

SENATE BILL REPORT

SB 5741

AS OF FEBRUARY 22, 1993

Brief Description: Creating the department of emergency services.

SPONSORS: Senators Vognild, Haugen, Drew, Bauer, Moore, Gaspard, Owen and Winsley

SENATE COMMITTEE ON GOVERNMENT OPERATIONS

Staff: Barbara Howard (786-7410)

Hearing Dates: February 24, 1993

BACKGROUND:

In 1986, the functions of the State Fire Marshal in the Insurance Commissioner's office and the fire service training program under the former Commission on Vocational and Technical Education were merged as a new division in the Department of Community Development (DCD). Similarly, the former Department of Emergency Services was abolished and reconstituted as another division in DCD.

Interested parties have suggested that the Division of Fire Protection Services and the Division of Emergency Management should be combined into a single new agency.

SUMMARY:

A new Department of Emergency Services is created, consolidating the programs of emergency management and fire protection services. Each program is organized in its own division.

Director and administrative structure. The executive head and appointing authority is the director who is appointed by the Governor to serve at the Governor's pleasure. The appointment must be made from a list of three names submitted by a new State Emergency Services Policy Board which may remove the director by a two-thirds vote of its members.

Whenever the director's authority is not specifically limited by law, the director has complete charge and supervisory powers over the department. The powers include creating necessary administrative structures unless otherwise specified by law, and may appoint assistants and personnel under the state civil service law.

Two divisions are specifically enumerated: the Division of Emergency Management, and the Division of Fire Protection Services under plans prepared by the Director and approved by

the Governor. Appointment of assistants are subject to appropriation, and the director may delegate any power but remains responsible for official acts of the officers.

Rule making and internal reorganization must conform to applicable federal requirements to entitle the state to receive federal funds.

Standard provisions are included for the transfer of powers, documents, property, funds and personnel from DCD. All rules, pending business, contracts and collective bargaining agreements are continued.

Funding. The emergency services fund is created in the state treasury. An additional premium tax on all insurance policies sold in the state is imposed, with the rate necessary to conduct the department's programs established by the Legislature.

Policy and advisory bodies. The Emergency Management Council is continued to consist of no less than 7 nor more than 17 members appointed by the Governor. The council advises the Governor and director on all matters pertaining to emergency management, but no longer advises the Chief of the Washington State Patrol on the transportation of hazardous wastes. Representation remains the same, except that the provision requiring the private sector member to be knowledgeable in handling hazardous wastes is deleted.

The State Fire Defense Board and its membership are continued to develop and maintain the state's fire services mobilization plan for coordination in large-scale fire emergencies.

The Fire Protection Policy Board is renamed the Emergency Services Policy Board, and its membership altered to include the following representation: one from the fire chiefs, one from the Washington State Council of Fire Fighters, one from the fire commissioners, one from the volunteer fire fighters, two from the emergency services (one representing cities and one counties), and one from the general public.

The Emergency Services Policy Board has responsibility for developing a comprehensive state policy regarding fire protection and emergency management services.

Appropriation: none

Revenue: yes

Fiscal Note: requested February 15, 1993