

# SENATE BILL REPORT

## SHB 1170

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As Passed Senate - Amended, April 17, 2019

**Title:** An act relating to modifying the expiration date of certain state fire service mobilization laws.

**Brief Description:** Modifying the expiration date of certain state fire service mobilization laws.

**Sponsors:** House Committee on Housing, Community Development & Veterans (originally sponsored by Representatives Griffey and Goodman).

**Brief History:** Passed House: 3/01/19, 94-0.

**Committee Activity:** State Government, Tribal Relations & Elections: 3/15/19, 3/27/19 [DPA-WM, w/oRec].

Ways & Means: 4/05/19, 4/09/19 [DPA (SGTE), w/oRec].

**Floor Activity:**

Passed Senate - Amended: 4/17/19, 48-0.

<p style="text-align: center;"><b>Brief Summary of Bill</b> <b>(As Amended by Senate)</b></p> <ul style="list-style-type: none"><li>• Extends the expiration date to July 1, 2021 for expansion of the scope of mobilization to include all risk resources as well as annual reporting on the uses and costs for non-fire suppression emergencies and disasters.</li></ul>
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### SENATE COMMITTEE ON STATE GOVERNMENT, TRIBAL RELATIONS & ELECTIONS

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

Signed by Senators Hunt, Chair; Kuderer, Vice Chair; Zeiger, Ranking Member; Bailey, Hasegawa and Hawkins.

**Minority Report:** That it be referred without recommendation.

Signed by Senator Takko.

**Staff:** Melissa Van Gorkom (786-7491)

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### SENATE COMMITTEE ON WAYS & MEANS

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

**Majority Report:** Do pass.

Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Brown, Assistant Ranking Member, Operating; Billig, Carlyle, Conway, Darneille, Hasegawa, Hunt, Keiser, Liias, Palumbo, Pedersen, Schoesler, Van De Wege, Wagoner and Warnick.

**Minority Report:** That it be referred without recommendation.

Signed by Senators Braun, Ranking Member; Honeyford, Assistant Ranking Member, Capital; Bailey, Becker and Rivers.

**Staff:** Claire Goodwin (786-7736)

**Background:** The chief of the Washington State Patrol (WSP) has the authority to mobilize jurisdictions under the Washington State Fire Services Mobilization Plan (Plan). The WSP state fire marshal serves as the state fire resources coordinator when a state mobilization plan is declared. Once a state mobilization is declared, all state and local agencies that participate in a mobilization generally receive reimbursement through the state's Disaster Response Account (Account). The WSP, in consultation with the Office of Financial Management and the Washington Military Department, is responsible for developing procedures to facilitate reimbursement to state agencies and local jurisdictions from appropriate federal and state funds when state agencies and jurisdictions are mobilized under the Plan.

All-Risk Resources. In 2015, the Legislature authorized an expansion of the term mobilization to include all-risk resources, rather than only firefighting resources, and prohibited fire department resources from being mobilized to assist with police activities during civil protest or demonstration. All-risk resources include those resources regularly provided by fire authorities in response to natural and man-made incidents. This includes, but is not limited to, resources provided to respond to wildland fires, landslides, earthquakes, floods and contagious diseases. The WSP must report annually regarding each emergency or disaster in which the Washington State Fire Service Mobilization Plan was used for purposes other than fire suppression. The expanded scope of the state fire services mobilization expires on July 1, 2019.

Disaster Response Account. The state's Account is a dedicated account in the State Treasury. Money may be placed in the Account from legislative appropriations and transfers, federal appropriations, and other lawful sources. Expenditures from the Account are used to support state agency and local government disaster response and recovery efforts.

**Summary of Amended Bill:** The July 1, 2019, expiration date on the changes to fire services mobilization is extended to July 1, 2021. The expanded definition of mobilization to include all risk resources, and the prohibition against mobilization of fire department resources to assist with police activities during protests and demonstrations remain in place until the new expiration date.

The WSP must continue to report annually on the uses and costs of the mobilization plan for non-fire suppression emergencies and disasters.

**Appropriation:** None.

**Fiscal Note:** Available.

**Creates Committee/Commission/Task Force that includes Legislative members:** No.

**Effective Date:** The bill contains an emergency clause and takes effect on July 1, 2019.

**Staff Summary of Public Testimony on Substitute House Bill (State Government, Tribal Relations & Elections):** *The committee recommended a different version of the bill than what was heard.* PRO: When the original mobilization act passed the fire service we believe that the intent was for it to include all hazards mobilization, but it was interpreted to be used for just fire mobilization. This has not been used since it was authorized, fire service has been very prudent and responsible with their use of resources. Please resist the temptation to put another sunset on this. This is an important bill to allow us to use fire expertise in major disasters to protect the citizens of the state.

**Persons Testifying (State Government, Tribal Relations & Elections):** PRO: Representative Dan Griffey, Prime Sponsor; Ryan Spiller, Fire Commissioners.

**Persons Signed In To Testify But Not Testifying (State Government, Tribal Relations & Elections):** No one.

**Staff Summary of Public Testimony on the Bill as Amended by State Government, Tribal Relations & Elections (Ways & Means):** PRO: Everyone loves this bill, but not everyone knows how to love it the right way. No fire service mobilization has been authorized for all risk resources. We urge your support for the version without a sunset date. We just want our disaster management resources to be able to respond to disaster to protect our citizens. Anytime you have sunset on a bill, you run the risk of losing the policy of the bill.

**Persons Testifying (Ways & Means):** PRO: Ryan Spiller, Washington Fire Commissioners; Dylan Doty, Washington Fire Chiefs.

**Persons Signed In To Testify But Not Testifying (Ways & Means):** No one.