
SUBSTITUTE HOUSE BILL 1126

State of Washington

63rd Legislature

2013 Regular Session

By House Public Safety (originally sponsored by Representatives Goodman, Klippert, Hurst, Van De Wege, Warnick, Ryu, and Smith)

READ FIRST TIME 02/01/13.

1 AN ACT Relating to state fire service mobilization; and amending
2 RCW 43.43.960 and 43.43.961.

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

4 **Sec. 1.** RCW 43.43.960 and 2003 c 405 s 1 are each amended to read
5 as follows:

6 Unless the context clearly requires otherwise, the definitions in
7 this section apply throughout this subchapter.

8 (1) "Chief" means the chief of the Washington state patrol.

9 (2) "State fire marshal" means the director of fire protection in
10 the Washington state patrol.

11 (3) "Fire chief" includes the chief officer of a statutorily
12 authorized fire agency, or the fire chief's authorized representative.
13 Also included are the department of natural resources fire control
14 chief, and the department of natural resources regional managers.

15 (4) "Jurisdiction" means state, county, city, fire district,
16 regional fire protection authority, or port district (~~(firefighting)~~)
17 units, or other units covered by this chapter.

18 (5) "Mobilization" means that (~~(firefighting)~~) all risk resources
19 regularly provided by fire departments, fire districts, and regional

1 fire protection authorities beyond those available through existing
2 agreements will be requested and, when available, sent in response to
3 an emergency or disaster situation that has exceeded the capabilities
4 of available local resources. During a large scale emergency,
5 mobilization includes the redistribution of regional or statewide
6 (~~firefighting~~) risk resources to either direct emergency incident
7 assignments or to assignment in communities where (~~firefighting~~)
8 resources are needed.

9 When mobilization is declared and authorized as provided in this
10 chapter, all (~~firefighting~~) risk resources regularly provided by fire
11 departments, fire districts, and regional fire protection authorities
12 including those of the host fire protection authorities, i.e. incident
13 jurisdiction, shall be deemed as mobilized under this chapter,
14 including those that responded earlier under existing mutual aid or
15 other agreement. All nonhost fire protection authorities providing
16 (~~firefighting~~) resources in response to a mobilization declaration
17 shall be eligible for expense reimbursement as provided by this chapter
18 from the time of the mobilization declaration.

19 This chapter shall not reduce or suspend the authority or
20 responsibility of the department of natural resources under chapter
21 76.04 RCW.

22 (6) "Mutual aid" means emergency interagency assistance provided
23 without compensation under an agreement between jurisdictions under
24 chapter 39.34 RCW.

25 (7) "All risk resources" means those resources regularly provided
26 by fire departments, fire districts, and regional fire protection
27 authorities required to respond to incidents, including:

28 (a) Wild land fires;

29 (b) Earthquakes;

30 (c) Floods;

31 (d) Contagious diseases; and

32 (e) Technical rescues that have aspects of saving life or property
33 and employ the use of tools and skills that exceed those normally
34 reserved for firefighting and medical emergency. These disciplines
35 include rope rescue, swiftwater rescue, confined space rescue, ski
36 rescue, cave rescue, trench or excavation rescue, and building collapse
37 rescue.

1 **Sec. 2.** RCW 43.43.961 and 2003 c 405 s 2 are each amended to read
2 as follows:

3 Because of the possibility of the occurrence of disastrous fires or
4 other disasters of unprecedented size and destructiveness, the need to
5 insure that the state is adequately prepared to respond to such a fire
6 or disaster, the need to establish a mechanism and a procedure to
7 provide for reimbursement to state agencies and local ((~~firefighting~~))
8 agencies that respond to help others in time of need or to a host fire
9 district that experiences expenses beyond the resources of the fire
10 district, and generally to protect the public peace, health, safety,
11 lives, and property of the people of Washington, it is hereby declared
12 necessary to:

13 (1) Provide the policy and organizational structure for large scale
14 mobilization of ((~~firefighting~~)) all risk resources in the state
15 through creation of the Washington state fire services mobilization
16 plan;

17 (2) Confer upon the chief the powers provided herein;

18 (3) Provide a means for reimbursement to state agencies and local
19 fire jurisdictions that incur expenses when mobilized by the chief
20 under the Washington state fire services mobilization plan; and

21 (4) Provide for reimbursement of the host fire department or fire
22 protection district when it has: (a) Exhausted all of its resources;
23 and (b) invoked its local mutual aid network and exhausted those
24 resources. Upon implementation of state fire mobilization, the host
25 district resources shall become state fire mobilization resources
26 consistent with the fire mobilization plan.

27 It is the intent of the legislature that mutual aid and other
28 interlocal agreements providing for enhanced emergency response be
29 encouraged as essential to the public peace, safety, health, and
30 welfare, and for the protection of the lives and property of the people
31 of the state of Washington. If possible, mutual aid agreements should
32 be without stated limitations as to resources available, time, or area.
33 Nothing in this chapter shall be construed or interpreted to limit the
34 eligibility of any nonhost fire protection authority for reimbursement
35 of expenses incurred in providing ((~~firefighting~~)) all risk resources
36 for mobilization provided that the mobilization must meet the
37 requirements identified in the Washington state fire service

1 mobilization plan and no more than five hundred thousand dollars of the
2 amount appropriated for mobilizations may be made available for all
3 risk disasters, other than fires, in accordance with this statute.

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