



Washington Fire Chiefs Legislative Report

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Session Preview

The 2019 legislative session will convene on Monday, January 14, 2019, and is scheduled to run for 105-consecutive days. The newly-sworn in Legislature will be tasked with passing a new biennial Operating Budget, as well as a Transportation Budget and Capital Budget, prior to adjourning. Although the November 2018 election has yet to occur, it is expected that Democrats will see their currently-thin majorities grow in both the House and Senate. Although the exact number of seats to be gained is still a moving target, the influx of a number of new legislators will lead to accompanying changes of committee composition and caucus leadership heading into the 2019 session.

Top 5 Legislative Issues

The WFC legislative development process highlighted a number of potential issues that could see action in 2019. Below is the Top 5, as voted by the membership and approved by the Legislative Committee and the Board of Directors:

- Fire service funding measures
 - In conjunction with other fire service partners, discussions are expected on issues such as raising the EMS levy cap from \$0.50 to \$0.75, eliminating the Constitutional super-majority requirement for M&O levies, moving fire districts outside the \$10 Constitutional property tax limit (mirroring port districts), and other creative proposals to better fund fire service efforts throughout Washington State. At the time of this writing, it is unclear which of these proposals may be best suited for action in 2019, but all are currently on the table.
- Fire Training Academy funding
 - Discussions with other fire service partners regarding the need for enhanced funding for the FTA could result in budget-related efforts in 2019.
- Volunteer pension benefits
 - An effort is expected from the WSFFA/BVFF to increase the pension benefit for volunteer firefighters in 2019.
- Incentivize regionalization
 - Discussions are ongoing with other fire service partners about creative ideas for incentivizing regionalization through mergers, annexations, the RFA process, etc.
- All-risk mobilization sunset
 - Removing the July 1, 2019 sunset on the all-risk mobilization to allow for mobilization in the event of any disaster to which fire service personnel would typically respond.



Other Critical Issues for 2019

In addition to the Top 5 goals established by membership, a number of other issues deserve and are expected to see action in 2019. Below is a list of issues critical to the fire service that will be in play during the 2019 session:

- Group purchase ordering
 - Allowing local governments the ability to purchase equipment on a “best value” basis rather than lowest sealed individual bid; much action has occurred on this topic during the 2018 interim, and it is hopeful that will avoid the need for legislation on this topic.
- Wildland fire funding
 - DNR is pushing for a significant funding increase for a variety of issues surrounding wildland fire. See below for more detail.
- Fire incident cost reimbursement
 - In conjunction with other partners, the WFC will work to clarify state law regarding cost reimbursement from insurance carriers, building off of 2018’s HB 2460. Fire departments regularly respond to automobile accidents, home fires and other incidents. In many instances, the owner of the car or home carries fire/accident insurance that allows the fire department to receive reimbursement for services and supplies beyond what taxpayers fund for fire department readiness. While many insurance companies regularly pay claims submitted under this reimbursement policy provision, some insurers are still not familiar with this practice and have, on occasion, erroneously denied reimbursement. This change in statute will clarify any confusion and streamline the reimbursement process for fire departments and the insurance companies.
- Occupational disease presumption
 - A follow-up effort to 2018’s SB 6214 is expected, whereby respiratory disease, heart disease, certain cancers, and infectious diseases could be considered presumptive occupational diseases for firefighters.
- No-man’s land coverage
 - A proposal is expected concerning the ability for fire service jurisdictions to more easily annex or otherwise serve “islands” of unprotected land falling within their boundaries.
- Wildland fire policy proposals
 - A number of bills have been introduced in recent years concerning a wide-array of issues attempting to improve wildland fire mitigation and response, including changes to how local and state agencies coordinate during wildland fires, what state resources may be available for local jurisdictions in early stages of fire response, ideas on pre-positioning of assets and resources in advance of a wildland fire, etc. Other proposals concerning forest management practices are



also being discussed. It is expected that a number of these will once again be introduced and worked during the coming session.

- Wrongful death statute
 - A renewed effort is quite possible regarding the state's wrongful death statutes, potentially including a repeat version of SB 6015 from this past session, which would have subjected local jurisdictions to the threat of joint and several liability for wrongful death claims.
- Homelessness/affordable housing
 - An ongoing effort is possible with respect to reduced regulatory requirements for affordable housing and/or temporary homeless housing.
- Adult family home legislation
 - DSHS and AFH proponents are expected to re-introduce legislation concerning AFH evacuation standards, as well as to allow for an increase from 6- to 8-bed facilities under certain circumstances.
- Dept. of Labor & Industries
 - Discussions with L&I concerning the scope and purpose of the firefighter technical review committee could potentially result in legislative efforts in 2019 or beyond.
- Residential fire sprinklers
 - An effort to work with the State Building Code Council on residential fire sprinklers is being explored; outreach to legislators and other stakeholders is expected in the coming months and into 2019.
- Residential smoke alarms
 - A renewed effort is possible by proponents of smoke alarms to look at current requirements on rental property owners.
- Gun control legislation
 - Pending the outcome of I-1639 on the November 2018 ballot, a number of gun control measures could possibly be introduced, and the first responder community will likely be asked to weigh in.
- Other

DNR Wildland Fire Funding Proposal

On October 10, 2018, Commissioner of Public Lands Hilary Franz submitted a \$55 million Wildfire and Forest Health request (\$38 million operating, \$17 million capital) to the Legislature in advance of its 2019-21 budget season.

As described by DNR:

The proposal addresses the need for quicker, more robust response capacity by:



- Making 30 seasonal firefighters permanent, allowing them to thin overly-dense, unhealthy forests when not on the fire lines. It also creates opportunities for 80 additional inmates to fight wildfires and carry out forestry projects.
- Adding two helicopters to DNR's fleet of eight for faster initial attack, which keeps fires small.
- Funding full-time wildfire training staff to ensure all of our state's firefighters have the skills they need to suppress fires that burn more intensely and in more populated areas.

It invests in prevention by:

- Adding seven outreach specialists to increase fire adapted communities and educate the public about how to reduce wildfires and make communities more resilient (90 percent of wildfires this year were caused by humans).
- Funding a post-wildfire landslide reconnaissance team to identify landslide risks after fires and develop mitigation measures.

And it creates healthy forests, which reduce destructive wildfires, by:

- Committing \$17 million in capital funding to forest health projects laid out in DNR's 20-Year Forest Health Strategic Plan, which will restore 1.25 million acres of eastern Washington's forestland.
- Adding staff to assist private forest landowners and work with federal agencies to reduce wildfire threats on the 70 percent of unhealthy eastern Washington forests under their ownership.