

----- Original Message -----

From: [Bob McLemore](#)

Sent: Friday, February 25, 2011 4:27 PM

Subject: FW: Leg. Update 2/25/11

Update, still no news on the KSFM, the bill is still at the revisers and we have no info on it yet.

Bob

From: Pat Lehman [mailto:ptlehman@sunflower.com]

Sent: Friday, February 25, 2011 4:19 PM

To: firechief@cityofcolby.com; 'Jack Taylor'

Cc: 'Marty Quick'; 'Bob Renton'; almes@ci.manhattan.ks.us; 'Ray Bival'

Subject: Leg. Update 2/25/11

Please forward:

To look at bills go to: <http://www.kslegislature.org/li/> This is the legislative website.

Bill tracker attached. The first half of the legislature has ended today. This is referred as turnaround Monday and Tuesday next week both the House and Senate will not be in session.

HB 2088	Municipalities; sprinkler systems, residential housing; changes.	Senate Local Government	Hearing Tue. 2/22/11 9:30 am Rm 159-S	Passed the House 2/7/11. 107-14 Hearing held in Senate, no action by the committee.
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Hearing was held Tuesday February 22. Sandy Jacquot with the League, Chief Jeff Hudson Shawnee Fire Chief, Tim Ryan Building Codes Overland Park testified and all did an excellent job. Three conferees from each side were allowed to testify. Chairman Reitz has told us he will not work the bill. We know that the proponents will get the bill amended on the floor of the Senate to a germane bill.

Below is from an email that Bob McLemore sent to his Senator. I think it has some good points and I did get permission from Bob to share with you for you to at least use some points when contacting your Senator don't use it word for word but it would give you an idea of what to say.

Next week the Senate Local Government Committee will be meeting to discuss HB 2088 which deals with building codes and specifically residential fire sprinklers.

As a Fire Chief I am accountable to my community, emergency responders and their families to manage risk and to recognize local needs and address those needs in a way that takes into account the costs and local community standards that are unique to that jurisdiction. Residential fire sprinklers are one tool that can fill a need for some communities. Those that introduced this bill will have you think that every town in the State of Kansas will instantly adopt the residential sprinkler provisions, which is not true. Codes and standards are adopted on a local basis and are used to mitigate a problem that a community has. As I am sure you know, local governments can remove, add or augment portions of codes/standards and ordinances as they see fit. A law that does not recognize the different challenges of each community and attempts to use a wide brush stroke to address this issue is a bad law and has the distinct possibility of placing into peril the lives and livelihoods of residents, emergency responders and communities.

I would like to give you a brief history of this Bill (I apologize if I assume too much). Last year a similar bill was defeated in the house (HB2515), it was then resurrected in the Senate as SB573 and included this sunset provision for July 1, 2011. The legislature asked that the two opposing groups get together and try to work out a compromise; this effort was headed up by Sandy Jocquot with the Kansas league of Municipalities and included representatives from the Association of Counties, the Fire Service, Building Code experts, the Homebuilders and Realtor groups. This committee met several times and several compromise issues were presented by the pro sprinkler side. The homebuilders/realtor representatives did not attend the meetings of the groups that opposed the bill but both sides met in mid December and the proponents of the bill in my opinion did not make an honest effort at compromise as directed by Legislature. Instead we felt that they were banking their hopes on repealing the sunset provision and now that appears to be the fact.

The Homebuilder/Realtor side would have you think that this is purely an economic issue and be a burden on the homeowners. I agree that there is a financial consideration to be made but as you well know there is always another side to issues. The anti-sprinkler group has been disingenuous in their portrayal of this issue to the legislators, they have been using data out of context, and misrepresenting the costs associated with sprinkler systems. I realize that the

Homebuilder/Realtor lobby is a large, well organized and funded group and have more political clout as compared to Fire Service and life safety organizations in this state.

HB 2119	Prohibiting accident response service fees.	Sent to Senate	No Hearing Scheduled	Passed the House amended 2/24/11. 119-2
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The language of the bill is below

[As Amended by House Committee of the Whole]

As Amended by House Committee

Session of 2011

HOUSE BILL No. 2119

By Committee on Local Government

1-27

AN ACT concerning ~~emergency medical services; relating to~~ [political subdivisions; relating to] accident response service fees; amending K.S.A.80-1557 and repealing the existing section[; relating to marking of vehicles; amending K.S.A. 8-305 and repealing the existing section].

Be it enacted by the Legislature of the State of Kansas:

Section 1.K.S.A. 80-1557 is hereby amended to read as follows: 80-1557. (a) As used in this section:

(1)"Rescue service" means a service which provides emergency care by qualified personnel through a township or fire district fire department.

(2)"Emergency care" means the services provided after the onset of a medical condition manifesting itself by acute symptoms of sufficient severity such that the absence of immediate medical attention could reasonably be expected to: (A) Place the patient's health in serious jeopardy; (B) seriously impair bodily functions; or (C) result in serious dysfunction of any bodily organ or part.

(3)"Qualified personnel" means any individual who holds a certificate as an attendant as defined in K.S.A. 65-6112, and amendments thereto.

(4)"Township" means any township which has established a fire department pursuant to K.S.A. 80-1901 et seq., and amendments thereto.

(5)"Fire district" means any fire district which has established a fire department pursuant to K.S.A. 80-1540 et seq., and amendments thereto.

(b)The township board or governing body of the fire district may authorize the township or fire district fire department to provide rescue service as a township or fire district function, within or without the township or fire district, or may contract with any person or governmental entity for the furnishing of rescue service and upon such terms and conditions, and for such compensation as may be agreed upon which shall be payable from the township general fund or the fire fund or the fire district fund.

(c)The township board or governing body of the fire district may establish charges to persons receiving rescue service inside or outside of such township or fire district. Rescue service shall not include an accident response service fee. As used in this subsection, the term "accident response service fee" means any fee imposed on the driver or owner of a motor vehicle, an insurance company or any other person, for the response to or investigation of a motor vehicle accident, but does not include the usual and customary charges for providing ambulance and emergency services when immediate action is required to save life, prevent suffering or disability or to protect and save property. The charges so made and received shall be deposited in the general funds of the township or fire district, and the same may be used in addition to funds received under the tax levies authorized by K.S.A. 80-1546 and 80-1903, and amendments thereto.

(d)Qualified personnel providing rescue service shall be compensated in the same manner as other fire department employees and volunteers as provided by K.S.A. 80-1544 and 80-1904, and amendments thereto.

Sec. 2.K.S.A.80-1557 is hereby repealed.

[New] Section 1.(a)As used in this section:

(1)"Municipality" means a city, county, township, fire district or any other political and taxing subdivisions in this state.

(2)"Accident response service fee" means any fee imposed on the driver or owner of a motor vehicle, an insurance company or any other person, for the response to or investigation of a motor vehicle accident, but does not include the usual and customary charges for providing ambulance and emergency services when immediate action is required to save life, prevent suffering or disability or to protect and save property.

(3)"Emergency services" includes the police, fire and emergency medical service personnel and equipment deemed appropriate by the municipality to address reasonably anticipated needs including, but not limited to, unknown number of injured persons and possible environmental and health threats.

(b)No municipality shall charge an accident response fee to persons receiving emergency services inside or outside of such municipality, except for actual costs of a motor vehicle accident involving hazardous materials or requiring extraordinary emergency services.

[Sec. 2.K.S.A. 8-305 is hereby amended to read as follows: 8-305. All motor vehicles owned or leased by any political subdivision of the state of Kansas shall bear the name of the political subdivision owning or leasing such vehicle plainly printed on both sides thereof. This act shall not apply to the following:

(a)Municipal fire apparatus, police patrols and ambulances;

(b)passenger vehicles used by plain clothes police officers, county or district attorney investigators or community corrections personnel working in the employ of any political subdivision; and

(c)motor vehicles owned or leased by any municipal university.]

[Sec. 3.K.S.A. 8-305 is hereby repealed.]

Sec. ~~3-2~~ [4.]

HB 2120	Kansas government effectiveness and efficiency commission act.	Committee on Government Efficiency	No Hearing Scheduled	Passed House 2/25/11. 79-40. Sent to Senate (not assigned to committee in senate yet)
HB 2158	State agencies: performance measures.	Senate Ways & Means	No Hearing Scheduled	Passed House 2/23/11. 1119-2 Sent to Senate
SB 182	EMS board operating fund, fire service training program fund of university of Kansas and fire marshal fee fund share administrative expense reimbursement to general fund	Financial Institutions & Insurance	Hearing: Wednesday 9:30 am 3/2/11 Rm 152-S	

Posted to ksafc.org 02/26/11