
SECOND SUBSTITUTE HOUSE BILL 1126

State of Washington

63rd Legislature

2014 Regular Session

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

READ FIRST TIME 01/28/14.

1 AN ACT Relating to the scope of state fire service mobilization and
2 ensuring compliance with existing state and federal disaster response
3 policies; and amending RCW 43.43.960 and 43.43.961.

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

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

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

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

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

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

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

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

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

21 This chapter shall not reduce or suspend the authority or
22 responsibility of the department of natural resources under chapter
23 76.04 RCW.

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

27 (7) "All risk resources" means those resources regularly provided
28 by fire departments, fire districts, and regional fire protection
29 authorities required to respond to incidents, including but not limited
30 to:

- 31 (a) Wild land fires;
- 32 (b) Earthquakes;
- 33 (c) Floods; and
- 34 (d) Contagious diseases.

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

37 Because of the possibility of the occurrence of disastrous fires or

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

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

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

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

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

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

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