

SENATE BILL REPORT

SB 6403

As Passed Senate, February 12, 1996

Title: An act relating to fire investigation.

Brief Description: Revising the responsibility for fire investigation.

Sponsors: Senators Winsley, Haugen, Hale, Sheldon, Goings and Hochstatter.

Brief History:

Committee Activity: Government Operations: 1/23/96, 2/1/96 [DP].
Passed Senate, 2/12/96, 48-0.

SENATE COMMITTEE ON GOVERNMENT OPERATIONS

Majority Report: Do pass.

Signed by Senators Haugen, Chair; Sheldon, Vice Chair; Goings, Hale, Heavey, McCaslin and Winsley.

Staff: Eugene Green (786-7405)

Background: In 1995, the State Fire Protection Policy Board was directed by the Legislature to conduct a study on the overlapping and confusing jurisdiction and responsibilities of local governments concerning fire investigation. Among other findings, the board found that: confusion exists in statute regarding responsibility for investigating the origin, cause, and extent of loss of all fires; responsibilities within fire districts needed clarification; many small cities and towns with volunteer fire departments have very limited or no resources to carry out responsibilities of investigating fire cause and origin; and fire incident data collection is insufficient.

Summary of Bill: The responsibility for investigating the cause, circumstances, and extent of loss of all fires is assigned as follows: (a) within any city or town, the chief of the fire department; (b) within unincorporated areas of a county, the county fire marshal, or other fire official so designated by the county legislative authority.

Interlocal agreements may be entered into to meet the responsibilities of this act.

If the cause of a fire is determined to be suspicious or criminal in nature, the person responsible for the fire investigation must immediately report the results of the investigation to the local law enforcement agency and the State Fire Marshal.

Any law enforcement agency, sheriff, or chief of police may assist in the investigation of all fires within his or her respective jurisdiction.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: Good bill. Just makes clear who is in charge during a fire investigation.

Testimony Against: None.

Testified: PRO: Art Stearns, DNR; Gary Lowe, Assn. of Counties; S. Jensen, State Fire Chiefs.

House Amendment(s): A fire marshal or other person is precluded from entering the scene of an emergency until permitted by the officer in charge of the emergency incident.