

1998 SUNSET REVIEW

Colorado Natural Areas Advisory Council

Continuing Education Requirement Advisory Committee

Law-Related Education Advisory Board

Fire Safety Advisory Board

Colorado Department of Regulatory Agencies



Office of Policy and Research

October 15, 1998

Members of the Colorado General Assembly
c/o The Office of Legislative Legal Services
State Capitol Building
Denver, Colorado 80203

Dear Members of the General Assembly:

The Colorado Department of Regulatory Agencies has completed evaluations of:

- the Colorado Natural Areas Advisory Council;
- the Continuing Education Requirement Advisory Committee;
- the Law-Related Education Advisory Board; and
- the Fire Safety Advisory Board.

I am pleased to submit this written report, which will be the basis for my office's oral testimony before the 1999 Legislative Committees of Reference. The report is submitted pursuant to §2-3-1203, of the Colorado Revised Statutes, which states in part:

"The department of regulatory agencies shall conduct an analysis and evaluation of the performance of each division, board or agency or each function scheduled for termination under this section.

The department of regulatory agencies shall submit a report containing such analysis and evaluation to the office of legislative legal services no later than October 15 of the year preceding the date established for termination."

The report discusses the question of whether there is a need for the continuation of these advisory committees and the effectiveness of the committees in carrying out the intention of the statutes.

Sincerely,

Joseph A. Garcia
Executive Director

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Colorado Natural Areas Advisory Council

Creation, Mission and Composition

The Colorado Natural Areas Program (CNAP) was created in 1977 by the Colorado General Assembly. Since 1988, CNAP has operated under the oversight of the Board of Parks and Outdoor Recreation (Parks Board). The General Assembly has declared that "...diverse ecosystems, ecological communities, and other natural features, which are our natural heritage, are increasingly threatened with irreversible change. [It] is in the public interest of present and future generations to preserve, protect, perpetuate, and enhance...these natural features as an enduring resource."

Pursuant to this statutory mandate, CNAP focuses on identifying and designating sites of statewide significance. Sites qualify as Colorado Natural Areas (Natural Areas) when they contain at least one unique or high-quality feature of statewide significance:

- native plant communities;
- geologic formations or processes;
- serves as outdoor classroom or laboratory for scientific study;
- provides habitat for rare or endangered plants or animals; or
- serves as area of natural beauty, inspiration and diversity enriching quality of life.

Over the past 21 years, CNAP has worked in partnership with local, state, and federal agencies and private citizens to identify and protect Colorado's special places. CNAP does not purchase property, but assists in developing voluntary agreements protecting these areas. Natural areas may be on public or private land and are designated through voluntary agreements with land owners. Access to a Colorado Natural Area is at the discretion of the owner. Many natural areas are open to the public. However, sometimes access is restricted to better protect the natural values of the area. Increased funding in recent years, especially from Great Outdoors Colorado, has helped accelerate the evaluation and designation of identified areas. The program currently includes 60 statewide areas officially designated for protection. Another 30 areas are registered as high quality sites, and over 125 additional sites have been identified as potential natural areas.

For the past three years, CNAP has been involved in a cooperative program with the U.S. Forest Service to protect some of the most pristine areas in the national forests in Colorado. CNAP conducted ecological evaluations on 72 potential Research Natural Areas, visiting all but one of the national forests in Colorado. As a result of this work, 25 areas are being considered for designation as Colorado Natural Areas. Identified sites include a 1400-acre, old-growth ponderosa pine stand; an 11,000-acre area with outstanding geology and pristine montane, subalpine and alpine plant communities; and sites with large alpine and subalpine wetlands.

Colorado Natural Areas Advisory Council

CNAP also cooperates on projects with the State Board of Land Commissioners (Land Board) and its staff. Through a grant funded by the U.S. Environmental Protection Agency, CNAP identifies and evaluates significant wetland sites throughout the state. CNAP has helped solve complicated natural resources issues, such as the stabilization of the shoreline at Jackson Lake State Park, mitigation of wetlands disturbance at Mueller, and establishment of wetland species at Highline.

The Colorado Natural Areas Advisory Council (Council) that advises the Colorado Natural Areas Program consists of seven members, including: one member each, appointed by their respective boards, from the Board of Parks and Outdoor Recreation, the Wildlife Commission, and the State Board of Land Commissioners. The remaining four members are appointed by the Governor and must have substantial interest in the preservation of natural areas. There are currently two vacancies: one Governor appointed and one from the Wildlife Commission.

Authority and Responsibility

The Council advises the Board of Parks and Outdoor Recreation on the administration of CNAP, approves the registry, and recommends the designation of Natural Areas by the Board. The Council is specifically authorized to perform the following:

- establish procedures for the conduct of Council business;
 - review the inventory and approve the registry (the inventory is a compilation of data used to identify Natural Areas; the registry is the list of natural areas identified by the Council as areas eligible for designation);
 - review and make recommendations on the Parks Board's criteria for and selection of natural areas to be included in the registry;
 - advise the Parks Board on the promulgation of rules for the registry and for the designation, management, protection and use of designated natural areas;
 - seek and recommend the designation of natural areas by the Parks Board;
 - review and make recommendations regarding scientific research, educational use, interpretive programs, and public information pertaining to designated natural areas;
 - advise the Parks Board on the disbursement of funds; and
 - review and make recommendations on Board reports made to the Governor on the status of CNAP.
-

Colorado Natural Areas Advisory Council

Meetings and Expenditures

The Council is required by law to meet at least quarterly in a calendar year. Special meetings may be called by the chairperson with a written request signed by two or more members. From January 1996 to June 1998, the Council met eight times. No meetings were held between January and November 1997, due to a shortage of administrative staff.

The locations of the meetings vary among the Denver Metro Area, the Western Slope, the San Luis Valley, and the Eastern Plains. Approximately 300 individuals and organizations receive notification of these meetings. An average of six guests attend each meeting. Many of the guests attend to provide information about agenda items, while others come to listen, observe, and comment.

The Council members do not receive compensation for their participation, other than actual expenses incurred in the performance of their duties. In total, the Council has incurred \$3,307.20 for supplies, meals, postage, copying, and travel expenses from January 1996 through June 1998. The table below shows the meeting schedule with the number of attendees and the meeting expenses.

COUNCIL ATTENDANCE AND EXPENDITURES

Meeting Date	Members Present	Guests Present	Staff Present	Meeting Expenses - Staff Reimbursement*	Travel Expenses	Total Meeting Expenses
22-Jan-96	6	2	11	\$180.12	-0-	\$180.12
*20-May-96	3	3	5	\$86.14	\$60.40	\$146.54
24-Aug-96	4	8	4	\$844.15	-0-	\$844.15
11-Nov-96	5	5	8	\$106.96	-0-	\$106.96
					Year Total: \$ 1,277.77	
31-Jan-97	3	5	7	\$135.31	\$241.60	\$376.91
19-Nov-97	5	3	6	\$130.99	\$125.40	\$256.39
					Year Total: \$633.30	
13-March-98	6	7	10	\$160.83	\$135.13	\$295.96
13-June-98	3	2	6	\$505.10	\$595.10	\$1,100.20
					Year to Date Total: \$1,396.13	

* Staff reimbursement expenses include lunches and other normal official function costs. In August 1996 and June 1998, expenses reflect weekend costs for food and lodging for a business meeting and the field trip to a natural area.

* Parks Board representative position vacant from May 1996 to January 1997.

+State Land Board representative position vacant from January 1997 to November 1997.

Colorado Natural Areas Advisory Council

Advisory Council Accomplishments

During the period January 1996 through June 1998, the Council deliberated on, proposed and approved several natural areas to be included in the State Registry. The areas approved include:

- U.S. Bureau of Land Management portion of Tern Island as a Registered Natural Area;
- Mishak Lakes as a Registered Natural Area;
- BLM portion of Droney Gulch as a Registered Natural Area;
- Cross Mountain Canyon as a Registered Natural Area;
- expansion of boundary for Blue Mountain/Little Thompson Fault Natural Area; and
- South Boulder Creek as a Registered Natural Area.

The Council continuously fulfills its statutory responsibilities as described below:

- Reviews the inventory, approves the registry of natural areas, and makes recommendations to the Parks Board on the designation of Colorado Natural Areas.

For the past ten years, the Council recommended 21 designations, approved 12 additions to the registry, and six changes to boundaries of designated natural areas.

- Advises the Parks Board on rules for the registry, designation, management, protection, and use of Colorado's Natural Areas.

The Council works with the staff of CNAP to increase public outreach (brochures, newsletters, and presentations); sponsors a Natural History Symposium to communicate the results of research projects sponsored by CNAP's Small Grants Program; reviews monitoring plans for natural areas, and reviews interpretative brochures and signs for many Natural Areas.

- Advises the Parks Board on the disbursement of funds for the Colorado Natural Areas Program.

The Council initiated a moderated "brainstorming" session in 1995 that resulted in CNAP's current five year plan, the Natural Areas Partnership Initiative, the Caring for the Land Series of Management Guidebooks, and the Natural Areas Protection and Stewardship Grants.

Colorado Natural Areas Advisory Council

- Reviews and makes recommendations on reports of the Parks Board made to the Governor on the status of the Colorado Natural Areas Program.

The Council recommended 21 sites for Natural Areas designation since 1988.

Analysis and Recommendation

The Council is a vital component of CNAP, since it provides a forum for public discussion. Council members serve as technical advisors and liaisons with potential participants and others interested in and affected by CNAP. Without the Council, CNAP would lose an effective public forum, important policy and technical support, and an advisory body to review and comment upon CNAP's policies and recommendations.

The Council fosters public involvement by seeking participation of Colorado's citizens in shaping CNAP's policies and recommendations. In previous years, the composition of the Council included geologists, zoologists, ecologists, and land managers. CNAP relies on the Council to provide scientific and technical expertise necessary to meet CNAP's goals. In addition, the Council members lead field trips during the spring and summer meetings. The Council also encourages public participation by encouraging public debate and discussion. The Council provides an informal bridge to the public, legislators, and to other natural resources conservation agencies.

The Council has been active and effective for the past ten years. The Council has a well-substantiated record of public service that has enhanced the abilities of an important state program in meeting its goals.

Recommendation: *The Department of Regulatory Agencies recommends that the General Assembly continue the Colorado Natural Areas Advisory Council within the Department of Natural Resources, Division of Parks and Outdoor Recreation.*

Continuing Education Requirement Advisory Committee

Creation, Mission and Composition

In 1992, the Colorado General Assembly passed House Bill 92-1076, mandating continuing education for insurance producers. The law was implemented effective July 1, 1995. The continuing education requirement affects all individuals licensed to act as insurance producers in Colorado. The law requires that every licensed insurance producer complete twenty-four hours of Colorado-approved continuing education courses every two years. The requirements apply to any resident or nonresident person licensed to solicit and sell life insurance and annuity contracts, including variable life and annuity contracts, sickness, accident and health insurance, and property and casualty insurance.

The Insurance Commissioner (Commissioner) is responsible for administering the continuing insurance education requirements and for approving courses of instruction that qualify as continuing education. The Commissioner is authorized to adopt rules and regulations concerning testing requirements as part of the certified continuing education coursework. Continuing education course instruction, content, outline, and course providers must be initially approved by the Commissioner and are subject to periodic reviews. If the Commissioner determines that a continuing education course or program is not in compliance with established standards, the Commissioner may discontinue the course or the program and/or revoke approval of the course provider.

Continuing education credits may be earned through Colorado approved self-study (correspondence) or by attending Colorado approved classes/lectures or seminars provided by approved providers.

The Continuing Education Requirement Advisory Committee (Committee) was created to make recommendations to the Commissioner concerning the basic requirements for continuing education and the standards for qualifying courses and programs for certification in the areas of property and casualty, life, and accident and health insurance. At the time the Committee was created, there existed within the Colorado Division of Insurance an active Producer Advisory Council (Council). Although this Council is not statutorily mandated, it has successfully served as an advisory committee to the Commissioner for many years.

The following chart illustrates the 1998 composition of the Producer's Advisory Council and the statutory requirements of the Continuing Education Requirement Advisory Committee:

Comparative Composition of Committee and Council

Entity Represented	Required by Statute for Advisory Committee	Actual Members of Advisory Council
Division of Insurance		2
Property & Casualty	3	11
Life & Accident & Health	2	7
Consumer	2	1
Assessment Services Inc. (ASI)		2
Non-voting members		2
TOTAL	7	25

Continuing Education Requirement Advisory Committee

The statute mandates seven members to serve on the Committee who are appointed by the Commissioner and serve on a voluntary basis without any compensation. The statute specifies that it be composed of three members from the property and casualty industry, two from life, accident and health, and two consumer representatives.

In order to fulfill the statutory requirements of §10-2-301(7)(a), C.R.S., the Council assumed the responsibilities of the newly-created Committee. Specific persons on the Council are not designated as Committee members. Rather, the entire Council addresses continuing education requirement issues at the regular Council meeting.

One of the consumer representative positions is currently vacant. When the Committee was first appointed, there were two consumer representatives. Recently, because of the vacancy, the Commissioner has tried to identify persons for the consumer representative position. However, it is difficult to find a consumer interested in attending on a regular basis.

Meetings and Expenditures

There are no revenues or expenditures associated with the Committee or the Council. No funds were appropriated for the Committee and members attend the meetings at their own expense. Often guests or other interested persons or Division of Insurance staff attend the meetings. Staff from ASI, the contract vendor who implements the producer licensing process, attends meetings regularly.

As previously mentioned, the Committee is not a self-sufficient entity, and therefore does not convene meetings strictly to discuss continuing education issues. Rather, when there are continuing education issues, the Council addresses the issues during their regularly scheduled meetings and makes recommendations to the Division of Insurance.

The attendee composition at the Council meetings is illustrated in the chart below:

COUNCIL ATTENDANCE

Date	Life & Health	Property & Casualty	Non-Voting	Guests	Division	Consumer	ASI
10-15-95	3	7		2	3		
12-12-95	2	3	1	1	1	1	1
1-16-96	4	5	1		1	1	
2-20-96	4	5			3	1	1
3-19-96	5	6	1	1	2		1
4-30-96		7	1	1	1	1	1
6-18-96	4	7	1		1	1	1
8-20-96	4	6	2	1	3		1
10-30-96	4	5	1		1		1
12-3-96	3	8	2		1	1	1
1-14-97	2	5	2		1		1
2-18-97	4	4	1		2		2
3-27-97	3	4	2		2		2
5-6-97	2	6	1		2		1
7-8-97	3	7	1		1		
8-20-97	3	5	1		2		1
3-26-98	3	5	1	2	2		1
4-21-98	2	5	2	1	1		
6-2-98	2	4	1		2		1

Continuing Education Requirement Advisory Committee

Accomplishments

The majority of the accomplishments regarding continuing education requirements occurred during 1994 and 1995. During this time period, the Division of Insurance implemented the Single Producer Licensing Act and the continuing education requirements. The Council advised the Division on the regulations promulgated to implement the continuing education program. Since 1996, the Council has advised the Division on pertinent issues that have arisen regarding continuing education. They include the following:

- Reviewed the need for Assigned Risk education

Concluded that insurance is available to most consumers at a price, and the Assigned Risk plan is rarely used because of lack of availability. In addition, the Assigned Risk plan is not user friendly for the agent or consumer.

- Examined the benefits of contracting with Assessment Systems, Inc. (ASI)

Recommended utilizing ASI to assist with administering the licensing exam, issuing temporary licenses, reviewing applications for licensure, and collecting credits for insurance producers from the course provider.

- Discussed the current method of reporting continuing education that was presented by an independent contractor who was a former state auditor. The contractor found that course providers do not maintain close control over documentation of who takes courses and many continuing education certificates are not fully completed by the course provider.

The Council engaged in lengthy discussion on methods to secure and simplify the certification process.

Analysis and Recommendation

The Committee is charged with advising the Commissioner concerning the basic requirements for continuing education and the standards for qualifying courses. The Committee, as part of the more encompassing Producer's Advisory Council, has been instrumental in aiding the Commissioner in promulgating rules and considering issues related to this area.

Continuing Education Requirement Advisory Committee

The Council is comprised of expert representatives from health and accident insurance, property and casualty insurance, Colorado Association of Life Underwriters, Land Title Insurance Association of Colorado, Colorado Automobile Agents Alliance, Professional Independent Insurance Agents of Colorado, and ASI. There is also a consumer representative from the Colorado State University Consumer Sciences Department. As evidenced by its composition, the Council is familiar with the complexity of the insurance industry. Members are dedicated individuals and provide a wide variety of valuable input. In spite of the fact that members do not receive monetary compensation for their travel to and from their meetings, they have met faithfully and addressed important issues.

The Council provides a good forum for the varied constituencies to voice their issues and concerns. The fact that this voluntary Council has met 17 times since 1996 is an indication of the dedication of the members. Over 60% of the Council's meetings included some discussion on continuing education requirements.

The effectiveness of the Council in addressing the issues of continuing education for insurance producers demonstrates the lack of need for the Continuing Education Requirement Advisory Committee as a separate advisory committee. The Council will continue to address issues of continuing education as they arise.

Recommendation: *The Department of Regulatory recommends that the General Assembly sunset the Continuing Education Requirement Advisory Committee in statute.*

Law-Related Education Advisory Board

Creation, Mission and Composition

In response to the "1994 Summer of Violence," the Interim Committee on Youth Violence met in preparation for a special session of the General Assembly called by Governor Romer. The Interim Committee determined that gangs and substance abuse were endangering the youth of Colorado. They concluded that the implementation of educational programs in the public schools was necessary to assist young people in avoiding gang involvement and substance abuse. As a result, the Law-Related Education Program within the Department of Education's Prevention Initiatives Unit was created. This program, which is part of the Colorado Comprehensive Health Education Program, encourages each school district in the state to implement a law-related education program that advocates resistance to antisocial gang behavior and substance abuse. The recommended topics for inclusion in a law-related education program implemented by a school district may include:

- the rights and responsibilities of citizenship;
- the foundations and principles of American constitutional democracy;
- the role of law in American society;
- the organization and purpose of legal and political systems;
- the disposition to abide by law;
- the opportunities for responsible participation; and
- the alternative dispute resolution approach, including mediation and conflict resolution.

The Law-Related Education Advisory Board (Board) was created in 1995 pursuant to §22-25-104.5(3)(a), C.R.S. The original Board, appointed in April of 1995, consisted of a minimum of nine members who were appointed by the Governor with the advice and consent of the Senate. The composition of the Board included:

- one licensed school administrator;
- one licensed secondary school teacher;
- one licensed elementary school teacher;
- one level I or level II peace officer currently employed by a law enforcement agency;
- one drug or gang prevention practitioner;
- two public members, one of whom is the parent of a child attending public school in Colorado;
- one licensed school social worker or a licensed mental health professional; and
- one director or coordinator of law-related education programs with expertise in delinquency prevention theory.

The current Board appointed as of May 2, 1998 consists of six board members. Currently, there are three vacancies:

Law-Related Education Advisory Board

- Social Worker (Family Resource Center)
- Police Sergeant (Patrol Division, Denver Police Department)
- College Professor/Researcher (University of Colorado)
- Director, Juvenile Diversion (Denver District Attorney's Office)
- Secondary School Teacher (Adams Co. Schools District 12)
- Public Member

Members of the Board serve three-year terms with a maximum of two consecutive terms. Expertise in law-related education or delinquency prevention is a requirement of all education and law-related professionals on the Board.

The Board was created to study, develop, and make recommendations to the State Board of Education regarding guidelines to assist school districts in the implementation of law-related education programs. Furthermore, the Board may suggest topics for instruction, texts, and other instructional materials; recommend age-specific training program guidelines for instructors; evaluate existing law-related education programs currently being utilized; recommend allocation of grants to specific school districts to implement law-related education programs; and determine methods to measure the effectiveness of a law-related education program.

Meetings and Expenditures

Board members do not receive compensation for their participation other than reimbursement for actual expenses incurred. Funding for reimbursing Board members comes from State Comprehensive Health Education funding.

Although there is no statutory minimum on the number of meetings this Board is to hold per year, the Board has met 16 times from June 1995 through June 1998, including four all-day work sessions. In total, it has incurred \$3,948.71 in travel, supply, lunch, conference and seminar registration, photocopying and postage expenses. The reproduction and postage expenditures for the *Recommended Guidelines for the Implementation of Effective Law-Related Education Programs* totaled an additional \$4000. The table on the following page shows the meeting schedule with the numbers of attendees.

Law-Related Education Advisory Board

BOARD MEETINGS AND EXPENDITURES

DATE OF MEETING	TYPE	MEMBERS	STAFF
June 27, 1995	regular	8	2
July 25, 1995	all-day work session	6	3
September 8, 1995	regular	7	1
October 27, 1995	regular	6	3
December 8, 1995	regular	4	1
January 26, 1996	regular	5	1
March 8, 1996	regular	4	2
May 3, 1996	regular	5	3
June 19, 1996	all-day work session	7	2
September 27, 1996	regular	5	1
November 15, 1996	regular	5	2
January 17, 1997	regular	5	1
March 17, 1997	regular	5	1
April 18, 1997	regular	3	1
September 26, 1997	all-day work session	7	1
February 20, 1998	regular	7	1
June 24, 1998	all-day work session	6	1
September 16, 1998	all-day work session	6	1

Advisory Board Accomplishments

The primary mandate of the Board is to develop guidelines to assist school districts in the implementation of effective, comprehensive law-related education programs. The Board has performed an admirable job in fulfilling its mandate. Following is a list of Board accomplishments:

- Created a vision that would guide the Board in establishing outcomes and achieving tasks as stated in statute.

Board members were assigned the task of submitting a resource list from their knowledge base and experience and collecting any previously published guidelines for Law-Related Education (LRE) from known resources. Staff compiled a partial list and submitted a draft to the Board.

Law-Related Education Advisory Board

- Developed the Recommended Guidelines for the Implementation of Effective Law-Related Education Programs.

This resource provides the research, rationale, and classroom applications for the following guidelines:

- *Outside resource persons need to be properly prepared for the LRE classroom.*
 - *Use cooperative learning teaching strategies that foster interaction and joint work among students.*
 - *Select and prevent judicious and illustrative materials.*
 - *Provide quality instruction in terms of mastery learning, proactive classroom management, maximizing time on task, and cooperative team learning.*
 - *Teachers and/or instructors have access to and utilize localized, professional peer support (through association with others teaching LRE, in the same building or district).*
 - *Building administrators' involvement is essential in supporting LRE goals.*
- Established “Law-Related Education Training Guidelines” for persons responsible for implementing and teaching LRE (such as higher education teachers, school district personnel, and instructors in non-school based facilities).
 - Prepared a form to inventory and evaluate available LRE programs in Colorado.
 - Developed a database of LRE Resources.

Included recommendations on methods and procedures for evaluation, library information, list of agencies doing LRE, list of activities in LRE, and Internet resources.

Law-Related Education Advisory Board

Analysis and Recommendation

The Board is comprised of individuals who are committed to the implementation of law-related education in schools throughout Colorado. Board members have consistently met during the past three years to accomplish their statutorily prescribed responsibilities. They have convened all-day work sessions and met several times a year.

The Board functions more as a task force and policy-making entity instead of an advisory board because of the nature of its prescribed responsibilities. The Board has successfully developed the resource guide: *Recommended Guidelines for the Implementation of Effective Law-Related Education Programs*. In addition, they established training guidelines for implementing and teaching law-related education classes and prepared an inventory to evaluate available LRE programs in Colorado. The Board issued lists of available resources to assist schools in accessing curriculum material.

The Board plans to hold several more meetings within the next several months to complete all of its statutory responsibilities by June 30, 1999. They propose to have all final recommendations submitted to the State Board of Education by January 1999 to give the State Board several months to review and adopt the recommendations.

Even though the Board's responsibilities will be fulfilled, the law-related education program continues to exist within the framework of the Comprehensive Health Education Program. An alternative to continuation of the Board would be for the Prevention Initiatives Unit to appoint ad-hoc committees. If called upon to advise, these special committees could be valuable resources for decision-making and recommendations and assist in the implementation of law-related education in Colorado schools.

Recommendation: *The Department of Regulatory Agencies recommends that the General Assembly sunset the Law-Related Education Advisory Board. It is the conclusion of this review that the Law-Related Education Advisory Board has fulfilled the mission given to it by the General Assembly and is no longer needed.*

Fire Safety Advisory Board

Creation, Mission and Composition

When the Colorado Firefighter Voluntary Certification Program (Program) was originally enacted on June 21, 1979, it was located within the Department of Local Affairs. The Division of Fire Safety (DFS) was created within the Department of Public Safety on July 1, 1984. At that time, the certification program was transferred from the Department of Local Affairs to the Division of Fire Safety. On December 31, 1985, the State Board of Community Colleges terminated its fire service training program and the position of Fire Service Training Director. The fire service training program was transferred to the Division of Fire Safety effective July 1, 1986.

The purpose of the certification program is to measure the level of knowledge, skills, and abilities possessed by firefighters and first responders to affirm that these individuals meet nationally recognized standards. The competency based standards assist in evaluating training programs and in promoting uniformity in firefighter and first responder training.

The Program is voluntary in the sense that there is no statutory requirement that firefighters become certified. Nevertheless, a number of fire departments in the state require state certification as a condition of employment and/or promotion within their agency. The certification program allows for the evaluation of the proficiency of firefighters and first responders, irrespective of their department affiliation and regardless of whether they are paid or volunteer.

Section 24-33.5-1205, C.R.S., creates the Fire Safety Advisory Board (Board) whose purpose is to:

- establish a fire service education and training program;
- set minimum standards for training and certification;
- establish procedures for determining whether firefighters and first responders meet these minimum standards; and
- certify applicants who meet the established minimum standards.

The Board is comprised of nine members appointed by the Governor, as follows:

- one representing the Colorado State Fire Chiefs Association
 - one representing the Colorado Fire Training Officers Association
 - one representing the Colorado Professional Fire Fighters Association
 - one representing the certified first responders in the state
 - one representing the property and casualty insurance industry
-

Fire Safety Advisory Board

Of the following four additional members, one must also be a representative of the Colorado State Fire Fighters Association, and one a representative of the Colorado State Fire Marshal's Association:

- one from a municipality with a population of 5,000 or more
- one from a municipality with a population of less than 5,000
- one from a fire protection district with a population of 5,000 or more
- one from a fire protection district with a population of less than 5,000

Members serve four year terms. If appointees vacate their position during their term, the Governor fills the vacant position for the remainder of the term. There are currently four vacant positions on the Board. Members receive no compensation other than actual expenses that are incurred in the performance of their duties.

The Board has the following duties relating to both the Firefighter Certification Program and the first responder program:

- issue a certificate to any firefighter or applicant who presents evidence that the minimum standards have been fulfilled;
- certify firefighters or applicants or withhold or revoke certification provided for in the rules and regulations;
- establish fees for the administration of the program; and
- establish procedures for determining whether an applicant meets established standards.

The Board has the following duties relating to both the Firefighter Certification Program and the fire service training program:

- reestablish a fire service education and training program, defining minimum standards for training and instructors;
 - ensure that the quality and uniformity of the program is adequate to provide minimum training standards and to meet the requirements for volunteer firefighters; and
 - provide each Colorado fire department with firefighter certification lesson plans, upon request, to ensure the quality and uniformity of such programs.
-

Fire Safety Advisory Board

The Board has the following duties relating to the fire service education and training program:

- maintain a current list of Colorado's fire service education and training programs;
- compile an annual catalog of all scheduled fire service education and training classes, programs, conferences, seminars, and other related programs available in the state; and
- establish fees for the administration of the program.

Since 1970, the International Fire Service Training Association (IFSTA) manuals have been the standard for the service training program. The Board has established the IFSTA training manuals, IFSTA Instructor lesson plans, and curriculum packages as the minimum curriculum used for state certification.

Meetings and Expenditures

Although there is no statutory minimum on the number of meetings which the Board is to hold per year, the Board has met twenty-five times since January 1995. The table below illustrates the attendance of the Board members from January 1995 through September 1998.

Board Member Attendance							
	1995	1996	1997	1998			
<i>Total Meetings</i>	7	10	5	3			
1-25-95	6						
3-1-95	5						
3-15-95	5						
4-19-95	6						
6-7-95	9						
7-6-95	7						
12-13-95	5						
1-24-96					9		
2-28-96		8					
4-10-96		9					
5-22-96		7					
6-18-96		7					
7-31-96		7					
8-21-96		6					
9-4-96		7					
10-23-96		6					
11-20-96		7					
2-21-97			4				
4-18-97			7				
6-18-97			7				
8-15-97			6				
11-12-97		4					
1-16-98				5			
*3-27-98				3			
*5-21-98				4			
□7-24-98				5			
□8-21-98				4			
□9-25-98				3			

* one vacancy on the Board.

□ four vacancies on the Board

Fire Safety Advisory Board

For fiscal years 1996, 1997, and 1998, the Board incurred expenses of \$2,888.47, \$5,407.05, and \$3,892.03, respectively. A total of \$12,187.55 was spent for travel, per diem, reproduction, office supplies, postage and official function costs.

Board Accomplishments

A significant responsibility of the Board as stated in §24-33.5-1205, C.R.S., is to establish voluntary firefighter and first responder certification. During 1995, the Board adopted new rules and regulations for these certification programs and recommended significant programmatic changes. These changes led to national accreditation of the Colorado Voluntary Firefighter Certification Program by the International Fire Service Accreditation Congress (IFSAC) effective September 15, 1995. Prior to September 1995, the Board accomplished the following:

- approved three Accredited Academies and assigned Board members to conduct site visits;
- changed the firefighter and first responder examination methodology from section testing to entire examination testing; raised the standard for a passing score on the examinations;
- granted First Responder program acceptance to four programs; and
- approved a fee structure for Accredited Academy Agreement.

Pursuant to §24-33.5-1205(1)(d), C.R.S., the Board is authorized to certify firefighters. The following chart illustrates the firefighter certification activity from January 1996 to April 1998. The examination was given to 4,636 firefighters and subsequently 2,471 firefighters were certified.

1996	Exams Given	Certified	1997	Exams Given	Certified	1998	Exams Given	Certified
January	113	58	January	248	108	January	161	94
February	120	75	February	137	87	February	125	65
March	96	54	March	88	34	March	108	51
April	75	34	April	126	41	April	245	155
May	138	82	May	305	177	May	159	99
June	92	45	June	206	64	June	283	182
July	106	64	July	225	119	July	227	158
August	146	88	August	120	52	August	119	44
September	49	18	September	123	53			
October	50	26	October	71	41			
November	159	98	November	170	88			
December	95	52	December	136	65			
TOTAL	1239	694	TOTAL	1970	929	TOTAL	1,427	848

Fire Safety Advisory Board

Other Board accomplishments include:

1996

- creating a mission statement for the Board;
- reinstating expired firefighter certifications for a Fire Protection District;
- approving CFTOA's "Educational Method for Fire Officers" to be an acceptable prerequisite course for Fire Instructor I certification;
- considering the National Registry EMS First Responder exams as an option for state certification;
- approving rules as proposed during the public hearing; and
- approving certification reinstatement for three firefighters.

1997

- adopting "Written Examination Proctor Guidelines" prepared by a Board member;
- improving definition of office policy regarding certification paperwork and administration;
- completing EMS First Responder program application packet; and
- increasing number of certification exams given (67% increase over 1996).

1998

- reviewing Firefighter Certification Survey results regarding participation in the State Certification Program;
 - reviewing the State's role in providing certification of local fire service personnel, mandatory certification of firefighters, quality of the written and practical certification examinations, and fees assessed;
 - examining the DFS's responsiveness to certification issues; and
 - exploring a certification level that more closely addresses the needs of rural firefighters.
-

Analysis and Recommendations

The Fire Safety Advisory Board was created to advise the Director of the Division of Fire Safety on the administration of the voluntary certification programs for firefighters and EMS first responders, and the fire service education and training program. However, many of the duties outlined in the statute for the Board are actually carried out by the DFS staff.

In conjunction with the DFS, the Board has performed many of the functions for which it was created. It has established a fire service education and training program defining minimum standards for training and instructors. The Board conducted an examination of DFS's responsiveness to certification issues. In addition, the Board reviewed the State's role in providing training to local fire service personnel. The Board also discussed the advantages and disadvantages of mandatory certification of firefighters, the quality of examinations, and the cost of fees assessed. The Board continues to address the issue of a modified certification level specifically for the needs of rural firefighters.

Recommendation 1: *The Department of Regulatory Agencies recommends that the General Assembly continue the Fire Safety Advisory Board.*

The Board is a valuable resource for decision-making because it brings a wide variety of knowledge to the DFS. Given the technical complexities of the fire service profession, as well as the diverse makeup of the Colorado fire service, it is appropriate that those practicing in the field provide input into the program. Without an advisory board, there is concern that the state agency would develop requirements without the input from the fire service community.

Recommendation 2: *Modify the composition of the Board to better represent Colorado fire service and the customers served by the firefighter certification and training program.*

An advisory board that is truly representative of the customers who are served by the program could provide invaluable insight into programmatic needs. However, the current composition of the Board does not afford the nature and degree of representation that is indicated and necessary for program success. The primary problem with the current composition of the Board are those positions with no defined constituency, i.e. those positions based on department type (district versus city) and size (under/over 5,000) and the "representative of the certified first responders in the state."

Fire Safety Advisory Board

The following table illustrates the present composition of the Board, the proposed composition and the rationale for the change.

Current Advisory Board Composition (§24-33.5-1204, C.R.S.)	Proposed Advisory Board Composition	Rationale for Change
The Governor, taking into consideration the broadest possible geographic areas, shall appoint fire chiefs or persons experienced in fire service training from each of the following:	The advisory board shall be composed of seven members appointed by the governor, one of whom shall represent each of the following organizations:	The current makeup of the advisory board does not afford the nature and degree of representation that is indicated and necessary for program success.
Colorado State Fire Chiefs Association	Colorado State Fire Chiefs Association	No Change
Colorado Fire Training Officers Association	Colorado Fire Training Officers Association	No Change
Colorado Professional Fire Fighters Association	Colorado Professional Fire Fighters Association	No Change
Certified First Responders in the State	Colorado State Fire Fighters Association Note: The Association would become one of the "core" members of the board instead of a "shall also be a member of" positions.	The "representative of the certified first responders in the state" has no defined constituency from which to provide meaningful input. In order to ensure the needs of the EMS community are addressed, particularly as it relates to linkages to EMT programs, Ex-officio representation from the EMS Division is recommended.
Property and Casualty Insurance Industry	Property and Casualty Insurance Industry	No Change
Of the following four members, one must also be a representative of the Colorado State Fire Fighters Association, and one a representative of the Colorado State Fire Marshal's Association:	Of the remaining members of the advisory board, one shall be a fire chief or training officer:	The Colorado State Fire Marshal's Association has never been represented on the advisory board by an active member of the Association; the fire marshals are impacted by few, if any certification levels; and the fire marshals can be readily represented by the Colorado State Fire Chiefs Association.
From a municipality with a population of 5,000 or more	From a volunteer fire department participating in the certification program	Positions based on department type and size (under/over 5,000 population) have no defined constituency from which to provide meaningful input. Further, it is extremely difficult to retain Board members from communities with populations under 5,000 persons. Instead, it is recommended that a fire chief or training officer from a career and a volunteer fire department be represented. The need for small community representation can be addressed by the requirement that at least two members shall be from communities with a resident population of 15,000 persons or less.
From a municipality with a population of less than 5,000	From a career fire department participating in the certification program	
From a fire protection district with a population of 5,000 or more	The advisory board shall be geographically apportioned and at least two members shall be from communities with a resident population of 15,000 persons or less.	
From a fire protection district with a population of less than 5,000		
	Ex-officio members, who shall have no vote, shall be the:	
	President of the Colorado Community College and Occupational Education System (or designee).	In order to ensure linkages to the Fire Service Training Programs in Community Colleges.
	Director of the Emergency Medical Services and Prevention Division of the Department of Public Health and Environment (or designee).	In order to ensure linkages to the EMS community.

Fire Safety Advisory Board

The following revised statute reflects the recommended changes to the composition of the Board:

§24-33.5-1204 (2) The advisory board shall be composed of seven members appointed by the governor, one of whom shall represent each of the following organizations: the Colorado state fire fighters association, the Colorado state fire chiefs association; the Colorado fire training officers association; and the Colorado professional fire fighters association. Of the remaining members of the advisory board, one shall be a fire chief or training officer from a volunteer fire department participating in the certification program, one shall be a fire chief or training officer from a career fire department participating in the certification program, and one shall be a representative of the property and casualty insurance industry. The advisory board shall be geographically apportioned and at least two members shall be from communities with a resident population of 15,000 persons or less. The governor shall appoint all members for terms of four years each. If any appointee vacates his or her office during the term for which appointed to the advisory board, the vacancy shall be filled by appointment by the governor for the unexpired term. The advisory board shall annually elect from its members a chairperson and a secretary. Ex officio members, who shall have no vote, shall be the president of the Colorado Community College and Occupational Education System and the director of the emergency medical services and prevention division of the department of public health and environment, or their respective designees.

Recommendation 3: *Distinguish the various training and certification duties and responsibilities of the Director of the Division of Fire Safety from the Fire Safety Advisory Board to better reflect duties actually performed.*

The Board was originally created to advise the Director of the Division of Fire Safety on the administration of the fire service education and training programs and the certification programs [see §24-33.5-1206, C.R.S.]. However, the statute authorizes the Board to certify firefighters and first responders, issue certificates, and withhold or revoke certification. These functions are administrative and should be performed by DFS staff in accordance with rules adopted by the Director, with the advice of the Board, in accordance with the Administrative Procedures Act.

In addition, the Board is authorized to maintain a current list of Colorado's fire service education and training programs and compile a comprehensive annual catalog of all scheduled programs, conferences, and seminars. Neither the Board nor the Division is able to perform these responsibilities due to impracticality and lack of resources. Furthermore, there is no corresponding duty for others to provide the information needed to compile this catalogue; thus it would be of little use.

The following amended statute more appropriately reflects the administrative authority of the Director and the advisory capacity of the Board.

Fire Safety Advisory Board

24-33.5-1204. Voluntary education and training program – voluntary certification of firefighters – advisory board – legislative declaration.

(1) For the purposes of ADVISING THE DIRECTOR ON THE ADMINISTRATION OF THE ~~recreating a voluntary~~ fire service education and training program ~~within the division of fire safety and for the purpose of administering~~ AND THE voluntary firefighter and first responder certification programs, there is hereby created in the division of fire ~~safety a nine member~~ AN advisory board to the director, to be known as the fire ~~safety~~ SERVICE TRAINING AND CERTIFICATION advisory board and referred to in this part 12 as the “advisory board.”

Duties of the Director (Change to §24-33.5-1205, C.R.S.). The Director of the Division of Fire Safety has the following duties relating to the firefighter and first responder certification programs, and the fire service education and training program:

- (a) to establish a fire service education and training program, setting forth minimum standards for training and instructors;
 - (b) to establish voluntary standards for the firefighter and first responder certification programs and procedures for determining whether a firefighter or applicant for first responder certification meets the established standards;
 - (c) to certify firefighters and applicants for first responder certification or withhold or revoke certification in the manner provided for by rules and regulations adopted by the director pursuant to the provisions of article 4 of this title;
 - (d) to issue a certificate to any firefighter who presents evidence that the minimum standards for certification have been met and to issue a certificate in the first responder program to any applicant who presents evidence that the minimum standards of the first responder program have been met;
 - (e) to establish fees for the direct and indirect costs of the administration of the firefighter and first responder certification programs, which fees shall be assessed against any person participating in the programs, and all fees collected shall be credited to the firefighter and first responder certification fund created in section 24-33.5-1207; and
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Fire Safety Advisory Board

(f) to establish fees for the direct and indirect costs of the administration of the fire service education and training program, which fees shall be assessed against any person participating in the fire service education and training program pursuant to the provisions of this section, and all fees collected shall be credited to the fire service education and training fund created in section 24-33.5-1207.5.

Duties of the Advisory Board (Change to §24-33.5-1205, C.R.S.). The advisory board has the following duties relating to the firefighter and first responder certification programs, and the fire service education and training program:

(a) to advise the director on the establishment of rules and regulations enacting voluntary standards for the certification of firefighters and procedures for determining whether a firefighter meets the established standards;

(b) to advise the director on the establishment of rules and regulations enacting voluntary standards for the certification of first responders and procedures for determining if an applicant meets the established standards;

(c) to advise the director on the establishment of rules and regulations enacting voluntary standards for fire service education and training and the qualification of instructors, and procedures to ensure that the quality and uniformity of the program is adequate to meet the minimum training requirements for volunteer firefighters in section 31-30-1122, C.R.S.;

(d) to advise the director on the establishment of fees for the direct and indirect costs of the administration of the firefighter and first responder certification programs, which fees shall be assessed against any person participating in the programs, and all fees collected shall be credited to the firefighter and first responder certification fund created in section 24-33.5-1207, C.R.S., and

(e) to advise the director on the establishment of fees for the direct and indirect costs of the administration of the fire service education and training program, which fees shall be assessed against any person participating in the program, and all fees collected shall be credited to the fire service education and training fund created in section 24-33.5-1207.5, C.R.S.

Fire Safety Advisory Board

Recommendation 4: Change Board compensation provision and frequency of meetings.

The Board incurred a total of \$12,187 reimbursable expenses from January 1995 through May 1998 for 25 meetings. These costs are disproportionate to other boards reviewed in 1998. The Natural Areas Advisory Council incurred \$3,307.20 in expenses for the past 2 ½ years for 8 meetings and the Law-Related Education Advisory Board incurred \$3,948 for 17 meetings in 3 years.

A majority of the Fire Safety Advisory Board expenses are for transportation costs; personal vehicle reimbursement, common carrier fares, and out-of-state travel. Each year a Board member attends the International Fire Service Accreditation Conference. Perhaps a DFS staff member would be a more appropriate representative sent to this conference.

The reduction in the Board membership and in the frequency of meetings will result in a cost savings to the DFS. This change will also clarify that reimbursement is for necessary travel and other expenses. It establishes quarterly meetings and authorizes the Chairperson or Director to determine if additional meetings are needed.

The amended language should read as follows:

24-33.5-1204. Voluntary education and training program - voluntary certification of firefighters - advisory board - legislative declaration.

- (3) The members of the advisory board shall receive no compensation but shall be reimbursed for ~~all actual~~ and necessary TRAVEL AND OTHER expenses incurred in the performance of their official duties. The expenses shall be paid from the firefighter and first responder certification fund created in section 24-33.5-1207. THE ADVISORY BOARD SHALL MEET QUARTERLY OR MORE FREQUENTLY IF DETERMINED NECESSARY BY THE CHAIR OR THE DIRECTOR.

Recommendation 5: Change the name of the Board to Fire Service Training and Certification and Advisory Board.

This change will better reflect the purpose of the Board.

Appendix A - Colorado Natural Areas Advisory Council Statute

33-33-106. Colorado natural areas council. (1) There is hereby created the Colorado natural areas council as an advisory council to the board. The council shall advise the board on the administration of the program and shall approve the registry and recommend the designation of natural areas by the board.

(2) The council shall consist of the following seven members: One member each from the membership of the board, the wildlife commission, and the state board of land commissioners appointed by their respective boards or commissions, who shall serve for three-year terms; and four members appointed by the governor, who shall be individuals with a substantial interest in the preservation of natural areas and who shall serve for four-year terms.

(3) Vacancies shall be filled in the same manner as original appointments for the balance of the unexpired term. All members of the council shall be residents of the state of Colorado, and no member appointed by the governor shall serve longer than two successive terms.

(4) The council shall, by majority vote of all members, elect its chairman from among the members appointed by the governor. A simple majority of the council membership shall constitute a quorum for the transaction of business.

(5) Members of the council shall receive no compensation for their service on the council but shall be reimbursed for necessary expenses incurred in the performance of their duties.

(6) The council shall hold at least one regular meeting in each quarter of each calendar year and shall keep a record of its proceedings, which shall be open to the public for inspection. Special meetings may be called by the chairman and shall be called by him upon written request therefor signed by two or more members. A written notice of the time and place of each meeting shall be sent to each member.

(7) Any person who was a member of the Colorado natural areas council on January 1, 1988, shall continue to serve for the remainder of the term to which he was appointed.

33-33-107. Responsibilities of the council. (1) The council shall have the following responsibilities:

(a) To establish procedures for the conduct of council business;

(b) To review the inventory and to approve the registry;

(c) To review and make recommendations on the board's criteria for and selection of natural areas to be included in the registry and the system; except that no area shall be included in the registry without permission of the owner of the land;

(d) To advise the board of the promulgation of rules for the registry and for the designation, management, protection, and use of designated natural areas;

(e) To seek and recommend the designation of natural areas by the board as part of the system, as provided in section 33-33-108;

(f) To review and make recommendations regarding scientific research, educational use, interpretive programs, and public information pertaining to designated natural areas;

(g) To review and make recommendations regarding the negotiation and enforcement of the articles of a designated natural area;

(h) To advise the board on the disbursement of funds for the purposes of this article; and

(i) To review and make recommendations on board reports made to the governor on the status of the program.

Appendix B - Continuing Education Requirement Advisory Committee Statute

10-2-301. Continuing education requirement - advisory committee. (1) Producers not exempt from the requirements of this section shall satisfactorily complete up to twenty-four hours of instruction by attending such courses or programs of instruction as may be approved by the commissioner. The insurance commissioner may adopt rules and regulations concerning testing requirements as a part of the certified continuing education coursework. The required hours of instruction shall be completed within twenty-four months after the date the producer's license is required to be renewed, beginning with renewal dates on or after January 1, 1993, but applying to all subsequent years. If a producer has more than one license to sell insurance in this state, the required hours of instruction shall be completed within twenty-four months after the date the first such license is required to be renewed. For good cause shown, the commissioner may grant an extension of time within which to comply with the requirements of this section, such extension not to exceed an additional one year. An instructor of an approved course of instruction shall qualify for the same number of hours of continuing education as a person attending and successfully completing the course or program, but no instructor shall receive credit more than once for a course or program given more than once during the twenty-four-month period described in this subsection (1).

(2) Any producer who is subject to the requirements of this section shall furnish in a form satisfactory to the commissioner written proof of compliance with the requirements of this section. The requirements of this section are mandatory for any person specified in subsection (3) (a) of this section, and if any such person holds more than one license which is described in subsection (3) of this section, such person shall be required to complete the hours of instruction required under this section only once. For purposes of this section, the term "person" shall include any holder of a license to sell insurance under the laws of this state.

(3) (a) The requirements of this section shall apply to any resident or nonresident person licensed to solicit and sell the following types of insurance in this state: Life insurance and annuity contracts, including variable life and annuity contracts; sickness, accident and health insurance; property and casualty insurance; and any other type of insurance for which the state requires an examination for licensure.

(b) This section shall not apply to any person holding a limited or restricted license which the commissioner determines to be exempt from the requirements of this section, nor shall it apply to a nonresident who complies with the continuing education requirements of his or her state of residence, if the insurance commission of such state and the insurance division of this state have in effect a reciprocity agreement concerning continuing education requirements.

(4) Written certification of any course of instruction completed shall be executed by or on behalf of the sponsoring organization, in a form satisfactory to the commissioner.

(5) Any person who fails to comply with the requirements of this section, or is found after a hearing before the division to have submitted a false or fraudulent certificate of compliance to the commissioner, shall have his or her license suspended until such person satisfactorily demonstrates to the commissioner that all of the requirements of this section, and any other applicable licensing requirement or other statute, has been met.

(6) (a) The commissioner shall be responsible for administering the continuing insurance education requirements under this article and the continuing education requirements under article 7 of title 12, C.R.S., and approving courses of instruction which qualify for such purposes. The commissioner shall promulgate such rules and regulations as the commissioner deems necessary to administer such continuing education requirements, including the provisions and requirements of this section. The commissioner shall also promulgate regulations requiring that producers and bail bonding agents licensed under article 7 of title 12, C.R.S., be required to provide to a continuing education administrator proof of compliance with the continuing education requirements as a condition of license renewal. For persons licensed pursuant to section 10-11-116 (1) (c), compliance with the continuing legal education credits requirements of the Colorado supreme court shall be deemed to meet the requirements of this section.

(b) The position of continuing education administrator shall be established by the commissioner either within the division of insurance or through a contractual arrangement with an outside service provider. All costs of such administrator shall be paid from continuing insurance education fees paid by producers in the manner provided by this section. In no event may the commissioner delegate course approval responsibilities to the continuing education administrator.

(c) Each producer and bail bonding agent licensed under article 7 of title 12, C.R.S., shall be responsible for paying to the continuing education administrator a reasonable biennial fee for the operation of the continuing education programs, which fee shall be used to administer the provisions of this section.

(6.5) (a) Continuing education course instruction, content, outline, and course providers are subject to initial approval by the commissioner and, at the discretion of the commissioner, are subject to periodic review for continuation.

(b) If, upon review, the commissioner determines that a continuing education course or program is not in compliance with all applicable standards, as set forth by rule, the commissioner may order the course or program to be discontinued or revoke approval of the course provider, or both.

(7) (a) There is hereby established an advisory committee to the commissioner for the purpose of making recommendations to the commissioner concerning the basic requirements for continuing education and the standards for qualifying courses and programs for certification in the areas of property and casualty, life, and accident and health insurance as required pursuant to the provisions of this section. The advisory committee shall consist of not less than seven members to be appointed by the commissioner. Three members shall be representatives from the property and casualty insurance industry. Two members shall be representatives from the life and accident and health insurance industry. Two members shall be consumers. Members of the advisory committee shall serve on a voluntary basis and shall serve without compensation.

(b) (I) This subsection (7) is repealed, effective July 1, 1999.

(II) Prior to such repeal, the advisory committee shall be reviewed as provided in section 2-3-1203, C.R.S.

Appendix C - Law-Related Education Advisory Board

22-25-104.5. Law-related education program - creation - repeal. (1) (a) There is hereby created, within the Colorado department of education prevention initiatives unit, the Colorado law-related education program for the purpose of promoting behavior which will reduce the incidence of gang or other antisocial behavior and substance abuse by students in the public schools through education.

(b) Under the program, each school district in the state is strongly encouraged to implement a law-related education program pursuant to the requirements of this article, which program shall specifically address the development of resistance to antisocial gang behavior and substance abuse without compromising academics.

(2) (a) A law-related education program implemented by a school district may be designed to promote responsible citizenship and reduce antisocial behavior without compromising academics. Specific grade levels should be determined by school districts based on local curricular frameworks and review of what is known about existing and promising programs. All topics addressed in such law-related education program shall be taught in a manner which is appropriate for the ages of the students to be instructed.

(b) The topics for instruction in a law-related education program implemented by a school district may include, but need not be limited to, the following:

- (I) The rights and responsibilities of citizenship;
- (II) The foundations and principles of American constitutional democracy;
- (III) The role of law in American society;
- (IV) The organization and purpose of legal and political systems;
- (V) The disposition to abide by law;
- (VI) The opportunities for responsible participation;
- (VII) The alternative dispute resolution approach including mediation and conflict resolution.

(c) Schools are encouraged to seek the cooperation of and use the expertise of available state and local law-related education programs such as the Drug Abuse Resistance Education (D.A.R.E.) program.

(3) (a) There is hereby created, within the department of education prevention initiatives unit, the law-related education advisory board which board shall consist of a minimum of nine members appointed by the governor, with the consent of the senate. Members of the board shall be appointed for terms of three years, and no person shall be appointed to serve more than two consecutive terms. Expertise in law-related education or delinquency prevention is a requirement of all education and law-related professionals on the board.

(b) (I) One member of the board shall be a licensed school administrator.

(II) One member of the board shall be a licensed elementary school teacher.

(III) One member of the board shall be a licensed secondary school teacher.

(IV) One member of the board shall be a level I or level Ia peace officer as defined in section 18-1-901

(3) (I), C.R.S., who is currently employed by a law enforcement agency.

(V) One member of the board shall be a drug or gang prevention practitioner.

(VI) Two members of the board shall be members of the general public who are not licensed teachers, licensed administrators, police officers, or active members of an existing community drug or gang education program, one of whom is the parent of a child currently attending public school in Colorado.

(VII) One member of the board shall be a licensed school social worker or a licensed mental health professional, the majority of whose practice deals with children or adolescents.

(VIII) One member shall be a director or coordinator of law-related education programs with expertise in delinquency prevention theory and research or implementation of school-based law-related education programs.

(c) Any member of the board may be removed at any time for cause by the governor. If any member of the board vacates his or her office, a vacancy on the board shall exist, and the governor shall fill such vacancy by appointment.

(d) Members of the board shall be reimbursed for their actual and necessary expenses in the performance of their duties pursuant to this article.

(e) The department of education prevention initiatives unit shall provide such office space, equipment, and staff services to the board as is necessary for the board to carry out its powers and duties as set forth in this article.

(f) The term "licensed", as it appears in subparagraphs (I) to (III) of paragraph (b) of this subsection (3), shall include any person certificated pursuant to the provisions of article 60 of this title.

(g) (I) This subsection (3) is repealed, effective July 1, 1999.

(II) Prior to such repeal, the advisory board shall be reviewed as provided in section 2-3-1203, C.R.S.

(4) (a) In addition to any other duties conferred upon the law-related education advisory board, the advisory board shall study, develop, and make recommendations to the state board of education regarding the following:

(I) Guidelines to assist school districts in the implementation of effective, comprehensive law-related education programs;

(II) Suggested topics for instruction;

(III) Suggested texts and other instructional materials;

(IV) Age-specific training program guidelines for instructors and administrators in antisocial gang behavior and substance abuse;

(V) An inventory and evaluation of existing law-related education programs which are currently available in school districts and communities. New collaboratives and approaches should be encouraged following a review of research regarding promising practices and effective programs;

(VI) Allocation of grants to school districts to implement law-related education programs; and

(VII) Methods and procedures by which a law-related education program which may be implemented by a school district is to be measured to determine its effectiveness against the incidence of gang involvement and substance abuse by the students of that school district.

(b) Any recommendations made by the law-related education advisory board pursuant to this subsection (4) shall be carefully considered by the state board of education. The state board of education may refer any recommendation back to the law-related education advisory board with written comments for further review and discussion.

(c) This subsection (4) is repealed, effective July 1, 1999.

(5) (a) The state board shall promulgate guidelines, based upon the recommendations of the law-related education advisory board, to provide grants to and to assist school districts in the implementation of effective, comprehensive law-related education programs addressing gang awareness and substance abuse resistance. The initial version of such guidelines shall be prepared on or before July 1, 1995. Such guidelines shall include, but shall not be limited to, the following:

- (I) Suggested topics for instruction;
- (II) Suggested texts and other instructional materials; and
- (III) The necessary training for instructors.

(b) The state board shall make such guidelines available to all school districts for use in implementing law-related education programs.

(c) The department of education, through the coordinator and staff of the prevention initiatives unit, shall be responsible for implementation, monitoring, and administration of the program and shall maintain certifications and records and act as a statewide clearinghouse for information and assistance for the school district law-related education programs.

(6) (a) All school districts are encouraged to create programs for the training of instructors and administrators in gang awareness and substance abuse resistance education in order to provide effective instruction to students concerning the dangers of gang involvement and substance abuse by the students in the school district.

(b) Upon the request of school district officials, the state board or the law-related education advisory board shall assist school district officials in the preparation of plans for the creation by school districts of training programs for instructors and administrators in gang awareness and substance abuse resistance education.

(7) (a) Each school district may prepare an annual report concerning the progress of the school district in implementing a law-related education program. Such report shall be filed with the state board on or before October 1, 1996, and on or before October 1 of each year thereafter.

(b) Each annual report of a school district prepared pursuant to paragraph (a) of this subsection (7) shall include, but shall not be limited to, an analysis by school district officials of the effect of the law-related education program on the incidence of gang involvement and substance abuse by the students in the school district.

Appendix D - Fire Safety Advisory Board Statute

24-33.5-1204. Voluntary education and training program - voluntary certification of firefighters - advisory board - legislative declaration. (1) For the purposes of recreating a voluntary fire service education and training program within the division of fire safety and for the purpose of administering voluntary firefighter and first responder certification programs, there is hereby created in the division of fire safety a nine-member advisory board to the director, to be known as the fire safety advisory board and referred to in this part 12 as the "advisory board".

(2) The governor, taking into consideration the broadest possible geographic areas, shall appoint fire chiefs or persons experienced in fire service training from each of the following: One from a municipality with a population of five thousand or more; one from a municipality with a population of less than five thousand; one from a fire protection district with a population of five thousand or more; and one from a fire protection district with a population of less than five thousand. Of these four persons, one shall also be a representative of the Colorado state fire fighters association, and one shall also be a representative of the Colorado state fire marshals association. Of the five remaining members, one shall be a representative of the certified first responders in the state; one shall be a representative of the Colorado state fire chiefs association; one shall be a representative of the Colorado fire training officers association; one shall be a representative of the Colorado professional fire fighters association; and one shall be a representative of the property and casualty insurance industry. The governor shall appoint all members for terms of four years each. If any appointee vacates his or her office during the term for which appointed to the advisory board, the vacancy shall be filled by appointment by the governor for the unexpired term. The advisory board shall annually elect from its members a chairperson and a secretary.

(3) The members of the advisory board shall receive no compensation but shall be reimbursed for all actual and necessary expenses incurred in the performance of their official duties. The expenses shall be paid from the firefighter and first responder certification fund created in section 24-33.5-1207.
