

INTERIM JOINT COMMITTEE ON STATE GOVERNMENT

Minutes of the 1st Meeting of the 2019 Interim

July 19, 2019

Call to Order and Roll Call

The first meeting of the Interim Joint Committee on State Government was held on Friday, July 19, 2019, at 3:00 PM, at the Ferguson Community Center of the Boone County Historic Courthouse in Burlington, Kentucky. The Committee met jointly with the Interim Joint Committee on Local Government. Senator Wil Schroder, Chair, called the meeting to order, and the secretary called the roll.

Present were:

Members: Senator Wil Schroder, Co-Chair; Representative Jerry T. Miller, Co-Chair; Senators Robby Mills, Albert Robinson, and Damon Thayer; Representatives McKenzie Cantrell, Jeffery Donohue, Larry Elkins, Joseph M. Fischer, Joe Graviss, Richard Heath, Reginald Meeks, Patti Minter, Jason Nemes, Attica Scott, James Tipton, and Les Yates.

Guests: Speaker David Osborne, Speaker Pro Tem David Meade, and Majority Floor Leader, Bam Carney, Kentucky House of Representatives; Senator John Schickel, 11th Senate District; Representative Ed Massey, 66th House District; Kristin Baldwin, Northern Kentucky Chamber of Commerce; Boone County Judge/Executive Gary Moore; Campbell County Judge/Executive Steve Pendery; Burlington Fire Protection District Chief Jeff Barlow; Point Pleasant Fire Protection District Assistant Chief Eric Seibel; Doug Bivins, BlueStart US, Hebron, Kentucky; Michael Poynter and Bob Andrew, Kentucky Board of Emergency Medical Services; Chief Gregg Bayer and Chief Cathy Rigney, Kentucky Association of Fire Chiefs; Dan Ison, Shelby County; Ron Wolf, Associated General Contractors of Kentucky; Bryanna Carroll, Kentucky League of Cities; and Gay Dwyer, Kentucky Retail Federation.

LRC Staff: Mark Mitchell, John Ryan, Joe Pinczewski-Lee, Daniel Carter, and Cheryl Walters.

Ms. Kristin Baldwin, Vice President of Public Affairs and Communications with the Northern Kentucky Chamber of Commerce, welcomed the committees and told members about the events planned for them in conjunction with Northern Kentucky United.

Welcome and Discussion of Local Issues

Boone County Judge/Executive Gary Moore also welcomed the committees to Northern Kentucky. He told the members that daytime population has doubled in Boone

County. The Visitor's Bureau, TANK, and Sanitation District #1 are collectively working together. If Northern Kentucky is given the tools, it can fend for itself.

Campbell County Judge/Executive Steve Pendery told the committees that Northern Kentucky is working for prosperity. There are 37 cities within three counties of Northern Kentucky. Eighty percent of the jobs within the region are in Boone County.

In conclusion, Judge Moore mentioned the Amazon hub that is going to be built in Boone County.

Discussion of Consolidation of Local Emergency Services

Chief Jeff Barlow, with the Burlington Fire Protection District, discussed Fire/EMS/Rescue Governance Reform. The Boone Emergency Services of Tomorrow Comprehensive Study and Recommendations was initiated in October 2017, and released in October 2018. The study included three separate analyses: (1) retaining independence, (2) full consolidation, and (3) semi-consolidation by enhancing cooperative agreements.

Governance reform legislation for fire agencies is needed because tax reforms reduce revenues essential to providing fire/EMS/rescue services; economic growth and development create service demands before revenues are realized; there can be an unequal cost share for services; and decreasing volunteers and labor shortages create operational costs that exceed prior legislative funding models.

The author of the study recognizes that the legislature seeks direct public accountability of service boards; seeks taxpayer protections; November ballot elections for governance; represents taxpayer interests for essential services with timely delivery; and wants to ensure that service boundaries are consistent with ballot precinct boundaries for general elections to be possible. The public needs to have a strong and direct voice in the level of service expectations for their local community. Voters decide the amount taxpayers in that locale are willing to pay for emergency services.

Assistant Chief Eric Seibel, with the Point Pleasant Fire Protection District, discussed current challenges to fire/EMS/rescue. Volunteers, labor pools, revenue authority and sources, and grants/alternative funding is decreasing, disappearing, or limited. Residential/commercial growth and sprawl, run volume, service demands/expectations, personnel costs, CERS contribution rates, and operational costs are increasing. Problems in the 21st century include operating well beyond expectations of original charter and changing the mission and responsibility of the fire district. The 20th century structure is not working anymore. There is a misunderstanding of how KRS Chapter 75 Fire District Board members are elected, a misunderstanding of board members' authority and responsibility, and there is limited revenue authority.

The anticipated benefits of consolidation include combining administrative functions and eliminating redundant administrative efforts, creating a diverse specialized-skill career path for personnel that is currently unsustainable; recruiting and retaining improvements by growing workforce strengths; strengthening mid-level officers and management; expanding and strengthening specialized divisions and services; reducing and eliminating redundant capital; and increasing purchasing power.

Chief Barlow told the committee that fire districts are asking for the creation of a new entity, whereby the existing Chapter 75 Fire Districts or other organizations can opt to remain independent entities as they currently exist and municipalities and counties can opt to continue to provide their own services. There should be clear accountability of the governing board—majority elected on general November ballot, and there should be diversified revenue and taxing authority. Legislation for the new entity needs to: (1) protect existing retirement structures; inclusion provides no greater, and no less, retirement system benefit status for employees; (2) protect existing health plan coverages already in place to allow continuation of existing health insurance coverage; no state health insurance mandate; and (3) provide that taxation beyond any established caps be required to present to voters for a direct ballot decision. Accountability stemming from the legislation would be through requiring: (1) existing elected boards passing a majority decision to opt-in to a consolidated emergency service district; (2) voters directly elect majority of the board governing a consolidated emergency service district; and (3) voters directly voting to approve or deny any taxation beyond existing limits.

Mr. Doug Bivins, Chief Operating Officer for BlueStar US, gave the committees background on BlueStar, which is located in Hebron, Kentucky. BlueStar is one of the largest and fastest growing solutions-based distributors in the world. Point Pleasant Fire Protection District cooperated with Mr. Bivins in explaining their fiscal obligations and were good stewards of the district's tax funds.

Senator Thayer said he was interested in seeing details of the fire districts' proposal. There should be accountability and transparency from the boards. It is an inefficient way to fund the fire districts. He likes the idea of consolidation and direct November elections but does not want new bureaucracies to be created.

Representative Miller stated that he agreed with Senator Thayer and applauds the fire districts' idea of consolidation. In response to a question from Representative Miller, Chief Barlow replied that not all fire districts charge the 20 cents maximum for fire service. Most fire districts charge 17 to 20 cents with the smallest being 12.2 cents.

In response to another question from Representative Miller, Chief Siebel said the Boone County response time is 12 to 15 minutes. The response time should be within five minutes.

Discussion of Fire Department Hiring of Candidates having EMT and Paramedic Certification

Mr. Michael Poynter, Executive Director of the Kentucky Board of Emergency Medical Services (KBEMS), gave the committees the following statistics: there are 13,379 certified or licensed providers; 220 licensed EMS agencies; 1,147 ground ambulances; 72 helicopter ambulances; five fixed wing ambulances; 885,307 EMS incidents in 2018 (2,426 per day); one out of every five citizens are in contact with EMS annually; and patients 50 years and older account for 68 percent of all EMS incidents.

There are four disciplines of training: (1) Emergency Medical Responder (EMR) which requires 50 hours of training and provides basic immediate lifesaving interventions; (2) Emergency Medical Technician (EMT) which requires 150 hours of training and provides basic stabilization and safe transportation of patients; (3) Advanced Emergency Medical Technician (AEMT) requires 400 hours of training and provides basic and advanced stabilization and safe transportation of patients; and (4) Paramedic which requires 2,000 hours of training and provides advanced care for critical and emergent patients.

Since 2011, there has been a certification and licensure pass rate improvements of 14 percent for EMTs and has improved 28 percent for paramedics.

There are five agency organization types: hospital, governmental/non-fire, community/non-profit, fire department, and private/non-hospital. The number of providers has increased but they are having challenges in staffing them. Splitting in certification training levels, EMR and EMT providers have decreased lately, while AEMT and EMTP providers have increased.

The concerns of KBEMS include: staffing; growing industry; expanding roles, which include critical care, flight paramedic, community, wilderness, tactical and emergency paramedics; furthering education; and salaries. Responses to the concerns include researching alternative training delivery methods, which include accelerated training, distance learning, and scheduling around work; increasing marketing and public relations; Education Committee Accreditation Workgroup identifying best practices; regulator revisions to address issues brought to the Board by stakeholders; and leadership.

Chief Gregg Bayer, President of the Kentucky Association of Fire Chiefs (KAFC), told the committee that fire chiefs are dedicated to ease the burden on EMS, in particular regarding recruitment, retention and also training. Training time is an issue. The KAFC is looking at on-line learning and workforce development programs. He referred members to written remarks from Chief Wayne Briscoe of the City of Frankfort, which were included in the committee members' folders.

Chief Cathy Rigney, with the Winchester Fire Department and KAFC, stated that she agreed with Chief Bayer. The KAFC would like different options on the front end to get boots on the ground.

Regarding higher education requirements, Representative Meredith commented that he feels a precedent is being set that is cost prohibitive and would like to steer away from the requirement of higher education. In years past, Kentucky did not require national registry recognition. He wanted the KBEMS' thoughts about the national test.

Mr. Bob Andrew, Director of Education with the KBEMS, told Representative Meredith that state law establishes standards. He discussed the history of the various elements in the scope of practice and the use of the National Registry Exam and the rationale behind its use.

Representative Meredith commented that Kentucky needs to focus on practicing in the field instead of taking a test.

Representative Rothenburger commented that his biggest concern is EMT training classes do not seem to be offered anymore in the rural areas. The Kentucky Fire Commission was looking at making money available for EMT training.

Mr. Michael Kurtsinger, with the Kentucky Fire Commission, told Representative Rothenburger that there is money in the budget for EMT training but could not commit at this time.

Chief Bayer commented that it has become more burdensome to provide training programs. There needs to be more training but it is so cost prohibitive right now.

In response to a question from Representative Tipton, Mr. Poynter stated that ten high schools offer EMT training. Mr. Andrew added that 13 high schools offer paramedic training programs. The KBEMS is trying to get more. Satellite programs are available and held offsite.

Senator Schroder announced that the next meetings of the two committees would be held on August 22nd at the Kentucky State Fair.

There being no further business, the meeting was adjourned at 4:30 p.m.