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## OLR Bill Analysis

sHB 5483 (as amended by House "A")\*

***AN ACT ESTABLISHING AND TRANSFERRING VARIOUS FUNCTIONS TO A DIVISION OF FIRE SERVICES ADMINISTRATION WITHIN THE DEPARTMENT OF EMERGENCY SERVICES AND PUBLIC PROTECTION AND REVISING THE POWERS AND COMPOSITION OF THE COMMISSION ON FIRE PREVENTION AND CONTROL.***

### SUMMARY

This bill eliminates the Office of State Fire Administration and creates a Division of Fire Services Administration within the Department of Emergency Services and Public Protection (DESPP) as a successor agency. It assigns jurisdiction of this new division to the state fire administrator and reassigns the administrator's current duties to the division and expands on them.

Among other things, the bill makes several changes to the Commission on Fire Prevention and Control, including expanding its membership and its powers and duties, such as advising the new division on the management of the Statewide Fire Service Disaster Response Plan. It also expressly allows any regional fire school to receive and use federal, state, or private funds or contributions for the school's facilities and operations (§ 9). Additionally, the bill creates a working group to make recommendations on the structure and operations of the Department of Administrative Services' (DAS) Office of the State Fire Marshal and Office of Education and Data Management.

The bill also makes conforming and technical changes.

\*House Amendment "A" principally (1) removes provisions merging the DAS Office of the State Fire Marshal and Office of Education and Data Administration into the newly created division; (2) makes the state fire administrator instead of the DESPP commissioner the division's

administrative head; (3) modifies the changes to the Commission on Fire Prevention and Control's membership and duties, including removing appointments by the six legislative leaders; (4) requires the state fire administrator to have at least five years of experience in the fire service; and (5) adds the working group provision.

EFFECTIVE DATE: July 1, 2025, except the changes to the Commission on Fire Prevention and Control and creation of the working group are effective upon passage and the deletion of a reference to a statute that the bill repeals is effective July 1, 2024.

### **§§ 1 & 4-8 — DIVISION OF FIRE SERVICES ADMINISTRATION**

The bill requires that the functions, powers, duties, and personnel of the Office of State Fire Administration be transferred to the Division of Fire Services Administration. Additionally, any order or regulation of the office that is in force on the effective date of the bill must continue in force and effect as an order or regulation of the division until it is amended, repealed, or superseded. The bill makes conforming changes to carry out this transfer, including requiring the division, rather than the Office of State Fire Administration, to administer the state's responsibilities under federal laws relevant to fire services and to develop a master plan for fire prevention and control.

Under the bill, the state fire administrator is the Division of Fire Services Administration's administrative head. Under current law, the state fire administrator must be recommended by the Commission on Fire Prevention and Control and appointed by the DESPP commissioner. Beginning July 1, 2025, and upon a vacancy of the position, the bill instead allows the Commission on Fire Prevention and Control to recommend candidates to the DESPP commissioner, who must appoint someone with at least five years of experience in the fire service.

The bill also transfers the state fire administrator's current duties to the Division of Fire Services Administration and adds new ones. Specifically, whereas current law requires the state fire administrator to coordinate the training and education of fire service personnel at state

institutions, facilities, and properties, the bill instead requires the division to do the following:

1. advise and assist the Commission on Fire Prevention and Control on legislative proposals;
2. encourage the expansion and improvement of existing regional firefighter training facilities in cooperation with the commission;
3. administer the state fire school, regional fire schools, certification examinations, testing procedures, and reciprocity recognition for credentials in the fire service disciplines;
4. manage the Statewide Fire Service Disaster Response Plan, with the advice of the commission, and
5. make recommendations to the commission and DESPP commissioner on the operational funding of the state fire school and regional fire schools.

The bill also requires the division to recommend and give reports on revisions to statutes on firefighter training and fire prevention and control. (The bill does not specify to whom these recommendations and reports must be sent.)

The bill further requires the division to approve the purchase of fire apparatus or equipment at state institutions, facilities, and properties, in addition to reviewing them as under current law.

## **§ 2 — COMMISSION ON FIRE PREVENTION AND CONTROL MEMBERSHIP**

On June 30, 2025, the bill ends the term of any Commission on Fire Prevention and Control member appointed by that date and makes several changes to the commission's membership beginning July 1, 2025. Generally, it increases the commission's size from 14 voting members to 18 voting members and three nonvoting members. It also changes its composition from 12 gubernatorial appointees and two ex-officio, voting members to 14 gubernatorial appointees, four legislative appointees, and three ex-officio, non-voting members. It additionally

requires members of the Connecticut State Firefighters Association, Inc.'s education committee to serve as a commission subcommittee on matters relating to fire schools.

Under current law, the commission consists of the state fire marshal and the Connecticut State Colleges and Universities (CSCU) president (or their respective designees) and 12 members appointed by the governor, representing six specified entities. The bill retains the fire marshal on the commission but eliminates his authority to vote or assign a designee and removes the CSCU president. The bill changes the governor's current appointments by (1) requiring one of the two members from the Connecticut State Firefighters Association be the chairperson of the association's education committee and (2) reducing the number of Connecticut Conference of Municipalities appointees from two to one. It adds three gubernatorial appointments, specifically two members of the Connecticut Career Fire Chiefs' Association and one representative of the Connecticut Council of Small Towns.

Beyond these changes, the bill adds four new voting members as follows:

1. one representative of the Connecticut Council of Small Towns, appointed by the Public Safety and Security Committee's House chairperson;
2. one representative of the Connecticut Conference of Municipalities, appointed by the Public Safety and Security Committee's Senate chairperson;
3. one member of the Connecticut Fire Equipment Mechanics Association, appointed by the Public Safety and Security Committee's House ranking member; and
4. one representative of the Emergency Medical Services Advisory Board, appointed by the Public Safety and Security Committee's Senate ranking member.

The bill also adds the following two officials (or their designees) as

nonvoting members: the Department of Energy and Environmental Protection Forestry Division's forest protection supervisor and the DESPP State Police Fire and Explosion Investigation Unit's commanding officer.

By law, appointed members are appointed to three-year terms; the bill allows members to continue to serve until a successor is appointed and requires any vacancy to be filled by the appointing authority for the unexpired portion of the term. As under current law for the governor's appointments, the bill requires each organization to be represented on the commission to submit a list of nominees to the appropriate appointing authority annually by July 15.

As under existing law, appointees must be qualified, by experience or education, in the fields of fire protection, fire prevention, fire suppression, firefighting, and related fields.

The bill sunsets, on June 30, 2025, the current commission leadership process under which it elects from its membership a chairperson, vice chairperson, and secretary who must serve a one-year term starting on October 1 of the year in which they are elected. The bill requires their terms to expire on June 30, 2025, and expressly states that nothing in the bill may prevent their reelection. Beginning July 1, 2025, the bill requires the governor to appoint the commission's chairperson from its membership, and the commission must elect from its membership a vice chairperson and secretary, who must all serve one-year terms. As with current leadership, nothing in the bill prevents them from being reelected.

### **§§ 3 & 4 — COMMISSION ON FIRE PREVENTION AND CONTROL POWERS AND DUTIES**

The bill makes several changes to the Commission on Fire Prevention and Control's powers and duties. The bill specifically requires the commission to set standards for fire service training and education programs, rather than to do so on a voluntary basis.

The bill further requires the commission do the following:

1. advise the Division of Fire Services Administration on the management of the Statewide Fire Service Disaster Response Plan;
2. implement the recommendations of the DESPP study on issues facing fire services in the state that was authorized by the 2023 budget implementer; and
3. make recommendations on the funding needed for operating, maintaining, and making capital improvements to the state fire school and regional fire schools as part of the existing annual report it must submit to the governor, legislature, and DESPP commissioner.

The bill requires the commission to submit this annual report to the Public Safety and Security Committee, rather than the Legislative Management Committee as current law requires.

The bill eliminates the commission's authority to appoint clerical and other assistants it deems necessary to carry out the Office of State Fire Administration's functions.

#### **§ 10 — WORKING GROUP**

The bill creates a working group to make recommendations on the structure and operations of the DAS Office of the State Fire Marshal and Office of Education and Data Management to effectively administer code development, code enforcement, fire prevention, and fire investigation functions. The working group must report its findings and recommendations to the Public Safety and Security Committee by January 1, 2025. It terminates on the date it submits the report, or January 1, 2025, whichever is later.

The working group consists of the following members:

1. the Public Safety and Security Committee's chairpersons, vice-chairpersons, and ranking members (or their designees);
2. the DESPP and DAS commissioners (or their designees);

3. the head of the DAS Office of Education and Data Management;  
and
4. a representative of the Connecticut State Fire Marshals Association, who must be appointed by the Public Safety and Security Committee's chairpersons.

All initial appointments to the working group must be made by July 1, 2024. The appointing authority must fill any vacancies.

Under the bill, the working group must select a chairperson from among its members. The chairperson must schedule the group's first meeting, which must be held by August 1, 2024. The Public Safety and Security Committee's administrative staff must serve as the working group's administrative staff.

#### **§§ 11 & 12 — APPLICABILITY OF FIRE SERVICE LAWS TO SPECIFIED FIRE DEPARTMENTS**

The bill repeals a law that provides that (1) the state statutes concerning the Commission on Fire Prevention and Control and the Office of State Fire Administration do not apply to any (a) municipality that employs fewer than six paid firefighters or (b) volunteer fire department or its employees or members and (2) these municipalities and volunteer fire departments may elect to cooperate with the commission regarding the statutes. In doing so, it subjects these municipalities and volunteer fire departments to these statutes. The bill also makes a conforming change.

#### **COMMITTEE ACTION**

Public Safety and Security Committee

Joint Favorable Substitute

Yea 25    Nay 0    (03/19/2024)