

MINUTES OF THE SENATE WAYS AND MEANS COMMITTEE

The meeting was called to order by Chairman Stephen Morris at 10:40 a.m. on January 26, 2004, in Room 123-S of the Capitol.

All members were present except:

~~Senator David Kerr - excused~~
Senator Henry Helgeson - excused
Senator Nick Jordan - excused

Committee staff present:

Alan Conroy, Director, Kansas Legislative Research Department
J. G. Scott, Chief Fiscal Analyst, Kansas Legislative Research Department
Amy Deckard, Kansas Legislative Research Department
Julian Efird, Kansas Legislative Research Department
Susan Kannarr, Kansas Legislative Research Department
Robert Waller, Kansas Legislative Research Department
Jill Wolters, Senior Assistant, Revisor of Statutes
Judy Bromich, Administrative Analyst
Mary Shaw, Committee Secretary

Conferees appearing before the committee:

Barb Hinton, Legislative Post Auditor, Legislative Division of Post Audit
David Lake, Administrator, Board of Emergency Medical Services
John Pinegar, Kansas Legislative Policy Group
David Owen, Homeless Come Home

Others attending:

See Attached List.

Bill Introduction

Senator Downey moved, with a second by Senator Bunten, to introduce a bill concerning legislative post audit; relating to persons subject to audits (1rs1557). Motion carried on a voice vote.

Chairman Morris opened the public hearing on:

SB 306--Repealing K.S.A. 74-8840, certain separate audits of Kansas racing and gaming commission

Staff briefed the committee on the bill.

Chairman Morris welcomed Barb Hinton, Legislative Post Auditor, Legislative Division of Post Audit, who presented testimony in support of **SB 306** (Attachment 1). Ms. Hinton explained that the bill would repeal what her staff and the Legislative Post Audit Committee consider to be an unnecessary requirement for an annual financial-compliance audit of the Racing and Gaming Commission. She listed several reasons why the audit requirement is not needed in her written testimony.

There being no further conferees to come before the committee, the Chairman closed the public hearing on **SB 306**.

Senator Barone moved, with a second by Senator Downey, to recommend **SB 306** favorable for passage and be placed on the Consent Calendar. Motion carried on a roll call vote.

Chairman Morris opened the public hearing on:

SB 312--Emergency medical services board, financing, tax on fire insurance business, extension

CONTINUATION SHEET

MINUTES OF THE SENATE WAYS AND MEANS COMMITTEE at 10:30 a.m. on January 26, 2004, in Room 123-S of the Capitol.

Staff briefed the committee on the bill.

Chairman Morris welcomed David Lake, Administrator, State Board of Emergency Medical Services, who presented testimony in support of **SB 312** (Attachment 2). Mr. Lake emphasized three points in his testimony:

- the importance of professional Fire and Emergency Medical Services to the communities of Kansas
- the numbers show that these two vital community services in most places are working more in concert to provide emergency response and care to the citizens of Kansas
- the 1.25 percent levy on fire insurance premiums currently being collected generates enough money to operate the Fire Marshal's office, the Board of Emergency Medical Services, and the Kansas Fire & Rescue Training Institute overseen by the University of Kansas Division of Continuing Education.

In closing, Mr. Lake asked recognition of the important role that emergency medical services and fire service play in the communities of Kansas and the delivery of emergency medical services has been, and will continue to grow in becoming a major function of fire service. Senator Barone requested information regarding how the EMS services are delivered county by county in the state. Mr. Lake responded that he will provide that information.

Chairman Morris welcomed John Pinegar, representing Kansas Legislative Policy Group (a coalition of over 30 western Kansas counties), presented testimony regarding establishing a permanent funding source for the Board of Emergency Services (Attachment 3). Mr. Pinegar mentioned that as a sidebar, in calendar year 2002, 55 percent of statewide fire calls were medical in nature.

The Chairman recognized David Owen, representing Homeless Come Home. (No written testimony.) Mr. Owen expressed concern about retrieving data regarding the number of homeless people that ambulances transport and often the ambulance companies are not paid.

Senator Downey moved, with a second by Senator Bunten, to recommend SB 312 favorable for passage. Committee discussion followed. Senator Downey withdrew her motion with the approval of Senator Bunten who had made the second to the motion.

Senator Salmans moved, with a second by Senator Barone, to amend SB 312 and remove the sunset. Motion carried on a voice vote. Senator Bunten requested to be recorded as voting "No" on the motion. Senator Bunten expressed concern about the fixed mill levy that provides funding for the State Fire Marshal's Office and the State Board of Emergency Medical Services and that it was raising enough money so that there were dollars left over for the EMS Board to be swept into the State General Fund. His question is concern whether or not the right figure has been determined on the mill levy.

Senator Salmans moved, with a second by Senator Schodorf, to recommend SB 312 favorable for passage as amended. Motion carried on a roll call vote.

The meeting adjourned at 11:50 a.m. The next meeting is scheduled for January 27, 2004.

SENATE WAYS AND MEANS COMMITTEE
GUEST LIST

DATE January 26, 2004

NAME	REPRESENTING
Julie Thomas	DOB
Aaron Dunkel	DOB
Ethan Fridman	DOB
Rd May	Hem Law Firm
Eric Corwin	Herbert Consulting
David Owen	HOMELESS CONC HOUS



LEGISLATURE OF KANSAS
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Testimony for the Senate Ways and Means Committee on SB 306
Barb Hinton, Legislative Post Auditor
January 26, 2004

Mr. Chairman and members of the Committee, thank you for allowing me to appear before you in support of SB 306. This bill would repeal what my staff and the Legislative Post Audit Committee consider to be an unnecessary requirement for an annual financial-compliance audit of the Racing and Gaming Commission. As you may recall, last year SB 6 did the same thing and passed both chambers. However, it was gutted and became the major budget bill, and the repealer language was dropped.

This audit requirement, which costs about \$7,000 a year, is not needed for the following reasons:

- The audit covers only the fiscal operations of the Commission; the tracks and casinos have their own separate audits.
- The risk of fiscal improprieties at the Commission is no greater than at any other State agency.
- The past 6 audits have noted only 2 fiscal concerns: one where a required transfer of moneys between funds was late, and the other where State property listings weren't up-to-date.
- The compliance and control audit work called for by the Legislative Post Audit Act could address these types of financial issues (just as it does for other State agencies). So does the audit work performed periodically by the Division of Accounts and Reports.

At its September 2003 meeting, the Post Audit Committee voted to introduce language repealing the audit requirement, and directed us not to have the audit done for fiscal years 2003 or 2004 in anticipation of this bill's passage.

Although the savings wouldn't be great, there's no reason to continue requiring an annual audit that's not needed. I would urge the Committee to support this bill.

Senate Ways and Means
1-26-04
Attachment 1



K A N S A S

DENNIS ALLIN, M.D., CHAIR
DAVID LAKE, ADMINISTRATOR

BOARD OF EMERGENCY MEDICAL SERVICES

KATHLEEN SEBELIUS, GOVERNOR

memorandum

DATE: January 26, 2004

TO: Senator Stephen Morris, Chair and Members of
The Senate Committee on Ways and Means

FROM: DAVID LAKE, Administrator
State Board of Emergency Medical Services

RE: Senate Bill 312

Mr. Chair and Members of the committee, Thank You for the opportunity to present this testimony in support of SB312. There are three points I hope to make through this testimony. The first I truly believe you all know and understand and that is the importance of professional Fire and Emergency Medical Services to the communities of Kansas. The second is that the numbers show these two vital community services in most places are working more in concert to provide emergency response and care to our citizens. And third, the 1.25% levy on fire insurance premiums currently being collected generates enough money to operate the Fire Marshal's office, the Board of Emergency Medical Services, and the Kansas Fire & Rescue Training Institute overseen by the University of Kansas division of Continuing Education. Additionally, for the last couple of years it has allowed a sizeable sum of money to be transferred to the State General Fund.

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*Senate Ways and Means
1-26-04
Attachment 2*

Two years ago this committee was instrumental in drafting and introducing legislation that provided a source of funding for our agency outside the State General Fund. That source of funding was .25% of fire insurance premiums collected by the State. You may remember this action was not without opposition. However, I believe it was very positive action by State Government in support of our continued effort to provide the citizens of Kansas with quality pre-hospital, Emergency Medical Services.

A part of that bill included a two-year "sunset" provision to be effective at the end of FY2004. While the .25% that was redirected to the Board of EMS was not from the Fire Marshal's Office operating budget, the purpose for the sunset provision was to be sure that the Fire Marshal's office suffered no adverse effects from the redirected funding. Attached to this testimony is a copy of a spread sheet developed by the Division of the Budget showing the funding derived from the total levy on fire insurance premiums, the fire marshal's operating budget, the money proposed to fund the Board of EMS, and the money used for the University of Kansas Fire Service Training Academy. Based on these most recent figures, I believe there is adequate money generated to fund all three initiatives.

Two years ago, opposing testimony was offered that "the money generated by the levy on fire insurance premiums is for fire service and EMS is **not** fire service". I would like to share with you some statistics about these two most valuable services and the mutual, shared-role they play in the safety and well-being of the citizens of Kansas.

In CY2001, Fire Departments in our State reported to the State Fire Marshal's Office a total call volume of 152,349. Of those calls, 17,424 (11%) were fire Calls; 10,737 (7%) were hazardous materials calls; and **84,296 (55%) were medical calls**. The remainder, or 39,893 (26%) were reported as "miscellaneous other calls".

In our State, there are 177 licensed ambulance services. In CY2002, those services responded to a total 245,057 calls; 183,948 were emergency calls, 61,109 were

reported as non-emergency calls, and a total of 175,973 patients were transported. Twenty-six of that 177 are identified as "fire-based" services or ambulance services operated by a Fire Department. I have included a listing of those services and their EMS response statistics. EMS response accounts for nearly 80% of those departments' total call volume.

It is obvious from these numbers that a large number of EMS calls are being responded to and patient care initiated by fire departments that are not the licensed ambulance service in the community. Most, if not all, of the larger fire departments in Kansas require their firefighters to be certified attendants. I believe this is very admirable and, as stated earlier, the citizens of Kansas are the true beneficiaries.

At present, the fees collected by our agency and the .25% generate more money than we are currently authorized to spend. For the past two years, a portion of those additional funds have been transferred back into the State General Fund. In the future, however, it is our hope to be able to utilize at least a portion of those funds for the continued improvement of statewide EMS through the implementation of a statewide data collection system. To have any real impact on injury prevention, public education, attendant education and training, accident and illness trends and treatment; we need to be gathering data with regard to patient care, actual patient care and treatment, and trends in illness and injury; not just administrative numbers.

In closing, I ask that you please recognize the important role that emergency medical services and fire service play in the communities of Kansas and also that the delivery of emergency medical services has been, and will continue to grow in becoming a major function of fire service. Please act favorably in support of SB312. I will be glad to respond to any questions, comments or concerns you may have with this proposed legislation.

FY 2005 Anticipated Fire Insurance Premium Receipts			
\$5,208,000			
EMS (Receives .25% of Premiums)		Fire Marshal (Receives 1.00% of Premiums)	
Beginning Balance	\$815,108	Beginning Balance	\$1,833,953
Fire Insurance Receipts	\$1,041,600	Fire Insurance Receipts	\$4,166,400
Agency Fee Receipts & Transfers In	\$275,170	Agency Fee Receipts & Transfers In	\$33,050
Total Available	\$2,131,878	Total Available	\$6,033,403
Total Expenditures	\$959,301	Total Expenditures	\$3,147,865
Transfers Out		Transfers Out	
Revenue Sweep to SGF	\$1,000,000	Revenue Sweep to SGF	\$500,000
SGF BEST Transfer	\$5,640	Transfer to HazMat Fund	\$343,782
		Transfer to KU Fire Service Training Fund	\$750,000
		SGF BEST Transfer	\$20,097
Total	\$1,005,640	Total	\$1,613,879
Ending Balance	\$166,937	Ending Balance	\$1,271,659

The FY 2005 Governor's Recommendations for the Board of Emergency Medical Services and the State Fire Marshal are funded through available resources. The Governor's Recommendations also provide for additional revenue transfers from their respective fee funds.

Kansas Board of Emergency Medical Services

Program name: prog#582.ace

File name: out_call_vol

Report date: Jan. 21, 2004

Report time: 14:25:45

Calendar year ending: 12/31/2002

By: Joseph E. Moreland III

Call volume count sorted alphabetically.

Service name	Emergency	Non	Total	Trans
ALLEN COUNTY AMBULANCE SERVICE	712	849	1,561	1,232
ARKANSAS CITY FIRE EMS DEPT	1,455	72	1,527	1,023
BOEING FIRE DEPARTMENT	281	18	299	20
BUHLER AMBULANCE SERVICE	70	20	90	60
CANTON AMBULANCE SERVICE	175	77	252	162
CHERRYVALE EMS	264	202	466	164
CLAFLIN AMBULANCE SERVICE ASSOC	74	62	136	85
CONCORDIA FIRE DEPT EMS DIVISION	285	128	413	416
DONIPHAN COUNTY RURAL FIRE DIST 2	170	24	194	150
FIRE DISTRICT #11 EMS	120	147	267	225
FORD COUNTY FIRE & EMS	897	1,978	2,875	2,139
GREAT BEND FIRE EMS DEPT CITY OF	1,458	937	2,395	1,434
JOHNSON COUNTY FIRE DIST 2 RURAL	530	20	550	159
JUNCTION CITY FIRE DEPARTMENT	1,614	220	1,834	997
LAWRENCE DOUGLAS COUNTY FIRE & MED	4,475	1,910	6,385	4,212
LEAWOOD RESCUE	656	335	991	330
LENEXA FIRE DEPARTMENT CITY OF	2,182		2,182	960
LEOTI EMS	140	30	170	150
LYON COUNTY CITY OF EMPORIA	1,972	40	2,012	1,324
MARQUETTE AMBULANCE SERVICE	61	24	85	61
NEODESHA AMBULANCE SERVICE	330	55	385	4
NEWTON KS FIRE EMS DEPT	1,551	1,204	2,755	1,857
OVERLAND PARK FIRE DEPARTMENT	7,844		7,844	4,073
POTAWATOMI TRIBAL EMERGENCY SRVC	361	1,345	1,706	166
SALINA FIRE DEPARTMENT	3,229	488	3,717	2,355
WELLINGTON FIRE AND EMS DEPARTMENT	812	345	1,157	768
=====				
Total 26 services	31,718	10,530	42,248	24,526

The Kansas Fire Service

Statistical information from the State Fire Marshal's Office 2000 & 2001 Reported Information

Who?

2000	2001	
15,972	15,943	Firefighters currently in Kansas
3,012	3,005	Are Full Time Paid
4,966	5,015	Receive Some Compensation Per Call
7,994	7,923	Are Volunteer Members and Donate Their Services
666	666	Organized Fire Departments

What?

The fire departments offer some or all of the following services:

- *Fire Control
- *Medical First Response & EMS Services
- *Hazardous Materials Response
- *Rescue
- *Community Fire Prevention
- *Community Fire Inspections
- *Severe Weather Spotter Services
- *Building Inspections
- *Carbon Monoxide Detection
- *Public Service Calls
- *Assist Law Enforcement
- *Hazardous Conditions Standby
- *Aircraft Landing Standby
- *Terrorism Response

And many other community services.

Kansas Fire Departments ran:

2000	2001	
17,759	17,424	Fire Calls
81,420	84,296	Medical Calls
13,683	10,737	HazMat Calls
38,536	39,892	Misc Other Calls

When?

Fire departments in Kansas-no matter if paid or volunteer-provide emergency services to their citizens 24 hours a day, seven days a week, and 365 days a year.

Where?

Fire departments provide service coverage in all metropolitan and rural areas of Kansas.

Why?

Reported in Kansas Is:	2000	2001
A fire every	29 minutes	30 minutes
A structure fire every	2 hours	1.6 hours
A residence fire every	2.9 hours	2.4 hours
A rescue/medical call every	6.5 minutes	6.2 minutes
A fire death occurs every	6.2 days	5.9 days
An arson fire every	5 hours	4.5 hours
The daily average fire loss is	\$331,937	\$268,750
A fire injury occurs every		.8 day

How?

Members of the Kansas Fire Service are able to provide professional services to their respective communities through countless hours of training and practice. In recent years we have seen a significant increase in the value departments have placed on providing quality training to their members. This shows in reduced fire losses and fewer injuries to firefighters as well as the public. In many areas of Kansas, members of volunteer fire departments take time off from their regular jobs to obtain that training, as well as pay for their own training, simply because their departments have little or no resources to fund training. The Kansas Fire Service continues to work towards obtaining the same training resources as law enforcement now has available in Kansas. Some training resources currently available to firefighters in Kansas are:

Kansas State Fire Marshal's Office provides Firefighter I and Firefighter II Recognition Programs, a basic administrative tool that helps departments teach entry level firemanship within their own departments, and basic fire investigation and inspection classes on a limited basis.

Kansas State Firefighters Association conducts monthly regional training schools across Kansas, offers classes in hazardous materials, management, firemanship, incident command, and many other offerings at no cost.

University of Kansas Fire Service Training is now the administrator of the new comprehensive free basic fire training system in Kansas, and offers classes in all areas of fire, rescue and terrorism training; conducts an annual state fire school; and provides National Fire Academy class delivery to Kansas.

Kansas Forest Service provides, at no cost, limited delivery of wildland fire training classes throughout Kansas.

Kansas Community College System provides services at a cost and provides various types of basic firemanship, fire management, medical and degree programs. Programs vary as to specific junior colleges and are only available at select locations for a fee.

www.ksffa.com

Testimony
Before the Senate Committee on Ways and Means
Senate Bill No. 312
January 26, 2003
Kansas Legislative Policy Group
By: John D. Pinegar

Mr. Chairman and members of the Senate Committee on Ways and Means thank you for allowing me to testify before the Committee on establishing a permanent funding source for the Board of Emergency Medical Services. I am John Pinegar and represent Kansas Legislative Policy Group (KLPG), which is a coalition of over 30 western Kansas counties.

Our counties have enjoyed a close working relationship with the Kansas Board of Emergency Medical Services. The Board provides regulatory and licensing assistance for the operation of ambulance services. Additionally, they offer technical assistance to our counties for operating efficient ambulance services that provide quality and professional patient care. The Board also determines the educational and training requirements for emergency medical service personnel. The Board has been a valuable resource for our counties whenever they have questions or are in need of technical assistance relating to the to the operation of ambulance service.

We support the Kansas Board of Emergency Medical Services proposed legislation that would establish a permanent funding source of .25% of fire insurance premiums collected in the State. The funds would be used for the purpose of operating and establishing a stable revenue source for the Board of Emergency Medical Services. As a sidebar, in calendar year 2002, 55% of statewide fire calls were medical in nature.

KLPG recognizes the excellent job the Kansas Board of Emergency Medical Services has provided and believe they ought to receive a permanent funding source for the continued operation of a vital link to professional public safety.

Mr. Chairman, thank you for allowing me to testify and I would be pleased to answer any questions.

Senate Ways and Means
1-26-04
Attachment 3