
HOUSE BILL 1171

State of Washington

55th Legislature

1997 Regular Session

By Representatives D. Schmidt, Scott and Dunshee; by request of
Military Department

Read first time 01/16/97. Referred to Committee on Government
Administration.

1 AN ACT Relating to emergency management; amending RCW 38.52.010,
2 38.52.030, 38.52.050, 38.52.070, 38.52.400, 38.52.420, 38.52.530,
3 38.54.020, 38.54.030, 38.54.040, and 38.54.050; and reenacting and
4 amending RCW 38.54.010.

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

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

8 As used in this chapter:

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

1 emergency evacuation or relocation of residents in anticipation of
2 nuclear attack.

3 (2) "Local organization for emergency services or management" means
4 an organization created in accordance with the provisions of this
5 chapter by state or local authority to perform local emergency
6 management functions.

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

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

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

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

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

31 (7) "Search and rescue" means the acts of searching for, rescuing,
32 or recovering by means of ground, marine, or air activity any person
33 who becomes lost, injured, or is killed while outdoors or as a result
34 of a natural (~~or man-made~~), technological, or human caused disaster,
35 including instances involving searches for downed aircraft when ground
36 personnel are used. Nothing in this section shall affect appropriate
37 activity by the department of transportation under chapter 47.68 RCW.

38 (8) "Executive head" and "executive heads" means the county
39 executive in those charter counties with an elective office of county

1 executive, however designated, and, in the case of other counties, the
2 county legislative authority. In the case of cities and towns, it
3 means the mayor in those cities and towns with mayor-council or
4 commission forms of government, where the mayor is directly elected,
5 and it means the city manager in those cities and towns with council
6 manager forms of government. Cities and towns may also designate an
7 executive head for the purposes of this chapter by ordinance.

8 (9) "Director" means the adjutant general.

9 (10) "Local director" means the director of a local organization of
10 emergency management or emergency services.

11 (11) "Department" means the state military department.

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

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

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

27 (15) "Incident command system" means: (a) An all-hazards, on-scene
28 functional management system that establishes common standards in
29 organization, terminology, and procedures; provides a means (unified
30 command) for the establishment of a common set of incident objectives
31 and strategies during multiagency/multijurisdiction operations while
32 maintaining individual agency/jurisdiction authority, responsibility,
33 and accountability; and is a component of the national interagency
34 incident management system; or (b) an equivalent and compatible all-
35 hazards, on-scene functional management system.

36 **Sec. 2.** RCW 38.52.030 and 1995 c 269 s 1201 are each amended to
37 read as follows:

1 (1) The director may employ such personnel and may make such
2 expenditures within the appropriation therefor, or from other funds
3 made available for purposes of emergency management, as may be
4 necessary to carry out the purposes of this chapter.

5 (2) The director, subject to the direction and control of the
6 governor, shall be responsible to the governor for carrying out the
7 program for emergency management of this state. The director shall
8 coordinate the activities of all organizations for emergency management
9 within the state, and shall maintain liaison with and cooperate with
10 emergency management agencies and organizations of other states and of
11 the federal government, and shall have such additional authority,
12 duties, and responsibilities authorized by this chapter, as may be
13 prescribed by the governor.

14 (3) The director shall develop and maintain a comprehensive, all-
15 hazard emergency plan for the state which shall include an analysis of
16 the natural (~~and man-caused~~), technological, or human caused hazards
17 which could affect the state of Washington, and shall include the
18 procedures to be used during emergencies for coordinating local
19 resources, as necessary, and the resources of all state agencies,
20 departments, commissions, and boards. The comprehensive emergency
21 management plan shall direct the department in times of state emergency
22 to administer and manage the state's emergency operations center. This
23 will include representation from all appropriate state agencies and be
24 available as a single point of contact for the authorizing of state
25 resources or actions, including emergency permits. The comprehensive
26 emergency management plan must specify the use of the incident command
27 system for multiagency/multijurisdiction operations. The
28 comprehensive, all-hazard emergency plan authorized under this
29 subsection may not include preparation for emergency evacuation or
30 relocation of residents in anticipation of nuclear attack. This plan
31 shall be known as the comprehensive emergency management plan.

32 (4) In accordance with the comprehensive emergency management plans
33 and the programs for the emergency management of this state, the
34 director shall procure supplies and equipment, institute training
35 programs and public information programs, and shall take all other
36 preparatory steps, including the partial or full mobilization of
37 emergency management organizations in advance of actual disaster, to
38 insure the furnishing of adequately trained and equipped forces of
39 emergency management personnel in time of need.

1 (5) The director shall make such studies and surveys of the
2 industries, resources, and facilities in this state as may be necessary
3 to ascertain the capabilities of the state for emergency management,
4 and shall plan for the most efficient emergency use thereof.

5 (6) The emergency management council shall advise the director on
6 all aspects of the communications and warning systems and facilities
7 operated or controlled under the provisions of this chapter.

8 (7) The director, through the state enhanced 911 coordinator, shall
9 coordinate and facilitate implementation and operation of a state-wide
10 enhanced 911 emergency communications network.

11 (8) The director shall appoint a state coordinator of search and
12 rescue operations to coordinate those state resources, services and
13 facilities (other than those for which the state director of
14 aeronautics is directly responsible) requested by political
15 subdivisions in support of search and rescue operations, and on request
16 to maintain liaison with and coordinate the resources, services, and
17 facilities of political subdivisions when more than one political
18 subdivision is engaged in joint search and rescue operations.

19 (9) The director, subject to the direction and control of the
20 governor, shall prepare and administer a state program for emergency
21 assistance to individuals within the state who are victims of a natural
22 (~~or man-made~~), technological, or human caused disaster, as defined by
23 RCW 38.52.010(6). Such program may be integrated into and coordinated
24 with disaster assistance plans and programs of the federal government
25 which provide to the state, or through the state to any political
26 subdivision thereof, services, equipment, supplies, materials, or funds
27 by way of gift, grant, or loan for purposes of assistance to
28 individuals affected by a disaster. Further, such program may include,
29 but shall not be limited to, grants, loans, or gifts of services,
30 equipment, supplies, materials, or funds of the state, or any political
31 subdivision thereof, to individuals who, as a result of a disaster, are
32 in need of assistance and who meet standards of eligibility for
33 disaster assistance established by the department of social and health
34 services: PROVIDED, HOWEVER, That nothing herein shall be construed in
35 any manner inconsistent with the provisions of Article VIII, section 5
36 or section 7 of the Washington state Constitution.

37 (10) The director shall appoint a state coordinator for radioactive
38 and hazardous waste emergency response programs. The coordinator shall
39 consult with the state radiation control officer in matters relating to

1 radioactive materials. The duties of the state coordinator for
2 radioactive and hazardous waste emergency response programs shall
3 include:

4 (a) Assessing the current needs and capabilities of state and local
5 radioactive and hazardous waste emergency response teams on an ongoing
6 basis;

7 (b) Coordinating training programs for state and local officials
8 for the purpose of updating skills relating to emergency mitigation,
9 preparedness, response, and recovery;

10 (c) Utilizing appropriate training programs such as those offered
11 by the federal emergency management agency, the department of
12 transportation and the environmental protection agency; and

13 (d) Undertaking other duties in this area that are deemed
14 appropriate by the director.

15 **Sec. 3.** RCW 38.52.050 and 1986 c 266 s 27 are each amended to read
16 as follows:

17 (1) The governor, through the director, shall have general
18 supervision and control of the emergency management functions in the
19 department, and shall be responsible for the carrying out of the
20 provisions of this chapter, and in the event of disaster beyond local
21 control, may assume direct operational control over all or any part of
22 the emergency management functions within this state.

23 (2) In performing his or her duties under this chapter, the
24 governor is authorized to cooperate with the federal government, with
25 other states, and with private agencies in all matters pertaining to
26 the emergency management of this state and of the nation.

27 (3) In performing his or her duties under this chapter and to
28 effect its policy and purpose, the governor is further authorized and
29 empowered:

30 (a) To make, amend, and rescind the necessary orders, rules, and
31 regulations to carry out the provisions of this chapter within the
32 limits of the authority conferred upon him herein, with due
33 consideration of the plans of the federal government;

34 (b) On behalf of this state, to enter into mutual aid arrangements
35 with other states and territories, or provinces of the Dominion of
36 Canada and to coordinate mutual aid (~~(plans)~~) interlocal agreements
37 between political subdivisions of this state;

1 (c) To delegate any administrative authority vested in him under
2 this chapter, and to provide for the subdelegation of any such
3 authority;

4 (d) To appoint, with the advice of local authorities, metropolitan
5 or regional area coordinators, or both, when practicable;

6 (e) To cooperate with the president and the heads of the armed
7 forces, the emergency management agency of the United States, and other
8 appropriate federal officers and agencies, and with the officers and
9 agencies of other states in matters pertaining to the emergency
10 management of the state and nation.

11 **Sec. 4.** RCW 38.52.070 and 1986 c 266 s 28 are each amended to read
12 as follows:

13 (1) Each political subdivision of this state is hereby authorized
14 and directed to establish a local organization or to be a member of a
15 joint local organization for emergency management in accordance with
16 the state comprehensive emergency management plan and program:
17 PROVIDED, That a political subdivision proposing such establishment
18 shall submit its plan and program for emergency management to the state
19 director and secure his or her recommendations thereon, and
20 ((certification for)) verification of consistency with the state
21 comprehensive emergency management plan, in order that the plan of the
22 local organization for emergency management may be coordinated with the
23 plan and program of the state. Local comprehensive emergency
24 management plans must specify the use of the incident command system
25 for multiagency/multijurisdiction operations. No political subdivision
26 may be required to include in its plan provisions for the emergency
27 evacuation or relocation of residents in anticipation of nuclear
28 attack. If the director's recommendations are adverse to the plan as
29 submitted, and, if the local organization does not agree to the
30 director's recommendations for modification to the proposal, the matter
31 shall be referred to the council for final action. The director may
32 authorize two or more political subdivisions to join in the
33 establishment and operation of a local organization or joint local
34 organization for emergency management as circumstances may warrant, in
35 which case each political subdivision shall contribute to the cost of
36 emergency management upon such fair and equitable basis as may be
37 determined upon by the executive heads of the constituent subdivisions.
38 If in any case the executive heads cannot agree upon the proper

1 division of cost the matter shall be referred to the council for
2 arbitration and its decision shall be final. When two or more
3 political subdivisions join in the establishment and operation of a
4 joint local organization for emergency management each shall pay its
5 share of the cost into a special pooled fund to be administered by the
6 treasurer of the most populous subdivision, which fund shall be known
7 as the emergency management fund. Each local organization
8 or joint local organization for emergency management shall have a
9 director who shall be appointed by the executive head of the political
10 subdivision, and who shall have direct responsibility for the
11 organization, administration, and operation of such local organization
12 for emergency management, subject to the direction and control of such
13 executive officer or officers. In the case of a jointly established
14 and operated organization for emergency management, the director shall
15 be appointed by the joint action of the executive heads of the
16 constituent political subdivisions. Each local organization or joint
17 local organization for emergency management shall perform emergency
18 management functions within the territorial limits of the political
19 subdivision within which it is organized, and, in addition, shall
20 conduct such functions outside of such territorial limits as may be
21 required pursuant to the provisions of this chapter.

22 (2) In carrying out the provisions of this chapter each political
23 subdivision, in which any disaster as described in RCW 38.52.020
24 occurs, shall have the power to enter into contracts and incur
25 obligations necessary to combat such disaster, protecting the health
26 and safety of persons and property, and providing emergency assistance
27 to the victims of such disaster. Each political subdivision is
28 authorized to exercise the powers vested under this section in the
29 light of the exigencies of an extreme emergency situation without
30 regard to time-consuming procedures and formalities prescribed by law
31 (excepting mandatory constitutional requirements), including, but not
32 limited to, budget law limitations, requirements of competitive bidding
33 and publication of notices, provisions pertaining to the performance of
34 public work, entering into contracts, the incurring of obligations, the
35 employment of temporary workers, the rental of equipment, the purchase
36 of supplies and materials, the levying of taxes, and the appropriation
37 and expenditures of public funds.

1 **Sec. 5.** RCW 38.52.400 and 1986 c 266 s 43 are each amended to read
2 as follows:

3 (1) The chief law enforcement officer of each political subdivision
4 shall be responsible for local search and rescue activities. Operation
5 of search and rescue activities shall be in accordance with state and
6 local operations plans adopted by the elected governing body of each
7 local political subdivision. These state and local plans must specify
8 the use of the incident command system for multiagency/
9 multijurisdiction search and rescue operations. The local emergency
10 management director shall notify the department of all search and
11 rescue missions. The local director of emergency management shall work
12 in a coordinating capacity directly supporting all search and rescue
13 activities in that political subdivision and in registering emergency
14 search and rescue workers for employee status. The chief law
15 enforcement officer of each political subdivision may restrict access
16 to a specific search and rescue area to personnel authorized by him.
17 Access shall be restricted only for the period of time necessary to
18 accomplish the search and rescue mission. No unauthorized person shall
19 interfere with a search and rescue mission.

20 (2) When search and rescue activities result in the discovery of a
21 deceased person or search and rescue workers assist in the recovery of
22 human remains, the chief law enforcement officer of the political
23 subdivision shall insure compliance with chapter ((68-08)) 68.50 RCW.

24 **Sec. 6.** RCW 38.52.420 and 1995 c 391 s 4 are each amended to read
25 as follows:

26 (1) The department, in consultation with appropriate federal
27 agencies, the departments of natural resources, fish and wildlife, and
28 ecology, representatives of local government, and any other person the
29 director may deem appropriate, shall ((develop)) assist in the
30 development of a model contingency plan, consistent with other plans
31 required for hazardous materials by federal and state law, to serve as
32 a draft plan for local governments which may be incorporated into the
33 state and local emergency management plans.

34 (2) The model contingency plan shall:

35 (a) Include specific recommendations for pollution control
36 facilities which are deemed to be most appropriate for the control,
37 collection, storage, treatment, disposal, and recycling of oil and

1 other spilled material and furthering the prevention and mitigation of
2 such pollution;

3 (b) Include recommendations for the training of local personnel
4 consistent with other training proposed, funded, or required by federal
5 or state laws for hazardous materials;

6 (c) Suggest cooperative training exercises between the public and
7 private sector consistent with other training proposed, funded, or
8 required by federal or state laws for hazardous materials;

9 (d) Identify federal and state laws requiring contingency or
10 management plans applicable or related to prevention of pollution,
11 emergency response capabilities, and hazardous waste management,
12 together with a list of funding sources that local governments may use
13 in development of their specific plans;

14 (e) Promote formal agreements between the department and local
15 entities for effective spill response; and

16 (f) Develop policies and procedures for the augmentation of
17 emergency services and agency spill response personnel through the use
18 of volunteers: PROVIDED, That no contingency plan may require the use
19 of volunteers by a responding responsible party without that party's
20 consent.

21 **Sec. 7.** RCW 38.52.530 and 1991 c 54 s 5 are each amended to read
22 as follows:

23 The enhanced 911 advisory committee is created to advise and assist
24 the state enhanced 911 coordinator in coordinating and facilitating the
25 implementation and operation of enhanced 911 throughout the state. The
26 director shall appoint members of the committee who represent diverse
27 geographical areas of the state and include state residents who are
28 members of the national emergency number association, the associated
29 public communications officers (~~northwest~~) Washington chapter, the
30 Washington state fire chiefs association, the Washington association of
31 sheriffs and police chiefs, the Washington state council of fire
32 fighters, the Washington state council of police officers, the
33 Washington ambulance association, the state fire protection policy
34 board, the Washington fire commissioners association, the Washington
35 state patrol, the association of Washington cities, the Washington
36 state association of counties, the utilities and transportation
37 commission or commission staff, and representatives of large and small

1 local exchange telephone companies. This section shall expire December
2 31, 2000.

3 **Sec. 8.** RCW 38.54.010 and 1995 c 391 s 5 and 1995 c 369 s 10 are
4 each reenacted and amended to read as follows:

5 Unless the context clearly requires otherwise, the definitions in
6 this section apply throughout this chapter.

7 (1) "Department" means the military department.

8 (2) "The adjutant general" means the adjutant general of the
9 military department.

10 (3) "State fire marshal" means the (~~assistant~~) director of (~~the~~
11 ~~division of~~) fire protection (~~services~~) in the Washington state
12 patrol.

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

17 (5) "Jurisdiction" means state, county, city, fire district, or
18 port district fire fighting units, or other units covered by this
19 chapter.

20 (6) "Mobilization" means that fire fighting resources beyond those
21 available through existing agreements will be requested and, when
22 available, sent in response to an emergency or disaster situation that
23 has exceeded the capabilities of available local resources. During a
24 large scale emergency, mobilization includes the redistribution of
25 regional or state-wide fire fighting resources to either direct
26 emergency incident assignments or to assignment in communities where
27 fire fighting resources are needed.

28 When mobilization is declared and authorized as provided in this
29 chapter, all fire fighting resources (~~except~~) including those of the
30 host fire protection authorities, i.e. incident jurisdiction, shall be
31 deemed as mobilized under this chapter, including those that responded
32 earlier under existing mutual aid or other agreement. All nonhost fire
33 protection authorities providing fire fighting resources in response to
34 a mobilization declaration shall be eligible for expense reimbursement
35 as provided by this chapter from the time of the mobilization
36 declaration.

1 This chapter shall not reduce or suspend the authority or
2 responsibility of the department of natural resources under chapter
3 76.04 RCW.

4 (7) "Mutual aid" means emergency interagency assistance provided
5 without compensation under an agreement between jurisdictions under
6 chapter 39.34 RCW.

7 **Sec. 9.** RCW 38.54.020 and 1995 c 391 s 6 are each amended to read
8 as follows:

9 Because of the possibility of the occurrence of disastrous fires or
10 other disasters of unprecedented size and destructiveness, the need to
11 insure that the state is adequately prepared to respond to such a fire
12 or disaster, the need to establish a mechanism and a procedure to
13 provide for reimbursement to fire fighting agencies that respond to
14 help others in time of need or to a host fire district that experiences
15 expenses beyond the resources of the fire district, and generally to
16 protect the public peace, health, safety, lives, and property of the
17 people of Washington, it is hereby declared necessary to:

18 (1) Provide the policy and organizational structure for large scale
19 mobilization of fire fighting resources in the state through creation
20 of the Washington state fire services mobilization plan;

21 (2) Confer upon the (~~director~~) adjutant general the powers
22 provided herein;

23 (3) Provide a means for reimbursement to fire jurisdictions that
24 incur expenses when mobilized by the (~~director~~) adjutant general
25 under the Washington state fire services mobilization plan; and

26 (4) Provide for reimbursement of host district fire fighting
27 resources when the local district has: (a) Exhausted all of its
28 resources; and (b) invoked its local mutual aid network and exhausted
29 those resources. Upon implementation of state fire mobilization, the
30 host district resources shall become state fire mobilization resources
31 consistent with the fire mobilization plan.

32 It is the intent of the legislature that mutual aid and other
33 interlocal agreements providing for enhanced emergency response be
34 encouraged as essential to the public peace, safety, health, and
35 welfare, and for the protection of the lives and property of the people
36 of the state of Washington. If possible, mutual aid agreements should
37 be without stated limitations as to resources available, time, or area.
38 Nothing in this chapter shall be construed or interpreted to limit the

1 eligibility of any nonhost fire protection authority for reimbursement
2 of expenses incurred in providing fire fighting resources for
3 mobilization.

4 **Sec. 10.** RCW 38.54.030 and 1995 c 269 s 1101 are each amended to
5 read as follows:

6 The state fire protection policy board shall review and make
7 recommendations to the ((~~director~~)) adjutant general on the refinement
8 and maintenance of the Washington state fire services mobilization
9 plan, which shall include the procedures to be used during fire and
10 other emergencies for coordinating local, regional, and state fire
11 jurisdiction resources. In carrying out this duty, the fire protection
12 policy board shall consult with and solicit recommendations from
13 representatives of state and local fire and emergency management
14 organizations, regional fire defense boards, and the department of
15 natural resources. The Washington state fire services mobilization
16 plan shall be consistent with, and made part of, the Washington state
17 comprehensive emergency management plan. The ((~~director~~)) adjutant
18 general shall review the fire services mobilization plan as submitted
19 by ((~~the state fire defense board and after consultation with~~)) the
20 fire protection policy board, recommend changes that may be necessary,
21 and approve the fire services mobilization plan for inclusion within
22 the state comprehensive emergency management plan.

23 It is the responsibility of the ((~~director~~)) adjutant general to
24 mobilize jurisdictions under the Washington state fire services
25 mobilization plan. The state fire marshal shall serve as the state
26 fire resources coordinator when the Washington state fire services
27 mobilization plan is mobilized.

28 **Sec. 11.** RCW 38.54.040 and 1992 c 117 s 12 are each amended to
29 read as follows:

30 Regions within the state are initially established as follows but
31 may be adjusted as necessary by the ((~~director~~)) state fire marshal:

32 (1) Northwest region - Whatcom, Skagit, Snohomish, San Juan, and
33 Island counties;

34 (2) Northeast region - Okanogan, Ferry, Stevens, Pend Oreille,
35 Spokane, and Lincoln counties;

36 (3) Olympic region - Clallam and Jefferson counties;

1 (4) South Puget Sound region - Kitsap, Mason, King, and Pierce
2 counties;

3 (5) Southeast region - Chelan, Douglas, Kittitas, Grant, Adams,
4 Whitman, Yakima, Klickitat, Benton, Franklin, Walla Walla, Columbia,
5 Garfield, and Asotin counties;

6 (6) Central region - Grays Harbor, Thurston, Pacific, and Lewis
7 counties; and

8 (7) Southwest region - Wahkiakum, Cowlitz, Clark, and Skamania
9 counties.

10 Within each of these regions there is created a regional fire
11 defense board. The regional fire defense boards shall consist of two
12 members from each county in the region. One member from each county
13 shall be appointed by the county fire chiefs' association or, in the
14 event there is no such county association, by the county's legislative
15 authority. Each county's office of emergency management or, in the
16 event there is no such office, the county's legislative authority shall
17 select the second representative to the regional board. The department
18 of natural resources fire control chief shall appoint a representative
19 from each department of natural resources region to serve as a member
20 of the appropriate regional fire defense board. Members of each
21 regional board will select a chairperson and secretary as officers.
22 Members serving on the regional boards do so in a voluntary capacity
23 and are not eligible for reimbursement for meeting-related expenses
24 from the state.

25 Regional defense boards shall develop regional fire service plans
26 that include provisions for organized fire agencies to respond across
27 municipal, county, or regional boundaries. Each regional plan shall be
28 consistent with the incident command system, the Washington state fire
29 services mobilization plan, and regional response plans already adopted
30 and in use in the state. The regional boards shall work with the
31 relevant local government entities to facilitate development of
32 intergovernmental agreements if any such agreements are required to
33 implement a regional fire service plan. Each regional plan shall be
34 approved by the ((state)) fire ((defense)) protection policy board
35 before implementation.

36 **Sec. 12.** RCW 38.54.050 and 1995 c 391 s 7 are each amended to read
37 as follows:

1 The department in consultation with the office of financial
2 management shall develop procedures to facilitate reimbursement to
3 jurisdictions from appropriate federal and state funds when
4 jurisdictions are mobilized by the ((~~director~~)) adjutant general under
5 the Washington state fire services mobilization plan. The department
6 shall ensure that these procedures provide reimbursement to the host
7 district in as timely a manner as possible.

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