

Public Safety and Security Committee

JOINT FAVORABLE REPORT

Bill No.: HB-5483

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

Title: PREVENTION AND CONTROL.

Vote Date: 3/19/2024

Vote Action: Joint Favorable Substitute

PH Date: 3/12/2024

File No.:

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SPONSORS OF BILL:

Rep. Ben McGorty, 122nd Dist.

Rep. Patrick S. Boyd, 50th Dist.

Rep. Fred Gee, 126th Dist.

REASONS FOR BILL:

This bill establishes a Division of Fire Services Administration within the Department of Emergency Services and Public Protection. The State Fire Administrator shall be the head of the division, subject to DESPP commissioner designation.

The bill moves the functions, powers, duties, and personnel of the Office of the State Fire Administrator, State Fire Marshal, and Office of Education and Data Administration (Currently in DAS) to this newly created division. The bill revises the membership of the Commission on Fire Prevention and Control.

This bill looks to streamline the communication between departments that share aligned values and goals further allowing an increased focus on fire safety and prevention.

Substitute Language:

Creates a new department, a Division of Fire Services Administration, where the commissioner will serve as the administrative head. As administrative head, the commissioner will delegate the commissioner's jurisdiction of the Division of Fire Services Administration to the State Fire Administrator. The State Fire Administrator will be

recommended by the Commission on Fire Prevention and Control and appointed by the Governor.

Moves the functions, powers, duties and personnel of the former Office of State Fire Administrator, Office of the State Fire Marshal and Office of Education and Data Administration within the Department of Administrative Services to the new Division of Fire Services Administration.

Establishes specific dates for appointment of twelve individuals to a Commission on Fire Prevention and Control. June 30, 2025, the commission shall consist of twelve members appointed by the Governor. On and after July 1, 2025, the council will consist of the following members:

- A member of the Connecticut Career Fire Chiefs' Association, appointed by the Governor
- A member of the Connecticut Fire Chiefs Association, appointed by the Governor.
- A member of the Uniformed Professional Firefighters of the International Association of Firefighters, AFL-CIO, appointed by the Governor.
- A member of The Connecticut State Firefighter's Association, appointed by the Governor.
- A member of the Connecticut Fire Department Instructors Association, appointed by the Governor.
- A member of the Connecticut Fire Marshals Association, appointed by the Governor.
- A member of the Connecticut Career Fire Chiefs' Association, appointed by the Speaker of the House of Representatives.
- A member of the Connecticut Fire Chiefs Association, appointed by the president pro tempore of the Senate.
- A member of the Uniformed Professional Firefighters of the International Association of Firefighters, AFL-CIO, appointed by the majority leader of the House of Representatives.
- A member of The Connecticut State Firefighter's Association, appointed by the majority leader of the Senate.
- A member of the Connecticut Fire Department Instructors Association, appointed by the minority leader of the House of Representatives.
- A member of the Connecticut Fire Marshals Association, appointed by the minority leader of the Senate.
- A representative of the Connecticut Council of Small Towns, appointed by the House chairperson of the joint standing committee of the General Assembly having cognizance of matters relating to public safety and security.
- A representative of the Connecticut Conference of Municipalities, appointed by the Senate chairperson of the joint standing committee of the General Assembly having cognizance of matters relating to public safety and security.
- A member of the Connecticut Fire Equipment Mechanics Association, appointed by the House ranking member of the joint standing committee of the General Assembly having cognizance of matters relating to public safety and security.
- A representative of the Emergency Medical Services Advisory Board, appointed by the Senate ranking member of the joint standing committee of the General Assembly having cognizance of matters relating to public safety and security.

- The chairperson of the education committee of the Connecticut State Firefighters Association, Inc.
- The State Fire Marshal or State Fire Marshal's designee.
- The forest protection supervisor within the Forestry Division of the Department of Energy and Environmental Protection.
- The director of the Division of Emergency Management and Homeland Security within the Department of Emergency Services and Public Protection, or said director's designee, who shall be a nonvoting member.
- The director of the Fire and Explosion Investigation Unit of the Division of State Police within the Department of Emergency Services and Public Protection, who shall be a nonvoting member.
- The executive director of the Connecticut Technical Education and Career System, or said executive director's designee, who shall be a nonvoting member.

Changes Governor Appointment to "Appointing authorities" as some council members are not appointed by the governor.

Adds "or until a successor is appointed" to when a council member will be replaced after their term is up.

Adds The members of the education committee of the Connecticut State Firefighters Association, Inc., as a subcommittee of the commission on matters relating to fire schools.

Changes optional participation in fire service training and education program in the handling of incidents to mandatory

Adds making recommendations on the funding necessary for the operation of, the maintenance of and capital improvements to the state fire school and regional fire schools to the annual report presented to the Governor and the Commissioner of Emergency Services and Public Protection.

Adds the following to the list of duties for Administration:

- Recommend and provide reports on revisions to statutes relating to firefighter training and fire prevention and control.
- Advise and assist the Commission on Fire Prevention and Control regarding legislative proposals.
- Encourage the expansion and improvement of existing local firefighter training facilities in cooperation with the Commission on Fire Prevention and Control.
- Administer the state fire school.
- Administer certification examinations, testing procedures and reciprocity recognition for credentials in the fire service disciplines.
- Make recommendations to the Commission on Fire Prevention and Control pertaining to the operational funding of the state fire school and regional fire schools.

RESPONSE FROM ADMINISTRATION/AGENCY:

Darren Hobbs, Deputy Commissioner, Department of Administrative Services,
Opposes:

Expresses how moving the DAS functions to DESPP would be costly, and would break processes, cause delays, and make coordination of the state building and fire codes less effective if not impossible. Ultimately, we believe such a change would be harmful to the future of building and fire safety in Connecticut. Shares how the proposal would transfer two of these three teams (OSFM and OEDM) and not the other (OSBI). These three teams have always been closely allied under one agency, which is critical to the continued effectiveness of them. Explains the roles of each of these departments and the importance of their relationship with current allied departments.

Jordan Scheff, Commissioner, Department of Developmental Services:

Requests if the Committee is making changes to the E 9-1-1 commission, that the Committee take into consideration the following revision in lines 368-391: DDS is requesting to be added to the panel to join with their sister human services agencies who are already members. Strategic Planning & Emergency Services Unit within DDS is in place to ensure the Department's residential facilities are safe and accessible for the individuals that reside there. Expresses how this unit is instrumental in providing oversight on Fire and Life Safety Compliance on a State and Federal level through prevention fire prevention and fire inspection programs. The unit also provides pre-disaster planning, emergency preparedness, OSHA compliance, and workplace safety and security for all residential settings, Intermediate Care Facilities, and office environments.

Ronnell Higgins, Commissioner, DESPP:

Jaroszkiwicz, Patryk, DESPP:

Expresses the importance of continuing to listen and learn from my team and those who work alongside the Fire Service. Comments, this bill proposes comprehensive changes that I am not prepared to respond to as of yet, but please note that it is of utmost importance to me that this work be supported in the most thoughtful manner possible. It is a priority for me now, and it will continue to be going forward.

NATURE AND SOURCES OF SUPPORT:

Robert Lenois, Firefighter, Westport Fire, Supports:

Shares, moving OEDM and the State Fire Marshals to DESSP from DAS. I believe this is a good move and makes more sense. DESSP clearly is the organization with values that align with OEDM and the SFMO sharing the goals of code enforcement, law enforcement, education and public safety.

Greg Priest, Fire Chief, Joint Council, Supports:

Shares that they support moving the responsibilities of the State Fire Marshal and OEDM, along with the associated staff, to DESPP while also improving the language and location relative to the Fire and Building Training Councils. Regarding the other elements to this bill surrounding the re-organization of the Commission on Fire Prevention and Control, they express their interest in further understanding and offering their thoughts to help improve the language while supporting the core intent.

Douglas Zordan, Fire Marshal, Town of Newington, Supports:

Suggests that this transfer restores the check and balance relationship between Fire Officials and Building Officials allowing an increased focus on fire safety and prevention, while eliminating the authoritative oversight created at the Department of Administrative Services

(DAS). Additionally, this proposed transfer allows for the transition of the Office of the State Fire Marshal to return to a code enforcement agency from the current structure, which is more of a design team approach. Allowing for enforcement of the CT Fire Safety Code and CT Fire Prevention Code increases the safety to occupants of all buildings. They add that this transfer allows for improved communication and effectiveness when analyzing the origin and cause of fires throughout the state.

Additionally, The Following Expressed Their Support:

Chad Armstrong, Acting Fire Marshal, Stamford Fire Marshals Office

Robert Daniel, Fire Marshal, Stratford Fire Dept.

Robert Daniel, Secretary, FFLD, NH FM ASSOC, FFLD, NH Fire Marshal, ASSOC

William Davin, Fire Marshal, Monroe Fire Marshals Office

Terrence Dunn Jr., Fire Marshal, Town of Westport

Chris Fuchs, Fire Marshal, Sherman CT

Michael Giantonio, Deputy Fire Marshal, GFD Town of Glastonbury

Brian Lampart, Deputy Fire Marshal

Timothy Suden, Deputy Fire Marshal, Milford Fire Department

Patrick Tourville, Fire Marshal, Simsbury Fire District

NATURE AND SOURCES OF OPPOSITION:

Jeffrey Pooler, President, CT Building Officials Associates, Opposes:

Expresses how this proposal leaves the Office of the State Building Inspector (OSBI) in a different agency from OSFM and OEDM. The missions and functions of these three offices are very interconnected and separating them would create significant administrative issues. Many of the functions that local code officials look to the state for are things that require coordination between these offices. Splitting the offices across two separate agencies will create confusion for local code officials by not knowing which agency to turn to for which functions and it will likely delay responses that will now require communication across agencies. States that they feel they have been well served by the current organization and do not see a need to “fix something that isn’t broken” at this time.

Reported by: Casey Urso (Assistant Clerk)

Date: March 27th, 2024