

# SENATE BILL REPORT

## SB 5181

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As of February 18, 2015

**Title:** An act relating to the scope of state fire service mobilization and ensuring compliance with existing state and federal disaster response policies.

**Brief Description:** Addressing the scope of state fire service mobilization and ensuring compliance with existing state and federal disaster response policies.

**Sponsors:** Senators Pearson, Hasegawa, Roach, Hobbs, Dammeier, Liias, Chase and Mullet.

**Brief History:**

**Committee Activity:** Government Operations & Security (Note: Senate Resolution 8609 adopted January 27, 2015, renamed the Committee on Government Operations & State Security to Committee on Government Operations & Security): 1/22/15, 1/27/15 [DP-WM].

Ways & Means: 2/17/15.

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### SENATE COMMITTEE ON GOVERNMENT OPERATIONS & SECURITY

**Majority Report:** Do pass and be referred to Committee on Ways & Means.

Signed by Senators Roach, Chair; Pearson, Vice Chair; Liias, Ranking Minority Member; Habib and McCoy.

**Staff:** Samuel Brown (786-7470)

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### SENATE COMMITTEE ON WAYS & MEANS

**Staff:** Julie Murray (786-7711)

**Background:** The state Fire Service Resource Mobilization Plan (mobilization plan) can be implemented to provide resources from around the state when a wild land fire exceeds firefighting capacity of local jurisdictions. Nonhost fire protection authorities are eligible for reimbursement of expenses when mobilized under the mobilization plan.

In July 2014, Washington State Governor Jay Inslee and Snohomish County Executive John Lovick appointed a joint commission in response to the SR 530 Landslide. The SR 530 Landslide Commission (Commission) was tasked with reviewing the landslide and the collective response to it, including the initial emergency search and rescue, community

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efforts, incident management, and coordination among local, county, state, tribal, and federal governments. Among the Commission's recommendations was that the Legislature clarify the definition of all-hazards mobilization under the mobilization plan.

**Summary of Bill:** Mobilization plan provisions are revised to authorize mobilization of risk resources regularly provided by fire departments, fire districts, and regional fire protection authorities, including but not limited to wild land fires, landslides, earthquakes, floods, and contagious diseases. Nonhost fire protection authorities are eligible for reimbursement of expenses if a mobilization meets requirements identified in the mobilization plan.

**Appropriation:** None.

**Fiscal Note:** Available.

**Committee/Commission/Task Force Created:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony (Government Operations & Security):** PRO: This is needed because of an informal Attorney General's Opinion that specifically prohibited fire services from making resources available to other jurisdictions for landslides, earthquakes, floods, and contagious diseases. Allowing mobilization of resources will allow fire departments to save lives when we have another disaster. This bill returns fire service mobilization to its intended purpose: to be available for all major risks in our state. This is how we operated for many years under all risk protection. The bill is truly a technical correction codifying past practice, and contains language that all parties can support. In the Oso mudslide, only being allowed to mobilize local resources resulted in overuse of rescue technicians from local fire departments. Additionally, the local teams used when mobilization is denied aren't big enough to handle all the paperwork involved, which is key to getting reimbursement from the federal government. For the most part, we catch incidents with resources we have available and mutual aid. The mobilization plan doesn't bring just resources to bear, but also command and control, which is a critical component in complex incidents to manage resources and enhance efficiency and effectiveness.

OTHER: The Washington State Patrol (WSP) is neutral, but stands ready to carry out any functions as directed by the Legislature.

**Persons Testifying (Government Operations & Security):** PRO: Senator Pearson, prime sponsor; Al Church, South King Fire and Rescue; Dave LaFave, Cowlitz 2 Fire and Rescue; Brad Reading, Snohomish County Fire District 1; Eric Andrews, Snohomish County Fire District 7.

OTHER: Rob Huss, WSP.

**Staff Summary of Public Testimony (Ways & Means):** PRO: Request for fire mobilization assistance for the Oso landslide was denied due to an Attorney General opinion that the fire mobilization plan is limited to firefighting. The fire mobilization plan has been used many times and is efficient for cost containment and control. A fire district can seek

assistance for any type of fire event under the plan, but cannot for an event such as a earthquake, tanker truck collision, or other man-made disaster. Fire mobilization plans can get resources on the ground in six to eight hours. The fire mobilization plan is already an all-risk plan. The plan is designed to provide a command and control structure during a chaotic event to efficiently deploy resources. Legislation reaffirms the intent of the 1995 legislation that created the fire mobilization plan and is recommended by the Oso Commission. The fire mobilization plan is a clearly written, thought out, and well-tested plan to respond to disasters.

OTHER: State pays only those costs that occur after fire mobilization is approved by Chief of WSP, not those that occur prior. Exhaustion of local resources is determined by unique elements of a local and regional mutual aid plan. Fire mobilization plan is only for use of fire districts, fire departments, and regional fire authorities.

**Persons Testifying (Ways & Means):** PRO: Jill Boudreau, Mayor, city of Mount Vernon; Brad Reading, Snohomish County Fire District 1, NW WA Incident Management Team; Bud Backer, Eastside Fire and Rescue, Deputy Chief; Dave LaFave, Cowlitz 2 Fire and Rescue, Fire Chief.

OTHER: Rob Huss, WSP; Chuck Duffy, State Fire Marshal.