
SUBSTITUTE HOUSE BILL 1019

State of Washington

65th Legislature

2017 Regular Session

By House Public Safety (originally sponsored by Representatives Dent, Goodman, Griffey, Blake, Dye, Short, Haler, Tharinger, Shea, and Chandler)

READ FIRST TIME 01/30/17.

1 AN ACT Relating to state fire services mobilization; amending RCW
2 43.43.960 and 43.43.965; reenacting and amending RCW 43.43.960;
3 providing an effective date; providing an expiration date; and
4 declaring an emergency.

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

6 **Sec. 1.** RCW 43.43.960 and 2015 c 181 s 2 are each reenacted and
7 amended to read as follows:

8 Unless the context clearly requires otherwise, the definitions in
9 this section apply throughout this subchapter.

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

- 14 (a) Wild land fires;
- 15 (b) Landslides;
- 16 (c) Earthquakes;
- 17 (d) Floods; and
- 18 (e) Contagious diseases.

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

20 (3) "Fire chief" includes the chief officer of a statutorily
21 authorized fire agency, or the fire chief's authorized

1 representative. Also included are the department of natural resources
2 fire control chief, and the department of natural resources regional
3 managers.

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

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

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

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

35 (6) "Mutual aid" means emergency interagency assistance provided
36 without compensation under an agreement between jurisdictions under
37 chapter 39.34 RCW.

38 (7) "State fire marshal" means the director of fire protection in
39 the Washington state patrol.

1 **Sec. 2.** RCW 43.43.960 and 2003 c 405 s 1 are each amended to
2 read as follows:

3 Unless the context clearly requires otherwise, the definitions in
4 this section apply throughout this subchapter.

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

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

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

13 (4) "Jurisdiction" means state, county, city, fire district, or
14 port district firefighting units, or other units covered by this
15 chapter.

16 (5) "Mobilization" means that firefighting resources beyond those
17 available through existing agreements will be requested and, when
18 available, sent in preparation of or in response to an emergency or
19 disaster situation that has exceeded or is predicted to exceed the
20 capabilities of available local resources. During a large scale
21 emergency, mobilization includes the redistribution of regional or
22 statewide firefighting resources to either direct emergency incident
23 assignments or to assignment in communities where firefighting
24 resources are needed.

25 When mobilization is declared and authorized as provided in this
26 chapter, all firefighting resources including those of the host fire
27 protection authorities, i.e. incident jurisdiction, shall be deemed
28 as mobilized under this chapter, including those that responded
29 earlier under existing mutual aid or other agreement. All nonhost
30 fire protection authorities providing firefighting resources in
31 response to a mobilization declaration shall be eligible for expense
32 reimbursement as provided by this chapter from the time of the
33 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) "Mutual aid" means emergency interagency assistance provided
38 without compensation under an agreement between jurisdictions under
39 chapter 39.34 RCW.

1 **Sec. 3.** RCW 43.43.965 and 2015 c 181 s 4 are each amended to
2 read as follows:

3 (1) The chief of the Washington state patrol must report on an
4 annual basis the following information for each emergency or disaster
5 in which the Washington state fire service mobilization plan was used
6 for purposes other than fire suppression, or for which resources were
7 prepositioned in anticipation of a disaster or emergency predicted to
8 exceed local capabilities, and reimbursement was made under RCW
9 43.43.961:

10 ~~((1))~~ (a) The type and nature of the disaster or emergency;

11 ~~((2))~~ (b) The reasons why the host jurisdiction and mutual aid
12 resources were exhausted, or in the case of prepositioning, were
13 predicted to be exhausted;

14 ~~((3))~~ (c) The additional risk resources and prepositioned
15 resources provided under the mobilization plan;

16 ~~((4))~~ (d) The cost incurred by the state patrol;

17 ~~((5))~~ (e) The amount of reimbursement made under RCW 43.43.961
18 to the host jurisdiction and to each nonhost jurisdiction providing
19 all risk resources or prepositioned resources; and

20 ~~((6))~~ (f) An assessment and any recommendations of actions that
21 can be taken by the host jurisdiction and its mutual aid network to
22 prevent future use of the fire mobilization plan for similar
23 disasters or emergencies.

24 (2) The chief of the Washington state patrol must update the
25 state mobilization plan to account for the authorization to send
26 resources in preparation of emergencies or disasters that are
27 predicted to exceed local resources.

28 NEW SECTION. **Sec. 4.** Sections 1 and 3 of this act expire July
29 1, 2019.

30 NEW SECTION. **Sec. 5.** Section 2 of this act takes effect July 1,
31 2019.

32 NEW SECTION. **Sec. 6.** Section 1 of this act is necessary for the
33 immediate preservation of the public peace, health, or safety, or
34 support of the state government and its existing public institutions,
35 and takes effect immediately.

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