

**EHB 2228** - S COMM AMD

By Committee on Ways & Means

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

3 "Sec. 1. RCW 43.43.960 and 2019 c 259 s 1 are each amended to  
4 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 preparation of, or in response to, an emergency or disaster situation  
30 that has exceeded or is predicted to exceed the capabilities of  
31 available local resources. During a large scale emergency,

1 mobilization includes the redistribution of regional or statewide  
2 risk resources to either direct emergency incident assignments or to  
3 assignment in communities where resources are needed. All risk  
4 resources may not be mobilized to assist law enforcement with police  
5 activities during a civil protest or demonstration, or other exercise  
6 by the people of their constitutionally protected First Amendment  
7 rights, or other protected concerted activity, however, fire  
8 departments, fire districts, and regional fire protection service  
9 authorities are not restricted from providing medical care or aid and  
10 firefighting when mobilized for any purpose. When the chief receives  
11 a request for a predeployment mobilization of risk resources to an  
12 emergency or disaster based on a wildland fire, the chief shall  
13 consider the available public and private resources in accordance  
14 with the approved Washington state fire service mobilization plan,  
15 and shall retain and deploy the resources that will provide the most  
16 effective and expeditious response.

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

27 This chapter shall not reduce or suspend the authority or  
28 responsibility of the department of natural resources under chapter  
29 76.04 RCW.

30 (6) "Mutual aid" means emergency interagency assistance provided  
31 without compensation under an agreement between jurisdictions under  
32 chapter 39.34 RCW.

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

35 **Sec. 2.** RCW 43.43.965 and 2015 c 181 s 4 are each amended to  
36 read as follows:

37 The chief of the Washington state patrol must report on an annual  
38 basis the following information for each emergency or disaster in  
39 which the Washington state fire service mobilization plan was used

1 ((for purposes other than fire suppression)), and reimbursement was  
2 made under RCW 43.43.961:

3 (1) The type and nature of the disaster or emergency;

4 (2) The reasons why the host jurisdiction and mutual aid  
5 resources were exhausted, or why predeployment mobilization was  
6 needed;

7 (3) The additional risk resources provided under the mobilization  
8 plan;

9 (4) The cost incurred by the state patrol;

10 (5) The cost of all risk resources sent in preparation of, or in  
11 response to, an emergency or disaster situation that has exceeded or  
12 is predicted to exceed the capabilities of available local resources,  
13 indicating the cost both before and after deployment of all risk  
14 resources;

15 (6) The amount of reimbursement made under RCW 43.43.961 to the  
16 host jurisdiction and to each nonhost jurisdiction providing all risk  
17 resources; and

18 ((+6)) (7) An assessment and any recommendations of actions that  
19 can be taken by the host jurisdiction and its mutual aid network to  
20 prevent future use of the fire mobilization plan for similar  
21 disasters or emergencies."

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22 On page 1, line 2 of the title, after "resources;" strike the  
23 remainder of the title and insert "and amending RCW 43.43.960 and  
24 43.43.965."

**EFFECT:** Requires that the chief annually report the reason and  
cost for each emergency or disaster in which the Washington state  
fire service mobilization plan was used, including all risk resources  
sent in preparation of, or in response to, an emergency or disaster  
situation that has exceeded or is predicted to exceed the  
capabilities of available local resources.

Requires the chief use available public and private resources in  
accordance with the approved Washington state fire service

mobilization plan rather than public risk resources and resources available through the Department of Natural Resources master list.

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