

CERTIFICATION OF ENROLLMENT

**SUBSTITUTE HOUSE BILL 1171**

Chapter 49, Laws of 1997

55th Legislature  
1997 Regular Session

EMERGENCY MANAGEMENT

EFFECTIVE DATE: 7/27/97

Passed by the House February 19, 1997  
Yeas 97 Nays 0

CLYDE BALLARD  
**Speaker of the  
House of Representatives**

Passed by the Senate April 7, 1997  
Yeas 48 Nays 0

BRAD OWEN  
**President of the Senate**

Approved April 16, 1997

GARY LOCKE  
**Governor of the State of Washington**

CERTIFICATE

I, Timothy A. Martin, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 1171** as passed by the House of Representatives and the Senate on the dates hereon set forth.

TIMOTHY A. MARTIN  
**Chief Clerk**

FILED

April 16, 1997 - 6:39 p.m.

**Secretary of State  
State of Washington**

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**SUBSTITUTE HOUSE BILL 1171**

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Passed Legislature - 1997 Regular Session

**State of Washington**

**55th Legislature**

**1997 Regular Session**

**By** House Committee on Government Administration (originally sponsored by Representatives D. Schmidt, Scott and Dunshee; by request of Military Department)

Read first time 02/04/97.

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 joint local organization for emergency  
34 management as circumstances may warrant, in which case each political  
35 subdivision shall contribute to the cost of emergency management upon  
36 such fair and equitable basis as may be determined upon by the  
37 executive heads of the constituent subdivisions. If in any case the  
38 executive heads cannot agree upon the proper division of cost the

1 matter shall be referred to the council for arbitration and its  
2 decision shall be final. When two or more political subdivisions join  
3 in the establishment and operation of a joint local organization for  
4 emergency management each shall pay its share of the cost into a  
5 special pooled fund to be administered by the treasurer of the most  
6 populous subdivision, which fund shall be known as the . . . . .  
7 emergency management fund. Each local organization or joint local  
8 organization for emergency management shall have a director who shall  
9 be appointed by the executive head of the political subdivision, and  
10 who shall have direct responsibility for the organization,  
11 administration, and operation of such local organization for emergency  
12 management, subject to the direction and control of such executive  
13 officer or officers. In the case of a (~~jointly established and~~  
14 ~~operated~~) joint local organization for emergency management, the  
15 director shall be appointed by the joint action of the executive heads  
16 of the constituent political subdivisions. Each local organization or  
17 joint local organization for emergency management shall perform  
18 emergency management functions within the territorial limits of the  
19 political subdivision within which it is organized, and, in addition,  
20 shall conduct such functions outside of such territorial limits as may  
21 be 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 the host fire department or fire  
27 protection district (~~fire fighting resources~~) when (~~the local~~  
28 ~~district~~) it has: (a) Exhausted all of its resources; and (b) invoked  
29 its local mutual aid network and exhausted those resources. Upon  
30 implementation of state fire mobilization, the host district resources  
31 shall become state fire mobilization resources consistent with the fire  
32 mobilization plan.

33 It is the intent of the legislature that mutual aid and other  
34 interlocal agreements providing for enhanced emergency response be  
35 encouraged as essential to the public peace, safety, health, and  
36 welfare, and for the protection of the lives and property of the people  
37 of the state of Washington. If possible, mutual aid agreements should  
38 be without stated limitations as to resources available, time, or area.

1 Nothing in this chapter shall be construed or interpreted to limit the  
2 eligibility of any nonhost fire protection authority for reimbursement  
3 of expenses incurred in providing fire fighting resources for  
4 mobilization.

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

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

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

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

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

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

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

37 (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.

Passed the House February 19, 1997.

Passed the Senate April 7, 1997.

Approved by the Governor April 16, 1997.

Filed in Office of Secretary of State April 16, 1997.