

SHB 1170 - CONF REPT
By Conference Committee

HOUSE ADOPTED 04/27/2019; SENATE ADOPTED 04/27/2019

1 Strike everything after the enacting clause and insert the
2 following:

3 **"Sec. 1.** RCW 43.43.960 and 2015 c 181 s 2 are each reenacted and
4 amended to read as follows:

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

7 (1) "All risk resources" means those resources regularly provided
8 by fire departments, fire districts, and regional fire protection
9 service authorities required to respond to natural or man-made
10 incidents, including but not limited to:

- 11 (a) Wild land fires;
- 12 (b) Landslides;
- 13 (c) Earthquakes;
- 14 (d) Floods; and
- 15 (e) Contagious diseases.

16 (2) "Chief" means the chief of the Washington state patrol.

17 (3) "Fire chief" includes the chief officer of a statutorily
18 authorized fire agency, or the fire chief's authorized
19 representative. Also included are the department of natural resources
20 fire control chief, and the department of natural resources regional
21 managers.

22 (4) "Jurisdiction" means state, county, city, fire district,
23 regional fire protection service authority, or port district units,
24 or other units covered by this chapter.

25 (5) "Mobilization" means that all risk resources regularly
26 provided by fire departments, fire districts, and regional fire
27 protection service authorities beyond those available through
28 existing agreements will be requested and, when available, sent in
29 response to an emergency or disaster situation that has exceeded the
30 capabilities of available local resources. During a large scale
31 emergency, mobilization includes the redistribution of regional or
32 statewide risk resources to either direct emergency incident

1 assignments or to assignment in communities where resources are
2 needed. (~~Fire department~~) All risk resources may not be mobilized
3 to assist law enforcement with police activities during a civil
4 protest or demonstration, or other exercise by the people of their
5 constitutionally protected First Amendment rights, or other protected
6 concerted activity, however, fire departments, fire districts, and
7 regional fire protection service authorities are not restricted from
8 providing medical care or aid and firefighting when mobilized for any
9 purpose.

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

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

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

26 (7) "State fire marshal" means the director of fire protection in
27 the Washington state patrol.

28 **Sec. 2.** 2015 c 181 s 5 (uncodified) is repealed.

29 NEW SECTION. **Sec. 3.** This act is necessary for the immediate
30 preservation of the public peace, health, or safety, or support of
31 the state government and its existing public institutions, and takes
32 effect July 1, 2019."

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1 On page 1, line 1 of the title, after "to" strike the remainder
2 of the title and insert "fire service mobilization; reenacting and
3 amending RCW 43.43.960; repealing 2015 c 181 s 5 (uncodified);
4 providing an effective date; and declaring an emergency."

EFFECT: Makes changes to the title of the bill.

Restricts all risk resources from being mobilized to assist law enforcement with police activities during a civil protest or demonstration, or other exercise by the people of their constitutionally protected First Amendment rights, or other protected concerted activity.

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