**2228.E AMS WM S7151.1 - NOT FOR FLOOR USE**

**EHB 2228** - S COMM AMD

By Committee on Ways & Means

Strike everything after the enacting clause and insert the following:

"**Sec.**  RCW 43.43.960 and 2019 c 259 s 1 are each amended to read as follows:

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

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

(a) Wild land fires;

(b) Landslides;

(c) Earthquakes;

(d) Floods; and

(e) Contagious diseases.

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

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

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

(5) "Mobilization" means that all risk resources regularly provided by fire departments, fire districts, and regional fire protection service authorities beyond those available through existing agreements will be requested and, when available, sent in preparation of, or in response to, an emergency or disaster situation that has exceeded or is predicted to exceed the capabilities of available local resources. During a large scale emergency, mobilization includes the redistribution of regional or statewide risk resources to either direct emergency incident assignments or to assignment in communities where resources are needed. All risk resources may not be mobilized to assist law enforcement with police activities during a civil protest or demonstration, or other exercise by the people of their constitutionally protected First Amendment rights, or other protected concerted activity, however, fire departments, fire districts, and regional fire protection service authorities are not restricted from providing medical care or aid and firefighting when mobilized for any purpose. When the chief receives a request for a predeployment mobilization of risk resources to an emergency or disaster based on a wildland fire, the chief shall consider the available public and private resources in accordance with the approved Washington state fire service mobilization plan, and shall retain and deploy the resources that will provide the most effective and expeditious response.

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

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

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

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

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

The chief of the Washington state patrol must report on an annual basis the following information for each emergency or disaster in which the Washington state fire service mobilization plan was used ((~~for purposes other than fire suppression~~)), and reimbursement was made under RCW 43.43.961:

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

(2) The reasons why the host jurisdiction and mutual aid resources were exhausted, or why predeployment mobilization was needed;

(3) The additional risk resources provided under the mobilization plan;

(4) The cost incurred by the state patrol;

(5) The cost of all risk resources sent in preparation of, or in response to, an emergency or disaster situation that has exceeded or is predicted to exceed the capabilities of available local resources, indicating the cost both before and after deployment of all risk resources;

(6) The amount of reimbursement made under RCW 43.43.961 to the host jurisdiction and to each nonhost jurisdiction providing all risk resources; and

((~~(6)~~)) (7) An assessment and any recommendations of actions that can be taken by the host jurisdiction and its mutual aid network to prevent future use of the fire mobilization plan for similar disasters or emergencies."

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On page 1, line 2 of the title, after "resources;" strike the remainder of the title and insert "and amending RCW 43.43.960 and 43.43.965."

EFFECT: Requires that the chief annually report the reason and cost for each emergency or disaster in which the Washington state fire service mobilization plan was used, including all risk resources sent in preparation of, or in response to, an emergency or disaster situation that has exceeded or is predicted to exceed the capabilities of available local resources.

Requires the chief use available public and private resources in accordance with the approved Washington state fire service mobilization plan rather than public risk resources and resources available through the Department of Natural Resources master list.