



Corporate Report

NO.: R147

COUNCIL DATE: July 7, 2003

REGULAR

TO: **Mayor & Council** DATE: June 18, 2003
FROM: **Fire Chief** FILE: 0410-20
SUBJECT: **Imposition of Fees from Provincial Government to Local Government**

1.0 RECOMMENDATION

- .1 That Council send letters under the signature of the Mayor to the appropriate Provincial Government Ministries to express concern over the planned imposition of fees to local governments.
- .2 That Council direct staff to prepare resolutions to be sent to the Union of BC Municipalities for their consideration to express concern over the following issues;
 - 1- Newly created College of Emergency Medical Assistants of BC and imposition of fees.
 - 2- Emergency Vehicle Driver Qualifications and training costs. .
- .3 That Council direct staff to prepare a resolution to be sent to the Union of BC Municipalities regarding a cost recovery mechanism for local governments to recover some costs associated the provision of First Responder services from the Ministry of Health.

2.0 BACKGROUND

Newly created College of Emergency Medical Assistants of BC and imposition of fees.

The *Emergency Health Act* establishes the Emergency Health Services Commission and empowers the commission to provide emergency health services and to provide ambulance services in British Columbia (British Columbia Ambulance Service – BCAS). In addition, the act creates an Emergency Medical Assistants Licensing Board that has the power and authority to examine, register and set the terms and conditions for an EMA license.

The City of Surrey Fire Service is a participant in the First Responder program and all Suppression personnel are licensed as EMA First Responders. For participating in the program, all course materials, Instructor training, examinations, licenses and documentation have been provided without charge.

Recently, it has been proposed that a College of Emergency Medical Assistants of BC be created. The duties of the College appear to be identical to the EMA Licensing Branch. According to a letter sent to Fire Chief Bruce Hall from Ian Brethour (Registrar of EMA Licensing), an annual fee of \$85 is to be set for EMA First Responders. In addition, a one time Criminal Record Review (CRR) will be required at a cost of \$20 per review. The correspondence states that the CRR fee will be part of the annual registration fee for existing first responders but that all new entrants would be expected to pay this fee separately. We estimate that for our 577 first responders we would require \$51,000 **annually** in fees and Support time in order to comply with the regulation.

Correspondence received BC Fire Chiefs association President (Chief Bruce Hall), rationalizes a lower \$85 fee for First Responders, when compared to a higher \$245 fee for other EMA levels by stating, “quite simply, the EMA FR level does not require the same administrative activity as that experience with the other levels.”

On a Provincial basis, if the \$85 fee will affect 10,000 First Responders, this will generate a revenue of \$850,000. Province wide for paramedics, if the \$285 fee is applied to 2200 full and part-time employees, this will generate \$627,000. Total revenue collected to finance the licensing operation will be approximately \$1,477,000.

Of great concern to the City of Surrey is that the legislative duty to provide emergency health services in British Columbia belongs with the Emergency Health Service Commission and B.C. Ambulance Service. It is not the responsibility of local Government. Despite this, local Government must pay the largest portion of fees.

The City of Surrey Fire Service responds to approximately 10,000 first responder calls. We estimate that this results in incremental added costs of \$60,000 to \$70,000. The B.C. Ambulance Service will charge citizens \$54 for each emergency road transport. However, despite a significant contribution by Surrey to the Fire Responder Program, no Provincial resources are shared with the City.

Under Bill 14 of the Community Charter it is stated that, “(2) The relationship between municipalities and the Provincial Government is based on the following principles: (b) the Provincial government must not assign responsibilities to municipalities unless there is a provision for resources required to fulfill the responsibilities.”

No resources from the Provincial Government have been provided. No mechanism is currently in place for Municipalities to recover costs.

Emergency Vehicle Driver Qualifications and training costs

According to the EMERGENCY VEHICLE DRIVING REGULATION Section 8, only those members of a group who have “successfully completed training approved for the group by the Director of Police Services in the Ministry of Attorney General” will be permitted to exercise privileges granted by section 122(1) of the Motor Vehicle Act.

Section 122 (1) allows a driver of an emergency vehicle to exceed the speed limit, proceed past a red light or stop sign without stopping, to disregard rules and control devices governing direction of movement or turning and to stop or stand. However, the driver of an emergency vehicle must not exercise these privileges except in accordance with the regulations.

The Pacific Traffic Education Centre (PTEC), an entity with the Justice Institute of B.C., has been successful in convincing the Director of Police Services to recognize PTEC as the only legitimate provider of this training. PTEC has announced that the cost on this one-time training would be \$125 per emergency vehicle driver. With our career and volunteer emergency drivers we estimate that the direct financial cost is \$40, 625.

In a meeting and in correspondence with the Director of PTEC we expressed our concern that only one model for the delivery of training has been explored and that other models for the delivery of training could be conducted at much lower cost.

For this issue, it would appear that a responsibility has been assigned to local government without assigning any resources that would be needed to fulfill the responsibilities. No resources from the Provincial Government have been provided. No mechanism is currently in place for Municipalities to recover costs.

3.0 DISCUSSION

Whether by chance or design, three factors are in place that may divert criticism of the Provincial Government. First, Fire Departments participate in the First Responder Program on a voluntary basis. Therefore, the Provincial Government may argue that this responsibility has not been assigned to local Governments. Second, the proposed EMA College and the Pacific Traffic Education Centre (JIBC) may be considered separate from Government and therefore the Provincial Government has no obligation to provide resources under the principle of the Community Charter. Third, the College will

argue that the \$85 fee is an assessment on each practitioner and not an assessment on Local Government. However, because of our contractual obligations with our employees, the impact in effect would be directly on the City.

Attempts by the EMA College and JIBC to recover costs may be the start of a very undesirable trend and may be seen by other Provincial Agencies as test cases for the legal transfer of costs to Local Governments. A better legal understanding of the use of third parties for the imposition of fees and implications within the context of Bill 14 will also be examined.

4.0 CONCLUSION

Through Provincial initiatives, the direct financial impact on Surrey is \$91,625. The proposed FR EMA licensing fee will reoccur annually for a total of \$51,000.

No resources have been provided by the Provincial Government to cover the cost of these new responsibilities nor the existing first responder services.

Provincial attempts to recover costs are undesirable and contrary to the provisions of Bill 14. These attempts establish a precedent for Local Governments to explore cost recovery through the Provincial Government.

We respectfully request that a letter of concern be sent to the Ministers responsible, to Members of the Legislative Assembly representing Surrey and that the City of Surrey's concern is united with others through resolution from the Union of B.C. Municipalities.

Len Garis
Fire Chief