

HOUSE BILL REPORT

SB 5935

As Passed House:

April 14, 2003

Title: An act relating to consolidation of state declared fire mobilization responsibilities within the Washington state patrol.

Brief Description: Consolidating fire service mobilization responsibilities within the Washington state patrol.

Sponsors: By Senators Brandland, Oke, Swecker, Hale, Rasmussen, Schmidt and Winsley; by request of Washington State Patrol.

Brief History:

Committee Activity:

State Government: 4/1/03, 4/3/03 [DP].

Floor Activity:

Passed House: 4/14/03, 93-0.

Brief Summary of Bill

- Responsibility for the state Fire Services Mobilization Plan is moved to the Washington State Patrol.

HOUSE COMMITTEE ON STATE GOVERNMENT

Majority Report: Do pass. Signed by 9 members: Representatives Haigh, Chair; Miloscia, Vice Chair; Armstrong, Ranking Minority Member; Shabro, Assistant Ranking Minority Member; Hunt, McDermott, Nixon, Tom and Wallace.

Staff: Marsha Reilly (786-7135).

Background:

A comprehensive program of emergency management is administered in the state by the Military Department. The Adjutant General is required to develop a comprehensive, all-hazard emergency plan for the state that includes use of an incident command system when multiple jurisdictions or multiple agencies are involved. Mitigation, preparedness, response, and recovery are the essential components of the Washington State

Comprehensive Emergency Management Plan (CEMP).

Each county, city, and town is required to establish a local organization for emergency management and prepare a local emergency management plan. The Adjutant General may allow two or more counties or cities to establish a single local organization. Local plans are submitted to the Adjutant General for recommendations and certification with the CEMP.

The Washington State Patrol (WSP) has general law enforcement authority throughout the entire state. Various state agencies are authorized to provide limited law enforcement. The Washington Association of Sheriffs and Police Chiefs (WASPC) is a nonprofit corporation created by the various sheriffs and police chiefs in the state. State law declares this entity to be "a combination of units of local government." State law allows this entity to assist a county in developing and implementing a law and justice plan and directs this entity to implement an electronic jail booking system. Recently, the membership of the WASPC approved the Washington State Enforcement Mutual Aid/Mobilization Plan (Mobilization Plan).

Included in the state's CEMP is the fire services mobilization plan. The purpose of this plan is to provide policy and organizational structure for large scale mobilization of fire fighting resources. The plan includes mutual aid agreements and state reimbursement for outside jurisdictions, as well as a host jurisdiction if its resources are exhausted.

The Adjutant General of the Military Department has overall responsibility for emergency management, including the fire services mobilization plan. However, the director of fire protection in the Washington State Patrol (WSP) serves as the state fire marshal when the plan is mobilized.

The State Fire Protection Policy Board makes recommendations for refinement and maintenance of the plan, including procedures for coordinating local, regional, and state fire jurisdiction resources. Seven regions are designated in the state, with a regional fire defense board in each region consisting of two members from each member county. The boards develop regional service plans for mutual aid responses that are consistent with the incident command system and state fire services mobilization plan.

Summary of Bill:

Responsibility for the fire services mobilization plan is moved to the chief of the Washington State Patrol. The Washington State Patrol, in consultation with the Office of Financial Management and the Military Department, will develop procedures for timely reimbursement to state agencies and other jurisdictions when the plan is mobilized.

The state Law Enforcement Mobilization Policy Board (Board) is established by the chief

of the WSP. The Board makes recommendations to the chief on the refinement and maintenance of the Mobilization Plan, including procedures used during a response that requires coordination of law enforcement resources, consistent with the incident command system. The Board consults with and solicits recommendations from state and local law enforcement agencies, emergency management organizations, and regional law enforcement mobilization committees.

Regional law enforcement coordinating committees consist of the sheriff of each county in the region, the district commander of the WSP from the region, a number of police chiefs equivalent to the number of counties in the region plus one, and the director of the counties' emergency management offices. Regional committees develop regional law enforcement service plans and work with local governmental agencies to facilitate intergovernmental agreements required to implement regional law enforcement response plans. Regional plans must be approved by the Board. Regional mobilization may be implemented by the chair of the regional mobilization committee.

The Mobilization Plan is included within the CEMP. Mobilization may be declared by the chief when law enforcement resources, beyond those available locally or through existing mutual aid agreements, are needed in response to an emergency or disaster. The chief appoints a state law enforcement resource coordinator who coordinates activities with the chief law enforcement officer of the host agency when the Mobilization Plan is activated. Mobilization may include the redistribution of regional or statewide law enforcement resources to either emergency incident assignments or to assignments in communities where law enforcement resources are needed. The chief, in consultation with the resource coordinator, declares when mobilization ends. The WSP, in consultation with the WASPC and the Office of Financial Management, develops procedures to facilitate reimbursement to mobilized jurisdictions from federal and state funds.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.

Testimony For: This bill represents a joint request from the WSP and the Military Department. The Adjutant General has the responsibility for calling the Mobilization Plan into action and the WSP is responsible for implementation. In order to streamline the process, it is proposed that the WSP be responsible for putting the plan into action. The Military Department supports the bill and will work closely with the Washington State Patrol to make the system more efficient. The WSP currently certifies the bills and the Military Department makes the payments. This will be more efficient but without

losing any oversight responsibility. The Military Department will maintain its role in emergency management overall.

Testimony Against: None.

Testified: Diane Perry, Washington State Patrol; and Frank Scoggins, Washington Military Department.