
SUBSTITUTE SENATE BILL 6014

State of Washington

59th Legislature

2005 Regular Session

By Senate Committee on Labor, Commerce, Research & Development
(originally sponsored by Senators Kline, Parlette, Kohl-Welles and
Keiser)

READ FIRST TIME 03/01/05.

1 AN ACT Relating to industrial insurance claims made due to disaster
2 response; amending RCW 38.52.105; adding a new section to chapter 51.16
3 RCW; and declaring an emergency.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 51.16 RCW
6 to read as follows:

7 (1) When a worker of a nongovernment employer is injured or
8 develops an occupational disease due to an exposure while assisting in
9 the life and rescue phase of an emergency, in response to a request for
10 assistance from a state or local government entity, including fire
11 service or law enforcement, the cost of benefits shall be reimbursed
12 from the disaster response account, RCW 38.52.105, to the appropriate
13 workers' compensation fund, or to the self-insured employer, as the
14 case may be. The cost of such injuries or occupational diseases shall
15 not be charged to the experience record of a state fund employer.

16 (2) For the purposes of this section, "life and rescue phase" means
17 the first seventy-two hours after the occurrence of a natural or man-
18 made disaster in which a state or municipal entity, including fire
19 service or law enforcement, acknowledges or declares such a disaster

1 and requests assistance from the private sector in locating and
2 rescuing survivors. The initial life and rescue phase may be extended
3 for a finite period of time by declaration of the state or municipal
4 entity requesting assistance.

5 **Sec. 2.** RCW 38.52.105 and 2002 c 371 s 903 are each amended to
6 read as follows:

7 The disaster response account is created in the state treasury.
8 Moneys may be placed in the account from legislative appropriations and
9 transfers, federal appropriations, or any other lawful source. Moneys
10 in the account may be spent only after appropriation. Expenditures
11 from the account may be used only for support of state agency and local
12 government disaster response and recovery efforts and to reimburse the
13 workers' compensation funds and self-insured employers under section 1
14 of this act. During the 2001-03 biennium, funds from the account may
15 also be used for costs associated with national security preparedness
16 activities.

17 NEW SECTION. **Sec. 3.** This act is necessary for the immediate
18 preservation of the public peace, health, or safety, or support of the
19 state government and its existing public institutions, and takes effect
20 immediately.

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