
HOUSE BILL 3037

State of Washington 55th Legislature 1998 Regular Session

By Representatives Mielke and Boldt

Read first time 01/27/98. Referred to Committee on Commerce & Labor.

1 AN ACT Relating to workplace safety standards by the department of
2 labor and industries; and amending RCW 49.17.290.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 49.17.290 and 1997 c 208 s 1 are each amended to read
5 as follows:

6 (1) The director shall ~~((establish))~~ appoint a law enforcement and
7 fire fighting technical ~~((review))~~ advisory committee to be composed of
8 ~~((eight))~~ the following members ~~((appointed by the director.))~~: Four
9 members ~~((must be representatives of))~~ representing fire fighters, two
10 of whom must be members of the law enforcement officers' and fire
11 fighters' retirement system, ~~((and be))~~ selected from a list of not
12 less than six names submitted to the director by organizations, state-
13 wide in scope, which through their affiliates embrace a cross-section
14 and a majority of fire fighters in the state~~((-))~~; two members ~~((must~~
15 ~~be representatives of))~~ representing fire chiefs, ~~((and be))~~ selected
16 from a list of at least five names submitted to the director by a
17 recognized state-wide organization representing a majority of fire
18 chiefs~~((-))~~; two members ~~((must be representatives of))~~ representing
19 fire commissioners, ~~((and be))~~ selected from a list of at least five

1 names submitted to the director by a recognized state-wide organization
2 representing a majority of fire commissioners; and four members
3 representing law enforcement officers as defined in RCW 41.26.030,
4 selected from a list of at least five names submitted to the director
5 by a recognized state-wide organization representing a majority of law
6 enforcement officers.

7 (2) The director, or his or her designee, shall be an ex officio
8 member of the committee. All appointments are for a term of ((three))
9 two years((, ~~except the director may appoint the initial members to~~
10 ~~staggered terms of from one to three years~~)). Members of the committee
11 hold office until their successors are appointed. The director may
12 remove any member for cause. In case of a vacancy, the director is
13 authorized to appoint a person to serve for the remainder of the
14 unexpired term. The director shall make all appointments in conformity
15 with the plan in this subsection.

16 (3) The director or designee shall be the chair of the committee.
17 The committee may meet at a time and place designated by the director,
18 or a majority of the members, and shall hold meetings during the year
19 to advise the director. Each member of the committee shall be
20 reimbursed for travel expenses as authorized in RCW 43.03.050 and
21 43.03.060.

22 (4)(a) The purpose of the committee is to provide technical
23 assistance to the department if an inspection or investigation under
24 this chapter of an emergency response situation reveals a possible
25 violation of RCW 49.17.060, or a safety or health standard adopted
26 under this chapter. The committee may also provide technical
27 assistance to the department if an inspection or investigation of an
28 emergency response situation reveals possible noncompliance with
29 industry consensus standards for fire fighting or law enforcement. If
30 the department issues a citation under this chapter based on events in
31 an emergency situation, the department shall consult with the committee
32 before issuing a citation that includes a penalty authorized by RCW
33 49.17.140.

34 (b) The committee's recommendation is advisory only and does not
35 limit the department's authority to assess a penalty. This section
36 does not create a right or cause of action or add to any existing right
37 or cause of action.

38 (5) For the purpose of this section, "emergency response situation"
39 includes, but is not limited to, situations in which employees of a

1 fire department or fire district or law enforcement agency are involved
2 in a fire combat scene, a hazardous materials response situation, a
3 rescue, a violent crime scene, or a response involving emergency
4 medical services.

5 (6) This section expires July 1, 2001.

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