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SENATE BILL 6363

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State of Washington

62nd Legislature

2012 Regular Session

By Senators Swecker and Pridemore

Read first time 01/19/12. Referred to Committee on Government Operations, Tribal Relations & Elections.

1 AN ACT Relating to state fire service mobilization; and amending  
2 RCW 43.43.960 and 43.43.961.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 43.43.960 and 2003 c 405 s 1 are each amended to read  
5 as follows:

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

8 (1) "Chief" means the chief of the Washington state patrol.

9 (2) "State fire marshal" means the director of fire protection in  
10 the Washington state patrol.

11 (3) "Fire chief" includes the chief officer of a statutorily  
12 authorized fire agency, or the fire chief's authorized representative.  
13 Also included are the department of natural resources fire control  
14 chief, and the department of natural resources regional managers.

15 (4) "Jurisdiction" means state, county, city, fire district,  
16 regional fire protection authority, or port district (~~(firefighting)~~)  
17 units, or other units covered by this chapter.

18 (5) "Mobilization" means (~~(that firefighting)~~) all risk resources  
19 regularly provided by fire departments, fire districts, and regional

1 fire protection authorities, beyond those available through existing  
2 agreements will be requested and, when available, sent in response to  
3 an emergency or disaster situation that has exceeded the capabilities  
4 of available local resources. During a large scale emergency,  
5 mobilization includes the redistribution of regional or statewide  
6 (~~firefighting~~) risk resources to either direct emergency incident  
7 assignments or to assignment in communities where (~~firefighting~~)  
8 resources are needed.

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

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

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

24 (7) "All risk resources" means those resources required to respond  
25 to incidents such as, but not limited to, wild land fires, earthquakes,  
26 floods, rescues, and contagious diseases.

27 **Sec. 2.** RCW 43.43.961 and 2003 c 405 s 2 are each amended to read  
28 as follows:

29 Because of the possibility of the occurrence of disastrous fires or  
30 other disasters of unprecedented size and destructiveness, the need to  
31 insure that the state is adequately prepared to respond to such a fire  
32 or disaster, the need to establish a mechanism and a procedure to  
33 provide for reimbursement to state agencies and local (~~firefighting~~)  
34 agencies that respond to help others in time of need or to a host fire  
35 district that experiences expenses beyond the resources of the fire  
36 district, and generally to protect the public peace, health, safety,

1 lives, and property of the people of Washington, it is hereby declared  
2 necessary to:

3 (1) Provide the policy and organizational structure for large scale  
4 mobilization of (~~firefighting~~) all risk resources in the state  
5 through creation of the Washington state fire services mobilization  
6 plan;

7 (2) Confer upon the chief the powers provided herein;

8 (3) Provide a means for reimbursement to state agencies and local  
9 fire jurisdictions that incur expenses when mobilized by the chief  
10 under the Washington state fire services mobilization plan; and

11 (4) Provide for reimbursement of the host fire department or fire  
12 protection district when it has: (a) Exhausted all of its resources;  
13 and (b) invoked its local mutual aid network and exhausted those  
14 resources. Upon implementation of state fire mobilization, the host  
15 district resources shall become state fire mobilization resources  
16 consistent with the fire mobilization plan.

17 It is the intent of the legislature that mutual aid and other  
18 interlocal agreements providing for enhanced emergency response be  
19 encouraged as essential to the public peace, safety, health, and  
20 welfare, and for the protection of the lives and property of the people  
21 of the state of Washington. If possible, mutual aid agreements should  
22 be without stated limitations as to resources available, time, or area.  
23 Nothing in this chapter shall be construed or interpreted to limit the  
24 eligibility of any nonhost fire protection authority for reimbursement  
25 of expenses incurred in providing (~~firefighting~~) all risk resources  
26 for mobilization.

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