

SENATE BILL REPORT

SB 5019

As Reported by Senate Committee On:
State Government, Tribal Relations & Elections, January 30, 2019
Ways & Means, February 25, 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: Senators Takko and Rivers.

Brief History:

Committee Activity: State Government, Tribal Relations & Elections: 1/25/19, 1/30/19 [DPS-WM].
Ways & Means: 2/12/19, 2/25/19 [DP2S].

Brief Summary of Second Substitute Bill

- Extends the expiration date to July 1, 2024, for expansion of the scope of fire services mobilization to include all-risk resources as well as annual reporting on the uses and costs for non-fire suppression emergencies and disasters.
- Restricts all risk resources from being mobilized to assist law enforcement with police activities during a civil protest or demonstration.

SENATE COMMITTEE ON STATE GOVERNMENT, TRIBAL RELATIONS & ELECTIONS

Majority Report: That Substitute Senate Bill No. 5019 be substituted therefor, and the substitute bill do pass and be referred to Committee on Ways & Means.

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

Staff: Melissa Van Gorkom (786-7491)

SENATE COMMITTEE ON WAYS & MEANS

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: That Second Substitute Senate Bill No. 5019 be substituted therefor, and the second substitute bill do pass.

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

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 Bill (Second Substitute): The July 1, 2019, expiration date on the changes to fire services mobilization is extended to July 1, 2024. The expanded definition of mobilization to include all-risk resources, and requirement for WSP to continue to report annually on the uses and costs of the mobilization plan for non-fire suppression emergencies and disasters, remain in place until the new expiration date.

All-risk resources regularly provided by fire authorities cannot be mobilized under the Washington State Fire Services Mobilization Plan to assist with police activities during a civil protest or demonstration.

EFFECT OF CHANGES MADE BY WAYS & MEANS COMMITTEE (Second Substitute):

- Extends the expiration date to July 1, 2024, for expansion of the scope of fire services mobilization to include all-risk resources as well as annual reporting on the uses and costs for non-fire suppression emergencies and disasters.
- Restricts all risk resources from being mobilized to assist law enforcement with police activities during a civil protest.

EFFECT OF CHANGES MADE BY STATE GOVERNMENT, TRIBAL RELATIONS & ELECTIONS COMMITTEE (First Substitute):

- Makes prior temporary changes to fire services mobilization permanent on July 1, 2019, including 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.

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 Original Bill (State Government, Tribal Relations & Elections): *The committee recommended a different version of the bill than what was heard.* PRO: While this has not been used yet, it needs to be available in case there is another emergency like the OSO landslide. The current system is a well vetted plan that includes the checks and balances necessary to ensure that it is not overused. Catastrophic incidents often quickly overwhelm local resources. This important tool allows the use of trained personnel and resources during these incidents.

Persons Testifying (State Government, Tribal Relations & Elections): PRO: Senator Dean Takko, Prime Sponsor; Steve Brooks, Washington Fire Chiefs Association; Ryan Spiller, Washington Fire Commissioners Association.

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

Staff Summary of Public Testimony on First Substitute (Ways & Means): *The committee recommended a different version of the bill than what was heard.* PRO: This bill has never been used. We could mobilize state resources if there was an emergency outside of a fire. This is for an emergency only. This bill will let us use our experienced personnel in emergency situations to help the state mobilize for emergencies other than fires.

Persons Testifying (Ways & Means): PRO: Senator Dean Takko, Prime Sponsor; Ryan Spiller, Washington Fire Commissioners.

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