
HOUSE BILL 2205

State of Washington

54th Legislature

1996 Regular Session

By Representatives McMorris, Hatfield, Goldsmith, Basich and L. Thomas

Read first time 01/08/96. Referred to Committee on Government Operations.

1 AN ACT Relating to definitions for emergency management; and
2 amending RCW 38.52.010.

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

4 **Sec. 1.** RCW 38.52.010 and 1995 c 391 s 2 are each amended to read
5 as follows:

6 As used in this chapter:

7 (1) "Emergency management" or "comprehensive emergency management"
8 means the preparation for and the carrying out of all emergency
9 functions, other than functions for which the military forces are
10 primarily responsible, to mitigate, prepare for, respond to, and
11 recover from emergencies and disasters, and to aid victims suffering
12 from injury or damage, resulting from disasters caused by all hazards,
13 whether natural or man-made, and to provide support for search and
14 rescue operations for persons and property in distress. However,
15 "emergency management" or "comprehensive emergency management" does not
16 mean preparation for emergency evacuation or relocation of residents in
17 anticipation of nuclear attack.

18 (2) "Local organization for emergency services or management" means
19 an organization created in accordance with the provisions of this

1 chapter by state or local authority to perform local emergency
2 management functions.

3 (3) "Political subdivision" means any county, city or town.

4 (4) "Emergency worker" means any person, including but not limited
5 to an architect registered under chapter 18.08 RCW or a professional
6 engineer registered under chapter 18.43 RCW, who is registered with a
7 local emergency management organization or the department and holds an
8 identification card issued by the local emergency management director
9 or the department for the purpose of engaging in authorized emergency
10 management activities or is an employee of the state of Washington or
11 any political subdivision thereof who is called upon to perform
12 emergency management activities.

13 (5) "Injury" as used in this chapter shall mean and include
14 accidental injuries and/or occupational diseases arising out of
15 emergency management activities.

16 (6)(a) "Emergency or disaster" as used in all sections of this
17 chapter except RCW 38.52.430 shall mean an event or set of
18 circumstances which: (i) Demands immediate action to preserve public
19 health, protect life, protect public property, or to provide relief to
20 any stricken community overtaken by such occurrences, or (ii) reaches
21 such a dimension or degree of destructiveness as to warrant the
22 governor declaring a state of emergency pursuant to RCW 43.06.010.

23 (b) "Emergency" as used in RCW 38.52.430 means an incident that
24 requires a normal police, coroner, fire, rescue, emergency medical
25 services, or utility response as a result of a violation of one of the
26 statutes enumerated in RCW 38.52.430.

27 (7) "Search ~~((and rescue))~~" means the act~~((s))~~ of looking or
28 searching for~~((, rescuing, or recovering by means of ground, marine, or~~
29 ~~air activity any))~~ a person ~~((who becomes))~~ reported lost, ~~((injured,~~
30 ~~or is killed while outdoors or as a result of a natural or man-made~~
31 ~~disaster))~~ missing, or overdue by means of ground, marine, or air
32 activity, including instances involving searches for downed aircraft
33 when ground personnel are used.

34 (8) "Rescue" means the act of reaching, stabilizing, treating, and
35 evacuating a person injured, killed, or deceased from: Outdoors or a
36 remote location; a marine environment; a collapsed structure; or a
37 downed aircraft. Nothing in this section shall affect appropriate
38 activity by the department of transportation under chapter 47.68 RCW.

1 (~~(8)~~) (9) "Executive head" and "executive heads" means the county
2 executive in those charter counties with an elective office of county
3 executive, however designated, and, in the case of other counties, the
4 county legislative authority. In the case of cities and towns, it
5 means the mayor.

6 (~~(9)~~) (10) "Director" means the adjutant general.

7 (~~(10)~~) (11) "Local director" means the director of a local
8 organization of emergency management or emergency services.

9 (~~(11)~~) (12) "Department" means the state military department.

10 (~~(12)~~) (13) "Emergency response" as used in RCW 38.52.430 means
11 a public agency's use of emergency services during an emergency or
12 disaster as defined in subsection (6)(b) of this section.

13 (~~(13)~~) (14) "Expense of an emergency response" as used in RCW
14 38.52.430 means reasonable costs incurred by a public agency in
15 reasonably making an appropriate emergency response to the incident,
16 but shall only include those costs directly arising from the response
17 to the particular incident. Reasonable costs shall include the costs
18 of providing police, coroner, fire fighting, rescue, emergency medical
19 services, or utility response at the scene of the incident, as well as
20 the salaries of the personnel responding to the incident.

21 (~~(14)~~) (15) "Public agency" means the state, and a city, county,
22 municipal corporation, district, or public authority located, in whole
23 or in part, within this state which provides or may provide fire
24 fighting, police, ambulance, medical, or other emergency services.

--- END ---