

SENATE BILL REPORT

SHB 1756

As Reported By Senate Committee On:
Government Operations & Elections, March 31, 2005

Title: An act relating to the occupational safety and health of fire department employees.

Brief Description: Establishing objectives for certain fire department services.

Sponsors: House Committee on Commerce & Labor (originally sponsored by Representatives P. Sullivan, B. Sullivan, Miloscia, Simpson, Nixon, Curtis, Conway and Wood).

Brief History: Passed House: 3/10/05, 95-0.

Committee Activity: Government Operations & Elections: 3/29/05, 3/31/05 [DPA, w/oRec].

SENATE COMMITTEE ON GOVERNMENT OPERATIONS & ELECTIONS

Majority Report: Do pass as amended.

Signed by Senators Kastama, Chair; Berkey, Vice Chair; Roach, Ranking Minority Member; Fairley, Kline, McCaslin, Mulliken and Pridemore.

Minority Report: That it be referred without recommendation.

Signed by Senator Benton.

Staff: Diane Smith (786-7410)

Background: Certain local governmental entities are authorized to establish fire departments and/or provide fire protection services. These entities include: (1) cities and towns; (2) fire protection districts and regional fire protection service authorities; and (3) port districts.

State law does not specify the level of fire protection service that these entities must provide. Instead, these entities determine whether to provide such services and what levels of service to provide.

Summary of Amended Bill: The intent of the Legislature is for local governments to set standards for addressing the reporting and accountability of substantially career fire departments, and to specify performance measures applicable to response time objectives. These performance measures are comparable to research relating to substantially career fire department organization and deployment. It is not the intent of the Legislature to modify or limit the authority of the following governmental entities to set levels of service: (1) cities and towns; (2) fire protection districts and regional fire protection service authorities; and (3) port districts.

Except for firefighting at the airports that comprise port districts, these governmental entities must maintain written policies specifying fire department services, organizational structure, expected number of employees, and functions. In addition, they must maintain written policies specifying turnout time, response time, and performance objectives. Finally, they

must make annual evaluations of their levels of service, turnout times, and response times. Beginning in 2007, they must also issue annual reports that specify circumstances in which objectives are not being met, and address the steps necessary to achieve compliance.

Definitions are added for multiple terms, including "advanced life support," "aircraft rescue and fire fighting," "brain death," "fire suppression," "first responder," "flash-over," "marine rescue and fire fighting," "response time," "special operations," and "turnout time."

Amended Bill Compared to Original Bill: The amended bill clarifies that it is not the legislature which sets the standards for reporting and accountability, but rather the local government served by the firefighting entity. The amended bill acknowledges that the Federal Aviation Administration governs airport operations, including fire fighting capabilities, and defers performance of this function to it.

Appropriation: None.

Fiscal Note: Requested on March 31, 2005.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: This is a provider accountability bill that sets levels of service. Local service providers set their own levels of service. The House improved this bill from previous years. Is there a liability issue to meet standards 90 percent of the time?

Testimony Against: None.

Who Testified: PRO: Mike Brown, Washington Fire Chiefs; Kevin Rojecki, Washington State Council of Firefighters. CONCERNS: Roger Ferris, Washington Fire Commissioners Association; Jim Justin, Association of Washington Cities.