

Urban Affairs Committee October 4, 2019

HUNT: Good morning, everyone, and welcome to the Urban Affairs Committee. My name is Senator Megan Hunt and I represent the 8th Legislative District in midtown Omaha, which includes the neighborhoods of Dundee and Benson and the Keystone area. And I serve as Vice Chair of the Urban Affairs Committee. We will start off having members of the committee and committee staff do self-introductions. Starting on my left, here with Senator Crawford.

CRAWFORD: Thanks. Good morning. Senator Sue Crawford, and I'm from District 45, which is eastern Sarpy County, Bellevue, and Offutt.

TREVOR FITZGERALD: Trevor Fitzgerald, committee legal counsel.

HUNT: And our committee Chair, Senator Justin Wayne, is here to introduce LR132. This afternoon, we'll be hearing three interim study resolutions, and we will be taking them up in the order listed outside the room. On each of the tables in the back of the room, you will find blue testifier sheets. If you are planning to testify today, please fill one out and hand it to Conner, behind me here, when you come up. This will help us keep an accurate record of the hearing. If you do not wish to testify but you would like to record your presence at the hearing, please fill out a gold sheet in the back of the room. Also I would note the Legislature's policy, that all letters for the record must be received by the committee by 5:00 p.m. the day prior to the

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hearing. Any handouts submitted by testifiers will also be included as part of the record as exhibits. We would ask, if you have any handouts, that you please bring 10 copies and give them to Conner. Testimony for each interim study will begin with the introducer's opening statement. After the opening statement we will hear from any invited testifiers, and after that we will take testimony from the public. Since this is an interim study hearing, we will not be hearing proponent or opponent testimony. If you have an opinion, just feel free to come up and share it. We ask that you begin your testimony by giving us your first and last name. Please also spell your name for the record. We will be using a four-minute light system today. When you begin your testimony, the light on the table will be green. The yellow light is your one-minute warning. And when the red light comes on, we will ask you to wrap up and share your final thoughts. I would remind everyone, including senators, to please turn off your cell phones or put them on vibrate. With that we will begin today's hearing with LR132. And Senator Wayne, you're welcome to open.

WAYNE: Good morning, Vice Chairwoman Hunt and members of the Urban Affairs Committee. My name is Justin Wayne, J-u-s-t-i-n W-a-y-n-e, and I represent Legislative District 13, which is north Omaha and northeast Douglas County. LR132 is an interim study to examine the plumbing code statutes with the emphasis on considering whether to update our default plumbing code. Since 1996, state law has allowed

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individual municipalities and counties to adopt their own local building code, I mean, plumbing code, but provides for a default code in the event that a jurisdiction has not adopted a plumbing code. The default plumbing code was last updated in 2012, with the current code being 2009 Uniform Plumbing Code or the UPC, which is promulgated by the International Association of Plumbing and Mechanical Officials. Similar to other codes that this committee is familiar with, we-- we adopt in the state building code and energy code. The UPC code is modeled-- a model code that is updated every three years. So part of this study is to look at whether we should adopt the 2012, 2015, or 2018 edition of the UPC. When the default building code was last updated in 20-- 2012, the Committee at the time had a fairly lengthy discussion about whether to stick with the UPC or switch to a different default plumbing code. Aside from the UPC, the most common standard plumbing code is the International Plumbing Code, IPC, which is promulgated by the International Code Council, ICC. As I-- as I am sure you will hear from testifiers this morning, the UPC and the IPC are similar in nature, and there are pluses and minuses to both codes. As noted in the memo from committee counsel, in 2016 the Urban Affairs Committee conducted an interim study on these issues related to enforcement of state and local building codes. As a part of that interim study, the committee worked with the League of Nebraska Municipalities to conduct a survey of municipalities on issues relating to code adoption and enforcement. A total of 78

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municipalities responded to the survey and just over half responded that they have adopted their own plumbing code. Of those municipalities that reported adopted their own plumbing code, roughly 60 percent reported having adopted some version of the IPC, while 40 percent reported adopting some version of the UPC. A number of groups behind me will testify and I would be more than happy to answer any questions by the committee.

HUNT: Thank you very much, Senator Wayne. Are there any questions from our extensive committee here today [LAUGHTER]? Seeing none, thank you very much, Senator Wayne. We have no invited testifiers for this LR, so if you'd like to come testify, go right ahead.

SHAWN DUGAN: Hi, my name is Shawn Dugan, S-h-a-w-n D-u-g-a-n, representing Steamfitters and Plumbers Local 464, out of Omaha, Nebraska. I'm here today to support the updating of the Nebraska State Plumbing Code to the 2018 edition of the Uniform Plumbing Code. On behalf of our plumbing code instructors, apprentices, and members, it is vital to have the necessary resources to teach plumbing code application for health and safety, for the health and safety of Nebraskans. IAPMO provides many support documents and services to the Uniform Plumbing Code that is utilized by numerous Nebraska educational institutions. The Uniform Plumbing Code Illustrated Manual-- Training Manual contains technical diagrams and illustrations that dem-- demonstrate the intent and use of the UPC. This publication

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is used by contractors, installers, and designers. The Uniform Plumbing Code Study Guide is this complete self-study course for learning the UPC and is used for certification examination prep. The Uniform Plumbing Code is the only code book necessary for all facets of the plumbing-- of plumbing. Other code organizations require the purchase of multiple code books to accomplish what the Uniform Plumbing Code does in one. For example, with the IPC, you need the International Residential Code for plumbing in one- and two-family dwellings, International Fuel Gas Code for gas installations, and the International Mechanical Code for water and vent piping. If there's no questions, that's all I have.

HUNT: Thank you very much, Mr. Dugan, for your--

SHAWN DUGAN: [LAUGHS]

HUNT: --testimony. Are there any questions? Seeing none--

SHAWN DUGAN: Thank you.

HUNT: --I appreciate you coming here today. Thank you. Welcome to your Urban Affairs Committee.

CARL MAU: Good morning, members of the committee. My name is Carl Mau, C-a-r-l M-a-u. I'm here today to speak on behalf of our 1,200 members of Steamfitters and Plumbers Local 464 in support of updating Nebraska state plumbing code to the 2018 Uniform Plumbing Code. As the Local

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464 business representative for Lincoln, I have seen the city prosper for the past 10 years. With many construction projects completed and many underway, the Uniform Plumbing Code has been the gold standard in protecting the health and safety of our citizens in residential, commercial, and industrial plumbing projects. One element that proves such a high standard is the ability of the Uniform Plumbing Code to harmonize with all the codes in construction processes, whether it be ICC building codes or the NFPA fire codes. The UPC maintains proven health and safety standards while remaining current with technology, being cost-effective, consistent, and easy to use. Any questions from the committee?

HUNT: Thank you very much, Mr. Mau. Any questions?

CARL MAU: Thank you.

HUNT: Seeing none, thank you for coming today. Welcome, sir.

ARRICK JAZYNK: Good morning. Thank you for your time. Name is Arrick Jazyнка, spelled A-r-r-i-c-k, last name J-a-z-y-n-k-a. I'm here today on behalf of Plumbers Local 16. Local 16 represents 66 counties of plumbers in Nebraska, currently with 510 members between journeyman and apprentice-level plumbers. Foundation of our union is education and training, along with the protection of the health and safety of the public. And with that, I'm here in support of updating the code to the 2018 Uniform Plumbing Code. Over the past two decades, IAPMO has

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been in the forefront of advancing technologies in the plumbing industry. Within IAPMO research and testing laboratories, products are evaluated for health and safety, along with meeting national standards. The approval of these new innovative products and techniques within the Uniform Plumbing Code has resulted in greatly reducing construction costs, reducing carbon footprint, and creating many jobs within the plumbing industry, all while maintaining the highest standard of health and safety. Also, on September 18 of this year, the state of Iowa adopted the 2018 Uniform Plumbing Code. Our members are responsible for providing plumbing services for southwest Iowa as well, utilizing this UPC. Adding another plumbing code that requires multiple references and another credentialing certification would be an unnecessary and financial burden for our members. That concludes my statement today.

HUNT: Thank you. Are the-- does-- does-- do your clients in Iowa use the UPC or the IPC? Is that what they do in Iowa?

ARRICK JAZYNKA: They're using UPC.

HUNT: OK, thank you. Any questions from the committee? Thank you for coming today.

ARRICK JAZYNKA: Thanks again.

HUNT: Welcome.

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GREG BOUWENS: Welcome. Good morning. My name is Greg Bouwens. It's G-r-e-g B-o-u-w-e-n-s. I'm here today to represent the Nebraska Plumbing-Heating-Cooling Contractors Association of-- and myself as a company, as a president, Bouwens Plumbing, here in Lincoln, Nebraska. We're in favor of adopting the 2018 UPC code. That's all I have.

[LAUGHTER].

HUNT: All right. Thank you for sharing that.

GREG BOUWENS: Short and sweet.

HUNT: That gives me a lot of information. Thank you [LAUGHS]. Any questions? No? Thank you for being here today. Welcome to your Urban Affairs Committee.

KELSEY JOHNSON: Hello, Committee members, my name is Kelsey Johnson, K-e-l-s-e-y J-o-h-n-s-o-n, and I am the executive vice president of the Mechanical Contractors Association of Omaha. I'm here today on behalf of our 30 member companies, who employ over 400 employees in Omaha and the surrounding areas. We are in support of updating the default plumbing code from the 2009 UPC to the 2018 UPC as well. As Senator Wayne mentioned, the 2009 UPC was adopted in Nebraska in 2012. And while it does still provide our consumers with safe and sanitary plumbing and mechanical system, it is time to update that to keep up with changes in innovation and technology. More importantly, today I want to impress upon the committee the importance of keeping that a

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default code. We don't want it to become a blanket state code.

Specifically, Omaha has a local code that was locally derived, has been used successfully for many, many years. We want to keep the UPC is the default code but allow municipalities and counties to still adopt their local codes. As you guys are all well aware, the state of Nebraska has distinctly different geographical areas containing different cultures, personalities, and these local codes allow for people within those areas to do what works best for them. So for instance in Omaha, we have high-rise buildings, dense constructions, with-- which is drastically different than, say, rural or western Nebraska. Further, the local codes keep our community safe. They allow for enough inspectors. We've seen in other states who adopt a blanket code that all of a sudden there's a shortage of inspectors. These local codes allow us to inspect our work, keep industries-- industry standards high. And that's all I have today.

HUNT: Thank you, Ms. Johnson. Any questions from the committee? Seeing none, I appreciate your testimony today. Senator Hansen, would you like to introduce yourself?

M. HANSEN: Sure. Senator Matt Hansen: District 26, in northeast Lincoln. Thank you.

HUNT: Any other testifiers? Yeah, come on up.

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STEVEN KUNASEK: Good morning. I'm very humbled to be here. First, let me say that my name's Steve Kunasek, K-u-n-a-s-e-k. I represent the city of Fremont on this-- mechanical and plumbing inspector. And I have-- we have over a hundred members in a Nebraska chapter of IMAPO [SIC]. I'm here today to speak in support of updating Nebraska state plumbing code to the 2018 Uniform Plumbing Code. The Uniform Plumbing Code is published-- published utilizing the proven "turn-key" philosophy by IMAPO [SIC], placing as much of the necessary information on safe and sanitary installations as possible in one code book. The UPC does not require the purchase of other code books for complete installation of clients. This philosophy maintains the necessary balance between prescriptive requirements and allowable performance standards. It tells exactly how systems need to go together. It is easier to enforce, as there are fewer areas for field interpretation, often requiring more information than either the inspector or the contractor rarely have at the time of the inspection, while still allowing engineer-designed systems by architects and professionals' design community. This concludes my statement. Are there any questions?

HUNT: Thank you very much.

STEVEN KUNASEK: Thank you.

HUNT: Any questions from the committee? Seeing none, thanks.

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BRIAN ROGERS: Good morning. My name is Brian Rogers, B-r-i-a-n R-o-g-e-r-s. I represent the International Association of Plumbing and Mechanical Officials, otherwise known in-- in-- in the industry as IAPMO. I'm a field manager for IAPMO and I'm here today to speak in support of updating the Nebraska state plumbing code to the 2018 Uniform Plumbing Code. IAPMO, who publishes the Uniform Plumbing Code, was established over 90 years ago with a specific focus on plumbing and mechanical systems. Today that focus is unchanged, and since 1945 IAPMO has published the most comprehensive plumbing code that not only protects the health and safety of Nebraskans, but individuals all over the world. It has served the industry longer than any other plumbing code in the USA. Nebraska has utilized the Uniform Plumbing Code for many years, and with IAPMO's diverse level of expertise, can serve as Nebraska's plumbing code for many years to come. The UPC is an accredited American national standard, the only plumbing code so designated by the American National Standard Institute. And it is a true consensus document. Experts come from all segments of the industry, not just the regulators or a few segments, and everyone is assured due process, openness and balance, and a voice and a vote in the UPC process. The Uniform Plumbing Code is adopted statewide or is used as the basis for the plumbing code in 21 states and in 12 nations internationally. In addition, the UPC is predominantly used where there is no state plumbing-- codes exist. It's adopted throughout Kansas, Nebraska, Missouri and is the only plumbing code utilized by

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your neighbors in Iowa. That concludes my statements. Do you have any questions?

HUNT: Any questions from the committee? Seeing none, thank you.

BRIAN ROGERS: Thank you very much.

HUNT: Any other testifiers on LR132? Seeing none, I would invite Senator Wayne to close. And he waives closing, so that will close our hearing on LR132. Thank you all. Next up on our list today, we're gonna be hearing LR119.

WAYNE: Welcome to your Urban Affairs Committee.

TREVOR FITZGERALD: [LAUGHS] Thank you. Good morning, Chairman Wayne and members of the Urban Affairs Committee. For the record, my name is Trevor Fitzgerald. That's T-r-e-v-o-r F-i-t-z-g-e-r-a-l-d, and I'm introducing LR119 on behalf of the committee. LR119 is designed to continue the discussions that started during the hearing last session on LB197, an Urban Affairs Committee bill to update the statutes governing the process currently known as disconnection. As committee members are aware, in 2015 the Urban Affairs Committee began a multi-year effort to update and modernize statutes governing the various classes of municipalities. During the process of updating and modernizing these statutes, it was discovered that the process by which territory is disconnected from the corporate limits of municipalities varied greatly. Currently, procedures for disconnection

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from cities of the first class differ greatly for procedures for disconnection from cities of the second class and villages, while no procedure for disconnection exists currently for cities of the metropolitan class or cities of the primary class. In order to examine the issue, in 2018 the committee introduced LR409, an interim study to examine issues related to the disconnection of territory from municipalities. As part of that interim study, committee staff worked with the League of Nebraska Municipalities to determine if any municipalities had recently utilized the disconnection statutes. As best as we could tell at the time, only two cities have actually used that process in recent years, the city of Fremont and the City of Springfield. LB197 was the work product of the LR409 interim study and would have established a uniform procedure for the disconnection of territory from municipalities that mirrors the current process utilized by cities of the first class. The bill also would have changed the terminology from "disconnection" to "detachment". At the hearing on LB197, the bill was opposed by the Nebraska Rural Electric Association due to concerns about the potential impact of detachment on the service territory of electric utilities. Under current law, when a municipality annexes new territory, a municipally owned electric utility has the right to acquire electric distribution facilities and customers in the newly annexed area from the current electric utility. But the right to acquire the facilities and customers is waived if not exercised within one year of the

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annexation. The concerns raised during the hearing was that a municipality could potentially utilize the detachment procedure to effectively deannex territory-- and I hate using that term-- deannex territory on which the right to acquire had been waived, and then reannex that same territory in order to get a second opportunity to exercise the right to acquire. Representatives of both the Nebraska Rural Electric Association and the League of Nebraska Municipalities are here to testify behind me. But I would be happy to answer any questions the committee may have at this time.

WAYNE: Any questions from the committee? Senator Hunt.

HUNT: I am gonna ask you, since I know you have expertise here. What is the rationale or reason for changing the terminology from disconnection to detachment?

TREVOR FITZGERALD: That is actually a really good question. I think the concern was that disconnection sounded more like utility service than-- than detaching territory. That detachment kind of just sounded like a better terminology. I don't know if it's something where different terminology is used in different states or anything like that. And again it's a-- it's a procedure that's been used so sparingly, historically that I guess we don't have a particularly good reason, but--

HUNT: I think that's a good reason.

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TREVOR FITZGERALD: OK. [LAUGHS]

HUNT: Thank you.

WAYNE: Any other questions from the committee? I have one question.

The issue that was raised in LB197 with the electric service territory. Is that an issue that is only an issue with that bill or is it an issue under current law?

TREVOR FITZGERALD: Technically, it's an issue that could arise under current law. As I noted, LB197 is designed to apply basically the procedures that cities of the first class use for disconnection or detachment to all classes of municipalities. So I suppose, currently, under current law, you could have a city of the first class or a city of the second class or village using the current procedure they have that could deannex. I hate-- again, I hate using the word deannex. But deannex, then reannex, I mean, that's something that can happen under current law, so it's not like LB197 opens up the gate to something that's not already technically possible under current law.

WAYNE: Thank you. Any other questions? Seeing none, thank you. We do not have invited testimony. We are-- if you want to testify, please come up and whether you're-- there's-- there was not really a proponent or opponent. So everybody is testifying in neutral, I guess [LAUGHTER]. We'll see how the testimony goes. Welcome to your Urban Affairs.

CHRISTY ABRAHAM: Thank you, Senator Wayne and members of the Urban Affairs Committee. My name is Christy Abraham, C-h-r-i-s-t-y A-b-r-a-h-a-m. I'm here from the League of Nebraska Municipalities. And-- it's ironic. I felt like Trevor sort of said what he said when he opened on LB197, and I'm going to say pretty much the same thing that I said [LAUGHS] at that hearing, which is: (A) Trevor did a great job of opening, and that the League continues to really appreciate this committee's efforts to modernize and clarify and make consistent the municipal statutes. As Trevor told you, there really is a different process for second-class cities and villages than it-- than there is for first-class. And the second-class and village process is really more burdensome. It requires that a petition be filed in a court, and then that that village or city council has to take action about whether or not they consent. And if they don't consent, a trial happens. So this is a pretty burdensome process, and this is the process that the city of Springfield had to use when they were disconnecting or detaching or deannexing, whichever term you'd like to use. So we appreciated that this committee introduced a bill that really was going to make that process consistent for all municipalities and also include Lincoln and Omaha, which currently don't have that process. So we really support LB197 as written. As Trevor mentioned, there was some issue about a utility service provider. At this point, we are not willing to take a position on that issue or how many years or any of those things. That's generally

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something that the Natural Resources Committee deals with. That's in Chapter 70, so that may be something that Natural Resources Committee will want to take a look at. But we certainly support the provisions of LB197 and the efforts of this committee. And to answer Senator Hunt's question, I think Trevor did a great job of answering that for you. We-- there are specific statutes right now on-- it's called disconnection, and that is how do utilities get disconnected from someone's home. And so when we get calls of the League about disconnection, we're immediately thinking, how do I disconnect this person from the city utilities because they haven't paid their bill. We don't typically think of we are going to deannex part of our city. We don't think about that term, so we appreciate that that-- that this bill is sort of updating that term. And I'm happy to answer any questions.

WAYNE: Any questions from the committee?

CHRISTY ABRAHAM: Thank you.

WAYNE: Seeing none, thank you. Any other testifier on LR119? Welcome to your Urban Affairs Committee.

KRISTEN GOTTSCHALK: Senator Wayne, members of the Urban Affairs Committee, my name is Kristen Gottschalk, K-r-i-s-t-e-n G-o-t-t-s-c-h-a-l-k. I am the government relations director and registered lobbyist for the Nebraska Rural Electric Association. We

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represent 34 of Nebraska's rural electric providers providing services, including legislative efforts for them. I thank you for this hearing. I did testify at the LB197 hearing in order to bring up some issues that we felt needed to be addressed or at least considered as you consider the language dealing with detachment. And Trevor did a really good job of explaining that process, that under annexation there is a process in statute that allows for the assumption of-- of the electric utilities, and there actually is a formula in statute that provides a very equitable compensation process for that. Now under detachment, it's a little bit different. Detachment-- and again, we fully support detachment-- Brian Newton from Fremont Utilities came and provided really excellent testimony outlining some good examples of why detachment might be a necessary process. So there-- there is no opposition to the process of detachment in the creation of the consistency. But we do need to consider what happens during that detachment process. And this came to light within our own organization because there was a municipality in the western part of the state that had annexed territory for an industrial area. They did not exercise the right to assume those utilities. So the rural electric provider in that area did assume that responsibility, which includes, you know, an obligation to serve and provide adequate resources. And in that process it required them, not just within that annexed area, to upgrade the resources for this-- this urban or industrial area, but they also had to harden part of their system outside of that

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territory. So it was a process to make sure that adequate service was provided. The municipality did attempt a couple of times to detach that property because now, as this area developed, they saw some-- some value in that electric service. In order to detach it, they wanted to detach in order to be able to start the clock over to begin to assume those-- those services. And while the formula does a really good job within that area, it doesn't cover those services that might have been hardened outside. And what I'm going to say is, 99 percent of the time, if there is a detachment or an annexation, the municipality and the other electric providers work out an agreement that's mutually agreeable, that satisfies both parties. This process in western Nebraska started out in a way that would make you think that they could not get to that point. They did eventually; the city did not have to detach and they were able to negotiate an agreement. But I think what we have to look at is not what happens 90 percent of the time when there's good faith and good effort on both sides, is what happens or should there be something in statute that during detachment-- that it's not misused or not used for its original intent in order to be able to take those utilities at a later time. That-- that was the conversation that we wanted to start. We certainly don't want to create grief within our own industry on this discussion, and we certainly don't want to impact the ability of a municipality to detach when it's-- when it's appropriate and there is a need. But we

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do think the conversation needs to continue. With that, I conclude my testimony. I'd be happy to answer any questions.

WAYNE: Any questions from the committee? Seeing none, thank you for coming today.

KRISTEN GOTTSCHALK: Thank you.

WAYNE: Any other testifiers? Come on down. Welcome to your Urban Affairs Committee.

CHRIS DIBBERN: Good morning, Chairman Wayne, and members of the committee. My name is Chris Dibbern, C-h-r-i-s D-i-b-b-e-r-n, and I'm the general counsel to the Nebraska Municipal Power Pool and we serve over 200 communities in the Midwest. I'm also a registered lobbyist. We're here to praise the original bill and it was beneficial to have a uniform process to detach or deannex a piece of property for cities and villages. It mirrored the current process for first-class cities. And I also want to tell you that-- how pleased we were to work with the committee staff. He's pleasant, he's calm, he's professional in dealing with this topic, and it did cause some heat in our industry. What-- what the rules had proposed and we saw in amendment AM555-- AM599, excuse me, AM599 to LB197 would disrupt a long-established practice of annexation between rural areas and urban city areas. And there is no reason to bar it for 10 years. The city or village must provide utility service when the time is right. It-- this is why we're

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here today. It is our first chance to talk to-- to address you and our first opportunity to make comments about what was suggested by the rurals. The original bill allowed a process for detaching or deannexing vaccine and it generally allowed for where there might be greenfields around a community. The community might have thought they were growing in this area. And remember, now we're talking about first-, second-class cities and villages, so we're talking about small towns. So those are generally spaces that the city or village thought they needed and then decided, maybe we're not growing in that direction. But it is the potential of where we're going to see growth. So that is the potential of where we're going to see solar farms, something close to a city but not in the city yet, something that needs land. So the village couldn't-- so they-- they didn't have a process. The-- the-- the committee clerk found-- the committee council found that they didn't have a process and put that in the original bill, which we think is actually very helpfull and I think there was a lot of support. Many of you signed on to that bill. But the formula-- there's a formula to annex. And as Kristen explained, it's generally rural versus munis, but that long-established formula is in Chapter-- is in Chapter 70 and it's been there since 1969. It's kind of been a sore spot between rurals and munis but it hasn't been a big problem, I'd say in the last three decades. So this is a sensitive area, not something that we've battled recently. But for peace in the power industry, DOMA topped a prohibition for 10 years whether-- what--

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where-- where a community can expand back into that area. It's just not a concept that would be supported by the communities or-- or-- are-- my organization. The original bill in chief is possible. But the amendment was problematic and the-- the process mirrors first-class cities. I also want to tell you, no area is left unserved. We have Tim Texel here today. The Power Review Board has established service areas throughout the state. There are maps, so there is no gray area be-- [INAUDIBLE] after this. There is already service territories. We know who serves them, we know who is there. When there is a proper annex, and when they acquire it, they step out and take that extra area and pay that known formula. So there's not a gray area. They know who's there. We know who's there. So I just think the original bill made a lot of sense and ask you to look at that. Any questions?

WAYNE: Questions from the committee? Seeing none, thank you.

CHRIS DIBBERN: Thank you again.

WAYNE: Any other testifiers on LB-- I'm sorry, LR119? Seeing none, that will end the hearing on LR119. And next we'll turn to LR165. Senator McDonnell. And how many testifiers are we going to have on LR165? If you can raise-- you guys can come and sit over here on the first two rows on the right side. It will be like the on-deck. You guys can fight among yourselves of the order you want to go in.

McDONNELL: Good morning.

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WAYNE: Welcome to the Urban Affairs Committee. Good seeing you.

McDONNELL: Thank you, Senator Wayne. Thank you, members of the Urban Affairs Committee. My name is Mike McDonnell, spelled M-i-k-e M-c-D-o-n-n-e-l-l. I represent Legislative District 5, south Omaha. I requested this hearing on LR165 in an effort to determine how we, as state legislators can best serve and protect the citizens of Nebraska as it relates to firefighting and emergency medical services. I understand each of our Legislative Districts are unique, and as such, they face a broad spectrum of concerns and issues when it comes to these services. I come before you today with more questions than answers, but I feel it is imperative to the well-being of this and the safety of our citizens that we initiate this process. State Statute 38-1203 cites "Legislative findings" as it relates to the Emergency Medical Service Practice Act. Subsection (1) states, "That out-of-hospital emergency medical care is a primary and essential health care service and that the presence of an adequately equipped ambulance and trained out-of-hospital emergency care providers may be the difference between life and death or permanent disability to those persons in Nebraska making use of such services in an emergency." Clearly, state statute recognizes out-of-hospital emergency medical care as an essential health care service. But it does that-- but does the state itself recognize emergency medical services as being an essential service? Similarly, at what population threshold should

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firefighters and emergency medical services be considered essential services in our state? It is important for us to consider, what do our taxpayer citizens and constituents feel are reasonable expectations if they call 9-1-1 in an emergency situation? Should they feel confident that emergency services will arrive to answer their call and provide necessary assistance? I believe most Nebraskans would answer yes to that question. Having said that, once a 9-1-1 call has been initiated and dispatched, is there any mandate or requirement that emergency services must respond to the call? Reasonably, no one should have to question the potential of a delayed response or no response at all when dealing with an emergency situation. These vital dynamics play an intricate role in setting the foundation for this interim study. There are testifiers here today from various areas of the state who will provide insight and perspective based on the years of experience and personal involvement with firefighting and emergency medical services. They can elaborate on the various aspects of response times and standards in addition to the most efficient and effective delivery models to best suit our state and the citizens who live in it. The best outcome for Nebraska will require a collaborative of efforts on many levels. Among those lines, it is my current understanding that all fire data is compiled by the Nebraska Fire Marshal, all Emergency Medical Service data is collected through the Department of Health and Human Services, and all 9-1-1 call data is controlled by the Public Service Commission. Although all these in-- in-- imperative services

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are intricately connected with regard to emergency call and response, is there any connection among these agencies with regard to compiling and sharing data across the-- the broad-- across the board to better serve our or citizens of our state? My goal and motivation with LR165 is solely about getting the initial conversation started in our state operating effectively and efficiently? Can improved communication result in better service? What are reasonable expectations when it comes to our taxpaying citizens? To answer these questions, I think we need to start with the basics. How are we currently operating as a state? What is the best way to measure these services? How do we utilize this information moving forward to improve our state as a whole? LR165 is not intended to point out inefficiencies within our state. It is about finding solutions that will better serve the citizens of our state. When I went through fire training in 1989 in the city of Omaha, we had a person that was in charge of our training, and they said, we want you to remember this for the rest of your career. You should prepare, train, and respond to every emergency call as if it's your family member, your mother, father, sister, brother, son, daughter, spouse, best friend. And if you do that, you will live up to your oath to serve those citizens. I never forgot that. I'm looking at that the same way today. If tomorrow, one of your loved ones is in any part of the state, I can look at my Legislative District 5, and look at the service. But in any part of the state, are they going to get the kind of care they would get in Legislative

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District 5? Now if God opened up the sky tomorrow and said, OK, fine, you're all state senators, all 49 of you. But I'm not going to tell you what part of the state you're going to represent. I'm not gonna tell you, Mike, you're no longer from Legislative District 5. You're going to be from another Legislative District. It's-- it's human nature to take care of our own backyards and we are unique as a Unicameral. So we do have a legislative district but we also are supposed to be state senators. So I'm approaching this as if anywhere in the state of Nebraska, east, west, north, south, if I have a cardiac event, if we have some kind of fire emergency or natural disaster, are the citizens going to get the same kind of treatment in any part of the state? And that's the goal of this legislative resolution. Thank you.

WAYNE: Thank you. Any questions from the committee? Seeing none, thank you.

McDONNELL: Thank you.

WAYNE: We'll have-- we don't have invited testifiers so we'll--

McDONNELL: I'm sorry. I've got a few handouts for you, guys. I'm gonna give it to you now.

WAYNE: Welcome to your Urban Affairs Committee.

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DARREN GARREAN: Good morning, Chairman Wayne, and members of the committee. My name is Darren Garrean, D-a-r-r-e-n G-a-r-r-e-a-n. I am president of the Nebraska Professional Firefighters Association, representing approximately 1,500 paid firefighters and paramedics from Scottsbluff to South Sioux City, Beatrice, and those in between, working the front line every day when somebody dials 9-1-1, responding to that call. As for myself, I am a former volunteer firefighter rising to the ranks of a fire chief. I, currently as a pa-- captain paramedic on the streets of Omaha, responding to calls when I'm not here. And as far as my background, just kind of wanted to give you an idea of some of my knowledge and-- and where it comes from. We're here to talk about LR165, to shed some light and hopefully some thoughtful discussion on what happens in Nebraska when somebody dials 9-1-1. What is the expectation of the person that is dialing 9-1-1 requesting help, but also what does the state believe those priorities should be, and what they should entail? There are three priority items that we'd like to touch on as topics, and number one: fire and emergency medical services should be considered an essential service in the state of Nebraska. The state has determined that what firefighters provide is a vital service but falls short of determining it be called essential. The state has a legislative finding that Senator McDonnell touched on in statute 38-1203, that hospital emergency medical care is primary and essential health care service, but there again falls short of being called an essential service. We believe that in Nebraska, when

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somebody dials 9-1-1 for help, there would be a reasonable expectation that somebody respond to help, although that may always may not be the case. Number two: in Nebraska there are over 435 different fire districts, all with different taxing authorities and various means of attempting to provide fire and/or emergency medical services; 342 fire and rescue departments, meaning they attempt to provide both fire and rescue emergency medical services. But there are 136 of them that are "fire only" departments, leaving the emergency medical services part to somebody else or not at all. In today's world, unfortunately, more is expected from our frontline responders, asking them to be "all hazards prepared". Not just for a fire call, not just for an emergency medical call, not just a car crash, a chest pain, those types of things. We're called to everything now. I'm going to bring up two items for reference, one being the natural disaster, the bomb cyclone this spring, where practically the entire state was declared an emergency. We almost lost seven firefighters out rescuing those in need in the flooding in the Fremont area. This was not a fire. This was just a call for service that our guys were out in the water when it capsized, nearly losing their lives. There is a documentary on this-- this Sunday on The Weather Channel, just-- just for reference if anybody wants to tune in. Another recent, being the tragic and unfortunate grain bin rescue in Fremont. Here again, not a fire call, not a medical call, but a very unique call for help. However slight the probability, the call for a terroristic event, plane crash,

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whatever, that expectation is for our first responders to know literally almost everything when called upon. Nebraska should look to see that fire-based EMS is a "better bang for your buck," if you will. There are examples of this being in following testimony, and I raise that issue because you have personnel in these, not just a fire call, not just an EMS call, but it-- it creates a broader knowledge and you have a pooling of resources that could be beneficial and merit many areas. The third item: there needs to be a place for observation of data for looking at the outcomes of the Fire and Emergency Services in Nebraska. This would be to show that first responders are trying and improving direction to provide the best service that we can. As Senator McDonnell mentioned, the 9-1-1 call comes into the Public Service Commission and then it's disseminated to what is believed the best-- best route to respond for that call, whether it's fire or an emergency medical dispatch. Then depending on the call completion, some of that data goes to the State Fire Marshal's office or it could go to the Department of Health and Human Services. And at this time, it does not appear to be a central data location center that can be easily accessed by-- by the taxpayer or by those in need. It can be extremely helpful to show how those utilized resources are being used and where they're being put. There's already national standards that exist responding to various incidents. For instance, the National Fire Protection Association has both NFPA 1710 for paid departments and 1720 for volunteer fire departments. I'm not going to get into the

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minutia of measurements, but there are standards out there and just want to raise that point that there are things that we can look at already. I feel I need to point out that LB578, the Ground Emergency Medical Transport, which was signed into law May 22, 2017, has yet to be enacted by the Department of Health and Human Services. And I bring this up for-- everything revolves around money. There is something out there that has been signed into law that could bring in \$3 million into DHHS, and they have chosen this time not to enact that. So it just felt like I needed to put that down that there-- there are resources out there that may not be being utilized to the best potential. I appreciate the time and opportunity here--

WAYNE: We don't have a whole lot of testifiers. But legal counsel is trying to tell me that I have to make sure everybody gets the same amount of time.

DARREN GARREAN: Oh.

WAYNE: I'm gonna have to cut you off.

DARREN GARREAN: I appreciate your time. Time is the probably most precious commodity that we have. Recognizing it's between life and death.

WAYNE: I appreciate. Questions from the committee?

HUNT: Thank you. What was the name of that documentary?

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DARREN GARREAN: It's on the Weather Channel. I-- I don't know the exact name of it. I know it's on this Sunday night and it's supposed to-- they spent a bunch of time interviewing those in Fremont that did the rescues and those that did the rescuing of the rescuers.

HUNT: Thank you.

WAYNE: Thank you. Any other questions from the committee? Seeing none, thank you. Oh, sorry.

DARREN GARREAN: That's OK.

WAYNE: Senator Crawford.

CRAWFORD: Thank you.

WAYNE: It's different than not, having the--[LAUGHTER] U.

CRAWFORD: Thank you, Chair Wayne. And thank you for being here, Mr. Garrean. I wonder if you'd just repeat what you said about the bill that was passed and hasn't been put to vote.

DARREN GARREAN: I think it is LB578, was in 2017, as the Ground Emergency Medical Transport. It's in DHHS as far as the implementation of it, and it has not been implemented. It has the ability to bring money, not only into DHHS but into-- back to fire departments and those providing EMS coverage in the community. The number \$7 million

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comes to my head as far as that can actually come back to Nebraska.

That-- that hasn't been-- just hasn't been done yet.

CRAWFORD: Thank you.

WAYNE: Any other--

DARREN GARREAN: Thank you.

WAYNE: --questions? Seeing none, thank you.

DARREN GARREAN: Appreciate it.

WAYNE: Next testifier. Since I let him go five minutes, we'll go five minutes, kind of, for the rest of the testimony. That way I treat everybody fairly. Welcome.

TANNER GREENOUGH: Good morning. My name's Tanner Greenough, T-a-n-n-e-r G-r-e-e-n-o-u-g-h. I'm here representing myself. I am a former Hamilton County paramedic from when it was EMS only. I'm a current firefighter paramedic for Grand Island Fire, as well as a volunteer in Aurora, where I live. Aurora recently took over EMS, thus becoming a fire-based EMS. As we found out through that process, the transitioning from county to city entity, that government agencies can eliminate their EMS, just close the doors and leave their citizens high and dry. The county essentially had three options. So one was keep the way it was and do a serious overhaul-- overhaul. Two was a private company come in. And then three, the city had made an offer

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after listening to the taxpayers' concerns about maintaining and even bettering the level of service provided. The way it currently stands, they didn't have to have any plan. There was no obligation to have a plan. They could have just closed the doors. So think about that. There would be no-- no one coming on your worst day if you call 9-1-1. The second option I mentioned was a private company or for-profit service. This isn't a viable option, as quality of care decreases over a short amount of time. It may start out with the greatest intentions but when they stop making money, they start cutting costs. Currently county-- county and city entities are required to provide both sheriff and fire departments. Those two departments are on the same medical calls that I run on any given day on an ambulance. So why are only two of the three services that are provided to you when you call 9-1-1 required? As far as a fire-based EMS goes, I'll tell you, this is the best option. It will allow fluidity on calls. Training is more effective and efficient, and having both entities under the same SOPs and protocols makes for a more professional department. Natural disasters have not only been all over national news lately but they've been pretty prevalent here in Nebraska. As a responder going on those scenes you are expected to be a jack-of-all-trades. You need to know EMS, you need to know fire, you need to know extrication, you need to know water rope rescue. And honestly, there have been times where we run into a call that's so random, there's no label to give the rescue that you just provided. You got to improvise and safely get the

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patient out of whatever situation they're in. So I end with this: I am a millennial. As you can see, I got the phone, not the hard copy paper. And I can tell you that my generation, at least not in my community, they aren't-- they aren't volunteering as much as the older generations, especially not for fire and EMS. So I would love to help the committee in any capacity and thank you for your time.

WAYNE: Thank you for coming today. Any questions from the committee? Thank you for being here.

TANNER GREENOUGH: Thank you.

WAYNE: Next testifier, please. Welcome to your Urban Affairs Committee.

ERIC JONES: Good morning. I'll be quick. My name is Eric Jones. E-r-i-c J-o-n-e-s. And you'll see that I'm neutral testifier today. I was asked to come as a subj-- subject matter expert in fire-based EMS. I'm a battalion chief with Lincoln Fire & Rescue. I've been there for over 25 years. I've been a firefighter for about 27 years. I've been a firefighter out in the county, I've been a paramedic out in the county. I've been a SWAT paramedic out in the county. I've been a firefighter, firefighter/paramedic, captain, and battalion chief for Lincoln Fire and Rescue. I am a task force leader for Nebraska Task Force One, our FEMA urban search and rescue team based out of Lincoln, Nebraska. So I've, I've been around EMS for a long time. As you guys

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might recall, in 2000, Local 644, representing Lincoln firefighters, got a ballot initiative passed to provide fire-based EMS advanced life support transport for the city of Lincoln. My-- my job with Lincoln Fire and Rescue is looking at the math and science of the fire service and how it relates to our performance. And Lincoln Fire and Rescue is one of the first accredited fire departments in the-- in the world, and I go around to other fire departments to study their systems and accredit them or not accredit them based upon their performance. So kind of my focus in the fire service now is that performance measurement. And we have-- we started with the ambulance service when we took it over. We took over the whole thing, which means that we took over not only emergent transport, but interfacility transport as well. We did that for a while. We hired some nonfire personnel to assist with the interfacility transport part of the job and then eventually outsourced that to another private provider in the city of Lincoln. So in the city of Lincoln today we've got a fire-based 9-1-1 ambulance service and also a private provider that does the interfacility. Since that time, just as-- as those others that have testified before me, we used NFPA national standards in terms of response time standards in the city of Lincoln. The city of Lincoln also has a response time ordinance for the arrival of that ambulance to be on location, and those are important things. Whether you have a private ambulance service or a fire-based ambulance service, it's important that the community establish standards for that performance

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and, even more importantly, outcomes. We went so far as to surpass the NFPA standards to establish outcomes such as cardiac survival greater than that of the national average. And today I'm-- I'm happy to say that Lincoln Fire & Rescue provides that at almost twice the national standard, arguably one of the best EMS systems in the country today. We feel that-- a fire service leader once told me that the fire service does not exist for EMS. But it just so happens that EMS fits very nicely into our deployment model, espec-- and that's especially true in municipalities and-- and metropolitans. We have found that the key to cardiac survival in the city of Lincoln is high-- highly effective CPR, as fast as we can, as quickly as we can. And it's not-- it's not wizardry, it's not magic, it's being able to deploy quickly and-- and-- and do that high-performance CPR. And by having fire stations spread out across the city of Lincoln or across the fire district we're able to do that quickly. And about 80 percent of what we do is EMS, only about 10 percent of what we do is fire. Now, fire is very important to the city of Lincoln and we do a very good job at that. But 80 percent of what we do is EMS and that surprises people. You know, I'm still surprised when people, you know, are surprised that there is firefighters on our-- on our ambulances. Every single city of Lincoln firefighter is an EMT, we have a paramedic assigned to every engine company in town. We have a paramedic assigned to every ambulance in town. We have capacity. So the private provider had three ambulances and could-- it can-- could come up to four. We have seven

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frontline ambulances and we can go up to 11 or 12. So we have a lot of capacity as well. So I wanted to come here today. I was asked to come here today as a sub-- subject matter expert and wanted to answer any questions you might have about fire-based EMS and about performance measurement or establishing outcomes.

WAYNE: Any questions from the committee? Seeing none, thank you for coming today. Next testifier. Welcome to your Urban Affairs Committee.

ROD BUETHE: Good morning. My name's Rod Buethe, R-o-d B-u-e-t-h-e. I'm here representing the Gretna volunteer fire department and our Tri-Mutual Aid in the metro region. But I'm-- talk about the Gretna Fire Department. I'm the fire chief with the department, been on the department 30 years, been fire chief for 21 years. We currently have 60 members. We operate out of two fire stations. We run four rescue squads and six engines out of the-- out of the two stations. We are 100 percent volunteer fire department. We receive no call or any type of compensation for calls. Our fire district covers 71 square miles, and we're in one of the fastest growing areas in the state of Nebraska. We're comprised of two departments. We have-- the city of Gretna has their fire department, but we also are funded by the Gretna Rural Fire District. So we have basically two fire departments within our-- our station. We also have-- we also run EMS for the whole area. Our EMS is privately funded. We get no tax support on the EMS side. We pay for that all through billing and donations from the general

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public. The fire side is tax-based. With two departments there, we keep the communications open between both departments. I attend city council meetings the first and third Tuesdays of the month and give updates to the city council as they require them. The rural fire district also meets once a month. And I give a report to them as well to keep those communications open. The corp-- the EMS side with the private funding is run by the members and we meet weekly on that and keep everything-- everybody current with what's going on. As fire chief, one of my jobs is to consistently monitor our response times, make sure our response times are within the expectation-- expectations of the citizens we serve in our fire district. We record all of response times. We monitor them, I report them to the city council and the rural fire board as they require them. We strive to keep our response times as low and to provide a quality service to the citizens. So far in 2019, we've answered over 800 calls, with an average out-the-door time of four minutes. All of our members are trained to be EMS providers, to be EMTs as well as firefighters. One of the things that was brought up before that we remind our guys is what Senator-- Senator McDonnell spoke of before. We try to remind our people to respond the same way he was trained to respond. Every time our pager goes off, think about, is that your mother, your grandmother, your father, or one of your kids that just got in a wreck. We want people have that mindset when they respond. And we-- I think we do a pretty good job of keeping that mindset. We talked--

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they talked a little bit about response times and getting a report to the state. Every fire call that we do, we have to report to the State Fire Marshal's Office and our response times are included on that report. Our EMS calls are also recorded the same way. We have a state form we have to fill out with response times on there so those numbers are available with the fire marshal and Department of Health. If anybody, you know, if anybody reviews them-- I'm not sure what they do at that point. I think that's about all I have. Do you have any questions for me?

WAYNE: Questions from the committee? I have an unfair question because part of my district has Ponca-- and school district used to have, Irvington. Is there, like, special grant programs for volunteer departments for, like, equipment? Because they got really, really good trucks in the city of Omaha. I'm trying to figure out why there's a difference.

ROD BUETHE: There's a firefighter-- assistance to firefighter grant that people can apply for at the federal level. At Gretna we've applied for a couple of times and been successful getting them. You know, there-- they're competitive grants but, you know, there are, there is some federal money out there and some grants that people can go with.

WAYNE: Then on the-- and this is again, probably an unfair question-- on the-- the levy are there, are there-- in the fire districts-- do you know how-- do you guys levy anything in Gretna?

ROD BUETHE: Yes.

WAYNE: How is that done?

ROD BUETHE: Through the county board.

WAYNE: [INAUDIBLE] county board--

ROD BUETHE: We have-- we have to have our-- the rural fire board sets-- has their budget meeting. We put a budget request into the county board. The county board then has to have a hearing and discuss those levies and they have to approve that levy that we have. I don't know what the state law is, but there's a state law that dictates that fire districts-- there's a group of people that can get 15 cents of the county's levy. Then it's divided-- I don't know who's all in that, cemetery boards. I don't know. Jerry Stilmock can probably give us a better idea who's in it, but fire districts are part of that 15 cents.

WAYNE: So when it shows up on the residents' property tax bill, what does it look like?

ROD BUETHE: Ours says, Gretna Rural Fire District, and then you can look at anybody across there, Ponca Hills. If there's a rural fire district, would say: Ponca Hills Rural Fire District. But each-- it--

it-- breaks it down to show you're paying into that fire district, in the-- in the rural district.

WAYNE: Do you know if that's in their levy or above their cap that-- that request from you.

ROD BUETHE: It's within the levy. Is that correct?

WAYNE: I wasn't sure if you were going to testify, sorry.

ROD BUETHE: I thought it was within the levy. But I wanted to talk to him, make sure he said we're right.

WAYNE: OK, thank you.

ROD BUETHE: Thank you.

WAYNE: Welcome to your Urban Affairs.

JASON WHALEN: Thank you. Good morning, Chairperson Wayne and members of the Urban Affairs Committee. My name is Jason Whalen. J-a-s-o-n W-h-a-l-e-n. I am the the fire administrator for the city of Kearney, and I'm here to represent the city of Kearney and the Kearney Volunteer Fire Department. Thank you for allowing me to testify before the Urban Affairs Committee today relative to LR165. I would like to provide you some insight as to how our department works and how our community has chosen to provide emergency medical services or EMS. On behalf of the city of Kearney and the Kearney Volunteer Fire

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Department, I would first like to go on record as stating it is our belief that each fire department's organizational, operational, and deployment procedures should be regulated and enforced by the local communities in which they serve. There are vast economical and geographical differences between Lincoln and Omaha and western Nebraska, and I don't believe a blanket standard is-- is appropriate for the entire state. Each community is different and each department operates differently. Our department, for instance, operates unlike any other fire department in the state of Nebraska. Our department is primarily a volunteer fire department. However, we utilize paid fire engineers to respond with apparatus immediately when dispatched to an emergency. We currently operate out of three stations that are manned by a minimum of one engineer 24 hours a day. There are times where we have additional, but our minimum manning is one. Our volunteers maintain possession of their bunker gear at all times, which allows them to respond directly to the scene. This system eliminates the delay that many fire-- volunteer fire departments see, with volunteers driving to the fire station to get on the truck. Over the last three years, this system, our system, has resulted in an average response time, which is the time of call until the truck leaves the station, of 1 minute and 46 seconds; and the response time, which is the time of call until the first arriving truck is on-- on scene, of 5 minutes and 35 seconds. Our fire department's commitment to providing quality service was highlighted by the result of our ISO or insurance service

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office evaluation, which resulted in a public protection classification of a 2. After a lengthy evaluation, this ISO office issues each community a PPC rating-- PPC rating ranging from 1 to 10, 1 indicating superior service and 10 indicating noncompliant. There are four main-- so we received a 2, which is just below the superior rating. There are four main areas that the ISO comes in evaluates in each community. They evaluate the facilities for public to report fire staffing, training, certification, telecommunications, and the facilities for dispatching fire departments. They evaluate the fire department, including equipment, staffing, training, geographical deployment of fire companies. They also evaluate the community's water system, including inspection and flow testing of hydrants and careful evaluation of the amount of water available to the amount of water needed to serve that community. And lastly, the ISO evaluates each community's efforts to reduce the risk of fire, including fire prevention codes and enforcement, public fire education, and fire investigation programs. The city of Kearney and the Kearney Volunteer Fire Department take public safety very seriously. Together we are constantly evaluating the operations to determine shortfalls and we make adjustments as needed. The city of Kearney recently purchased a parcel of land to build another fire station in the northeast portion of town, where we are seeing substantial growth. The city of Kearney also invested a substantial amount of money in 2019 to install traffic light preemption system on every light in the city that will preempt

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all traffic lights and give the fire apparatus a green light. The entire goal of this project was to decrease response times and increase driver safety. At this time we feel that our system is meeting and/or exceeding the expectations of the citizens of our community. Evidence of this is the average response time of less than two minutes. The average response of 25 firefighters per incident and the more than 6,700 hours of training logged by KVFD members in 2018. The city of Kearney has an agreement in place with Good Samaritan and CHI Hospital to provide emergency medical services in our community. Good Sam EMS provides quality EMS services to our community, with multiple basic life support and advanced life support crews available to respond at any one time. Our department, law enforcement agencies, and Good Sam EMS regularly train together and have a very good working relationship. In recent years, our agencies have responded to mass casualty incidents and mitigated the incidents in timely and professional manners. This teamwork and cooperation was also displayed this last spring when the city of Kearney experienced massive flooding and hundreds of rescues were coordinated in southern Kearney. Hopefully my testimony has given you some insight as to how our community manages fire and EMS needs. I also hope that you recognize the dedication of the citizen-- that we have to our citizens of Kearney by the Kearney Volunteer Fire Department and the City of Kearney's leadership. Thank you to all the members of the Urban

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Affairs Committee for allowing me to testify today. If you have any questions, I would be happy to try and answer them for you.

WAYNE: Any questions from the committee? Senator Lowe.

LOWE: Thank you, Jason, for appearing today.

JASON WHALEN: Yes.

LOWE: Do you know how much money Kearney saves by having a volunteer fire department?

JASON WHALEN: I would guess between \$2 and \$3 million. That-- that's a couple of year-old number but I believe--

LOWE: Kind of the figure I had in my mind too. And we appreciate the volunteer fire department in Kearney. You guys are wonderful. Have you ever had a dropped call between you and the EMS where it might be a problem that one didn't respond?

JASON WHALEN: We have not, to my knowledge.

LOWE: Thank you very much.

WAYNE: Any other questions? I do have a question.

JASON WHALEN: Yes.

WAYNE: I am giving you an out. So just say, I have to look into this and I'll get back to you, if you don't want to answer it. How-- how do

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you guys-- with YRTC, how does that work with one, the different codes; and two, how do you-- how does that affect your service? As a state-owned facility versus city code of Kearney.

JASON WHALEN: I would have to get back to you. [LAUGHS] We have not-- I have not responded-- the fire department has not-- we have not had any fire calls at that facility.

WAYNE: So what about--

JASON WHALEN: And we have not-- I mean, when they were putting the fence in, we did coordinate with them as they were going through codes and they-- we worked with the engineers to make sure that we had access. And so we have worked through a lot of those changes. And I know that our-- our fire inspector goes along with the State Fire Marshal, who we also have a very good working relationship with. State Fire Marshal Office still has authority having jurisdiction in Kearney, but our-- our-- our fire inspector, who is a full-time paid position, he-- he works hand-in-hand with the state fire marshal overseeing. So when they do water flow tests and sprinkler tests, he-- he also attends those.

WAYNE: So is Kearney still under a state code then? As far as--

JASON WHALEN: Yes.

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WAYNE: OK. Then there's not going to be a whole lot of difference.

Just trying to get some testimony around state building codes and local jurisdictions, so-- appreciate it. Thank you.

JASON WHALEN: Thank you.

WAYNE: Any other--? Thank you for coming today. Welcome to your Urban Affairs Committee.

KEVIN EDWARDS: Thank you. My name is Kevin Edwards, K-e-v-i-n E-d-w-a-r-d-s. I'm the Millard and Papillion Fire District's Administrator. And I want to express a little bit of the thanks for the opportunity to talk to you and also share how our department provides service. The Papillion Rural Fire District, the city of Papillion, and the city of La Vista have been in an interlocal agreement since 2013 to provide fire suppression, fire prevention, and emergency medical services to all three entities through the formation of a mutual finance organization, which is allowed by state law since 1998. Sharing the assets of all the entities has provided a dependable, timely, and cost-effective method of providing these services to the community as a whole. The mutual finance organization serves a collective population of 65,000 people with full-time paid firefighters. Many of them are also paramedics and the balance of them are emergency medical technicians. We operate out of four stations. The members of the mutual finance organization enjoy an Insurance

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Services Office rating of 3 in areas served by fire hydrants and a 3Y in areas not served with fire hydrants. That gives them credit for a credible water supply of tankers and shuttle systems to get water to the fire. The costs of the fire department, including operations, capital expenses, and bonds are shared equally across the property tax valuation of all three entities at a levy rate of 0.130104, which is \$260 per year on a \$200,000 home. We've been able to expand the fire department as needed to meet the growth in our community while maintaining that levy rate due to the cooperative effort of all members of the mutual finance organization, even though we do not qualify for any state aid under the current qualification standards. The sharing of assets and costs has worked well for our community in the past and will in the future. The Millard fire district serves a population of 29,000 people in both Douglas and Sarpy Counties, collectively through an interlocal agreement with the city of Omaha. The city of Omaha provides full-time paid fire suppression and fire prevention and emergency medical services from six fire stations for our district. The district is spread out over a large geographic area and is somewhat fragmented due to annexations of the city of Omaha. The district is able to provide a dependable and timely service to all areas of our district due to the cooperative nature of the relationship with the city of Omaha. The costs of the fire department, including operations, capital expenses are provided by a tax levy of 0.136032, which is \$272 per year for a \$200,000 house. And the Millard

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fire district enjoys an Insurance Services Office rating of 1. Do you have any questions?

WAYNE: Any questions from the committee?

KEVIN EDWARDS: No?

WAYNE: Thank you.

TROY SHOEMAKER: Chairman Wayne, Urban Affairs Committee, thank you for allowing us to testify today. If you would allow me, I'd like to take you on a trip. I want to take you six hours west to Alliance, Nebraska because you've heard from the eastern--

WAYNE: Can you state--

TROY SHOEMAKER: It's Troy Shoemaker--

WAYNE: --and spell your name for the record?

TROY SHOEMAKER: T-r-o-y S-h-o-e-m-a-k-e-r. Sorry about that. But if you allow me, I want to take you to-- on a trip 6 miles west to Alliance, Nebraska, and Box Butte County. Most of the testimony so far today, you've heard from either central or eastern. I live in a county that probably the population is roughly 11,000, so we probably have more cattle than we have people. I'm on-- I'm in a county that has two recognized fire departments. They're 20 miles apart. Alliance is a combination department. We-- we employ career along with the volunteer

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firefighters. We have three fire apparatus, engineers, and EMTs, and we provide Alliance and the surrounding communities paramedic-level EMS services. I have been the fire chief in Alliance approximately 12 years, and we average 886 calls of service a year. We have 40 volunteers, extremely dedicated volunteers, mind you. So we provide-- we are-- my district is 865 square miles. So that takes us into Morrill and Sheridan Counties and approximately three-quarters of Box Butte County. So like I said earlier, we have a vast district. We have a, what I believe is a, good model of fire and EMS services for the western part of Nebraska, where we don't have the population base as some of central and eastern, and we don't have a volunteer pool, so to speak, to pick from. So when we talk about recruitment and retention efforts within the state of Nebraska, we struggle with that very need because of what we have for a pool of people to choose from. Our average response time for fires within the city jurisdiction is 7.5 minutes. We deploy a little bit differently than Kearney. This was going-- this is going to be a shocking number to you maybe because of the 1710 and 1720 NFPA average response time criteria. In our rural district where we're 865 square miles, our average response time is 21 minutes. That's 21 minutes either to a fire or an emergency medical call, so we deploy a little bit differently on EMS when it's a rural area. We try to launch a helicopter as soon as we get that initial dispatch. Within the city, our average response time for EMS, since we staff a minimum staff of one in our station-- we operate out of one

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station-- is 3 minutes. And again, like I said, it's 21 minutes in the rural district. So we-- we provide structural fire, we provide EMS, and we also provide wildland interface firefighting. We have an annual operating agreement with the National Forest Service-- the Nebraska Forest Service. As you know, the Nebraska forest is about 40 miles north to us in the Pine Ridge, in the Chadron area where we were deployed in 2012 to those fires, and in 2006-- and we went as far east as Paxton in 2012 while providing coverage for our own district. So there was a speaker earlier that said that we don't believe that there's a model-- one model that the state can use for fire and EMS services, and I agree wholeheartedly with him. Our nearest fire departments to have aerial ladder up service along with us is 54 miles to the northeast, which is Chadron for us, and 52 miles to the southwest, which is Scottsbluff. So if we need assistance with aerial operations, you know, we-- we have a good hour either direction to ask for that type of assistance, and we have done that before. So I'm in the part of the state that needs population. And I don't know how we do that but I was born and raised there. Alliance's model of fire and EMS has been in existence since 1962, where they employed three paid people along with the volunteer staff. It changed in 1982, when Alliance decided that they needed to have a full-time fire chief, which I currently serve as. But the staffing model for the rest of the

department has remained static since 1982 with no look at changing, based off of what we have for income.

WAYNE: Thank you. Any questions from the committee? Senator Lowe.

LOWE: Out of the 886 calls that you get every year, how many of those are rural? Do you know approximately?

TROY SHOEMAKER: Less than 5 percent.

LOWE: Less than 5 percent. OK.

TROY SHOEMAKER: Out of that number, Senator, 68 percent of those are EMS, 18 percent of those are fire. And we also do interfacility transports from hospital to hospital, and that's a roughly-- I have that number-- roughly 12 percent. And when we do that, that takes volunteer staffing out of our community with an average return time of six hours because we will go-- the farthest we go is three hour, one way. So we can take an interfacility transport from Alliance, Rapid City, South Dakota. So it's a six-hour round trip. And we all go to the manners-- Medical Center of the Rockies and basically, the Loveland-Fort Collins area.

LOWE: Thank you.

TROY SHOEMAKER: Thank you.

WAYNE: Senator, we have more questions. Senator Hunt.

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HUNT: Oh, I just, I just want to thank you for coming all the way here to testify about this. I imagine it's hard for you to leave your community, especially having such an important leadership role in the public safety there. So I learned a lot from your testimony. I don't have a specific question, but I took a lot of notes because you gave me a lot of information to think about. So I wanted to personally thank you.

TROY SHOEMAKER: If we don't become part of the process, we can't be part of the solution, so it is extremely important that I-- I come here. I do that quite often. I made a trip for the testimony at the confirmation of the Nebraska fire marshal. And you know, for a five-minute hearing, [LAUGHTER] it was still very important that we show our new fire marshal some support across the state because we don't end in the middle, like I think some people believe. You know we do border Wyoming, and so I think we need that representation. And I think you that are all here, to serve us as well as we serve you, is to hear what we-- what we are dealt with as well. So I appreciate the opportunity and thank you.

WAYNE: I have a question for you. So I know intermodal or intertransfer for, for, I'm assuming, patients in hospitals. What goes on for those individuals who just need to go to a clinic or to a regular treatment in your area? Like, how does that happen?

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Preventative so you don't have to do something from an emergency standpoint. Not a unfair question to you, I understand, but--

TROY SHOEMAKER: I guess I'm not completely understanding.

WAYNE: So if you have an elderly patient or elderly person who lives in a rural part of your area, how does that transportation go from where they live to Alliance, where their treatment is? And they don't get treatment, then it becomes an emergency to where-- where they are, and you have to go get them. Like how-- is there public transportation, is there--

TROY SHOEMAKER: We-- we do have public transportation in Box Butte County that I do know that will take some of those to their medical appointments. I don't know, I don't have statistics of how much that's used for that reason, but we do have-- they do have that ability. We have done some-- some of those things before it became critical, based off of-- because we have some family members that have some family members that have some severe medical issues, and we'll just do that, you know, we're-brothers type of thing, and we'll go check in and then, if we need to, we'll transport them. But that's a billable service at that point.

WAYNE: All right, thank you.

LOWE: Senator Wynn-- Wayne?

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WAYNE: One more question.

LOWE: While I got you here-- with the rising groundwater up in the Sound-- Sandhills, are you finding any problems getting anywhere?

TROY SHOEMAKER: We've had-- we've had some of that issue. There's portions of our-- our district that-- that's in Morrill County that the-- the roads have been under water previously, and there-- there is some of that issue.

LOWE: Are they still over the top of the roads over there, or--?

TROY SHOEMAKER: No, it's-- it's-- it's-- it's receding, but we haven't had the floods like most people. But we're just as wet and saturated as the rest of the state.

LOWE: Thank you.

WAYNE: Thank you. Next testifier.

MICHEAL DWYER: Good morning. My name is Micheal Dwyer, M-i-c-h-e-a-l D-w-y-e-r, and I am here to testify on LR165. I want to thank Senator McDonnell for introducing this incredibly important resolution. That gives us the opportunity to-- to discuss issues that are quite literally life-and-death across the state of Nebraska. Also want to thank all of the other testifiers before me. There's so many people here that I know I have so much respect for. I'll try to add just maybe a couple other perspectives and keep my testimony relatively

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short. I'm a 36-year member of the Arlington Varnt-- Volunteer Fire department and also part of the Nebraska State Volunteer Firefighters Association Legislative Committee. At the heart of this matter, as I see it, is the statement of who in Nebraska is responsible for EMS. In '16 and '17 I sat on a committee, kind of an interagency committee that tried to identify that, tried to attack that, and quite frankly even our committee couldn't come up with a viable answer. As everybody else here has testified, what works in Washington County, where I am, what works in Douglas County or Lancaster County or even the Cass County model, which is kind of a shared cooperative, doesn't necessarily work in Holt County, where the rest of my family is from. Our resources, our standards, our pool of people that we can acquire is completely different. While on one hand, Senator Wayne, I completely respect what you said, that whether you-- whether you have a heart attack in west Omaha, or whether you have an incident in the rest of the state, we want the standards to be as close or the same as we can. But the fact is that our resources in different parts of the state are completely different, and our response times, by definition, are gonna be completely different for two reasons. We just sometimes just don't have the manpower, the people power. And two, our response time from the station to an extended part of our district is going to be completely different. A couple of the basics. All of the fire departments in Washington County, where I'm from, are all-volunteer. All of the fire departments, and all of them, I believe, provide EMS

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service in LD16-- that's where Senator Ben Hansen is from-- all of those are volunteer, and approximately 72 percent of Nebraska is served by volunteer departments. So at the heart of this is, how do we get-- how do we encourage, how do we compensate at some level more people to be able to participate in Fire and EMS? Because ultimately, nothing happens in Fire and EMS if it doesn't happen through people. So that's the heart of this. And ultimately, we, if we identify that EMS is an essential service, how do we go about funding that? In the committee-- that was the committee's wrestling match, is that, OK, we identified this. Whose-- are we going to do-- just have the fire districts that we have now? Are we gonna expand that a little bit and have them responsible? Some are very qualified, some not so much. Are we going to just simply go by counties? Again, the same issue, and again, you get counties in terms of population size that are so diverse, it's hard to identify a system. But we have to identify that before we're gonna be able to really, in my opinion, attack and solve the problem. Couple of the just basic things. Did-- the part of the bill that I know in conversation at a meeting that I was at Wednesday night identifying EMS as an essential service to those of us that are in the business, it bristles a little bit at that, because whether you're in a community of a million people or whether you're in a community of ten people, if you pick up the phone and dial 9-1-1, I can virtually guarantee you that the person that's making that call expects two things. One, they're not going to have any debate about

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whether this is an essential service or not. And they're expecting somebody to come and to come reasonably quickly. Having been on the other side of those calls, it seems like forever even when it's not. And if there is a delay and if it is critical, that time makes a difference. And it's-- it's that definition of essential services that really is at the heart, I think, of what 60-- LR165 should try to do. If they don't accompany-- if you don't accomplish anything else, get the state of Nebraska to identify that EMS across the state is an essential service, and then begin the process of trying to figure out, OK, how do we-- how do we actually make that work. I think-- that's it. I would mention one more thing: that the information about response times is available, either through county sheriff services or through the forms that volunteers spend about an hour after every call filling out. That response, all those response times in there, we have to enter them. So the information is there. We just need to figure out a way to get HHS to get it out. Done. I'm happy to take any questions.

WAYNE: Any other questions? Seeing none, thank you.

MICHEAL DWYER: Thank you.

WAYNE: Welcome.

JERRY STILMOCK: Thank you, Sir. Mr. Chair, members of the committee, my name is Jerry Stilmock, J-e-r-r-y, Stilmock, S-t-i-l-m-o-c-k, testifying on behalf of my clients, the Nebraska State Volunteer

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Firefighters Association, and the Nebraska Fire Chiefs Association, somewhat of a reunion. Years ago, when I still had hair, Senator Hartnett chaired Urban Affairs, and it seemed like most of all the fire-related bills came to Urban Affairs. I say that because there have been others in the last few years that items have drifted away from Urban Affairs. Lot of-- with Health and Human Services, some with Appropriations, some with Government. So it's really good, I think, to be able to share the stories that you've heard already, the incidents that started because Senator McDonnell said, time-out, what's-- what's going on, what's going on with Fire and EMS in Nebraska? What are we doing? And so I want to share a couple of real stories about-- about what happens. I've said this before, so if I've said it before in one of your other committees, please indulge me if you would. When we move to a community, why do we do so and what do we think of in order to move to a new community? Is it because that's where our spouse lives? Is that because our family lives if they-- place of employment, what's the commuting distance to go to my work? If I have children of grade or high school ages, what's the educational service like? I guarantee you. Nobody stops and says, ay, if I have a heart attack is EMS gonna be there? They don't do it. Why? Because they take it for granted. And that's the way we live, across. I-- I've looked before, and I've talked to others. We-- we just rely on someone answering the call and somebody being there. The-- the Volunteer Firefighters Association first took up this issue about in 9-- 2005, 2006 in the city of North

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Platte at one of the annual conferences and said, hey, we have nobody in the whole state in charge of EMS, because this is what happens. It's the hub and wheel, hub and spoke if you will. McCook has a hub, city of Syracuse has a hub. I'll use Syracuse because that's where I reside with my family. Syracuse is a volunteer department and it fits for a couple of different things that we've done this morning. It has a fire department separate from EMS. They're both volunteers. If you try to push them together, it probably is not going to work. They-- they-- they train independently, they-- they-- they do everything independently except when there's a call. When there's a call for a structure fire, real life, 1920 Methodist church burns down, it's 20 degree below zero, wind chill, snowing, and both departments are out there providing fire-- the EMS is rendering aid to the fire fighters trying to put out the fire. The-- the-- the smaller communities around Syracuse, as their agencies for EMS fold, it-- it--it's just-- they just quit. They go out of existence. So what happens? The stressed department already-- Syracuse has to reach out and go to those other communities. I've had people tell me, Jerry, do you know what it's like when the page goes off and you know there's nobody in that neighboring village to answer the call? And it's-- it's a-- here's the call. It's an infant, one year, under one years of-- one year-- under one year of age in distress. And it's like, you cannot roll over and go to sleep. So we have an element of guilt is the-- is the governing factor of one of the most critical things we could ever experience and

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that's EMS emergency care. That's not a way to run a system. So when I had the opportunity to visit with this about Senator McDonnell, I said, thank you. Because since 2006, we've been trying to orchestrate what has to happen in order for EMS to make sure to the best of our ability it happens. Senator Watermeier at our request in 2016 introduced legislation to say, OK, let's make each county responsible for EMS in Nebraska. We tried. You know, we tried to do it. It did not work out. There was resistance, there were lie-- issues of liability, the county has never done this before. Counties have never done this before. So it's encouraging to hear the-- the-- the issue to continue to be discussed. In addition to you all, in addition to Senator McDonnell, Senator Bostelman has been working for two years to try to do the things that we heard this morning. The data that-- that-- these volunteers, OK, so they go on on a call. Within 72 hours they have to prepare a report. Sometimes that report takes an hour or two, perhaps longer, to fill out. That report has to be done. So the volunteer cannot go to work in order to earn their income because they have to file the report. So Senator Mc-- Senator Bostelman says, well, what's HHS doing with the report? Well, we're having trouble. We-- we-- we'd like to be able to turn it into data that would be helpful to everybody, but we're having issues turning that over. So he-- he's-- he's working on that issue as best he can. The-- I'm going to be polite with the time, it's been a long morning already. So I'll just ask, if I could-- I have two handouts that were-- that were prepared a

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couple of years ago. One is that I-- that I put together is "EMS in Nebraska -- Who's in Charge". And the other is that dreadful question of-- nobody wants to know the answer-- is, "What Happens If No One Answers the Call?" Tremendously important issue. Thank you, Senators, appreciate your allowing us to come in and testify. Thank you.

WAYNE: Any questions from the committee? Senator Crawford.

CRAWFORD: Thank you, and thank you for being here today. Could you just--

JERRY STILMOCK: Yes.

CRAWFORD: --remind us what some of the main opposition was to-- for the counties to be-- to being the entity that would be responsible?

JERRY STILMOCK: I-- I-- libel-- liability.

CRAWFORD: Liability?

JERRY STILMOCK: So if-- if the county is in charge, what happens, and I-- I think I may be mistaken, but I think the timing of it was, the incident in Omaha with the 9-1-1 call and the two brothers. And I speak-- I have to speak politely because somebody lost their life in that incident, and I don't want to misstate or-- or sound like I'm being anything other than factual. But there was an issue with the call and response, and because of some issues, there was a fatality. The question then became, who's liable or who is liable. Lawsuit is

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being filed and I think-- the Nebraska Association of County Officials said, ooh, we don't know the answer to this question, but if we take on another item, EMS, we don't want to be liable for somebody making a call and EMS not being provided, especially if-- in 95 percent of the area of the state of Nebraska is all volunteer EMS. So if the county's the kingpin and has a supervisory responsibility over volunteer EMS, so the call goes out at 12:00 at night, what happens if nobody shows up from a volunteer platoon of service? Why would the county want to be liable in a-- in a situation like that? I think that's what I would pin it on, Senator. Yes.

CRAWFORD: Thank you.

JERRY STILMOCK: Yes, ma'am.

WAYNE: Senator Lowe.

LOWE: Thank you, Chairman, and thank you, Mr. Stilmock, for being here. With the 72-hour deal with DHHS, is that because they want it fresh in the memory, that it needs to be done while there's still a good memory of what happened?

JERRY STILMOCK: Yes, sir. Yeah. Actually, it was-- it was put in at 48 hours and the volunteer associations that I represent became quite involved at the regulation level of state law and government and said, we can't do that. You know, we-- we understand the paid and I don't know all the circumstances of the paid. Maybe their shift ends and

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they have to stay. I don't know if they're on the clock or not. I don't know to speak but I know that person that's supposed to be at NAPA [PHONETIC] or at the bank or-- or running their own farming operation, it's the middle of harvest, they've got to take time out and do that form, the same way the careers do. And to get to-- to 72 hours, was a big deal just to move it off 48, sir.

LOWE: I would think some sort of dictation. You could just speak into a recorder for a while, just so the memory's there and then come back later. Maybe that might be a-- an answer somewhere.

JERRY STILMOCK: Yes, sir.

LOWE: Thank you.

WAYNE: Any other questions? Thank you for coming.

JERRY STILMOCK: Thank you, Senators.

WAYNE: Welcome to your Urban Affairs Committee.

GRANT ANDERSON: Good morning. My name is Grant Anderson, G-r-a-n-t A-n-d-e-r-s-o-n. And I represent the city of Wahoo, Nebraska. I serve there as the director of emergency medical services, and I'm going to kind of jump ahead of my statement because the whole essential service thing, I think, has been addressed well enough. But I want to explain more specifically how that kind of affects us in our agency. The city of Wahoo is a growing community, and part of that growth puts an

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increased burden on our EMS and fire services. Our city elected to a couple of years ago, to actually separate our fire and our EMS departments. So operationally, we're together, but administratively, we're separate. And they did that because of budgetary reasons. We have a source of revenue on the EMS side. We've reached the point where we had to hire some staff, and that's how they wanted to keep that clean. Well, the issue wasn't just with the city of Wahoo, and what the corporate limits of the city of Wahoo demands of our service. The issue is the area that we serve outside of the city of Wahoo, and the essential service thing becomes an issue because we can only govern and levy within the city limits of Wahoo for that service. We actually service an area of close to 170 square miles. That includes five rural fire districts and the villages of Colon, Malmo, and Weston. So there's multiple political subdivisions involved with who we serve for EMS specifically. The city of Wahoo also has a fire department and we have a Wahoo rural fire district. Well, some of the issues we run into is, we have to find a source of funding. We're at another growth stage where, for the next fiscal year, we've got the authorization to hire two more full-time paramedics, which we need, but we have now reached that point where we cannot support our service entirely on the billing revenues. The agencies that can do that can do that because they're 100 percent volunteer. We all know that once you start paying staff, that becomes the highest dollar amount in your budget. And that's where we started to be at for the city of Wahoo.

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And the issue run into is we can't get anybody to voluntarily take responsibility for EMS. The city of Wahoo took a proactive approach to get to move EMS forward. We could have easily went backwards, we could've went to a basic life support service that transports everybody to the local hospital. But they realized that what we do is important, and it should be based on measurable outcomes for our patients. It shouldn't just be based on the standard of, well, are we getting out the door. No, it should be based on the standards of, how well we're treating heart attack patients, how well we're treating stroke patients, how well we're treating trauma patients, and that's when we took that step and moved forward to an advanced life support service with some paid staff. The issue we run into is, nobody else wants to take responsibility. We now need some more tax revenue and we serve some other rural districts. But when we go to them-- and this actually just happened last week in a negotiation meeting with our rural district on our new interlocal agreement-- he said and I quote, "the statute, we are not required to provide EMS by statute. And until that statute change, we're not paying for it." And that was the rural fire district that serves the rural environment of the city of Wahoo, which is also a growing area. It's not just farmland and grass. It's a lot of housing developments, a lot of high-dollar areas that should be protected the same. And I don't want it to reach the point where we get to the point where we grow that now the quality of care is affected in the rural environment because the city of Wahoo has to

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make a decision on whether they're going to continue to provide that-- provide that service for them or not. The misconception is that fire and EMS are the same thing. I do think that fire-based EMS is-- is a good thing. I do. But we also have to look at the state as a whole. Our city has the two separate departments, but not all rural fire districts provide EMS, and I'm going to use Saunders County as an example to kind of open your eyes to this. Our county has nearly 15 rural fire districts that serve our population of 25,000 people, OK? We have almost 10-- 20-- excuse me, 20 physical ambulances that serve a population of 25,000 people of all the districts, right? If the city of Lincoln can get by with seven primary ambulances to serve 285,000 people, why does Saunders County need 20? They don't. The issue with resources that was brought up earlier, well, the resource issue is a problem because we have nearly 500 rural fire districts to serve 93 counties. So we have to look at it as the delivery as a whole. We cannot just look at it where we got to find a solution for everybody's individual problem. We have to look at it at a whole and how are we delivering this. Because Saunders County, do they need 15 rural fire districts, you know? Do they need 20 ambulances? Well, who is in charge of looking at that? Who is in charge of-- of-- of taking that in their hands and making those decisions? Because when you start talking about regionalization of services, it's a sore subject for the

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small departments because you're talking about potentially taking something away. So-- I'm out of time, so--

WAYNE: Thank you. Any questions from the committee? Seeing none, thank you for coming today. Any other testifiers? You want to close? I wasn't gonna let you close [LAUGHTER]. Welcome back to your Urban--

McDONNELL: Thank you. There's 466 fire districts across the state of Nebraska. And there's one thing we don't have to study. That is that every person that is serving cares. They want to make a difference. They will put themselves in harm's way to do that. So that is just a fact, that every person back that testified and out there serving today, their community, they care and they want to make a difference. But we can't be afraid to self-evaluate and we can't be afraid to evaluate as a whole. I used to have a football coach that said, tell me what's going on out there because film doesn't lie. We have to make adjustments during the game. If you miss the tackle, if you're getting beat, if you need help, you need to double-team someone, we will do that. But after the game, we can't make any adjustments and win the game by watching the film. But we're gonna find out sooner or later. That's nothing but a game. That's not people's lives. We're talking about people's lives. So how do we get all the information together? And we are different. East, west, north, south in the state. But we are the same with the idea that we want to make a difference when someone calls 9-1-1. We want to be there and make a difference in that

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person's life and hopefully save that person when they need us. So that goal is the same. But how do we compile now all of the information, east, west, north, south, self-evaluate, knowing that our goal is the same? It is to make sure that we are there and we make a difference in that person's life and make sure that we're also looking at the differences in the state. And yes, is there a cost? Absolutely. There is a cost to saving people's lives. But at that point, if we're looking at 466 fire districts and possibly we can do something within those fire districts differently. We can share services, we can share information, we can improve. That's the goal of this. Let's not be afraid to self-evaluate. Let's get all the data we possibly can. But let's make the adjustments quickly because people are depending on us. Thank you.

WAYNE: Any questions from the committee? Seeing none, thank you. Well, that concludes the Urban Affairs hearing. We usually have fireworks right afterwards, but since there is firefighters here we were told not to do that. [LAUGHTER] So you guys have a great day and thank you for coming.