



## **Louisiana Streamlining Commission**

### **Suggested Recommendations to Advisory Committee Chairmen**

**Preamble:**

The following comments on this cover sheet have been prepared at the Mercatus Center by Hon. Maurice McTigue. The purpose of the analysis was to identify issues that the committee might pursue and finally develop into recommendations to the full commission.

- The suggested recommendations are based on very limited information and the committee's local knowledge may determine that the suggestions are not viable. In that case the Committee should discard the suggested recommendation.
- If the Committee thinks the suggestion has merit then they should refer it to officials for their analysis.
- Some of our suggestions may be recommending a practice that is already in place, in which case the recommendation may be put aside or may be worded to endorse that practice or to extend it further than is the current practice.

#### **State Fire Marshall – All Divisions**

- There was very little financial information provided in the survey
- The fees charged by the office of the State Fire Marshall should be subjected to the new cost recovery criteria and transparency requirements.

#### **Savings:**

- Insufficient information to make recommendations.

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**Department name:** State Fire Marshal - Emergency Services Division

**State in one sentence the core business of your department:** As the lead firefighting agency and in our role as ESF-4, our mission is to protect the lives and property of the citizens of Louisiana in the event of a natural or man-made disaster.

For each program managed by your agency, provide the following information. Please limit your answers for each program to *no more than half a page* and simply write "*unknown*" next to each program question you are unable to answer.

- **Program name:** Emergency Services/Disaster Response
- **Outcome addressed by this program:** A systematic effort to coordinate all first responders and to improve and enhance disaster preparedness initiatives, emergency response operations and long term disaster planning and recovery achieved through aggressive, progressive and innovative training and life saving exercises.
- **How many members of the public are directly involved in or affected by this program:** This program directly and indirectly affects the estimated 4,523,628 citizens of the state of Louisiana that are exposed to natural disasters or acts of terrorism.
- **How much money was expended on this program in the last fiscal year (The most recent data available are acceptable even if they are from FY 07-08):** Unknown
- **Measure used to determine success:** The only real tangible measure used to determine success of this program would be the lack of catastrophic loss of life, reduction in major injuries and avoidable property loss during the recent events of 2008.
- **Level of success during each of the last three years:** The level of success during the past few years have been monumental as compared to the recent past. This Emergency Services/Disaster Response initiative did not exist until the appointment of Fire Marshal Butch Browning in May of 2008 and was immediately tested during Hurricanes Gustav & Ike.
- **The societal issue addressed by this program is getting better, remaining static, or deteriorating:** This program has had a dramatic positive impact on the ability of the Louisiana Fire Service and the approximate 16,000 first responders to provide a unified response

and unequalled level of service and protection to the citizens of our great state in the event of local, regional or statewide catastrophic events.

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**Department name:** State Fire Marshal – Arson Enforcement

**State in one sentence the core business of your department:** To investigate and cause the arrest of individuals suspected of having violated delineated arson and arson related crimes, as well as the investigation of any fire(s) resulting in human death and those fires of significant economic or social impact.

For each program managed by your agency, provide the following information. Please limit your answers for each program to no more than half a page and simply write “unknown” next to each program question you are unable to answer.

- **Program name:** Arson Investigation
- **Outcome addressed by this program:** Identification and investigation of fires of suspicious origin, fires of significant social and/or economic impact (churches, schools, major commercial, etc.) as well as fires that result in human death. Partnering with local fire departments, local, state and Federal law enforcement entities, local and regional task forces and prosecutors, the Arson Division provides specialized expertise as well as education in fire Cause and Origin, Fatality investigation and related subjects.
- **How many members of the public are directly involved in or affected by this program:** The Arson Division operates at a statewide level, with potential impact on every citizen of the state.
- **How much money was expended on this program in the last fiscal year (The most recent data available are acceptable even if they are from FY 07-08):** UNKNOWN
- **Measure used to determine success:** (A) Requests for investigations, (B) Number of incendiary fires investigated (inclusive of Undetermined), (C) Number of cases closed by arrest or exceptional clearance and (D- Primary Performance Indicator) Overall case clearance rate measured against published National Clearance Rate for arson – FBI’s Uniform Crime Report.
- **Level of success during each of the last three years:**  
The Arson Division has been extremely successful in the past three years, achieving Clearance Rates as follows:  
2008-2009:      36.7% / 2007-2008:      37.02% / 2006-2007      36.26%

These results are measured against the FBI's Uniform Crime Report national average of Arson Clearance of 17%. Further, the Clearance statistics of the Arson Division are inclusive of fires of undetermined origin, whereas the FBI's statistics omit these figures. If the Arson Division were to also omit Undetermined fires, the Division's Clearance statistics would approximately double, however it was determined by Administration that their omission would not properly indicate true case performance, as Undetermined fires cannot strictly rule out Arson as the fire cause.

- **The societal issue addressed by this program is getting *better, remaining static, or deteriorating*:**

Due to the current economic downturn as well as significant storm activity throughout the state in the past several years, issue of arson, arson with intent to defraud (insurance fraud), etc. is deteriorating.

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**Department name:** State Fire Marshal - Plan Review Section

**State in one sentence the core business of your department:** We review building plans prior to construction in order to verify code compliance.

For each program managed by your agency, provide the following information. Please limit your answers for each program to no more than half a page and simply write "unknown" next to each program question you are unable to answer.

- **Program name:** Plan Review
- **Outcome addressed by this program:** Code Compliant Building
- **How many members of the public are directly involved in or affected by this program:** Anybody occupying/using a commercial building statewide.
- **How much money was expended on this program in the last fiscal year (The most recent data available are acceptable even if they are from FY 07-08):** Unknown
- **Measure used to determine success:** Number of plans reviewed
- **Level of success during each of the last three years:** The plan review section measures success by providing service in a timely manner. The following are performance indicators for the last 3 years:

	<u>FY 2006 – 07</u>	<u>FY 2007 – 08</u>	<u>FY 2008 - 09</u>
Projects Reviewed:	17, 826	19,058	17,066
Review time per project(hours)	3.00	2.58	3.4
% of projects not in compliance	6%	5.71%	5.89%

- **The societal issue addressed by this program is getting *better, remaining static, or deteriorating*:** This program has been in affect for many years and as a result fire deaths in commercial structures are infrequent.

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<b>Department name:</b> State Fire Marshal - Manufactured Housing
<b>State in one sentence the core business of your department:</b> inspect the installation and consumer complaints of manufactured homes sold, manufactured, and installed in the state of Louisiana for compliance with Federal and State Law.

For each program managed by your agency, provide the following information. Please limit your answers for each program to no more than half a page and simply write "unknown" next to each program question you are unable to answer.

- **Program name:** Manufactured Housing Commission
- **Outcome addressed by this program:** To ensure manufactured homes are installed to state code and are in compliance with the Federal law.
- **How many members of the public are directly involved in or affected by this program:** All individuals residing in Manufactured Homes in the state of Louisiana.
- **How much money was expended on this program in the last fiscal year (The most recent data available are acceptable even if they are from FY 07-08):** Unknown
- **Measure used to determine success:** None
- **Level of success during each of the last three years:** None
- **The societal issue addressed by this program is getting better, remaining static, or deteriorating:** The societal issued addressed by this program is remaining static due to the economy.

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**Department name:** State Fire Marshal – Fire Information

**State in one sentence the core business of your department:** To collect, interpret and prepare on fire incident data from all fire departments in the state which provides information utilized in assessing personnel, equipment and training needs of our fire service as well as providing information utilized in the development of legislation in regards to the safety and well being of the citizens of Louisiana and the nation.

For each program managed by your agency, provide the following information. Please limit your answers for each program to no more than half a page and simply write “unknown” next to each program question you are unable to answer.

- **Program name:** Louisiana Fire Incident Reporting System
- **Outcome addressed by this program:** Adequately equipped fire departments, sufficiently staffed with well trained fire service personnel in order to provide a high level of safety and security for the citizens of Louisiana
- **How many members of the public are directly involved in or affected by this program:** All
- **How much money was expended on this program in the last fiscal year (The most recent data available are acceptable even if they are from FY 07-08):** unknown
- **Measure used to determine success:** unknown
- **Level of success during each of the last three years:** unknown
- **The societal issue addressed by this program is getting better, remaining static, or deteriorating:** Increased awareness of issues addressed by our fire service will continue to rise with advancement of this program thus improving the quality of service to the citizens of Louisiana in regards to fire protection and life safety.

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**Department name:** State Fire Marshal - Health Care Section

**State in one sentence the core business of your department:** Perform inspections of patient occupied buildings certified for Medicare and Medicaid participation and licensed by the state of Louisiana for compliance with the provisions of the Life Safety Code.

For each program managed by your agency, provide the following information. Please limit your answers for each program to no more than half a page and simply write "unknown" next to each program question you are unable to answer.

- **Program name:** Health Care Section
- **Outcome addressed by this program:** To protect persons incapable of self preservation and other occupants of health care facilities from the hazards of fire.
- **How many members of the public are directly involved in or affected by this program:** The entire population of Louisiana.
- **How much money was expended on this program in the last fiscal year (The most recent data available are acceptable even if they are from FY 07-08):** \$240,000.00
- **Measure used to determine success:** The loss of life and property in health care facilities.
- **Level of success during each of the last three years:** There a no reported deaths in health care facilities caused by fire.
- **The societal issue addressed by this program is getting better, remaining static, or deteriorating:** The societal issue addressed by this program is getting better, as of December, 2003, 314 nursing homes had been surveyed by this agency, 74.5% were cited for life safety code deficiencies. Statistics are not available since the United State Government Accountability Office reported to congress in 2003. This agency has seen a decline in the number of deficiencies written in health care facilities in our state.

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**Department name:** State Fire Marshal - Mechanical Safety Section

**State in one sentence the core business of your department:** The Office of State Fire Marshal, Mechanical Safety Section is to ensure public safety through inspections as defined by Louisiana State Law as it pertains to Boilers, Amusement Rides and Attractions, Air Structures, Consumer/Retail Fireworks, and Pyrotechnic Display Fireworks.

For each program managed by your agency, provide the following information. Please limit your answers for each program to ***no more than half a page*** and simply write ***"unknown"*** next to each program question you are unable to answer.

- **Program name:** Mechanical Safety
- **Outcome addressed by this program:** To inspect, prior to the opening each known amusement event. To inspect 100% of the objects in the state, under the Jurisdiction, and to inspect 100% of the known retail fire works stands, 100% of the known public pyrotechnic displays.
- **How many members of the public are directly involved in or affected by this program:** Oversee and inspect 250 plus events held each year which results in approximately 4000 rides/attractions being inspected. Approximately 33,000 boilers. Also, there are 800 retail stands which result in 1,600 yearly inspections and approximately 350 pyrotechnic displays.
- **How much money was expended on this program in the last fiscal year (The most recent data available are acceptable even if they are from FY 07-08):** unknown
- **Measure used to determine success:** Number of know amusement events, percentage of events inspected, number of state assigned inspections required and performed, percentage of boilers found not in compliance and overdue for inspection, and number of known public firework displays to be inspected and percentage of public firework displays inspected.
- **Level of success during each of the last three years:** Inspection of 4000 rides/attraction results in findings of approx. 6800 violations. (approx. 1.7 violations per inspection). Approximately 500 violations cited per year. 100% of known retail and fireworks stands were inspected.

- **The societal issue addressed by this program is getting *better, remaining static, or deteriorating*: Getting better.**

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<b>Department name:</b> State Fire Marshal – Life Safety and Property Protection
<b>State in one sentence the core business of your department:</b> The mission of this department is to protect the citizens of Louisiana from the dangers of fire and explosion.

For each program managed by your agency, provide the following information. Please limit your answers for each program to *no more than half a page* and simply write *“unknown”* next to each program question you are unable to answer.

- **Program name:** Life Safety and Property Protection Licensing Program
- **Outcome addressed by this program:** Regulates the life safety and property protection industries to ensure citizens have properly installed and serviced fire sprinkler, fire protection, security, closed circuit television and locking systems and equipment. This program also protects the public from consumer fraud and prevents convicted felons from working in the property protection industry.
- **How many members of the public are directly involved in or affected by this program:** All members of the public are affected by this program because the program regulates contractors who work in public, commercial, industrial and one & two family occupancies. Because of the work of this program, the public has safer buildings to live and work in.
- **How much money was expended on this program in the last fiscal year (The most recent data available are acceptable even if they are from FY 07-08):** Approximately \$600,000. The program collects monies to pay for the cost of the program through licensing fees and administrative penalties.
- **Measure used to determine success:** The program’s success is measured by various Performance Indicators. Performance Indicators include: Number of complaints received, investigated and cleared as well as number of applications received and applications processed per hour.
- **Level of success during each of the last three years:** The program has consistently met its goals in the regulation of the life safety and property protection industries. A long term goal was met in

2007 when the three previous licensing laws were combined into one. This reduced the amount of paperwork and time for businesses and their employees to get licensed. This facilitated getting business up and running faster while not compromising life safety. The staff of the section has fostered good working relationships with regulated industries attending various association meetings and trade shows while offering training to the industries to ensure compliance. To that end, the section chief was selected by both the Louisiana Automatic Fire Alarm Association and national Automatic Fire Alarm Association as the 2009 "Person of the Year". This is a direct reflection of the hard work of the section staff to build bridges with those we regulate. Additionally, through cross-training, the section staff has increased the agencies fire education efforts and emergency response capabilities.

- **The societal issue addressed by this program is getting *better, remaining static, or deteriorating*:** With the firm but fair application of the law, the overall safety of the general public is getting better due to the efforts of the program. Additionally, the business environment contractors work within is getting better due to equal and fair standards being applied to all contractors.

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<b>Department name:</b> State Fire Marshal Office – Fire Prevention
<b>State in one sentence the core business of your department:</b> To uphold the law and provide for the protection of life and property from the hazards of fire or explosion, to ensure the safety of our citizens in the constructed environment, to provide equal access to disabled individuals, to promote the efficient use of energy in commercial buildings, and to encourage economic development

For each program managed by your agency, provide the following information. Please limit your answers for each program to no more than half a page and simply write “unknown” next to each program question you are unable to answer.

- **Program name:** Fire Prevention Program - Inspections
  
- **Outcome addressed by this program:** To encourage economic development in the State of Louisiana.  
  
 To provide a safe constructed environment for citizens to live and work while reducing property loss and loss of life caused by fire  
  
 To increase efficiency and quality of inspections
  
- **How many members of the public are directly involved in or affected by this program:**  
 All the citizens of the State of Louisiana and all individuals who visit the State Of Louisiana are directly affected by the Fire Prevention Program.
  
- **How much money was expended on this program in the last fiscal year (The most recent data available are acceptable even if they are from FY 07-08):** The Fire Marshal Fund is established for the Fire Prevention Program to provide a consolidated and streamlined approach to providing government services for local communities. This statewide program supports personnel with responsibility for multiple jurisdictions. For many single jurisdictions, it is too costly to provide fire prevention services and maintain employees and acceptable levels of public safety.

- **Measure used to determine success:** Overall, the agency's measure of success is the preservation of life in commercial buildings by performing inspections thoroughly and in a timely manner. Otherwise, we track success by the number of inspections performed within 2 weeks of the date requested.

- **Level of success during each of the last three years:**

	FY 2006 – 07	FY 2007 – 08	FY 2008 - 09
Number of final inspections completed within 2 weeks of the date requested	9090	9882	10996

- **The societal issue addressed by this program is getting *better, remaining static, or deteriorating*:** Getting Better

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