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459

SENATE STATE AFFAIRS COMMITTEE

BILL NUMBER SB 459

SPONSOR Zharoff

BILL TITLE AK. Fire Commission

DATE REFERRED 2.9.90

HEARING SCHEDULED

FISCAL NOTE PREPARED

SPONSOR CONTACTED

INTERESTED PARTIES CONTACTED

OTHER

ALASKA STATE FIREFIGHTERS ASSOCIATION

P.O. Box 34324
Juneau, Alaska 99803-4324

*hand delivered
2/6/90*

RESOLUTION 89-3

TITLE: Support funding of Alaska State Fire Commission .

WHEREAS, the Alaska Legislature, by law, established the Alaska State Fire Commission, and

WHEREAS, the Alaska State Fire Commission has not been appointed by the Governor, and

WHEREAS, the law requires the funding of the Commission through the Department of Public Safety, and

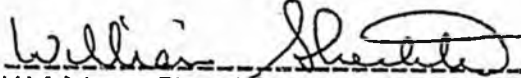
WHEREAS, the Commission is due to "sunset" on June 30, 1990, yet the need for the work of the Commission continues to grow, and


WHEREAS, the Alaska State Firefighters' Association and the Alaska Fire Chiefs' Association have for years urged the appointment and funding of the Alaska State Fire Commission so that it could carry out its mission.

THEREFORE, BE IT RESOLVED, that the Alaska State Firefighters' Association and the Alaska Fire Chiefs' Association reaffirms their commitment for funding the Alaska State Fire Commission and respectfully requests the Legislature to appropriate to the Department of Public Safety funding so the Commission can become a reality.

Recommendation:

Adoption: Pass No Pass


William Shechter, President, Alaska Fire Chiefs' Association


Mike Tagaban, President, Alaska State Firefighters' Association

Submitted by Resolutions Committee

Distribution: Governor Cowder
Governor's Special Assistant - Public Safety
Legislature
ASFA Representative John George

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Alaska State Legislature

Senate

Office of the Secretary

OFFICIAL BUSINESS

PO BOX V
CAPITOL BUILDING
JUNEAU, ALASKA 99811

January 11, 1990

TO: Senator Pat Pourchot, Chair
State Affairs Committee

FROM: Nancy Quinto *ng*
Secretary of the Senate

RE: Budget & Audit Report

President Kelly has referred "A LETTER REPORT ON THE ALASKA STATE FIRE COMMISSION" (Sunset Legislation) to your committee for review.

NQ/hc

Enclosure

STATE OF ALASKA

THE LEGISLATURE

BUDGET AND AUDIT COMMITTEE

FINANCE DIVISION
P.O. BOX WF
JUNEAU, ALASKA 99811
PHONE: (907) 465-3795

September 27, 1989

Members of the Legislative Budget
and Audit Committee

RE: Department of Public Safety
Alaska State Fire Commission

This letter constitutes our report on the review of the Department of Public Safety, Alaska State Fire Commission, in accordance with the provisions of Titles 24 and 44 of the Alaska Statutes (sunset legislation).

BACKGROUND

Chapter 157, SLA 1980 established a Task Force on Fire Prevention and Control to: 1) identify fire loss problems in Alaska; 2) identify agencies involved in fire protection activities; 3) recommend modifications to improve the state's fire protection system; and 4) provide documentation to assist agencies in meeting their responsibilities. The Task Force was to submit their final report to the governor and legislature by January 1, 1983. This Task Force was not funded for their third year and terminated June 30, 1983 without completing their work.

A second Task Force was established in 1984 with the same objectives as the first and was given 120 days to finish their work. That Task Force issued a final report in December 1984 detailing eight major areas of concern: 1) fire education and public awareness; 2) fire service training; 3) capital projects; 4) arson; 5) code enforcement; 6) emergency medical services; 7) wildlands fire protection; and 8) interagency planning, coordination and consolidation. Within the last category the Task Force recommended creating the State Fire Commission as a broad based policy setting group to provide direction and coordination of all the fire-related programs.

In 1986 the Alaska State Fire Commission was established (Alaska Statutes 44.41.100-.130) to: 1) develop a state master plan for fire prevention and provide coordination for fire-related programs; 2) establish policy guidelines for agencies with fire protection programs; 3) adopt regulations as necessary; 4) make recommendations for fire-related programs; and 5) report to the governor and legislature when requested. There was a fiscal note of \$180,000 funded with the bill establishing the Commission. Due to the revenue shortfall during FY87, Governor Sheffield recommended that the funding for the Commission be eliminated.

The Legislature approved and ratified the executive restrictions for the FY87 operating budget in Chapter 9, SLA 1987.

Alaska Statutes 44.66.010(13) specifies that the Alaska State Fire Commission will expire June 30, 1990. Commission members were never appointed and there is no funding for it. Due to budget constraints over the past few years it has not been included as a departmental priority. According to Sam Neal, State Fire Marshall, the Commission would still be a high priority with the various fire service agencies. However, Mr. Neal indicated that the main concern behind establishing the Commission was direction and coordination of all fire-related programs and he believes that his office has been able to accomplish at least eighty percent of the Commission's statutory requirements.

REPORT CONCLUSION

In our opinion the Alaska State Fire Commission should be allowed to terminate. The Commission has never received any funding and is not an Executive Branch priority. Many of the duties of the Commission are being adequately addressed by the State Fire Marshall's Office and there is no evidence that existence of the Commission would substantially improve the public's health, safety or welfare.



Mike Greany, Director
Division of Legislative Finance

STATE OF ALASKA

STEVE COWPER, GOVERNOR

DEPARTMENT OF PUBLIC SAFETY

OFFICE OF THE COMMISSIONER

P.O. BOX N
JUNEAU, ALASKA 99811-1200
PHONE: 465-4322

November 13, 1989

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Mr. Randy S. Welker
Legislative Auditor
Division of Legislative Audit
P.O. Box W
Juneau, AK 99811-3300

Dear Mr. Welker:

I am writing in response to your preliminary audit report on:

"A Letter Report on the Department of Public Safety, Alaska State Fire Commission, dated September 27, 1989."

I have discussed the report with Mr. Sam Neal, State Fire Marshal. We feel there is one clarification that should be made. On page 2 of the report the auditor writes that Mr. Neal "believes that his office has been able to accomplish at least eighty percent of the Commission's statutory requirements." Mr. Neal believes that the Division of Fire Prevention (DFP) has been able to address approximately eighty percent of the recommendations made by the second Task Force (1984), not eighty percent of the responsibilities assigned to the Fire Commission.

The Department of Public Safety supports the Fire Commission, and believes that it should be funded. That funding cannot be diverted from any existing DFP programs, however. At a time when over 30 percent of high priority facilities that require annual fire inspections (hospitals, schools, jails, etc.) are not being inspected each year due to limited resources, it would not be appropriate to redirect a portion of the Division's budget to fund an advisory body. Direct services to increase the safety of the public should be expanded, not reduced.

After careful thought, I find myself unable to agree with the recommendation that the Fire Commission be allowed to terminate. While funding for the Commission has not been

Mr. Randy S. Welker

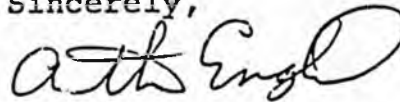
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November 13, 1989

available to date, it is possible that it may become available at a future time. A bill was introduced during the Fifteenth Legislature (HB 230) that would have established a separate account (through a tax on insurance premiums) from which appropriations could be made to fund the Commission. Other funding mechanisms have also been discussed from time to time. Because of the possibility (however uncertain at this time) of future funding for the Fire Commission, I am of the opinion that the Commission should be renewed for another four-year period. The question of its termination could be examined again at the end of that time.

Thank you for this opportunity to respond to your preliminary report. Please contact me if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Arthur English".

Arthur English
Commissioner