighter is employed. (P.A. 94-0316 (HB 1336); effective July 25, 2005)

Firefighters Pension Fund Boards

This act amends the Downstate Firefighter's Pension Code (Article 4), reconstituting the composition of the firefighters pension board. The act requires that the terms of all current pension board members expire on the 3rd Monday in April 2006. On that date, pension boards are to consist of five (5) members: two (2) members to be appointed by the mayor or the village president, two (2) members who are active firefighters, and one (1) member who is a

firefighter retiree. (P.A. 94-0317 (HB 1403); effective July 25, 2005)

Criminal Code

The Illinois Criminal Code has been amended to make it a Class 4 Felony to knowingly and falsely represent oneself as a firefighter or an emergency management worker. It is now a Class 3 Felony to knowingly and falsely represent oneself as a firefighter or an emergency management worker while attempting or committing a felony. (P.A. 94-0323 (HB 596); effective January 1, 2006)

One-Year Probation

The Illinois Municipal Code and Fire Protection District Act have been amended to permit the extension of a one-year probationary period for firefighter-paramedics only in the event that the employee fails to meet the requirements for paramedic certification. This amendment clarifies preexisting law that permitted extensions of the probationary period, but limits the scope under which a firefighter-paramedic may be dismissed after the first year of employment. (P.A. 94-135 (HB 1500); effective July 7, 2005)

Biodiesel Fuel Use

This act adds a new section to the Illinois Vehicle Code requiring that, beginning July 1, 2006, all diesel powered vehicles owned or operated by the State, county or unit of local government must use a blend containing at least 2% biodiesel fuel. (P.A. 94-0346 (HB 0112); effective July 28, 2005)

Abandoned Newborns

The Abandoned Newborn Infant Protection Act, a law which permits new mothers to drop off newborn infants at a police or fire station to improve the newborn's chances of survival has been extended. The law was initially set for repeal on July 1, 2007. The General Assembly has repealed the provision that would have repealed the Act. (P.A. 94-0207 (HB 175); effective January 1, 2006)



**NORTHERN ILLINOIS ALLIANCE OF FIRE PROTECTION DISTRICTS
13th ANNUAL CONFERENCE FOR TRUSTEES, COMMISSIONERS,
CHIEFS, AND ADMINISTRATIVE SUPPORT STAFF**

DOUBLETREE HOTEL OAK BROOK

Thursday, February 16, 2006

5:30 - 7:30 pm Board of Directors Meeting
7:30 - 9:00 pm Open Forum

Friday, February 17, 2006

Preliminary Program...More to Follow

- Legal Updates for Administration
- Discipline / All Employment Classifications
- IL Workers Compensation / New Law
- Health Insurance Updates

8:30 am - 7:00 pm Registration
9:00 am - Noon Morning Program
Lunch On Your Own
1:30 pm - 4:00 pm Afternoon Program
Dinner On Your Own
7:00 pm - 10:30 pm Sponsors' Reception

Saturday, February 18, 2006

Preliminary Program...More to Follow

- FEMA-IEEMA-MABAS
- Your Fire District Finances
- Contemporary EMS Issues
- Public vs Private Wages / Benefits / Contracts
- Legal Updates
- Collective Bargaining
- Candidate Physical Ability Testing
- Commissioners vs Board vs Labor
- Mock Disciplinary Hearing

7:30 am - Noon Registration
8:00 am - 9:00 am Membership Meeting /
Continental Breakfast
9:00 am - 10:00 am Keynote Address
10:15 am - Noon Workshops
Noon - 1:30 pm Awards Luncheon
Illinois Deployment to Gulf Region
1:30 pm - 4:15 pm Workshops
6:30 pm - 9:30 pm Cocktails / Dinner /
Entertainment

Sunday, February 19, 2006

8:00 am - 10:30 am Breakfast Buffet -
Informational Exchange with Peers

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For more information on the conference, call:

Bob Tinucci, Darien-Woodridge FPD
630.910.2205 btinucci@aol.com

Kathleen Haage, Deerfield-Bannockburn FPD
847.945.4120 khaagedbfd@syn.net

Jack Mancione, Darien-Woodridge FPD
630.417.1649 dwfpd@comcast.net

CONFERENCE FEES (Per Person)
Please Register by January 13, 2006

Delegate Registration Packages

<u>Type of Registration Package</u>	
\$300.00	A Includes: One evening of lodging (indicate evening on registration form) workshops, Friday evening reception, Saturday continental breakfast, lunch, and dinner banquet, and Sunday breakfast buffet.
\$432.00	B Includes: Two evenings of lodging (indicate evening on registration form) workshops, Friday evening reception, Saturday continental breakfast, lunch, and dinner banquet, and Sunday breakfast buffet.
\$548.00	C Includes: Thursday, Friday, and Saturday evenings of lodging, workshops, Friday evening reception, Saturday continental breakfast, lunch, and dinner banquet, and Sunday breakfast buffet. (All Inclusive Package C)
\$272.00	D Includes: Workshops, Friday night reception, Saturday continental breakfast, and lunch. (No Lodging or Banquet Included in Package D)
\$ 98.00	ONE-F Includes: Friday workshops, continental breakfast, and evening reception. (No Lodging or Lunch Included in Package ONE-F)
\$173.00	ONE-S Includes: Saturday workshops, continental breakfast, and lunch. (No Lodging or Banquet in Package ONE-S)

Guest Registration Package

\$145.00	Guest / Spouse Registration Includes: Workshops, Friday night reception, Saturday breakfast, and dinner banquet, and Sunday breakfast buffet. (Does Not Include Saturday Lunch - See Below to Register for Lunch)
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Individual Registration Tickets

\$ 31.00	Guest / Spouse Saturday Lunch (Ticket Required)
\$ 52.00	Banquet Ticket (Ticket Required)
\$ 29.00	Sunday Breakfast Buffet (Ticket Required)

Hotel Reservations: All registrations, including lodging must be made through Kathleen Haage, Executive Director, using the registration form. Your full registration does **not** include incidental room charges such as room service, service bar, phone calls and movies. A credit card impression must be run at time of check-in for incidental room charges. Suites may be available at an additional cost, but must be reserved through Kathleen Haage, Executive Director, 847.945.4120.

Registration Due Date January 13, 2006 and Cancellations: **After January 13, 2006, additional fee will be charged based on prevailing hotel rate.** Please call Kathleen Haage for additional fee information. A 10% fee will be charged for cancellations between January 13 and January 16, 2006. **No refunds for cancellations after January 16, 2006. No refunds for no-shows.**

Special Needs: Vegetarian plate available for banquet or luncheon upon your request.

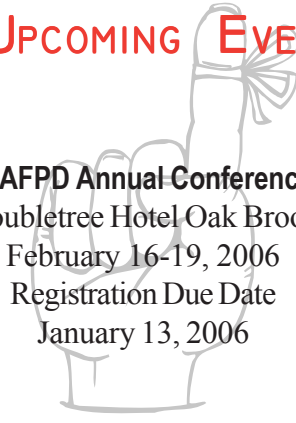
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NIAFPD Officers

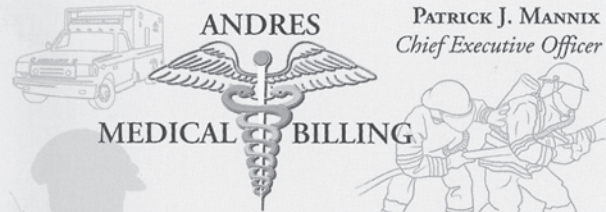
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Fire Guard is a quarterly publication of
NIAFPD
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UPCOMING EVENTS



NIAFPD Annual Conference
Doubletree Hotel Oak Brook
February 16-19, 2006
Registration Due Date
January 13, 2006



ANDRES PATRICK J. MANNIX
Chief Executive Officer

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