

**REPORT OF THE KENTUCKY
FIRE PROTECTION STUDY TASK FORCE**

RESEARCH MEMORANDUM NO. 447

LEGISLATIVE RESEARCH COMMISSION

November, 1991



RESEARCH MEMORANDUM 447

**REPORT OF THE KENTUCKY
FIRE PROTECTION STUDY TASK FORCE**

**Prepared by
Bill Wiley**

**Legislative Research Commission
Frankfort, Kentucky
November, 1991**



SENATE MEMBERS

Charles W. Berger
Assistant President Pro Tem

Joe Wright
Majority Floor Leader

John D. Rogers
Minority Floor Leader

David K. Karem
Majority Caucus Chairman

Art Schmidt
Minority Caucus Chairman

Greg Higdon
Majority Whip

Tom Buford
Minority Whip

LEGISLATIVE RESEARCH COMMISSION

State Capitol

Frankfort, Kentucky 40601

502-564-8100

John A. "Eck" Rose, Senate President Pro Tem

Donald J. Blandford, House Speaker

Chairmen

Vic Hollard, Jr.
Director

HOUSE MEMBERS

Pete Worthington
Speaker Pro Tem

Gregory D. Stumbo
Majority Floor Leader

Tom Jensen
Minority Floor Leader

Jody Richards
Majority Caucus Chairman

Clarence Noland
Minority Caucus Chairman

Kenny Rapier
Majority Whip

Jim Zimmerman
Minority Whip

MEMORANDUM

TO: Members, Kentucky Fire Protection Study
Task Force

FROM: *Larry Clark* Rep. Larry Clark, Chairman

SUBJECT: Final Report

DATE: November 25, 1991

I want to thank each one of you for your efforts as a member of the Kentucky Fire Protection Study Task Force. Attached is a copy of our final report.

A number of the recommendations have been or will be picked up in bill drafts by individual legislative sponsors. With continued attention to these developments as they occur, we can expect at least some of the recommendations will become law. Thanks again for your efforts.

j1/4291d

SUMMARY OF ACTIVITIES

The Task Force met 13 times between September, 1990 and September 1991. In addition, a survey questionnaire was sent to all fire departments in the state. Five hundred and thirty responses were received, for a response rate of 70%. Two field trips were taken. On February 25th the Task Force toured firefighter training facilities in St. Matthews and Louisville, and held a public hearing in the evening at the Highview Fire Department. The focus of this meeting was the operation of fire districts in urban areas. On May 29th the Task Force held a public meeting at Pine Mountain State Resort Park, to focus on rural fire departments. Afterward they toured the facilities of the Bell County Fire Department, a seven-station nonprofit corporation department, funded by a Bell County insurance premium tax.

During the interim, testimony was taken from the State Fire Marshal, who reported on problems from the perspective of his office. He stressed the need for legal recognition of nonprofit fire departments, required training of fire chiefs and certification of all firefighters, assumption of responsibility for fire protection by county governments, promotion of the fire district concept, developing adequate water supplies, and creating a state fire academy.

In addition to the May, 1991, meeting in Bell County, the December, 1990, meeting was devoted to testimony of fire department personnel from rural fire departments. Those testifying stressed the need for increased funding for rural fire fighting. In contrast, the public hearing in February, 1991, in Jefferson County dealt with the problems of relatively well-funded urban fire districts. In this context, the issues were accountability for tax dollars, promoting citizen participation in trustee elections, coordinating the efforts of adjacent fire districts, preserving the volunteer concept, and determining the appropriations of volunteer firefighter incentives.

During one meeting, the effect of fire protection on fire insurance premiums was examined. While the effect of fire protection in reducing premiums at lower levels of fire protection was found to be significant, improvements in the midrange of fire suppression ratings were found to have little impact. Testimony of insurers in rural areas indicated that the costs of achieving improvements hindered progress. It was stressed that a secondary benefit of increased fire protection was reduction in arson, since adequate protection leads to rapid suppression of arson fires.

Responsibility for arson investigation was the subject of the April 29th meeting. Testimony was taken from the Kentucky State Police, who currently have responsibility for arson investigation, and the State Fire Marshal, whose office was responsible for arson investigation prior to 1974. A later staff survey of FBI statistics for the 50 states revealed that Kentucky is 46th in arson clearance rates - the rate of arrest following a report of arson. While it was determined that most states assign arson investigation to the State Fire Marshal, there was no clear relationship between agency responsible and the arson clearance rate in the top ten and bottom ten of the fifty ranked states.

The insurance premium tax, as used by Bell County and several other counties, was identified as a promising method of funding for fire protection, since improved fire protection tends to reduce fire insurance premiums, and the relationship between the tax and reduced insurance premiums is easily established. An administrative difficulty found with the tax was proper coding of insurance policies, so that the tax is sent to the right local government. Difficulties in this area lead to county taxes being forwarded to cities.

Other topics covered included sources of low interest funding for fire districts; and the use of "dry hydrants", or standpipes connected to farm ponds, as a water source. Testimony on these subjects was taken from the Kentucky Association of Counties Leasing Trust, and the Green River and Pennyrite Resource Conservation and Development agencies, respectively.

The Task Force also received the recommendations of the Commission on Fire Protection Personnel Standards and Education.

RECOMMENDATIONS ADOPTED

The Task Force recommendations finally adopted are as follows:

1. a) Assign arson investigation responsibility to the State Fire Marshal, and provide the necessary funding and personnel.
 - b) Add a KRS 513.050, Arson in the Fourth Degree, to Chapter 513, to include the following:
 - A person is guilty of arson in the fourth degree when he causes destruction or damage to any item other than a building, by intentionally starting a fire or causing an explosion. Exceptions to this would be fires set for a lawful purpose or those allowed as recreational fires by local Air Pollution Boards.
 - Arson in the fourth degree is a Class A Misdemeanor.
 - c) Amend KRS 519.040, Falsely Reporting an Incident, to state: "2) Falsely reporting an incident is a Class A misdemeanor, except when the action results in emergency response, at which time it is a Class D Felony."
2. a) Maintain the insurance premium surcharge (KRS 136.392) at the current rate and restrict its use to enhancement of the fire service.
 - b) Increase funds available to VFD's from the state aid fund; with payments graduated according to the skill level achieved by the department.
 - c) Increase incentive funds above the current level for career firefighters, graduated according to the skill level achieved.

- d) Increase training money through the following means:
 - Increase the Regional Training Facility Fund to \$500,000 per year, assessing the additional monies from the Professional Firefighters Foundation Program Fund.
 - Implement a yearly budgeted Training Enhancement of \$250,000.
 - e) Establish a low interest loan or grant program for purchases of equipment by volunteer fire departments, to ensure that equipment will meet National Fire Protection Association standards.
 - f) Empower the Commission on Fire Protection Personnel Standards and Education to approve grants to purchase new or replacement equipment to upgrade fire service.
 - g) Provide funding assistance to localities for the requirement that emergency response personnel be inoculated against Hepatitis B, per OSHA Instruction CPL2-244B, effective September, 1991.
3.
 - a) Give all fire departments legal status. Recognize subscription fire departments as legal entities.
 - b) Define the duties of nonprofit volunteer fire departments.
 - c) Define the duties and authority of all fire chiefs by statute.
 - d) Enact standards for subscription department dues, and payment mechanisms for nonsubscribers.
 4. Trustee elections for fire districts should be held on the same day in all counties. It is recommended that day be after the primary election and before the general election.
 5.
 - a) Amend KRS 75.031 to provide for the removal of a firefighter or property owner trustee from the board of trustees.
 - b) Amend KRS 75.031 to permit a special election to fill a vacancy of a firefighter trustee.
 - c) Amend KRS Chapter 75 to clarify the meaning of "regular member" and "volunteer fire fighter".
 - d) Amend KRS 75.120 to clearly assign policy making to the board of trustees, and administration and discipline to the chief, with the right of appeal to the board when punishment exceeds a certain level.

The following recommendations, 5.e) through 5.n), presented by the Jefferson County Fire Trustees' Association in the form of finished bill drafts, were approved in principle:

- e) Amend KRS 75.100, Definitions for Fire Districts (see "employees", "members", "salary and wages", "regular firefighters", "paid firefighters", and "volunteer".
 - f) Amend KRS 75.130, Disciplinary Procedures. (Incorporation of KRS 95.450 into KRS 75.130.)
 - g) Amend KRS 75.040, Fire Fighter Activities. (Defines a number of activities in which fire districts may engage.)
 - h) Amend KRS 75.150, Political Activity Rights of Members, to correspond to KRS 95.017.
 - i) Amend KRS 75.031, Definition of Property Owner Trustee. (Includes owners of personal as well as real property.)
 - j) Amend KRS 75.031, Fire Fighter Trustees; Age. (Only one may be an "employee", and trustees must be age 21.)
 - k) Amend KRS 75.170, Oath of Fire District Members. (May be taken before a notary public.)
 - l) Amend KRS 75.020, Merger of Fire Protection Districts. (By joint petition.)
 - m) Amend KRS 75.020, Liability of Prior Debts. (A city must assume a proportion of the debt when it annexes fire district territory.)
 - n) Amend KRS 65.070, Date for Filing Financial Information. (Changed from July to February to conform to uniform financial information report.)
6. Fire department aid (KRS 17.250) should be allocated by the Commission on Fire Protection Personnel Standards and Education.
 7. There should be a permanently manned state fire academy, after a study to be done by the Commission on Fire Protection Personnel Standards and Education.
 8. The Commission on Fire Protection Personnel Standards and Education should be assigned directly to the Public Protection and Regulation Cabinet, for a more direct line of communications with the Governor and the Legislature. Administrative attachment to the Department of Housing, Buildings, and Construction should be maintained.
 9. Tax and insurance incentives should be provided to encourage sprinkler installation in new construction, when not currently required by the Kentucky Building Code, and for retrofitting of existing structures.

It was decided that the Fire Protection Task Force, through Chairman Clark, would send letters to the appropriate agencies for each of the following recommendations:

1. An operations manual for fire departments, to include updated codifications of Kentucky Revised Statutes and regulations relating to fire service, should be created. (Letter to the Legislative Research Commission.)
2. There should be state-sponsored training for fire chiefs, and state sponsored training offered at the county level for new trustees. (Letter to the Commission on Fire Protection Personnel Standards and Education.)
3. State aid money should be linked to the standards and requirements set by statute. State aid and professional firefighter incentives from departments which do not submit fire incident reports should be withheld. (Letter to the Commission on Fire Protection Personnel Standards and Education.)
4. Regional response teams for hazardous materials incidents should be created on a statewide basis. (Letter to Disaster and Emergency Services.)
5. - The current training records reporting system should be upgraded to meet NFPA Firefighter Professional qualifications criteria; and
- Firefighter certification and instructor certification should be updated to stay abreast of NFPA 1500 requirements and the Superfund Amendments and Reauthorizations Act of 1986.

(Letter to the Commission on Fire Protection Personnel Standards and Education.)
6. Strict guidelines on the installation of above ground fuel storage tanks should be developed. (Letter to the State Fire Marshal, copy to Natural Resources and Environmental Protection. The State Fire Marshal is currently certifying installation and removal of underground storage tanks.)
7. A statewide Burn Injury Reporting System should be established. (Letter to the State Fire Marshal.)

SURVEY RESULTS

The questionnaire developed as a part of the Task Force study was mailed to every fire department in the state. Five hundred and thirty responses were received in time for data entry and analysis. This was a response rate of seventy percent, quite acceptable and useful for purposes of survey research.

TYPES OF DEPARTMENTS

Each department was asked for a self-description. The results were as follows:

County Home Rule (KRS 67.083)	20	3.8%
KRS Chapter 75, Fire District	80	15.2%
Municipal Fire Department, KRS Chapter 95	115	21.7%
Nonprofit Corporation	218	41.1%
Civic Club	2	1.0%
Not Sure of Status	69	13.0%
No Response	5	1.0%
Combinations:		
Municipal and Nonprofit	10	1.9%
District and Nonprofit	<u>11</u>	<u>2.0%</u>
	<u>530</u>	<u>99.7%</u>

It can be seen that the predominant form of organization is the nonprofit corporation, the form for which there is the least statutory guidance. Eighty departments listed themselves as fire districts, and their status was confirmed by their levying of a property tax. Other departments listed themselves as districts but did not tax. They were not classified as districts and were assigned to the "not sure" category. Some of these departments might have organized as districts under the procedures of KRS Chapter 75, in order to avail themselves of the rights and responsibilities found there. But they were not given district status for the purposes of this study, since they do not collect the tax revenue which is so obviously a benefit of being a fire district. It should be noted that many of the municipal departments (115 in number) are predominantly volunteer in their membership, though they are not so rural in character.

Most of Kentucky's fire departments tend to be very small. Seventy-seven percent (410) operate only one station. Another 16% (84) operate two fire stations. The fact that they are small, and often poorly funded, reduces their capacity to purchase modern equipment to perform their functions and to pay for administrative support so necessary for adequate record keeping and training. But their lack of capacity does not eliminate the possibility that they will face catastrophies, such as hazardous materials incidents related to highway or rail transportation, and does not eliminate their need for the equipment and training necessary to deal with these events. This report will focus on a number of measures indicating that small rural fire departments are hard pressed to deal with firefighting responsibilities in an increasingly complex environment.

FIRE SUPPRESSION RATINGS

An important ranking for fire departments is their fire suppression rating, given by the ISO Commercial Risk Service, a nongovernment service provided to the insurance industry. These ratings, 1 through 10, are very important because the insurance industry, especially in rural areas, uses them to set rates for fire protection policies. Classes 1 through 8 are graded classes. Class 9 is an assigned class based on minimum criteria. Ten is the lowest rank, essentially indicating no fire protection.

Many departments have more than one ISO class, depending on varying conditions within their jurisdiction. This study reports the best rating for each department. According to our survey results, Kentucky's fire departments rank as follows.

<u>Class</u>	<u>Number</u>	
1	1	
2	5	
3	21	
4	30	
5	40	
6	85	
7	76	
8	17	
9	196	(37%)
10	33	(6.2%)
No Response	26	

The impact of the ISO rating on fire insurance premiums and the availability of fire insurance can be seen in premium quotes of two companies for one region of the state.

FIRE INSURANCE PREMIUMS - HOMEOWNER QUOTES

Homeowner's Form 3 with \$250 Deductible - No Other Options
 KY CENTRAL
 Southern-Russell County

	<u>PC 10</u>	<u>PC 9</u>	<u>PC 8</u>	<u>PC 7</u>
\$45,000				
Brick	NA	\$331	\$207 (37%)	\$185 (11%)
Frame	NA	\$414	\$232 (44%)	\$216 (7%)
\$60,000				
Brick	NA	\$358	\$251 (30%)	\$200 (20%)
Frame	NA	\$448	\$302 (33%)	\$233 (23%)
\$75,000				
Brick	NA	\$412	\$258 (37%)	\$230 (11%)
Frame	NA	\$515	\$289 (44%)	\$268 (7%)

MOTORIST MUTUAL
Southern-Russell County

	<u>PC 10</u>	<u>PC 9</u>	<u>PC 8</u>	<u>PC 7</u>
\$45,000				
Brick	\$426	\$379 (11%)	\$261 (31%)	\$201 (23%)
Frame	\$723	\$521 (28%)	\$379 (27%)	\$237 (37%)
\$60,000				
Brick	\$512	\$456 (11%)	\$314 (31%)	\$241 (23%)
Frame	\$869	\$626 (28%)	\$456 (27%)	\$285 (37%)
\$75,000				
Brick	\$581	\$517 (11%)	\$355 (31%)	\$274 (23%)
Frame	\$984	\$711 (28%)	\$517 (27%)	\$323 (37%)

The Kentucky Central company does not even write insurance for protection class 10. Motorist Mutual will write for class 10, but the premiums are high - \$984 for a \$75,000 frame home, for example. Protection for class 9 is available from both companies, with savings over class 10 rates from Motorist Mutual of 11% for brick and 28% for frame homes. It is in the progression to class 8 that the larger savings occur. Kentucky Central offers a savings of 37% on brick and 44% on frame, and Motorist Mutual offers 31% on brick and 27% on frame. The average dollar savings, derived for all three price categories, brick or frame, is \$157 for Kentucky Central, and \$155 for Motorist Mutual. The average savings for Motorist Mutual customers going from class 10 to class 9 is \$147. These figures tell us that if the average homeowner in Russell County spent approximately \$150 per year on fire protection taxes, and his protection classification improved from class 10 to 9, he would receive his fire protection at no net cost. If he could go from class 10 to class 8, he could spend approximately \$300 per year and still break even. There is no guarantee that expenditures for fire protection will achieve the desired reduction in insurance rates, but the incentives to develop an effective fire protection program are obvious.

FACTORS RELATED TO FIRE SUPPRESSION RATINGS

Urban/Rural Character

The ISO ranking of a fire department was shown to be related to a number of variables in our study, some of which will be set out below. Most of these variables relate to the urban or rural character where property is located. For example, the respondent from each fire department was asked to describe the character of his service area as urban, rural, urban-rural, industrial-business, or suburban. (Each department could choose more than one description, so total responses exceeded the number of departments.) When these self-descriptions were cross-tabulated with the reported ISO classification, it became clear that the poorer classifications, 9 and 10, were strongly associated with rural settings.

Self-Description

<u>ISO Class</u>	<u>Urban</u>	<u>Rural</u>	<u>Urban- Rural</u>	<u>Industrial- Business</u>	<u>Suburban</u>
9	3	164	37	11	6
10	0	29	4	3	0
Total Respondents, All ISO Classes	64	276	166	96	50
% Class 9	4.68%	59.42%	22.30%	11.45%	12.0%
% Class 10	0	10.50%	2.40%	3.12%	0
% Class 9 & 10	4.68%	69.92%	24.70%	14.57%	12.0%

Availability of Water

There are a number of factors associated with rural areas which account for these poor ISO ratings. One is the availability of water. The districts were asked to report on the percent of the district with no water main. These answers were again cross-tabulated with ISO class.

Percent of District With No Water Main

<u>ISO Class</u>	<u>100%</u>	<u>90%- 99%</u>	<u>80%- 89%</u>	<u>70%- 79%</u>	<u>60%- 69%</u>	<u>50%- 59%</u>	<u>40%- 49%</u>	<u>30%- 39%</u>	<u>20%- 29%</u>	<u>0 - 19%</u>
9	41	23	10	12	8	22	13	5	16	8
10	14	4	5	2	0	2	1	1	2	0
TOTAL	56	36	25	32	26	32	25	19	32	64
% Class 9	73.21%	63.88%	40%	37.50%	30.76%	68.75%	52%	26.31%	50%	12.5%
% Class 10	25.00%	11.11%	20%	6.25%	0	9.09%	4%	5.62%	6.25%	0
% Class 9 or 10	98.21%	74.99%	60%	43.75%	30.76%	77.84%	56%	31.93%	56.25%	12.5%

These figures on water availability provide strong confirmation of the importance of water if one concentrates on the progression from 100% no water mains to 60% no water mains. The percentage of departments with a class 9 or 10 rating declines steadily from a high of 98.21% to 30.76%. The percentage for 0 to 19% no water main is also consistent, at a low of 12.5% of departments in class 9 or 10. The figures for 50% to 20% no water main are troublesome, however. Instead of continuing a steady decline, they jump up to a high of 77.84% and two figures in the 56% range. Perhaps an explanation for this inconsistency is that the availability of water lines does not necessarily indicate that the water is available for firefighting. The water lines to residential areas may be of the 2 or 3 inch variety that are incapable of supporting a fire hydrant.

Response Time

Time necessary to respond to a fire is also an important factor in fire protection. Respondents were asked how long it took from the time the dispatcher received an address until the first responding unit arrived on the scene. The table below reports the numbers and percentages for the fastest and slowest response categories. As expected, the rural jurisdictions had the most trouble with the performance measure.

Self-Description

<u>Time to Respond</u>	<u>Urban</u>	<u>Rural</u>	<u>Urban- Rural</u>	<u>Industrial- Business</u>	<u>Suburban</u>
2-3 min.	20	12	23	21	7
>6 min.	5	107	30	16	7
TOTAL	64	274	163	98	49
% 2-3 min.	31.3%	4.4%	14.1%	21.4%	14.3%
% >6 min.	7.8%	39.0%	18.4%	16.3%	14.3%

Similar results are achieved when the cross-tabulation is run with type of department.

<u>Time to Respond</u>	<u>City</u>	<u>Fire District</u>	<u>Nonprofit</u>
2-3 min.	32 (28.3%)	6 (7.6%)	8 (4%)
>6 min.	6 (5.3%)	26 (32.9%)	76 (37.6%)
TOTAL	113	79	202

Frequency of Training

Another factor is the frequency of training. Rural departments tend to be all volunteer, or nearly all volunteer. Training is more difficult to accomplish than in urban departments, where firefighters are available on a daily basis. The frequency of training shows a strong relationship to ISO classification.

Frequency of Training

<u>ISO Class</u>	<u>Daily</u>	<u>Weekly</u>	<u>Three Times A Month</u>	<u>Twice A Month</u>	<u>Monthly</u>	<u>Less Than Monthly</u>
9	2	38	5	53	73	24
10	0	6	4	6	12	5
TOTAL	30	128	27	134	136	36
% Class 9	6.66%	29.68%	18.51%	39.55%	53.67%	66.66%
% Class 10	0	4.68%	14.81%	4.47%	8.82%	13.88%
% Class 9 and 10	6.66%	34.36%	33.32%	44.02%	62.49%	80.54%

Nonprofit fire departments, characteristic of rural areas, tend to train the least often. Forty-seven and a half percent of the nonprofits train monthly or less than monthly, while 23.5% of city departments train that infrequently, and only 21% of fire districts train monthly or less than monthly.

Evaluation of Training in Kentucky

Training is available to Kentucky fire departments through KY Tech, an office now located in the Workforce Development Cabinet. Of the 530 departments responding to our survey, 428 reported participating in KY Tech training within the past year. Three hundred and thirty-three reported participating in KY Tech training at the firehouse, and 252 reported training at a regional location. The departments were very complimentary of KY Tech in their evaluations.

Evaluation of Fire/Rescue Training - KY Tech

<u>Rating</u>	<u>Number</u>	<u>Percent</u>
Extremely Useful	234	46.8%
Very Useful	167	33.4%
Useful	81	16.2%
Somewhat Useful	14	2.8%
Not Useful	4	.8%
TOTAL	500*	100%

*A number of departments which had not used KY Tech services in the past year still offered an evaluation.

Training is also offered to fire department personnel by the State Fire Marshal, through the annual state fire school and regional fire schools. Evaluations of the state fire school and the regional fire school are also very positive, but the regional schools are rated somewhat higher than the state school. The reason for this may be the inaccessibility of the state school, compared to the regional schools. Many departments giving the state school a low rating are not sending trainees, and many reported that the state school is too far away or difficult to attend because of weekday scheduling.

<u>Evaluation, State Fire School</u>	<u>Number Attending</u>				<u>Total</u>	<u>%</u>
	<u>0</u>	<u>1 to 5</u>	<u>6 to 10</u>	<u>11 or more</u>		
Extremely Useful	31	71	19	1	122	32.7
Very Useful	38	51	11	5	105	28.1
Useful	38	28	9	2	77	20.6
Somewhat Useful	19	5	1	0	25	6.7
Not Useful	<u>37</u>	5	2	0	44	11.7
TOTALS	163	160	42	8	373	99.8

Evaluation, Regional Fire Schools	Number Attending				Total	%
	0	1 to 5	6 to 10	11 or more		
Extremely Useful	18	79	64	43	204	45.3
Very Useful	15	74	41	24	154	34.2
Useful	19	27	14	7	67	14.8
Somewhat Useful	7	9	1	2	19	4.2
Not Useful	5	1	0	0	6	1.3
TOTALS	64	190	120	76	450	99.8

THE IMPORTANCE OF ADEQUATE FUNDING

The funds available to a fire department have a direct impact on their capacity to purchase necessary equipment, and an indirect impact on the time they have available for training. Both effects are important to departmental capacity and ISO ratings.

The impact on capacity to purchase equipment is obvious, while the impact on time available for training requires some explanation. In our report, 241 departments reported that they were involved in self-help fundraising. Nonprofit departments are most heavily involved in such activities. This fundraising may take the form of bake sales, roadblocks, bingo, barbeques and the like. This activity, whatever its form, is time consuming, and uses hours that could be devoted to training. A number of respondents to our questionnaire complained of the demands on their time which fundraising requires.

Departments with taxing power can avoid such expenditures of time and devote their efforts directly to fire prevention and firefighting. Our survey indicates that taxing districts which collect more taxes have better ISO ratings.

<u>Tax Collected</u>	<u>Percent Class 9 or 10</u>
\$23,000 to \$40,000	66%
\$42,000 to \$60,000	38%
\$68,000 to \$98,000	25%
\$117,000 to \$1,253,655	0%

Subscriptions as a Form of Financing

An alternative to taxing for fire protection is the use of subscriptions for fire service. These subscriptions can either be mandatory - no payment, no service - or optional. Only thirty-two departments reported the use of mandatory subscriptions, while 134 reported the use of optional

subscriptions. When subscriptions are optional, a charge is usually levied when a department responds to the property of a nonsubscriber. It is important to departments to collect these charges, both for financial reasons and for reasons of equity. It is unfair for some citizens in a department's jurisdiction to pay for their fire service, and for others to benefit at no cost.

Respondents were asked what percent of run charges they were able to collect from nonsubscribers. Sixty-four percent collected 50% of the time or less. Collecting run charges from nonsubscribers is not a secure mode of financing for many departments, and these figures indicate a need for more stable financing methods.

<u>Collection Rate</u>	<u>Percent of Departments</u>
0 to 25%	34%
26 to 50%	30%
51 to 75%	13%
76 to 100%	23%

NEW AND HIGHER SAFETY AND PERFORMANCE STANDARDS

The increasing responsibilities of fire departments and their response to the growing technological and training requirements placed upon them led to the placement of several questions in our questionnaire. The National Fire Protection Association has adopted a standard on firefighter safety and health known as NFPA 1500. This standard carries no legal weight unless it is adopted by the authority with jurisdiction over a fire department; but because this standard is for the benefit of firefighters, the Commission on Fire Protection Personnel Standards and Education promotes its voluntary adoption. NFPA 1500 defines when protective clothing and self-contained breathing apparatuses are to be used. Departments must provide this safety gear, and provide trucks with seats and seat belts or harnesses. NFPA also requires that all firefighters complete basic and continuing training for emergency operations. The expense and training required to comply with NFPA 1500 are obvious.

Respondents were asked "Are you aware of NFPA 1500? If so, do you have a written implementation plan?" The answers given indicate relative strength in urban areas, and relative weakness in rural areas.

	<u>Urban</u>	<u>Rural</u>	<u>Urban-Rural</u>	<u>Industrial-Business</u>	<u>Suburban</u>
NFPA 1500 Awareness	51 (79%)	170 (58%)	131 (76%)	84 (83%)	46 (90%)
NFPA 1500 Plan	17 (26%)	27 (9%)	37 (21%)	27 (26%)	18 (35%)
Number Responding	64	289	172	101	51

A federal action which imposes increased responsibilities on fire departments is the Superfund Amendments and Reauthorization Act of 1986 (SARA). This act is aimed at improving local capabilities to deal with hazardous materials emergencies. It requires identification of and planning for hazards, and mandates emergency responder training. Hazardous materials team members must be trained in such matters as care and use of chemical protective clothing and decontamination procedures. Fire departments are required to have an incident command system for coordinating and controlling emergency responders. The act requires compliance.

The question placed to respondents was "Are you aware of the SARA/Title III legislation? If so, do you have a copy of the regional plan?"

Once again, urban departments are stronger, relative to rural departments, in their answers.

	<u>Urban</u>	<u>Rural</u>	<u>Urban- Rural</u>	<u>Industrial- Business</u>	<u>Suburban</u>
SARA Awareness	62 (96%)	228 (80%)	159 (91%)	94 (94%)	41 (100%)
SARA Plan	33 (51%)	97 (34%)	80 (46%)	55 (55%)	32 (62%)
Number Responding	64	285	173	100	51

ARSON INVESTIGATION

There are several indications that arson investigation is a problem in Kentucky. Many respondents to the questionnaire offered written comments expressing their dissatisfaction with services offered by the state. These comments were critical both of the timeliness of investigative response and follow-up efforts. Current FBI statistics indicate that Kentucky is 46th out of 50 states in arson clearance rates - the rate of arrests following reports of arson. The State Fire Marshal is authorized to investigate the cause and origin of fires (KRS 227.220) but the State Police are responsible for follow-up arson investigation (KRS 227.275). FBI statistics reveal that most states assign arson investigation to the state fire marshal, but their statistics indicate no clear relationship between the agency responsible for investigation and the arson clearance rate in the top and bottom ten of the fifty ranked states.

The respondents to our questionnaire were asked to rate the offices of the State Fire Marshal and the State Police on both "Assistance in fire cause and origin investigations" and "Assistance in follow-up arson investigations."

Fire Cause and Origin

	<u>SFM</u>		<u>Cumulative %</u>	<u>State Police</u>		<u>Cumulative %</u>
Extremely useful	128	(26%)		104	(21%)	
Very Useful	137	(27%)	(53%)	104	(21%)	(42%)
Useful	123	(25%)		120	(24%)	
Somewhat Useful	57	(11%)		86	(17%)	
Not Useful	54	(11%)		91	(18%)	
TOTAL	499	(100%)		505	(101%)	

The ratings for "Fire Cause and Origin" are generally favorable for both agencies, but the State Fire Marshal is rated higher. Fifty-three percent of respondents ranked the fire marshal's assistance as extremely or very useful, while only 42% ranked the State Police in these two highest categories.

Follow-Up Arson Investigations

	<u>SFM</u>		<u>Cumulative %</u>	<u>State Police</u>		<u>Cumulative %</u>
Extremely Useful	109	(22%)		86	(17%)	
Very Useful	126	(26%)	(48%)	96	(19%)	(36%)
Useful	117	(24%)		134	(27%)	
Somewhat Useful	68	(14%)		84	(17%)	
Not Useful	72	(15%)		104	(21%)	
TOTAL	492	(101%)		504	(101%)	

The ratings for "Follow-up Arson Investigations" are similar to the ratings for "Fire Cause and Origin", but somewhat lower for both agencies. Again the State Fire Marshal ranked higher than the State Police, even though the State Police are statutorily responsible for follow-up investigations. Forty-eight percent of respondents put the fire marshal in the two highest categories, while only 36% ranked the State Police so high. Thirty-eight percent rated the state police in the bottom two categories, and twenty-one percent said the arson investigation services of the State Police were "not useful".

CITIZEN PARTICIPATION IN FIRE DISTRICT ELECTIONS

Fire districts are taxing districts under Section 157 of the Constitution. They have seven-member boards, comprised of two firefighters elected by the firefighters, three appointees of the county judge/executive, and two property owners elected by the property owners. The property owner trustees represent the only direct citizen control over these taxing districts. The issue of citizen participation in the election of property owner trustees has been

raised in urban areas, where fire district taxes amount to large sums of money. Some districts in Jefferson County, for example, collect a million or more dollars annually. When funds of this magnitude are available to a unit of government, there is greater opportunity for discretionary spending and possible misapplication of funds. Accountability for proper use of tax revenues becomes an important issue. It has been said that elections for property owner trustees, held at odd times at the fire house, are poorly publicized, and citizens are not adequately informed of their right to participate. A different perspective on the problem is that citizens simply aren't concerned, and it is difficult for fire district personnel to get anyone to run for these positions.

The respondents to our survey were asked to report on the number of citizens voting in their district property owner trustee elections. Of eighty districts, seventy-two responded.

Number of Property Owners Voting

<u>Number Voting</u>	<u>Number of Departments</u>	<u>Percent of Departments</u>
0 to 10	28	38.3%
11 to 20	14	20.0%
21 to 30	4	5.6%
31 to 50	7	9.7%
51 to 100	8	11.1%
101 to 575	<u>11</u>	<u>15.3%</u>
	72	100.0%

It is obvious that the number of property owners voting in trustee elections is low. In seventy-four percent of departments, 50 or fewer citizens voted, and in 38% of departments, 10 or fewer citizens voted. Percentage participation figures are more useful, however, since we commonly want to know the rate of citizen participation. Respondents were therefore asked to estimate the percentage of property owner participation. Only 34 departments ventured a guess on percentages, but the available responses indicate extremely low rates of participation.

Percentage of Property Owners Voting

<u>Percent Voting</u>	<u>Number of Departments</u>
0%	8
1%	16
2%	2
3%	1
4%	1
5%	1
10%	2
20%	1
50%	1
65%	1

KENTUCKY FIRE PROTECTION STUDY TASK FORCE MEMBERSHIP

Rep. Larry Clark, Chair

Rep. Adrian Arnold
Mr. Carter Bevins
Mr. Jack Clark
Rep. Danny Ford
Sen. Gerald Neal
Mr. Larry Potter
Mr. Russell Sanders
Mr. Steve Sievereld
Mr. Gerald Stewart
Mr. Woody Will

Judge Ray Bailey
Mayor William Cherry
Mr. Dennis Decker
Mr. Michael Kurtsinger
Mr. Gary Norvell
Mr. Rodney Raby
Sen. Art Schmidt
Mr. Sylvan Smith
Mr. Charles Trodglan

**SENATE MEMBERS**

Charles W. Berger
Assistant President Pro Tem

Joe Wright
Majority Floor Leader

John D. Rogers
Minority Floor Leader

David K. Karem
Majority Caucus Chairman

Art Schmidt
Minority Caucus Chairman

Greg Higdon
Majority Whip

Tom Buford
Minority Whip

LEGISLATIVE RESEARCH COMMISSION

State Capitol

Frankfort, Kentucky 40601

502-564-8100

John A. "Eck" Rose, Senate President Pro Tem

Donald J. Blandford, House Speaker

Chairmen

Vic Hellard, Jr.
Director

HOUSE MEMBERS

Pete Worthington
Speaker Pro Tem

Gregory D. Stumbo
Majority Floor Leader

Tom Jensen
Minority Floor Leader

Jody Richards
Majority Caucus Chairman

Clarence Noland
Minority Caucus Chairman

Kenny Rapier
Majority Whip

Jim Zimmerman
Minority Whip

MEMORANDUM

TO: Mr. Larry Collier, Chairman
Commission on Fire Protection Personnel
Standards and Education

FROM: ✓ Representative Larry Clark, Chairman
Kentucky Fire Protection Study Task Force

SUBJECT: Recommendations from the Task Force to the
Commission

DATE: October 17, 1991

The Kentucky Fire Protection Study Task Force was created pursuant to 1990 HCR 75, and directed to do a comprehensive study of fire protection in Kentucky. The study is complete, and the recommendations of the Task Force include several which we would like to direct to the attention of the Commission.

The first relates to training for fire chiefs, and training for trustees or board members of fire departments. Often the fire chief of a rural fire department is the person agreeable enough to assume an extra measure of responsibility, but who may not have the training or expertise to fully understand or fulfill his responsibilities as chief. He assumes, however, a position that could involve extensive personal liability should any firefighter or a member of the public be injured or die as a result of actions not in compliance with proper standards or procedures which should be within his knowledge.

The Task Force therefore recommends that the Commission develop a certification program for fire chiefs, establishing a required minimum level of professional knowledge. A fire chief should be required to achieve certification within a specified time period, if he is to continue in his position.

The Task Force also recommends that the Commission establish a training program for trustees of fire districts, and the governing boards of nonprofit fire departments which receive state aid. This training should be implemented at the county level, and should familiarize the trustees and board members with their statutory rights and responsibilities.

Another Task Force recommendation to the Commission is that state aid for volunteer fire departments and firefighter incentive funds for paid firefighters should be withheld from departments which do not comply with requirements established by statute or regulation. For example, aid and incentive money should be withheld from departments which do not submit fire incident reports until they bring themselves into compliance. Implementation of this proposal may require amendment of KRS 17.250, and if this is the case, you are invited to develop language which will accomplish this purpose.

Finally, the Task Force recommends that the Commission implement proposals which have been developed from within your organization, and specifically:

- 1) The current training records reporting system should be upgraded to meet NFPA Firefighter Professional qualifications criteria; and
- 2) Firefighter certification and instructor certification should be updated to stay abreast of NFPA 1500 requirements and the Superfund Amendments and Reauthorizations Act of 1986.

j1/4202d



SENATE MEMBERS

Charles W. Berger
Assistant President Pro Tem

Joe Wright
Majority Floor Leader

John D. Rogers
Minority Floor Leader

David K. Karem
Majority Caucus Chairman

Art Schmidt
Minority Caucus Chairman

Greg Higdon
Majority Whip

Tom Buford
Minority Whip

LEGISLATIVE RESEARCH COMMISSION

State Capitol

Frankfort, Kentucky 40601

502-564-8100

John A. "Eck" Rose, Senate President Pro Tem

Donald J. Blandford, House Speaker

Chairmen

Vic Hellard, Jr.
Director

HOUSE MEMBERS

Pete Worthington
Speaker Pro Tem

Gregory D. Stumbo
Majority Floor Leader

Tom Jensen
Minority Floor Leader

Jody Richards
Majority Caucus Chairman

Clarence Noland
Minority Caucus Chairman

Kenny Rapier
Majority Whip

Jim Zimmerman
Minority Whip

MEMORANDUM

TO: James (Mike) Molloy, Executive Director
Division of Disaster and Emergency Services
Department of Military Affairs

FROM: ^{LC} Representative Larry Clark, Chairman
Kentucky Fire Protection Study Task Force

SUBJECT: Regional Response Teams for Hazardous Materials
Incidents

DATE: October 29, 1991

The 1990 General Assembly created the interim Kentucky Fire Protection Study Task Force to study fire protection in Kentucky. The study necessarily involved consideration of hazardous materials incidents since fire departments are required to respond to these incidents on a daily basis. While hazardous materials training is a part of the instruction which all firefighters receive, it must be recognized that much of rural Kentucky is served by volunteer fire departments with limited hazardous materials response capability. For this reason the Task Force adopted the proposal that **regional response teams for hazardous materials incidents should be created on a statewide basis.**

It seems appropriate that regional hazardous materials response teams should be evaluated by the Kentucky Emergency Response Commission, of which you are chairman. We would like the Commission's general response to this concept, as well as analysis of more specific problems. For example, how might

Mr. James (Mike) Molloy
Page Two
October 29, 1991

regions be delineated? What would manpower requirements be? How could current manpower and equipment capabilities be aggregated for emergency response? Can round-the-clock response capability be achieved given the restrictions on hours served by state personnel? Who should the lead agencies be? Can some services be obtained from the private sector? What funding sources might be available? I am sure there are other questions which will come to your mind, given your experience in this area.

Could the Commission please deliberate on this proposal and the subsidiary questions? Please direct your response to Mr. William Wiley of the LRC staff, who served as the administrator for the Task Force. Thank you so much for your cooperation.

j1/4220d

**SENATE MEMBERS**

Charles W. Berger
Assistant President Pro Tem

Joe Wright
Majority Floor Leader

John D. Rogers
Minority Floor Leader

David K. Karem
Majority Caucus Chairman

Art Schmidt
Minority Caucus Chairman

Greg Higdon
Majority Whip

Tom Buford
Minority Whip

LEGISLATIVE RESEARCH COMMISSION

State Capitol

Frankfort, Kentucky 40601

502-564-8100

John A. "Eck" Ross, Senate President Pro Tem

Donald J. Blandford, House Speaker

Chairmen

Vic Hellard, Jr.
Director

HOUSE MEMBERS

Pete Worthington
Speaker Pro Tem

Gregory D. Stumbo
Majority Floor Leader

Tom Jensen
Minority Floor Leader

Jody Richards
Majority Caucus Chairman

Clarence Noland
Minority Caucus Chairman

Kenny Rapier
Majority Whip

Jim Zimmerman
Minority Whip

MEMORANDUM

TO: The Legislative Research Commission

FROM: Representative Larry Clark, Chairman
Kentucky Fire Protection Study Task Force

SUBJECT: Information Bulletin on Fire Protection
Statutes and Regulations

DATE: October 11, 1991

A study of fire protection efforts in Kentucky was mandated by 1990 HCR 75. This study was completed by the Kentucky Fire Protection Study Task Force, which I served as chairman. One Task Force recommendation was that an information bulletin be published which would assemble in one document all of the state laws and regulations which relate to fire protection.

There are several compelling arguments for this proposal. First is that there are over seven hundred fire departments in Kentucky, and the great majority of these departments are in rural areas. They are staffed predominantly by volunteers, and tend to be underfunded. At the same time, firefighting is becoming a more sophisticated enterprise due to the introduction of new knowledge and technology. With this knowledge and technology come new requirements from the federal government, predominantly in the areas of hazardous materials control and firefighter safety.

Legislative Research Commission
Page Two
October 11, 1991

Currently the laws on fire safety are in several chapters of the statutes, including KRS Chapter 17, 75, 95, 95A and 227. In addition, there are state regulations, and there are federal standards which have been or may be adopted through the Commission on Fire Protection Personnel Standards and Education (KRS Chapter 95A).

Since most fire departments in Kentucky have but one station, with little or no office space and no paid personnel, it is next to impossible to have at hand the statutes and regulations which apply to fire protection. As a result, fire department personnel are put in the position of "flying blind". LRC could do a great service by producing a comprehensive and well indexed information bulletin which any department, small or large, could have on hand for ready reference.

We therefore request that the Legislative Research Commission produce an information bulletin for fire departments and distribute a copy to each department in Kentucky during the 1992-93 interim.

j1/4200d



SENATE MEMBERS
Charles W. Berger
Assistant President Pro Tem
Joe Wright
Majority Floor Leader
John D. Rogers
Minority Floor Leader
David K. Karem
Majority Caucus Chairman
Art Schmidt
Minority Caucus Chairman
Greg Higdon
Majority Whip
Tom Buford
Minority Whip

LEGISLATIVE RESEARCH COMMISSION

State Capitol

Frankfort, Kentucky 40601

502-564-8100

John A. "Eck" Rose, Senate President Pro Tem

Donald J. Blandford, House Speaker

Chairmen

Vic Hellard, Jr.

Director

HOUSE MEMBERS
Pete Worthington
Speaker Pro Tem
Gregory D. Stumbo
Majority Floor Leader
Tom Jensen
Minority Floor Leader
Jody Richards
Majority Caucus Chairman
Clarence Noland
Minority Caucus Chairman
Kenny Rapier
Majority Whip
Jim Zimmerman
Minority Whip

MEMORANDUM

TO: Representative Larry Clark, Chairman
Kentucky Fire Protection Study Task Force

FROM: Vic Hellard, Jr. *Vic*

SUBJECT: Request of LRC

DATE: October 31, 1991

At its meeting today the Legislative Research Commission received your request that it produce an information bulletin for fire departments which would contain all the state laws and regulations which relate to fire protection. The Commission voted to pass over this request at this time. If you have any questions, please do not hesitate to contact me. Thank you.

cc: Bill Wiley

6581F

**SENATE MEMBERS**

Charles W. Berger
Assistant President Pro Tem

Joe Wright
Majority Floor Leader

John D. Rogers
Minority Floor Leader

David K. Karem
Majority Caucus Chairman

Art Schmidt
Minority Caucus Chairman

Greg Higdon
Majority Whip

Tom Buford
Minority Whip

LEGISLATIVE RESEARCH COMMISSION

State Capitol

Frankfort, Kentucky 40601

502-564-8100

John A. "Eck" Rose, Senate President Pro Tem

Donald J. Blandford, House Speaker

Chairmen

Vic Hellard, Jr.
Director

HOUSE MEMBERS

Pete Worthington
Speaker Pro Tem

Gregory D. Stumbo
Majority Floor Leader

Tom Jensen
Minority Floor Leader

Jody Richards
Majority Caucus Chairman

Clarence Noland
Minority Caucus Chairman

Kenny Rapier
Majority Whip

Jim Zimmerman
Minority Whip

MEMORANDUM

TO: Rodney Raby, State Fire Marshal

FROM: Representative Larry Clark, Chairman
Kentucky Fire Protection Study Task Force

SUBJECT: Task Force Recommendations

DATE: October 11, 1991

As a member of the Fire Protection Study Task Force, you are aware that we chose to direct two recommendations to you in your position as State Fire Marshal. Let me set these recommendations out for you in this memo, along with some background information on both.

1. A state-wide burn injury reporting system should be established. This recommendation was reported by Chief Russell Sanders of Louisville, speaking for the Urban Affairs Council and the Kentucky League of Cities. Apparently several states have established such a system. The program benefits are that data can be used to develop comprehensive burn education programs, and to assist in some criminal investigations. It is suggested that health care professionals be required to report burn injuries to the State Fire Marshal. In one state there is a feedback mechanism. The State Fire Marshal calls the local investigative agency when he receives a call. In this way both the local agency and the state can initiate investigations immediately, if warranted. I am informed that Dr. George Nichols, the State Medical Examiner, would support this proposal.

Rodney Raby
Page Two
October 11, 1991

2. As you know, federal regulations to prevent ground water pollution have led to costly replacement of underground storage tanks. Some users have resorted to above ground fuel tanks to avoid these costs. The result is fewer pollution problems from leakage, but increased potential for fire or explosion. The recommendation, then, is that there be strict regulations to govern the design and location of above ground fuel tanks.

cc: William C. Eddins, Commissioner
Department for Environmental Protection
Natural Resources and Environmental Protection Cabinet

j1/4203d



COMMONWEALTH OF KENTUCKY
DEPARTMENT OF HOUSING, BUILDINGS AND CONSTRUCTION
DIVISION OF FIRE PREVENTION

1047 U.S. 127 SOUTH
FRANKFORT, KENTUCKY 40601
(502) 564-3626
(FAX-502-564-6799)

WALLACE G. WILKINSON
GOVERNOR

G. RODNEY RABY
STATE FIRE MARSHAL

October 21, 1991

The Honorable Larry Clark
5913 Whispering Hills Blvd
Louisville, Kentucky 40219

Dear Larry,

Thanks for your letter regarding targets of interest from the Kentucky Fire Protection Task Force. Please allow me to address the two issues directed toward this office.

First, the gathering of data on burn incidents is important to any fire education, which we hope to undertake in the near future. We believe, through our Kentucky Fire Incident Reporting System, that as we achieve better participation, records of burn incidents will improve. We will continue to pursue better ways to get the necessary information through some agreement with the medical community.

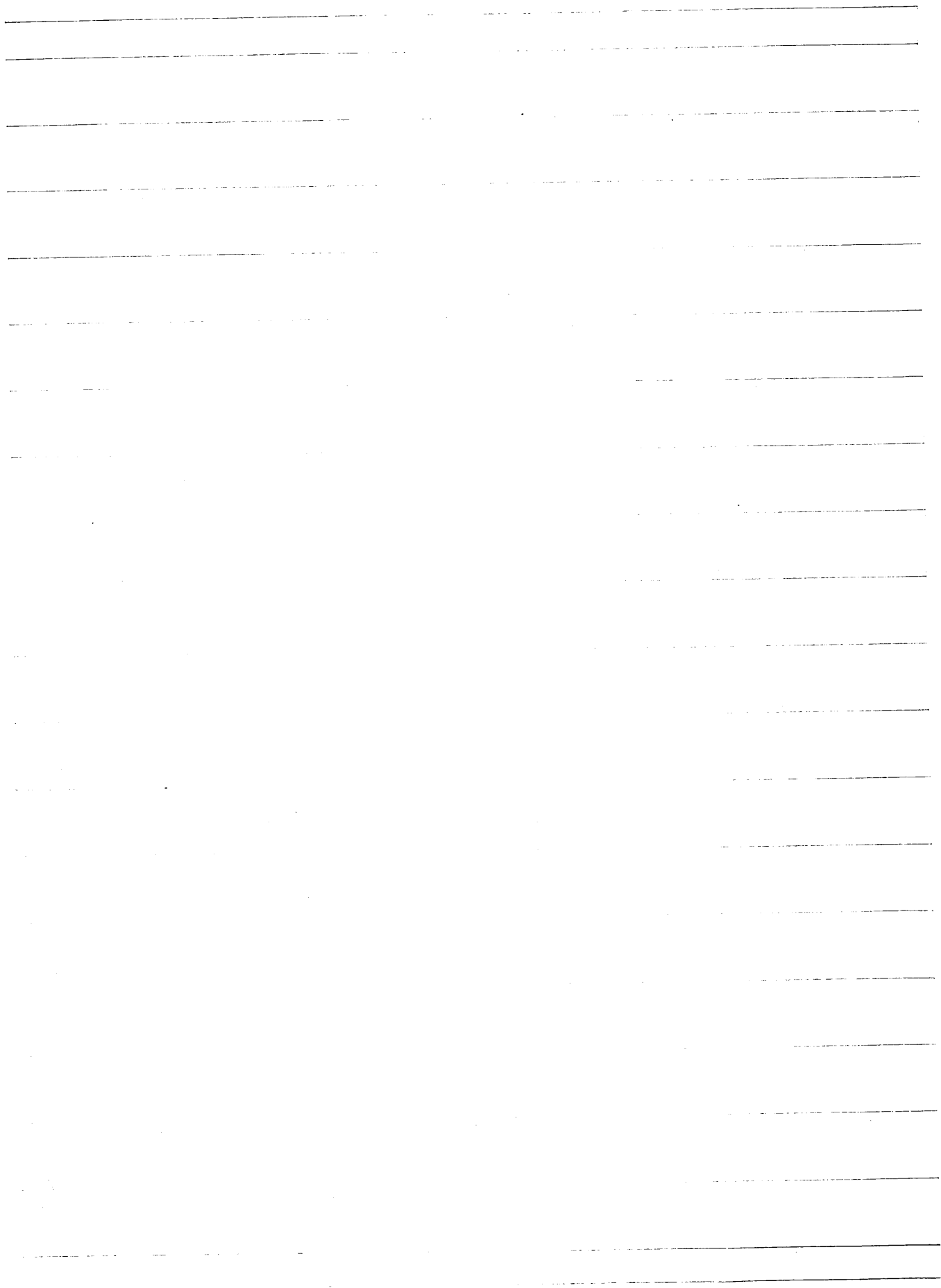
The second concern expressed was the changes in attitude with reference to underground storage and the advent of placing storage aboveground. The National Fire Protection Standards adopted by Kentucky Revised Statutes are ample to deal with this matter. The aboveground storage is required to be provided with time tested safety features which should cause no alarm to the response personnel. The stringent standards dealing with aboveground storage actually encourages remaining with underground storage. I believe this encouragement is due to the fact the underground technology from the environmental aspect is much safer than ever before. Corrosion protection, secondary containment and adequate leak detection makes the continued use of underground containers attractive. The distance requirements specified in aboveground storage will make most urban locations aboveground prohibitive.

I appreciate the work of the Task Force and the opportunity to respond to your interest.

Respectfully,

A handwritten signature in cursive script that reads "G. Rodney Raby".

G. Rodney Raby
State Fire Marshal



(3510d)

LRC QUESTIONNAIRE, FIRE PROTECTION IN KENTUCKY

District or Department Name _____
County _____
Person Completing Questionnaire _____
Title _____
Date _____

PLEASE CHECK YOUR ANSWERS OR WRITE OUT WHERE APPLICABLE

1. Are you established pursuant to any particular statute?

- (1) _____ KRS 67.083, County Home Rule
 - (2) _____ KRS Chapter 75, Fire District
 - (3) _____ KRS 74.075, As a Function of A Water District
 - (4) _____ Municipal Fire Dept., KRS Chapter 95
 - (5) _____ Non-Profit Corporation
 - (6) _____ Civic Club
 - (7) _____ Not Sure
 - (8) _____ Other, Or Combination (Please Specify)
- _____
- _____

2. What year were you created? _____

3. Was your jurisdiction previously covered by another fire department?

Yes _____ No _____

4. Of what fire service related associations is your department a dues paying member?

- (1) _____ Kentucky Firefighters Association
- (2) _____ Barren River Firefighters Association
- (3) _____ Buffalo Trace Firefighter Association
- (4) _____ Central Kentucky Firefighters Association
- (5) _____ Daniel Boone Firefighters Association
- (6) _____ Dixie Firefighters Association
- (7) _____ Eastern Kentucky Firefighters Association
- (8) _____ Green River Firefighter Association
- (9) _____ Jackson Purchase Firefighter Association
- (10) _____ Jefferson County Firefighters Association

- (11) Lake Cumberland Firefighter Association
 - (12) Mountain Firefighter Association
 - (13) Northern Kentucky Firemen Association
 - (14) Southeastern Kentucky Firemen Association
 - (15) Other (Please Name) _____
-

5. What functions do such associations serve? You may check more than one.

- (a) Lobbying
 - (b) Training
 - (c) Social
 - (d) Group Insurance
 - (e) Mutual Aid
 - (f) Fire Prevention
 - (g) Other (Please Describe) _____
-
-

6. Have you entered mutual aid agreements with other fire departments? If you do not have your own department, has the department you contract with entered mutual aid agreements?

Yes _____ No _____

7. Have you contracted to fight fires outside your jurisdiction?

Yes _____ No _____

8. Please color in the area you protect on the enclosed county map. Please be as accurate as possible. Mark the location of all stations with an X.

9. What is the population of your jurisdiction? If you are not sure, please approximate.

10. How many fire stations do you have?

Number _____

11. How many volunteers do you have?

Men _____

Women _____

12. How many full time paid personnel do you have?

Men _____

Women _____

13. If your personnel earn a pension for their work as firefighters, to what pension system do they belong?

County Employees Retirement
System

Other, please specify

14. If your personnel have a pension system, who does it cover?

(1) _____ Paid (2) _____ Unpaid (3) _____ Both Paid
& Unpaid

15. How would you describe your jurisdiction: You may check more than one.

- (1) _____ Urban
- (2) _____ Rural
- (3) _____ Urban-rural mix
- (4) _____ Industrial-Business
- (5) _____ Suburban
- (6) _____ Other, Please Specify _____

16. What percent of your jurisdiction is served by:

- (a) _____ No water main
- (b) _____ 4" water main
- (c) _____ 6" water main
- (d) _____ 8" water main
- (e) _____ 10" water main
- (f) _____ 12" water main
- (g) _____ larger than 12" water main

17. Is there a water district in your jurisdiction which does not allow you to use its water mains?

Yes _____ No _____
If yes, please explain _____

18. How many vehicles does your fire department operate?

	1st Response	Reserve
Number of Engines	_____	_____
Number of Ladder Companies	_____	_____
Number of Rescue Units	_____	_____
Number of Quick Response Units (Mini Pumpers)	_____	_____
Number of Tankers	_____	_____
Number of Ambulances	_____	_____
Number of Brush Vehicles	_____	_____
Other	_____	_____

19. What are your total insurance costs per year? Please give amounts to the nearest thousand dollars.

Professional Liability

Property (Including Vehicles)

20. Do you operate an ambulance service? You may check more than one.

BLS _____ ALS _____ Transport _____ No _____

21. Where do you get guidance on what equipment to buy? You may check more than one. Please make a star in front of your most important source of advice.

- (a) _____ ISO
- (b) _____ Vocational Education Instructor
- (c) _____ State Fire Marshal
- (d) _____ Professional Magazine
- (e) _____ Talking to Other Firefighters
- (f) _____ Sales Representative
- (g) _____ Other, Please Describe

22. Do you have a fire prevention inspection program for existing structures? You may check more than one.

- (a) _____ Yes, we inspect with the State Fire Marshal
- (b) _____ Yes, we inspect independently
- (c) _____ We inspect homes upon request
- (d) _____ We do not participate in any inspections

23. If you answered (a) or (b) above, how often do you inspect?

- (1) Annually
- (2) More often than annually
- (3) Some annually, some more often
- (4) Less often than annually
- (5) Other, please specify _____

24. Do you have a person specifically assigned to fire prevention?

Yes No

25. Are you aware of NFPA 1500 (Occupational Safety and Health Program)? If so, do you have a written implementation plan?

Aware Yes No
Have Plan Yes No

26. Are you aware of the SARA/Title III Legislation (hazardous materials)? If so, do you have a copy of the regional plan?

Aware Yes No
Have Plan Yes No

27. Are you aware of OSHA 1910, 120 concerning hazardous material response? If so, does your department have a written S.O.P. to ensure compliance?

Aware Yes No
Written S.O.P. Yes No

28. Do you have an emergency plan in the event of a hazardous materials incident?

Yes No

29. What percentage, or number, of personnel in your department have been trained at the following levels of hazardous materials response training?

Awareness % Number Operations % Number
Technician % Number Specialist % Number

30. Do you favor the concept of regional hazardous materials response team for response levels above operations level responder?

Yes No

31. Is anyone in your department trained to investigate the cause and origin of fires?

Yes _____ No _____

32. Who does fire investigations in your area? You may check more than one.

_____ Fire Department _____ State Fire Marshal
_____ Local Police/Sheriff _____ Other (Please Describe)
_____ State Police _____

33. What is your current I.S.O. class, (or classes)?

(a) _____
(b) _____

34. When was your last I.S.O. inspection? _____

35. Has your fire insurance class improved or declined in the past five years?

(1) _____ Improved
(2) _____ Declined
(3) _____ No change
(4) _____ If declined, state why _____

36. What were your sources of revenue for your most recent full budget year. Please give all sources.

(a) _____ Local Property Tax, rate per \$100 valuation
(b) _____ Amount collected, nearest thousand
(c) _____ Mandatory subscriptions, dollars per household
(d) _____ Amount collected, nearest thousand
(e) _____ Optional subscriptions, dollars per household
(f) _____ Amount collected, nearest thousand
(g) _____ Charge per run within district
(h) _____ Amount collected, nearest thousand
(i) _____ Charge per run outside district
(j) _____ Amount collected, nearest thousand
(k) _____ State aid, dollar amount for most recent year
(l) _____ Forestry aid, dollar amount for most recent year
(m) _____ Local government aid, nearest thousand
(n) _____ Self help fund raising, dollar amount
(o) _____ Contracts with fire districts or departments nearest thousand
(p) _____ Appropriations by your city council or fiscal court, nearest thousand

37. How often do you have training sessions?

- | | |
|---|--|
| (1) <input type="checkbox"/> Daily | <input type="checkbox"/> Hours per session |
| (2) <input type="checkbox"/> Weekly | <input type="checkbox"/> Hours per session |
| (3) <input type="checkbox"/> Three times monthly | <input type="checkbox"/> Hours per session |
| (4) <input type="checkbox"/> Twice Monthly | <input type="checkbox"/> Hours per session |
| (5) <input type="checkbox"/> Monthly | <input type="checkbox"/> Hours per session |
| (6) <input type="checkbox"/> Less Often
than Monthly | <input type="checkbox"/> Hours per session |

38. Do you maintain training session course descriptions?

Yes No

39. Do you maintain training attendance records?

Yes No

40. How many instructors in your department are certified as instructors by the Commission on Fire Protection Personnel Standards and Education?

Number

41. Is there a training center in your area provided by funds from the Commission on Fire Protection Personnel Standards and Education?

Yes No

42. If yes, does your department use the training center?

Yes No

43. Has your department participated in any training programs conducted by the fire/rescue training section of Kentucky Tech (formally vocational education) within the past year? You may check more than one.

- (1) No
(2) Yes
(3) If yes, at the firehouse?
(4) If yes, at regional location?

44. Would you rate training by the fire/rescue training section of Kentucky Tech as: (Check One)

- (1) Extremely useful
(2) Very useful
(3) Useful
(4) Somewhat useful
(5) Not useful

45. Any comments on Kentucky Tech services: _____

PLEASE RATE THE SERVICES PROVIDED BY THE STATE FIRE MARSHAL'S OFFICE.

46. Enforcement of fire codes (Kentucky Standards of Safety) (Check one)

- (1) _____ Extremely useful
- (2) _____ Very useful
- (3) _____ Useful
- (4) _____ Somewhat useful
- (5) _____ Not useful

47. Coordination and assistance in public fire education programs. (Check one)

- (1) _____ Extremely useful
- (2) _____ Very useful
- (3) _____ Useful
- (4) _____ Somewhat useful
- (5) _____ Not useful

48. Assistance on questions pertaining to every day fire department operations. (Check one)

- (1) _____ Extremely useful
- (2) _____ Very useful
- (3) _____ Useful
- (4) _____ Somewhat useful
- (5) _____ Not useful

49. Assistance with Haz-mat incident response (Check one)

- (1) _____ Extremely useful
- (2) _____ Very useful
- (3) _____ Useful
- (4) _____ Somewhat useful
- (5) _____ Not useful

50. Assistance in fire cause and origin investigations. (Check one)

- (1) Extremely useful
- (2) Very useful
- (3) Useful
- (4) Somewhat useful
- (5) Not useful

51. Assisting in follow-up arson investigations. (Check one)

- (1) Extremely useful
- (2) Very useful
- (3) Useful
- (4) Somewhat useful
- (5) Not useful

52. Any comments on Fire Marshal services: _____

PLEASE RATE THE SERVICES PROVIDED BELOW BY THE KENTUCKY STATE POLICE.

53. Assistance by a local uniform trooper. (Check one)

- (1) Extremely useful
- (2) Very useful
- (3) Useful
- (4) Somewhat useful
- (5) Not useful

54. Assistance in fire cause and origin investigations. (Check one)

- (1) Extremely useful
- (2) Very useful
- (3) Useful
- (4) Somewhat useful
- (5) Not useful

55. Assisting in follow-up investigations. (Check one)

- (1) Extremely useful
- (2) Very useful
- (3) Useful
- (4) Somewhat useful
- (5) Not useful

56. Any comments on KSP services: _____

57. How many of your personnel have attended the Annual State Fire School held in Lexington in June?

- (a) _____ Number last year
(b) _____ Number in previous years

58. Would you describe the Annual State Fire School as:
(Check one)

- (1) _____ Extremely useful
(2) _____ Very useful
(3) _____ Useful
(4) _____ Somewhat useful
(5) _____ Not useful (describe) _____

59. How many of your personnel have attended a regional fire school?

- (a) _____ Number last year
(b) _____ Number in previous years

60. Would you describe the regional fire school as: (Check one)

- (1) _____ Extremely useful
(2) _____ Very useful
(3) _____ Useful
(4) _____ Somewhat useful
(5) _____ Not useful, Describe _____

61. Please list any compensation or reimbursement your volunteers receive:

- (a) \$ _____ Response to a fire
(b) \$ _____ Training session
(c) _____ Mileage (cents per mile)
(d) _____ Uniform cleaning
(e) _____ Uniforms provided
(f) _____ Other, please describe _____

62. Do you provide a death benefit or disability insurance above workmen's compensation and state and federal payments for death in the line of duty?

- (a) \$ _____ Death benefit (amount in thousands)
- (b) _____ Disability
- (c) _____ No

63. Please list 2-way radio frequencies your department uses:

(1) _____ (2) _____ (3) _____ (4) _____

64. Should a state of emergency disaster occur (such as an earthquake or tornado) could your department send one piece of apparatus and a crew if called upon?

Yes _____ No _____

65. How long does it take from the time the dispatcher has an address until your first responding unit arrives on the scene? (Check one)

- (1) _____ Two to three minutes
- (2) _____ Three to four minutes
- (3) _____ Four to five minutes
- (4) _____ Five to six minutes
- (5) _____ More than six minutes

66. What is the average number of firefighters responding with the first unit?

Day _____ Night _____ Weekend _____

67. How many runs would you estimate you make per year? Give number.

- (a) _____ Rescue
- (b) _____ EMS Related
- (c) _____ Grass and brush
- (d) _____ Residential
- (e) _____ Commercial, industrial
- (f) _____ Highway accidents or railway derailments
- (g) _____ Other

68. How many of your runs per year are declared hazardous material incidents?

_____ Number

_____ Percentage

69. What percent of residents in your area do you estimate have smoke detectors? _____

70. What percent of detectors do you estimate have functioning batteries? _____
71. If you could do one thing to improve fire protection services in Kentucky, what would you do? _____
- _____
- _____
- _____

THIS IS THE END OF THE QUESTIONNAIRE FOR PAID FIRE DEPARTMENTS. FIRE DISTRICTS AND VOLUNTEER FIRE DEPARTMENTS, PLEASE CONTINUE.

72. If you are a fire district or a non-profit corporation, do you?
- (1) Have own department _____
- (2) Contract with another department _____
- (3) Both _____
73. Have you created a holding company to purchase and hold property for your district?
- Yes _____ No _____
74. If you have created a holding company, is it subject to annual audit or review of financial statements?
- Yes _____ No _____
75. If you are a fire district, when was your last election of property owner trustees?
- _____
76. How many property owners voted?
- _____
77. What percent of property owners voted? Don't Know _____
- % _____
78. Do you have a paid administrator?
- Yes _____ No _____
79. If your governing body is something other than a city council or a fiscal court, are the members paid?
- Yes _____ No _____

80. How often does your board meet?

- (1) Monthly
- (2) Quarterly
- (3) Less often than quarterly
- (4) Other, (Specify) _____

81. If your jurisdiction is independent of city or county government, do you have a budget? Check only one.

- (1) Yes
- (2) No
- (3) Yes, published
- (4) Yes, available to citizens or local government officials

82. If you are a taxing district do you receive technical advice when you set your tax rates?

Yes _____ No _____

If yes, from whom _____

83. If independent of city or county government, do you prepare an audit or financial statement each year?

Yes _____ No _____

84. When you purchase supplies or equipment, at what price do you require bids? (Check one)

- (1) Less than \$5,000
- (2) Between \$5,000 and \$10,000
- (3) \$10,000 or more

85. If you charge by the run, how much do you charge?

_____ Dollar amount per run

86. What percentage of charges do you collect?

_____ %

87. If you are a subscription department, what percentage of run charges do you collect from non subscribers?

_____ % _____ Not subscription department

88. Are there requirements for training hours that your members must meet in order to maintain membership?
(Check one)

- (1) _____ Less than 20 hours annually
- (2) _____ 20 to 40 hours annually
- (3) _____ 40 to 60 hours annually
- (4) _____ 60 to 80 hours annually
- (5) _____ 80 to 100 hours annually
- (6) _____ over 100 hours annually

89. Are there requirements for run response that your members must meet in order to maintain membership.

Yes _____ No _____

90. How many of your volunteer firefighters have had 150 hours of training and are certified by the Commission of Fire Protection Personnel Standards and Education?

_____ Number

_____ Percentage

91. How long did it take you to train enough personnel to qualify for state aid?

92. How many volunteers, on an average, leave your fire department each year?

_____ Number

_____ Percent

93. Please list the main reasons volunteers leave your department.

94. How are personnel alerted to a fire? You may check more than one.

- (a) _____ Siren
- (b) _____ Radio
- (c) _____ Pager
- (d) _____ Telephone
- (e) _____ Other, please specify _____



GENERAL ASSEMBLY
COMMONWEALTH OF KENTUCKY

REGULAR SESSION 1990

HOUSE CONCURRENT RESOLUTION NO. 75

WEDNESDAY, FEBRUARY 14, 1990

The following concurrent resolution was reported to the Senate from the House and ordered to be printed.

A CONCURRENT RESOLUTION establishing a commission to study firefighting services in Kentucky.

WHEREAS, fire protection is an essential service needed by all Kentuckians; and

WHEREAS, there are currently over five hundred fire departments of various sorts in Kentucky, including municipal and county departments, taxing and non taxing special districts, non profit corporations, subscription departments, community fire departments and loosely organized volunteer associations; and

WHEREAS, the laws pertaining to fire departments are difficult to assimilate because they are scattered throughout the statutes; and

WHEREAS, fire districts in urbanizing areas are growing to sizes not contemplated when their enabling statutes were written, creating problems of administration, management and accountability; and

WHEREAS, fire protection is very difficult to provide in rural areas, especially those which are losing population; and

WHEREAS, the responsibilities of firefighters in maintaining civil order during disasters and emergencies are poorly defined; and

WHEREAS, Kentuckians would benefit if the responsibilities of fire departments were clearly delineated, the administrative and accounting practices

were simple, clearly understood, and uniformly implemented, and problems of resources and manpower carefully analyzed;

NOW, THEREFORE,

Be it resolved by the House of Representatives of the General Assembly of the Commonwealth of Kentucky, the Senate concurring therein:

1 Section 1. That a Kentucky Fire Protection Study
2 Commission be created consisting of the State Fire Marshal
3 and seventeen (17) members appointed by the Legislative
4 Research Commission, including two (2) fire chiefs of paid
5 fire departments, two (2) representatives of organized
6 labor, two (2) representatives of the Kentucky
7 Firefighters Association, one (1) representative of fire
8 districts created pursuant to KRS Chapter 75, one (1)
9 representative of the insurance industry with experience
10 in providing fire insurance, two (2) Senators and two (2)
11 members of the House of Representatives, one (1)
12 representative of fire departments which are non profit
13 corporations, one (1) representative of community fire
14 departments, one (1) representative of the Kentucky League
15 of Cities, one (1) representative of the Kentucky
16 Association of Counties and the chairman of the Commission
17 on Fire Protection Personnel Standards and Education. The

1 Legislative Research Commission, in making its
2 appointments, shall ensure that at least one appointment
3 is made from each of Kentucky's seven (7) congressional
4 districts.

5 Section 2. The Commission shall study the provision
6 of firefighting services in Kentucky, to include questions
7 of jurisdiction, management, administration,
8 accountability, funding and state aid, effectiveness,
9 relation of protection to insurance rates, interlocal
10 cooperation, and the organization, clarity and
11 completeness of statutory and regulatory guidelines.

12 Section 3. The Commission shall hold its first
13 meeting no later than September 1, 1990. It shall select a
14 chairman and other officers it deems necessary. Members
15 shall receive no compensation, but members not otherwise
16 reimbursed shall be reimbursed by the Legislative Research
17 Commission for their necessary and reasonable expenses.

18 Section 4. The Commission shall report its findings,
19 recommendations and any suggested legislation to the
20 Legislative Research Commission no later than October 1,
21 1991.

22 Section 5. Staff services to be utilized in
23 completing this study are estimated to cost \$18,000. These
24 staff services shall be provided from the regular
25 Commission budget and are subject to the limitations and
26 other research responsibilities of the Commission.



