

2 **ESB 5768 - H COMM AMD ADOPTED 4-15-93**

3 By Committee on State Government

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5 Strike everything after the enacting clause and insert the
6 following:

7 "Sec. 1. RCW 38.52.010 and 1986 c 266 s 23 are each amended to
8 read as follows:

9 As used in this chapter:

10 (1) "Emergency management" or "comprehensive emergency management"
11 means the preparation for and the carrying out of all emergency
12 functions, other than functions for which the military forces are
13 primarily responsible, to mitigate, prepare for, respond to, and
14 recover from emergencies and disasters, and to aid victims suffering
15 from injury or damage, resulting from disasters caused by all hazards,
16 whether natural or man-made, and to provide support for search and
17 rescue operations for persons and property in distress. However,
18 "emergency management" or "comprehensive emergency management" does not
19 mean preparation for emergency evacuation or relocation of residents in
20 anticipation of nuclear attack.

21 (2) "Local organization for emergency services or management" means
22 an organization created in accordance with the provisions of this
23 chapter by state or local authority to perform local emergency
24 management functions.

25 (3) "Political subdivision" means any county, city or town.

26 (4) "Emergency worker" means any person, including but not limited
27 to an architect registered under chapter 18.08 RCW or a professional
28 engineer registered under chapter 18.43 RCW, who is registered with a
29 local emergency management organization or the department of community
30 development and holds an identification card issued by the local
31 emergency management director or the department of community
32 development for the purpose of engaging in authorized emergency
33 management activities or is an employee of the state of Washington or
34 any political subdivision thereof who is called upon to perform
35 emergency management activities.

1 (5) "Injury" as used in this chapter shall mean and include
2 accidental injuries and/or occupational diseases arising out of
3 emergency management activities.

4 (6) "Emergency or disaster" as used in this chapter shall mean an
5 event or set of circumstances which: (a) Demands immediate action to
6 preserve public health, protect life, protect public property, or to
7 provide relief to any stricken community overtaken by such occurrences,
8 or (b) reaches such a dimension or degree of destructiveness as to
9 warrant the governor declaring a state of emergency pursuant to RCW
10 43.06.010.

11 (7) "Search and rescue" means the acts of searching for, rescuing,
12 or recovering by means of ground, marine, or air activity any person
13 who becomes lost, injured, or is killed while outdoors or as a result
14 of a natural or man-made disaster, including instances involving
15 searches for downed aircraft when ground personnel are used. Nothing
16 in this section shall affect appropriate activity by the department of
17 transportation under chapter 47.68 RCW.

18 (8) "Executive head" and "executive heads" means the county
19 executive in those charter counties with an elective office of county
20 executive, however designated, and, in the case of other counties, the
21 county legislative authority. In the case of cities and towns, it
22 means the mayor.

23 (9) "Director" means the director of community development.

24 (10) "Local director" means the director of a local organization of
25 emergency management or emergency services.

26 (11) "Department" means the department of community development.

27 NEW SECTION. **Sec. 2.** A new section is added to chapter 38.52 RCW
28 to read as follows:

29 For purposes of the liability of an architect or engineer serving
30 as a volunteer emergency worker, the exemption from liability provided
31 under RCW 38.52.195 extends to all damages, so long as the conditions
32 specified in RCW 38.52.195 (1) through (5) occur."

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