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HOUSE BILL 1126

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State of Washington

63rd Legislature

2013 Regular Session

By Representatives Goodman, Klippert, Hurst, Van De Wege, Warnick, Ryu, and Smith

Read first time 01/16/13. Referred to Committee on Public Safety.

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

1 requirements identified in the Washington state fire service  
2 mobilization plan.

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