

# HOUSE BILL REPORT

## HB 1756

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**As Reported by House Committee On:**  
Commerce & Labor

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

**Brief Description:** Establishing objectives for certain fire department services.

**Sponsors:** Representatives P. Sullivan, B. Sullivan, Miloscia, Simpson, Nixon, Curtis, Conway and Wood.

**Brief History:**

**Committee Activity:**

Commerce & Labor: 2/16/05, 3/1/05 [DPS].

**Brief Summary of Substitute Bill**

- Requires specified governmental entities to: (1) maintain written policies on their fire department services, turnout times, response times, and other performance objectives; and (2) make annual evaluations of and issue annual reports on their services and performance objectives.
- Specifies that these requirements apply to the following governmental entities if they provide fire protection services: (1) cities and towns; (2) fire protection districts and regional fire protection service authorities; and (3) port districts.

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### HOUSE COMMITTEE ON COMMERCE & LABOR

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 7 members: Representatives Conway, Chair; Wood, Vice Chair; Condotta, Ranking Minority Member; Sump, Assistant Ranking Minority Member; Crouse, Hudgins and McCoy.

**Staff:** Jill Reinmuth (786-7134).

**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.

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**Summary of Substitute Bill:**

The intent of the Legislature is 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.

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."

**Substitute Bill Compared to Original Bill:**

The entities responsible for maintaining the written policies, making the annual evaluations, and issuing the annual reports are modified. Instead of the fire departments, these entities are: (1) cities and towns; (2) fire protection districts and regional fire protection service authorities; and (3) port districts.

The intent section is modified to specify that the Legislature intends to set standards for addressing the reporting and accountability of substantially career fire departments (rather than the occupational safety and health of substantially career fire department employees). It is also modified to express that this act does not modify or limit the authority of specified jurisdictions to set levels of service (rather than the authority of the Department of Labor and Industries to adopt rules under the Washington Industrial Safety and Health Act).

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**Appropriation:** None.**Fiscal Note:** Available.**Effective Date of Substitute Bill:** The bill takes effect 90 days after adjournment of session in which bill is passed.

**Testimony For:** (In support) This bill is about providing accountability for citizens. It requires fire departments to report to citizens annually, but does not increase their liability or specify the performance objectives. It simply requires reporting.

This bill allows citizens to better understand fire service in the community, and allow them to help determine the appropriate or desired levels of service.

Last year, this bill passed 97-0. It is a straightforward bill that asks fire departments to be accountable to the citizens they service. This way, citizens can know exactly what level of service they are getting. A study shows that, when the fire department arrives in more than six minutes, loss of life is more likely.

This bill does not require cities to adopt National Fire Protection Association standards. Instead, it requires them to let citizens know about whatever standards they have adopted. It does not require them to spend money. Instead, it only requires them to set goals and objectives.

(With concern) We recognize the need to do annual reports, and have accountability. We would recommend that these standards be codified in the parts of state law governing cities and fire districts, rather than the parts relating to labor regulations. We would also recommend adding language making clear that this bill does not limit local control.

**Testimony Against:** Accountability, planning, and communication are all good things. We have some concerns with the specifics, especially about the potential expansion of liability for the cities. The city councils, rather than the fire departments, should set the service levels.

**Persons Testifying:** (In support) Representative Pat Sullivan, prime sponsor; Kelly Fox, Washington State Council of Fire Fighters; and Mike Cooper, former Representative, and International Association of Fire Fighters Local 60.

(With concerns) Mike Brown, Washington State Association of Fire Chiefs; and Roger Ferris, Washington Fire Commissioners Association.

(Opposed) Jim Justin, Association of Washington Cities.

**Persons Signed In To Testify But Not Testifying:** None.