
HOUSE BILL 1736

State of Washington

65th Legislature

2017 Regular Session

By Representatives Dye, Goodman, Dent, Koster, Griffey, Blake, Springer, Orwall, Kretz, Tharinger, and Tarleton

Read first time 01/27/17. Referred to Committee on Public Safety.

1 AN ACT Relating to the establishment of a premobilization
2 assistance program to assist local fire suppression entities on the
3 initial attack of a wildland fire; amending RCW 43.43.960; reenacting
4 and amending RCW 43.43.960; adding new sections to chapter 43.43 RCW;
5 providing an effective date; and providing an expiration date.

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

7 NEW SECTION. **Sec. 1.** A new section is added to chapter 43.43
8 RCW under the subchapter heading "state fire service mobilization" to
9 read as follows:

10 (1) The state fire marshal shall establish and manage a
11 premobilization assistance program designed to provide financial
12 assistance to local fire suppression entities for the cost of flying
13 or contracting for aircraft on the initial attack of wildland fires
14 or with the goal of preventing wildland fires from escalating to a
15 level where state fire mobilization is necessary or warranted.

16 (2) The state fire marshal must initially provide up to ten
17 thousand dollars per wildfire incident to the requesting local fire
18 suppression entity or entities for the cost of deploying aircraft
19 during the initial attack. If the cost exceeds ten thousand dollars,
20 the state fire marshal may approve additional funding up to ten
21 thousand dollars. However, total awards from the premobilization

1 assistance program may not exceed twenty thousand dollars per
2 wildfire incident.

3 (3) The state fire marshal is not required to provide funding to
4 the premobilization assistance program beyond the amount specifically
5 appropriated by the legislature for that purpose. The state fire
6 marshal must notify the local fire suppression entities when funding
7 for the premobilization assistance program is close to depletion.

8 (4) A local fire suppression entity may request reimbursement
9 from the state fire marshal under the premobilization assistance
10 program after deployment of aircraft during a wildfire incident
11 within the response area of the local fire suppression entity where
12 aircraft were used for initial attack.

13 (a) The local fire suppression entity must include with the
14 request copies of invoices documenting incurred expenses for aircraft
15 used in the initial attack.

16 (b) The state fire marshal must distribute funds from the
17 premobilization assistance program to the requesting local fire
18 suppression entity within thirty days of receipt of a request and
19 accompanying documentation of incurred expenses.

20 **Sec. 2.** RCW 43.43.960 and 2015 c 181 s 2 are each reenacted and
21 amended to read as follows:

22 (~~Unless the context clearly requires otherwise,~~) The
23 definitions in this section apply throughout this subchapter unless
24 the context clearly requires otherwise.

25 (1) "All risk resources" means those resources regularly provided
26 by fire departments, fire districts, and regional fire protection
27 service authorities required to respond to natural or man-made
28 incidents, including but not limited to:

- 29 (a) Wild land fires;
- 30 (b) Landslides;
- 31 (c) Earthquakes;
- 32 (d) Floods; and
- 33 (e) Contagious diseases.

34 (2) "Chief" means the chief of the Washington state patrol.

35 (3) "Fire chief" includes the chief officer of a statutorily
36 authorized fire agency, or the fire chief's authorized
37 representative. Also included are the department of natural resources
38 fire control chief, and the department of natural resources regional
39 managers.

1 (4) "Jurisdiction" means state, county, city, fire district,
2 regional fire protection service authority, or port district units,
3 or other units covered by this chapter.

4 (5) "Local fire suppression entity" means a city or county fire
5 department or district that is responsible for suppression of
6 wildland fires within its jurisdiction, that has access to state
7 mobilization, and has been issued a fire department identification
8 number by the state patrol's fire marshal's office.

9 (6) "Mobilization" means that all risk resources regularly
10 provided by fire departments, fire districts, and regional fire
11 protection service authorities beyond those available through
12 existing agreements will be requested and, when available, sent in
13 response to an emergency or disaster situation that has exceeded the
14 capabilities of available local resources. During a large scale
15 emergency, mobilization includes the redistribution of regional or
16 statewide risk resources to either direct emergency incident
17 assignments or to assignment in communities where resources are
18 needed. Fire department resources may not be mobilized to assist law
19 enforcement with police activities during a civil protest or
20 demonstration, however, fire departments, fire districts, and
21 regional fire protection service authorities are not restricted from
22 providing medical care or aid and firefighting when mobilized for any
23 purpose.

24 When mobilization is declared and authorized as provided in this
25 chapter, all risk resources regularly provided by fire departments,
26 fire districts, and regional fire protection service authorities
27 including those of the host fire protection authorities, i.e.
28 incident jurisdiction, shall be deemed as mobilized under this
29 chapter, including those that responded earlier under existing mutual
30 aid or other agreement. All nonhost fire protection authorities
31 providing resources in response to a mobilization declaration shall
32 be eligible for expense reimbursement as provided by this chapter
33 from the time of the mobilization declaration.

34 This chapter shall not reduce or suspend the authority or
35 responsibility of the department of natural resources under chapter
36 76.04 RCW.

37 ((+6+)) (7) "Mutual aid" means emergency interagency assistance
38 provided without compensation under an agreement between
39 jurisdictions under chapter 39.34 RCW.

1 (~~(7)~~) (8) "State fire marshal" means the director of fire
2 protection in the Washington state patrol.

3 **Sec. 3.** RCW 43.43.960 and 2003 c 405 s 1 are each amended to
4 read as follows:

5 (~~(Unless the context clearly requires otherwise,)~~) The
6 definitions in this section apply throughout this subchapter unless
7 the context clearly requires otherwise.

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
13 representative. Also included are the department of natural resources
14 fire control chief, and the department of natural resources regional
15 managers.

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

19 (5) "Local fire suppression entity" means a city or county fire
20 department or district that is responsible for suppression of
21 wildland fires within its jurisdiction, that has access to state
22 mobilization, and has been issued a fire department identification
23 number by the state patrol's fire marshal's office.

24 (6) "Mobilization" means that firefighting resources beyond those
25 available through existing agreements will be requested and, when
26 available, sent in response to an emergency or disaster situation
27 that has exceeded the capabilities of available local resources.
28 During a large scale emergency, mobilization includes the
29 redistribution of regional or statewide firefighting resources to
30 either direct emergency incident assignments or to assignment in
31 communities where firefighting resources are needed.

32 When mobilization is declared and authorized as provided in this
33 chapter, all firefighting resources including those of the host fire
34 protection authorities, i.e. incident jurisdiction, shall be deemed
35 as mobilized under this chapter, including those that responded
36 earlier under existing mutual aid or other agreement. All nonhost
37 fire protection authorities providing firefighting resources in
38 response to a mobilization declaration shall be eligible for expense

1 reimbursement as provided by this chapter from the time of the
2 mobilization declaration.

3 This chapter shall not reduce or suspend the authority or
4 responsibility of the department of natural resources under chapter
5 76.04 RCW.

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

9 NEW SECTION. **Sec. 4.** A new section is added to chapter 43.43
10 RCW under the subchapter heading "state fire service mobilization" to
11 read as follows:

12 Consistent with RCW 43.01.036, the state fire marshal must
13 provide a report to the appropriate committees of the legislature on
14 the use of the premobilization assistance program established in
15 section 1 of this act. The report is due by December 1, 2023, and
16 must include the following elements:

- 17 (1) How many districts requested resources from the program;
18 (2) Which districts requested resources from the program and the
19 name of each incident for which resources were requested; and
20 (3) A description of each incident for which premobilization
21 assistance program resources were requested including: Ignition date
22 and location, total number of acres burned, types of resources
23 deployed, and a timeline of key events.

24 NEW SECTION. **Sec. 5.** Section 2 of this act expires July 1,
25 2019.

26 NEW SECTION. **Sec. 6.** Section 3 of this act takes effect July 1,
27 2019.

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