

SENATE BILL REPORT

SB 5520

As Reported by Senate Committee On:
State Government & Elections, February 17, 2023

Title: An act relating to establishing the fire service policy board and improving fire service training and mobilization.

Brief Description: Establishing the fire service policy board and improving fire service training and mobilization.

Sponsors: Senators Liias, Wilson, J. and Hunt.

Brief History:

Committee Activity: State Government & Elections: 2/03/23, 2/17/23 [DP-WM, w/oRec].

Brief Summary of Bill

- Establishes the Washington State fire service policy board, consisting of five members to be appointed by the Governor.
- Permits the board to employ one or more full time staff members to carry out its duties and responsibilities.
- Provides compensation requirements for board members.
- Removes the state fire marshal from the purview of the Washington State Patrol.
- Requires the fire marshal to be gubernatorially appointed and to have executive management service within any fire service profession or the equivalent.
- Allows mobilization to be sent in preparation of an emergency or disaster situation.
- Allocates 30 percent of all money received from fire insurance premiums to the Fire Service Training Account.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

SENATE COMMITTEE ON STATE GOVERNMENT & ELECTIONS

Majority Report: Do pass and be referred to Committee on Ways & Means.

Signed by Senators Hunt, Chair; Valdez, Vice Chair; Wilson, J., Ranking Member; Dozier, Fortunato and Kuderer.

Minority Report: That it be referred without recommendation.

Signed by Senator Hasegawa.

Staff: Danielle Creech (786-7412)

Background: Administration of Fire Protection Services. Prior to 1986, fire protection services at the state level were provided by different, independent state agencies, which the Legislature declared had resulted in a lack of comprehensive state-level focus for state fire protection services, funding, and policy. Thus, the fire marshal and fire protection services were administratively consolidated under the Department of Community Development in 1986. This legislation also created the state fire protection policy board, consisting of ten members appointed by the Governor to three year terms. The board was responsible for developing comprehensive state policy regarding fire protection services and was tasked with the following:

- adopting a state fire protection master plan;
- monitoring fire protection and developing objectives and priorities to improve fire protection;
- establishing and promoting state arson control programs;
- promoting mutual aid and disaster planning for fire services;
- assuring dissemination of information concerning the amount of fire damage, and its causes and prevention;
- adopting a state fire training and education master plan
- developing and adopting a master plan for the construction, equipping, maintaining, and operating of necessary fire service training and education facilities;
- developing and adopting a master plan for the purchase, lease, or other acquisition necessary to establish and operate fire service training and education facilities; and
- adopting standards for statewide fire service training and education courses.

In 1995, the Legislature passed ESSB 5093 which transferred the powers, functions, and duties of the Department of Community Development relating to fire protection to the Washington State Patrol (WSP). The Fire Protection Policy Board and the director of fire protection, commonly referred to as the state fire marshal, were both housed within WSP until the fire protection policy board was eliminated in 2010 by E2SHB 2617. Duties and responsibilities were transferred to the agency that the board advises, in this case, the director of fire protection. Since then, WSP has overseen the director of fire protection and state fire protection services.

Fire Service Training Account. The Fire Service Training Account was established in 1986

for funding firefighter training for both volunteer and career firefighters. All fees received by WSP for fire service training; all grants and bequests accepted by WSP, and 20 percent of state receipts from fire insurance premiums are deposited in the account. The account received appropriations in 2003, 2005, 2007, 2010, 2011, and 2020. The percentage of money received by the state from fire insurance premiums deposited in the account has not been increased since its inception in 1999.

Summary of Bill: Fire Service Policy Board. The Fire Service Policy Board is created to oversee the state fire marshal and assume the powers, duties, and functions of WSP pertaining to fire protection. The board will consist of five members representing the Washington State Council of Firefighters, Washington State Firefighters Association, Washington State Fire Commissioners Association, Washington Fire Chiefs Association, and the public. Members are appointed by the Governor to serve four year terms and are compensated as class five part time commissioners. The board may hire one or more full time administrative staff, and must work in conjunction with WSP to develop a plan for the transfer of appropriate personnel.

Fire Marshal. The fire marshal is removed from the purview of WSP and will be overseen by the board. The fire marshal is appointed by the Governor and must have executive management service within any fire service profession or the equivalent.

Fire Service Training Account. Thirty percent of the funds received by the state from fire insurance premiums is allocated to the Fire Service Training Account.

Fire Service Mobilization. Risk resources beyond those available through existing agreements will be requested, and when available, sent in preparation of or in response to an emergency or disaster situation that has exceeded or is predicted to exceed the capabilities of available local resources.

Transition Timeline. Sections creating the board, allowing for hiring administrative staff, providing for member compensation, and requiring the fire marshal to be gubernatorially appointed take effect 90 days after sine die. The board will take over all duties, functions, and responsibilities of WSP pertaining to fire protection beginning January 1, 2024.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: The bill contains several effective dates. Please refer to the bill.

Staff Summary of Public Testimony: PRO: Fire service duties have evolved drastically and duties have expanded to include responding to landslides and floods and handling

behavioral emergencies. Due to these changes, it makes sense to allow fire service officers to serve on a board and propose their visions for the future of fire service. The fire service has also grown to work closely with the Washington State Patrol. This bill will create a new agency for fire service officers to focus on fire emergency and will allow the state patrol to focus on law enforcement and public safety.

CON: The WSP has struggles with retention and recruiting. The WSP and fire marshal's account is inadequately funded and either needs to be better funded or separated so that the two agencies do not have to compete for resources. The timing on this bill is not right. The two groups are not stable enough to stand on their own yet. Training opportunities need to be expanded and promoted. The fire marshal office should be made whole before this bill continues.

OTHER: There has not been enough communication on this bill.

Persons Testifying: PRO: Senator Marko Liias, Prime Sponsor; Bud Sizemore, WSCFF; Jeff Faucett, Washington Fire Chiefs.

CON: John Batiste, Washington State Patrol; Chad Cross, Washington State Patrol.

OTHER: Andrew Shaffran, WA. St Fire Fighters' Association.

Persons Signed In To Testify But Not Testifying: No one.