STATE FIRE MARSHAL

FY 2022 - FY 2024 BUDGET ANALYSIS

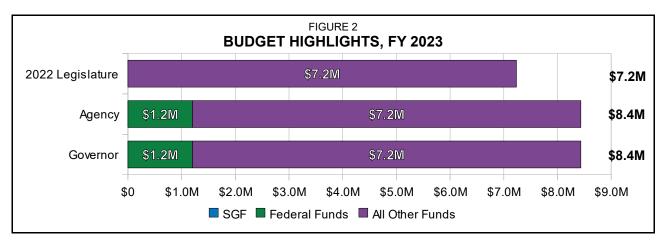
				FIGURE 1						
		BUDGET	O۱	/ERVIEW, F	Y 2	2022 – FY 20	24			
		Actual FY 2022		Agency FY 2023	Governor FY 2023			Agency FY 2024		Governor FY 2024
Operating Expenditures	s:									
State General Fund Federal Funds All Other Funds	\$	93,288 5,486,153	\$	1,200,000 7,235,774	\$	1,200,000 7,235,774	\$	- - 8,096,014	\$	- - 7,896,014
Subtotal	\$	5,579,441	\$	8,435,774	_	8,435,774		8,096,014	\$	7,896,014
Capital Improvements:			_		_		_		_	
State General Fund Federal Funds All Other Funds	\$	-	\$	- -	\$	- -	\$	-	\$	-
Subtotal	\$	-	\$	-	\$	-	\$	-	\$	-
TOTAL	\$	5,579,441	\$	8,435,774	\$	8,435,774	\$	8,096,014	\$	7,896,014
Percentage Change:										
State General Fund		%		%		%		%		%
All Funds		(1.3) %		51.2 %		51.2 %		(4.0) %		(6.4) %
FTE Positions		71.3		69.3		69.3		70.3		70.3

For purposes of this analysis, full-time equivalent (FTE) positions include non-FTE permanent unclassified positions but continue to exclude temporary employees. FTE positions reflect permanent state positions equating to a 40-hour work week.

The Office of the State Fire Marshal was originally established in 1913, abolished in 1933, and reestablished in 1939. The mission of the Office of the State Fire Marshal is to protect lives and property from the hazards of fire, explosion, and natural disaster and promote prevention, educational, and investigative activities to mitigate incidents, promote life safety, and deter crimes. Four agency programs assist with the agency's mission: Administration, Investigation, Fire Prevention, and Emergency Response. The agency also contracts with the Kansas Department for Aging and Disability Services to conduct fire and life safety surveys of Medicare and Medicaid nursing facilities, and with the Kansas Department of Health and Environment to conduct fire and life safety surveys of Medicare and Medicaid medical facilities.

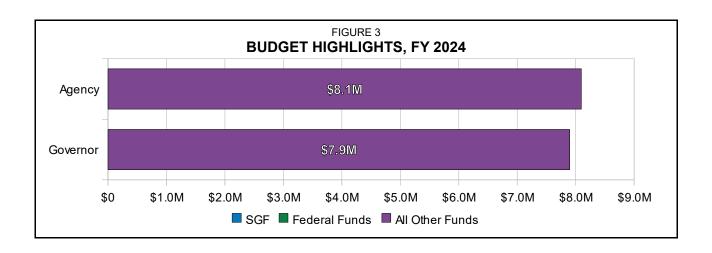
EXECUTIVE SUMMARY

The 2022 Legislature approved a budget of \$7,235,774, all from special revenue funds, for the State Fire Marshal for FY 2023.



The **agency** submits a revised estimate of \$8.4 million, all from special revenue funds, in FY 2023. This is an increase of \$1.2 million, or 16.6 percent, above the FY 2023 approved amount. This increase is due to the addition of \$1.2 million, all from federal American Rescue Plan Act (ARPA) funds, as aid to local governments through the Kansas Firefighters Recruitment and Safety Grant (KFRSG) program. This program provides no-match funds to volunteer and part-time fire departments primarily for personal protective equipment (PPE). Further, the agency requests language authorizing a transfer from the Elevator Safety Fee Fund to the Fire Marshal Fee Fund to reimburse start-up expenditures associated with implementing provisions of 2022 HB 2005, creating the Elevator Safety Act. This act directs the agency to license elevator inspectors, contractors, and mechanics; however, the program is not anticipated to draw revenue from license fees until January 2023. The revised estimate includes 69.3 FTE positions, which is a decrease of 3.0 FTE positions below the FY 2023 approved number. The position decrease is mainly from the Administration Division and Fire Prevention Division.

The **Governor** concurs with the agency's revised estimate in FY 2023.

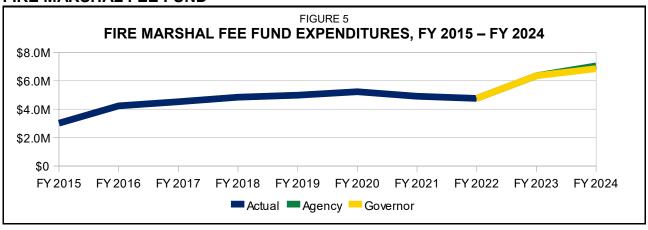


The **agency** requests \$8.1 million, all from special revenue funds, for FY 2024. This is a decrease of \$339,760, or 4.0 percent, below the FY 2023 revised estimate. The change is attributable to a decrease of \$1.2 million, all from federal ARPA funds, for the KFRSG program, as these one-time funds are not available beyond FY 2023. The KFRSG grant program provides nomatch funds to volunteer and part-time fire departments primarily for PPE. The decrease is partially offset by the agency's enhancement request of \$300,000, all from the Fire Marshal Fee Fund, for the KFRSG program, which would return the grant program to pre-pandemic funding levels. The request also includes increased salaries and wages expenditures, primarily for employer contributions for fringe benefits, and expenditures related to implementation of 2022 HB 2005, creating the Elevator Safety Act. The request includes 70.3 FTE positions, which is an increase of 1.0 FTE position above the FY 2023 revised estimate number. The additional position is in the Fire Prevention Division.

The **Governor** recommends \$7.9 million, all from special revenue funds, for FY 2024. This is a decrease of \$200,000, or 2.5 percent, below the agency's FY 2024 requested amount. The recommendation includes an enhancement of \$100,000, all from the Fire Marshal Fee Fund, for the KFRSG, which is a decrease of \$200,000 below the agency's request. The recommendation includes 70.3 FTE positions, which is unchanged from the FY 2024 requested number.

EXPENDITURE	EXPENDITURES AND FINANCING												
				FIGURE	4								
BUDGET S	UM	IMARY BY C	A	EGORY OF	E	(PENDITURI	E, F	FY 2022 – F	Y 2	024			
		Actual FY 2022		Agency FY 2023		Governor FY 2023		Agency FY 2024		Governor FY 2024			
Category of Expendit	ure	:											
Salaries and Wages Contractual Services Commodities	\$	3,874,438 1,083,117 241,070	\$	5,119,839 1,169,565 454,725	\$	5,119,839 1,169,565 454,725	\$	5,352,474 1,420,590 458,750	\$	5,352,474 1,420,590 458,750			
Capital Outlay Debt Service Interest		282,012 -		391,645 -		391,645 -		464,200 -		464,200 <u>-</u>			
Subtotal Aid to Local Units Other Assistance	\$	5,480,637 98,804	\$	7,135,774 1,300,000	\$	7,135,774 1,300,000	\$	7,696,014 400,000	\$	7,696,014 200,000			
Subtotal-Operating Capital Improvements Debt Service Principal	\$	5,579,441 - -	\$	8,435,774 - -	\$	8,435,774 - -	\$	8,096,014 - -	\$	7,896,014 - -			
TOTAL	\$	5,579,441	\$	8,435,774	\$	8,435,774	\$	8,096,014	\$	7,896,014			
Financing: State General Fund	\$	_	\$	_	\$	_	\$	_	\$	_			
Federal Funds All Other Funds	Ψ	93,288 5,486,153	Ψ	1,200,000 7,235,774	Ψ	1,200,000 7,235,774	Ψ	8,096,014	Ψ	7,896,014			
TOTAL	\$	5,579,441	\$	8,435,774	\$	8,435,774	\$	8,096,014	\$	7,896,014			
FTE Positions	-	71.3		69.3	<u>-</u>	69.3		70.3		70.3			

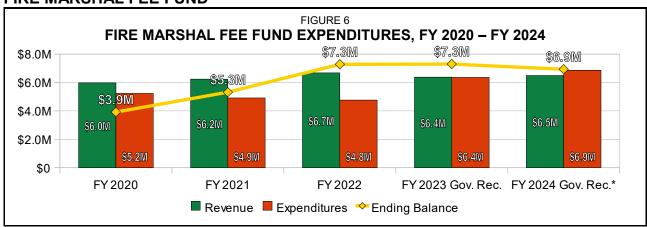
FIRE MARSHAL FEE FUND



The Fire Marshal Fee Fund is the primary source of funding for the agency. The majority of revenue to this fund is derived from a levy on fire insurance premiums. Pursuant to KSA 75-1508, each insurance company doing business in Kansas is required to pay a levy, not to exceed a total of 1.25 percent, on fire insurance premiums sold in Kansas. This levy supports the operations of the State Fire Marshal, Board of Emergency Medical Services, and the Fire Service Training Program at the University of Kansas.

Of the moneys generated from this levy, KSA 75-1514 (2021 HB 2270) provides that \$100,000 must be transferred to the SGF, with the balance distributed to the State Fire Marshal (64.0 percent), Board of Emergency Medical Services (20.0 percent), and the Fire Services Training Program at the University of Kansas (16.0 percent).

FIRE MARSHAL FEE FUND



* For FY 2024, the lowest month ending balance for the Fire Marshal Fee Fund will occur in July, with a balance of \$7.3 million.

The Fire Marshal Fee Fund receives the majority of the transfers of receipts from the insurance premium fund in the months of December and June. The June transfer funds the agency for the first six months of the next fiscal year. In addition to operating expenditures, this fund is used for the Kansas Firefighter Recruitment and Safety Grant program. The grant provides no-match funds to volunteer and part-time departments across the state for PPE, physicals not covered by insurance, and support of junior firefighter programs.

FIGURE 7 ELEVATOR LICENSE FEES, FY 2023												
License	Curr	ent Fee	Statut	tory Limit	Authority							
Elevator Contractor License Fee	\$	500	\$	500	KSA 44-1807							
Elevator Mechanic License Fee		150		150	KSA 44-1807							
Elevator Inspector License Fee		250		250	KSA 44-1807							

FY 2023 ANALYSIS													
FIGURE 8 SUMMARY OF BUDGET REQUEST, FY 2023													
		SGF	Spe	ecial Revenue Funds		All Funds	FTE						
Legislative Approved: Amount Approved by 2022 Legislature 1. No Change	\$		· \$	7,235,774	\$	7,235,774	72.3 						
Subtotal-Legislative Approved	\$	-	\$	7,235,774	\$	7,235,774	72.3						
Agency Revised Estimate: 2. Kansas Firefighter Recruitment and Safety Grant Program – ARPA 3. Elevator Safety Fee Fund Transfer	\$		- \$	1,200,000	\$	1,200,000							
Language 4. All Other Adjustments Subtotal–Agency Revised Estimate	\$	<u>.</u>	- \$	- 8,435,774	\$	<u> </u>	(3.0) 69.3						
Governor's Recommendation: 5. No Change		-	<u> </u>				<u></u>						
TOTAL	\$	•	<u> </u>	8,435,774	\$	8,435,774	69.3						

LEGISLATIVE APPROVED

1. **NO CHANGE.** Subsequent to the 2022 Session, no adjustments were made to the \$7.2 million approved for the State Fire Marshal for FY 2023.

AGENCY ESTIMATE

The **agency** requests a revised estimate of \$8.4 million, all from special revenue funds, in FY 2023. This is an increase of \$1.2 million, or 21.5 percent, above the FY 2023 approved amount. The revised estimate includes 69.3 FTE positions, which is a decrease of 3.0 FTE positions below the FY 2023 approved number. The position decrease is mainly from the Administration Division and Fire Prevention Division.

The **agency** estimate includes the following adjustments:

- 2. KANSAS FIREFIGHTER RECRUITMENT AND SAFETY GRANT PROGRAM ARPA. The revised estimate includes an increase of \$1.2 million, all from federal ARPA funds, as aid to local governments through the Kansas Firefighter Recruitment and Safety Grant Program. This grant program provides no-match funds to volunteer or part-time fire departments primarily for personal protective equipment (PPE). The 2022 Legislature directed these one-time federal moneys be transferred to the the agency in FY 2022, if such ARPA funds were available. The funds were certified as available and transferred in June 2022, which was the final month in FY 2022. Due to this timing, the agency plans to expend these funds in FY 2023 to support approved grants to 96 local fire departments.
- 3. ELEVATOR SAFETY FEE FUND TRANSFER LANGUAGE. The agency requests language authorizing a discretionary transfer from the Elevator Safety Fee Fund to the Fire Marshal Fee Fund to reimburse start-up expenditures associated with provisions of 2022 HB 2005, creating the Elevator Safety Act. This act assigns duties to the State Fire Marshal in relation to safety standards for elevators and licensure requirements for elevator inspections, installation, and repair, with revenue derived from licensing fees or penalties to be directed to the Elevator Safety Fee Fund to sustain program operations.

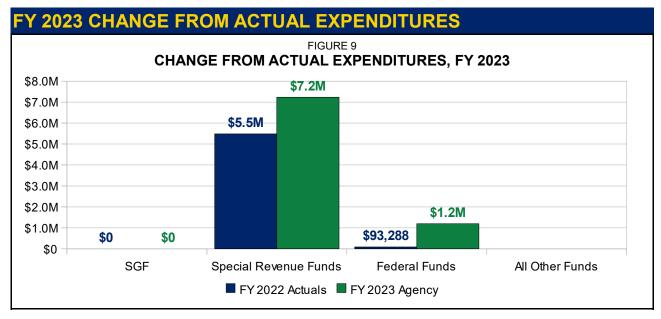
The agency anticipates collection of revenue to begin in January 2023 and notes that start-up costs in FY 2022 and FY 2023 were expended from the Fire Marshal Fee Fund.

4. **ALL OTHER ADJUSTMENTS.** Other adjustments include decreased salary and wages expenditures and 3.0 FTE positions, which is offset primarily by increased expenditures for the purchase of laptop computers as part of the agency's three-yearreplacement cycle.

GOVERNOR'S RECOMMENDATION

The Governor concurs with the agency's revised estimate in FY 2023.

5. **NO CHANGE.** The Governor recommends no adjustments in FY 2023.



The **agency** estimates revised expenditures of \$8.4 million, all from special revenue funds, in FY 2023. This is an increase of \$2.9 million, or 51.2 percent, above the FY 2022 actual amount. The increase is primarily due to an increase of \$1.3 million for salaries and wages expenditures that include an agency recruitment and retention plan, a 5.0 percent statewide salary increase, and the addition of 2.0 FTE positions for implementation of 2022 HB 2005, creating the Elevator Safety Act. The increase is also due to an increase of \$1.2 million, all from federal ARPA funds, for aid to local fire departments through the KFRSG program. Other increases include the purchase of specialized trucks in the Investigation and Emergency Response Divisions, and scientific supplies.

The revised estimate includes 69.3 FTE positions, which is a decrease of 2.0 FTE positions below the FY 2022 actual number. The position decrease is mainly in the Administration Division.

FY 2024 ANALYSIS						
SUMMARY		IGURE 10		ST EV 2024		
SOMMARI	OF BUL	JGET KEQ		•		
		SGF	Spe	ecial Revenue Funds	All Funds	FTE
Agency Revised Estimate, FY 2023	\$	-	\$	8,435,774	\$ 8,435,774	69.3
Agency Request:						
Enhancement—Kansas Firefighter Recruitment and Safety Grant Program – Fee Fund	\$	-	\$	300,000	\$ 300,000	
Kansas Firefighter Recruitment and Safety Grant Program – ARPA		-		(1,200,000)	(1,200,000)	
3. Salaries and Wages		-		232,635	232,635	1.0
4. Elevator Safety Program		-		160,800	160,800	
5. Hazmat Response Equipment		-		57,000	57,000	
6. Vehicles		-		25,000	25,000	
7. All Other Adjustments				84,805	 84,805	
Subtotal–Agency Estimate	\$	-	\$	8,096,014	\$ 8,096,014	70.3
Governor's Recommendation: 8. Enhancement—Kansas Firefighter Recruitment and Safety Grant Program – Fee Fund		-		(200,000)	(200,000)	
TOTAL	\$	-	\$	7,896,014	\$ 7,896,014	70.3

AGENCY REQUEST

The **agency** requests \$8.1 million, all from special revenue funds, for FY 2024. This is a decrease of \$339,760, or 4.0 percent, below the FY 2023 revised estimate. The request includes 70.3 FTE positions, which is an increase of 1.0 FTE position above the FY 2023 revised estimate number. The additional 1.0 FTE position is in the Fire Prevention Division.

The **agency** request includes the following adjustments:

- 1. ENHANCEMENT—KANSAS FIREFIGHTER RECRUITMENT AND SAFETY GRANT PROGRAM FEE FUND. The agency requests an enhancement of \$300,000, all from the Fire Marshal Fee Fund, as aid to local governments through the KFRSG program for FY 2024. This grant program provides no-match funds to volunteer or part-time fire departments primarily for PPE. With this enhancement, a total of \$400,000 would be available for this grant program in FY 2024, which is the amount provided prior to the COVID-19 pandemic
- 2. KANSAS FIREFIGHTER RECRUITMENT AND SAFETY GRANT PROGRAM ARPA. The request includes a decrease of \$1.2 million, all from federal ARPA funds, for the KFRSG program for FY 2024. These one-time federal funds are not available beyond FY 2023.
- 3. **SALARIES AND WAGES.** The request includes an increase of \$232,635, all from special revenue funds, for salaries and wages expenditures for FY 2024. This includes an increase of \$155,388 for employer contributions for fringe benefits and the addition of 1.0 FTE position in the Fire Prevention Division.

- 4. ELEVATOR SAFETY PROGRAM. The request includes an increase \$160,800, all from the Elevator Safety Fee Fund, for contractual services in the Elevator Safety Program for FY 2024. This includes an increase of \$150,000 for data processing services associated with implementation of provisions of 2022 HB 2005, creating the Elevator Safety Act, which assigns the agency with licensing elevator inspectors, contractors, and mechanics. These expenditures include operation of a statewide elevator database and an online application process.
- 5. **HAZMAT RESPONSE EQUIPMENT.** The request includes an increase of \$57,000 for the purchase of specialized hazardous materials detection equipment and incident response training equipment for the Emergency Response Division, which involves nine regional teams that respond and mitigate chemical, biological, radiological, or nuclear incidents when requested by local jurisdictions.
- 6. VEHICLES. The request includes a total increase of of \$25,000 for the purchase of vehicles. This includes an increase of \$108,000 for the replacement of four passengers cars utilized by staff, including inspectors, in the Fire Prevention, Boiler, and Elevator Safety programs. This increase is partially offset by a decrease of \$83,000 for the purchase of trucks that occurred in FY 2023, but will not reoccur for FY 2024. These trucks include specialized vehicles for the Investigation and Emergency Response Divisions.
- 7. **ALL OTHER ADJUSTMENTS.** Other adjustments include increased travel expenditures of \$56,150, which is primarily due to an anticipated increase in inspections and participation in training events.

GOVERNOR'S RECOMMENDATION

The **Governor** recommends \$7.9 million, all from special revenue funds, for FY 2024. This is a decrease of \$200,000, or 2.5 percent, below the agency's FY 2024 requested amount. The recommendation includes 70.3 FTE positions, which is unchanged from the FY 2024 requested number.

The **Governor's** recommendation includes the following adjustment:

8. **ENHANCEMENT – KANSAS FIREFIGHTER RECRUITMENT AND SAFETY GRANT PROGRAM – FEE FUND.** The Governor recommends an enhancement of \$100,000, all from the Fire Marshal Fee Fund, for the KFRSG program for FY 2024. This is \$200,000 below the agency's request. The recommendation provides a total of \$200,000 for grants to volunteer or part-time fire departments, primarily for PPE (Item 1).

ENHANCEMENT REQUESTS KANSAS FIREFIGHTER RECRUITMENT AND SAFETY GRANTS

		FY 20)2	4 ENHANCE	MENT	S					
	Agency Recommendation Governor's Recommenda										
Item		SGF	_	All Funds	FTE		SGF	_		All Funds	FTE_
Kansas Firefighter Recruitment and Safety Grants	\$	-	9	300,000		\$	-		\$	100,000	

KANSAS FIREFIGHTER RECRUITMENT AND SAFETY GRANTS

The agency requests an increase of \$300,000, all from the Fire Marshal Fee Fund, as aid to local fire departments through the Kansas Firefighter Recruitment and Safety Grant (KFRSG) program. The program provides no-match funds to volunteer or part-time fire departments for personal protective equipment (PPE), firefighter physicals not covered by insurance, and support of junior firefighter programs.

With this enhancement, a total of \$400,000 would be available for this grant program in FY 2024, which is the amount provided prior to the COVID-19 pandemic. There are 650 fire departments in Kansas, of which 80.0 percent are volunteer operated. The agency indicates these fire departments, especially small rural volunteer departments, struggle with recruitment and retention of firefighters due to lack of adequate funding for safety equipment. A full set of bunker gear, which is PPE used by firefighters, is estimated to cost \$3,000 per person. Funds may also be used for extractor washing machines, which are designed for cleaning bunker gear to mitigate exposure to carcinogenic residue.

The KFRSG program was established in FY 2017 with \$200,000 from the Fire Marshal Fee Fund. The amount increased to \$400,000 in FY 2019; however, the program was suspended for one year in FY 2021.

	Н	IISTORY (OF T	HE KFRSO	PR	OGRAM			
KFRSG	Actual FY 2020		Actual FY 2021			Actual FY 2022	Estimate FY 2023	Estimate FY 2024	
Budgeted									
Fire Marshal Fee Fund	\$	400,000	\$	-	\$	100,000	\$ 100,000	\$	400,000
Federal ARPA Funds		-		-		-	1,200,000	*	-
TOTAL	\$	400,000	\$	_	\$	100,000	\$ 1,300,000	\$	400,000
Number of Fire Department Requests		76		-		42	96		-
Total Amount Requested	\$	968,393	\$	-	\$	434,990	\$ 2,637,835	\$	-
Amount Awarded	\$	390,965	\$	-	\$	98,804	1,299,909	\$	-

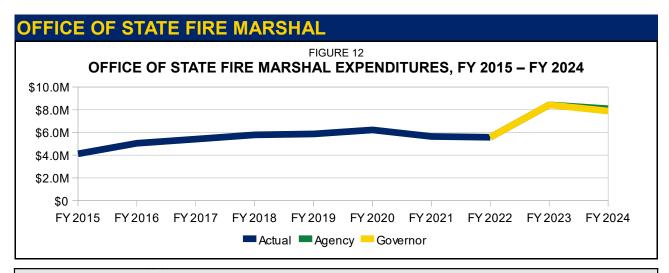
^{*}These one-time federal funds are not available beyond FY 2023.

The Governor recommends partial adoption of this request. The recommendation includes an enhancement of \$100,000, all from the Fire Marshal Fee Fund, for the KFRSG program for FY 2024.

PROGRAM AND PERFORMANCE MEASURES OVERVIEW														
EXPEND	FIGURE 11 EXPENDITURES AND FTE POSITIONS BY PROGRAM, FY 2022 – FY 2024													
Programs		Actual FY 2022			Governor FY 2023		Agency FY 2024	_	Governor FY 2024					
Expenditures: Administration	\$	5,579,441	\$	8,435,774	\$	8,435,774	\$	8,096,014	\$	7,896,014				
FTE Positions: Administration		71.3		69.3		69.3		70.3		70.3				

PERFORMANCE MEASURES

The 2016 Legislature passed HB 2739, which outlined a three-year process for state agencies to develop and implement a system of performance budgeting using outcome measures to evaluate program effectiveness.



STATUTORY BASIS: • KSA-75-1503, 75 15-5, 75-1510, 75-1513, and 17-3136 established the office of the State Fire Marshal. Other statutes that guide the State Fire Marshal include KSA 31-133, 134, 136, 137, 138, 143, 144, 146, 148, 149, 150, 157, 401-406, 501-506, 601-613, 39-928, 40-2,110, 55-1807-1813, 65-34,105 and 34,136, 65-508, 75-1515, 1518, 1519, 3137, and 6102. KSA 2-3901-3909 regulates commercial hemp.

- PROGRAM GOALS: Increase the number of persons charged with arson and other related crimes while decreasing the number of incendiary fires through public education.
 - Provide oversight of explosive users, manufacturers, and distributors.
 - Inspect all necessary facilities to ensure compliance with fire prevention standards.
 - Inspect and certify water heating and high-pressure steam boiler systems.
 - Locate and certify all elevators and identify hazards and code violations.
 - Maintain the skills of nine regional hazmat response teams.
 - Train and equip search and rescue teams.

The Office of State Fire Marshal operates four divisions within the agency.

ADMINISTRATION DIVISION

The Administration Division provides support services such as fiscal management, personnel, education training, and legal services. It also provides publication of press releases and maintenance of the information technology services.

INVESTIGATION DIVISION

The Investigation Division provides fire origin and cause investigation, criminal investigation, explosives investigation and permits, fireworks permits, fire investigation and explosives training and education The Division also operates the Fire Safety Cigarette program, which certifies all cigarette brands sold in Kansas.

FIRE PREVENTION DIVISION

The Fire Prevention Division provides fire and life safety code rules and regulations, the field fire and safety inspection and enforcement program, facility plan reviews and code boiler enforcement, inspection and certifications, and elevator safety programs.

EMERGENCY RESPONSE DIVISION

The Emergency Response Division provides hazardous material response and training and search and rescue response and training.

FIGURE 13 OFFICE OF STATE FIRE MARSHAL, PERFORMANCE MEASURES												
STRISE OF STATE		Actual FY 2021		Actual FY 2022		Actual 3-Year Avg.	Target FY 2023			Target FY 2024		
Outcome Measure:												
Request for OSFM Investigations		390		413		390		400		400		
Number of Search and Rescue Responses		705		713		704		725		750		
3. Cost Per General Fire Prevention* Inspection	\$	267	\$	333	•	262	\$	391	\$	387		
Cost Per Boiler Inspection*	\$	132	\$	132	\$	139	\$	147	\$	148		
5. Number of HAZMAT responses		819		837		826		825		840		
6. Number of Students Trained in Search and Rescue*		238		249		260		250		275		
Output Measure:												
7. Number of Investigative Hours		18,004		15,049		17,039		21,500		21,500		
8. Canine Responses for Investigations*		58		77		71		75		75		
9. Number of Fires Caused by Smoking*		128		171		191		180		180		
10. General Fire Prevention Inspections Completed Annually*		7,912		6,300		8,512		6,939		7,632		
11. Facility Plan Review Hours*		4,885		6,130		5,020		6,743		7,417		
12. Boiler Certificates Issued*		12,069		11,893		11,783		12,063		13,269		
13. Elevator Certificates Issued*		-		-		-		5,950		9,900		
		Actual		Actual				Governor		Governor		
Financing		FY 2021	_	FY 2022				FY 2023	_	FY 2024		
SGF	\$		\$	-			\$		\$	-		
Federal Funds		138,803		93,288				1,200,000		-		
All Other Funds		5,516,018		5,486,153				7,235,774	_	7,896,014		
TOTAL	\$:	5,654,821	<u>\$</u>	5,579,441			\$	8,435,774	<u>\$</u>	7,896,014		
Percentage Change:		0.4		0.4				0.4		0.4		
SGF All Funds		% (0.1) %		%				% 51.2 %		%		
All Funds		(9.1) %		(1.3) %				51.2 %		(6.4) %		
FTE Positions		69.8		71.3				69.3		70.3		
*The Office of Governor does not use this	perf	ormance me	eas	sure for evalu	ıati	ion purposes						