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HOUSE BILL 1908

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State of Washington                      55th Legislature                      1997 Regular Session

By Representatives Thompson and McMorris

Read first time 02/13/97. Referred to Committee on Commerce & Labor.

1            AN ACT Relating to the enforcement of workplace safety standards by  
2 the department of labor and industries; adding a new section to chapter  
3 49.17 RCW; and providing an expiration date.

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

5            NEW SECTION.    **Sec. 1.** A new section is added to chapter 49.17 RCW  
6 to read as follows:

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

1 at least five names submitted to the director by a recognized state-  
2 wide organization representing a majority of fire commissioners.

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

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

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

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

33 (5) For the purpose of this section, "emergency response situation"  
34 includes, but is not limited to, situations in which employees of a  
35 fire department or fire district are involved in a fire combat scene,  
36 a hazardous materials response situation, a rescue, or a response  
37 involving emergency medical services.

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

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