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HOUSE BILL 1346

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State of Washington

54th Legislature

1995 Regular Session

By Representatives Foreman, Van Luven, Sheldon, Veloria, Jacobsen and Conway

Read first time 01/23/95. Referred to Committee on Government Operations.

1 AN ACT Relating to disaster assistance; amending RCW 38.52.005,  
2 38.52.020, 38.52.090, 38.54.010, 38.54.020, 38.54.030, and 38.54.050;  
3 reenacting and amending RCW 38.52.010; adding a new section to chapter  
4 38.52 RCW; adding a new section to chapter 41.04 RCW; creating a new  
5 section; and making an appropriation.

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

7 NEW SECTION. **Sec. 1.** A new section is added to chapter 38.52 RCW  
8 to read as follows:

9 (1) The governor, after proclaiming a state of emergency under RCW  
10 43.06.010 and prior to terminating such state of emergency, may, in the  
11 area described by the proclamation issue an order that allows moneys to  
12 be used to:

13 (a) Reimburse a local nonprofit organization up to twenty-five  
14 percent of the cost incurred providing food or shelter to individuals  
15 during the state of emergency;

16 (b) Reimburse a jurisdiction up to twenty-five percent of expenses  
17 incurred, during the state of emergency, that are beyond the resources  
18 of the jurisdiction; and

1 (c) Reimburse the jurisdiction's volunteer personnel up to twenty  
2 percent of lost wages as a result of volunteer activity during the  
3 state of emergency.

4 (2) The department, in consultation with the office of financial  
5 management shall develop procedures to identify and facilitate  
6 reimbursement of eligible costs from funds appropriated to the  
7 department for the purposes of this section.

8 (3) As used in this section, "jurisdiction" means a city, town,  
9 county, fire district, port district, public utility district, sewer  
10 district, or water district.

11 NEW SECTION. **Sec. 2.** A new section is added to chapter 41.04 RCW  
12 to read as follows:

13 (1) After proclamation of a state of emergency as provided in RCW  
14 43.06.010, a civil service employee of the state of Washington may be  
15 granted a leave of absence from work with pay and benefits, up to  
16 fifteen work days or one hundred twenty hours in any twelve-month  
17 period, to participate in specialized disaster relief services in the  
18 affected area, if the employee is either: (a) A certified disaster  
19 services volunteer of the American Red Cross; or (b) qualified to  
20 perform disaster relief services.

21 (2) The request for an employee's services must be made by the  
22 requesting organization and approved by that employee's state agency.  
23 During the granted leave of absence, the employee shall continue to  
24 accrue seniority, vacation time, and sick time. The state agency shall  
25 compensate an employee granted a leave of absence under this section at  
26 his or her regular rate of pay for those regular work hours during  
27 which the employee is absent from work.

28 (3) As used in this section "requesting organization" means a local  
29 government, the American Red Cross, or a local nonprofit organization  
30 involved in disaster relief services.

31 NEW SECTION. **Sec. 3.** Section 1 of this act applies retroactively  
32 to proclamations of a state of emergency under RCW 43.06.010, declared  
33 after July 1, 1994.

34 NEW SECTION. **Sec. 4.** The sum of two million dollars, or as much  
35 thereof as may be necessary, is appropriated for the biennium ending  
36 June 30, 1997, from the general fund to the department of community,

1 trade, and economic development for the purposes of section 1 of this  
2 act.

3 **Sec. 5.** RCW 38.52.005 and 1986 c 266 s 22 are each amended to read  
4 as follows:

5 The department of community, trade, and economic development shall  
6 administer the comprehensive emergency management program of the state  
7 of Washington as provided for in this chapter. All local  
8 organizations, organized and performing emergency management functions  
9 pursuant to RCW 38.52.070, may change their name and be called the  
10 . . . . . department/division of emergency management.

11 **Sec. 6.** RCW 38.52.010 and 1993 c 251 s 5 and 1993 c 206 s 1 are  
12 each reenacted and amended to read as follows:

13 As used in this chapter:

14 (1) "Emergency management" or "comprehensive emergency management"  
15 means the preparation for and the carrying out of all emergency  
16 functions, other than functions for which the military forces are  
17 primarily responsible, to mitigate, prepare for, respond to, and  
18 recover from emergencies and disasters, and to aid victims suffering  
19 from injury or damage, resulting from disasters caused by all hazards,  
20 whether natural or man-made, and to provide support for search and  
21 rescue operations for persons and property in distress. However,  
22 "emergency management" or "comprehensive emergency management" does not  
23 mean preparation for emergency evacuation or relocation of residents in  
24 anticipation of nuclear attack.

25 (2) "Local organization for emergency services or management" means  
26 an organization created in accordance with the provisions of this  
27 chapter by state or local authority to perform local emergency  
28 management functions.

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

30 (4) "Emergency worker" means any person, including but not limited  
31 to an architect registered under chapter 18.08 RCW or a professional  
32 engineer registered under chapter 18.43 RCW, who is registered with a  
33 local emergency management organization or the department of community,  
34 trade, and economic development and holds an identification card issued  
35 by the local emergency management director or the department of  
36 community, trade, and economic development for the purpose of engaging  
37 in authorized emergency management activities or is an employee of the

1 state of Washington or any political subdivision thereof who is called  
2 upon to perform emergency management activities.

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

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

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

17 (7) "Search and rescue" means the acts of searching for, rescuing,  
18 or recovering by means of ground, marine, or air activity any person  
19 who becomes lost, injured, or is killed while outdoors or as a result  
20 of a natural or man-made disaster, including instances involving  
21 searches for downed aircraft when ground personnel are used. Nothing  
22 in this section shall affect appropriate activity by the department of  
23 transportation under chapter 47.68 RCW.

24 (8) "Executive head" and "executive heads" means the county  
25 executive in those charter counties with an elective office of county  
26 executive, however designated, and, in the case of other counties, the  
27 county legislative authority. In the case of cities and towns, it  
28 means the mayor.

29 (9) "Director" means the director of community, trade, and economic  
30 development.

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

33 (11) "Department" means the department of community, trade, and  
34 economic development.

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

38 (13) "Expense of an emergency response" as used in RCW 38.52.430  
39 means reasonable costs incurred by a public agency in reasonably making

1 an appropriate emergency response to the incident, but shall only  
2 include those costs directly arising from the response to the  
3 particular incident. Reasonable costs shall include the costs of  
4 providing police, coroner, fire fighting, rescue, emergency medical  
5 services, or utility response at the scene of the incident, as well as  
6 the salaries of the personnel responding to the incident.

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

11 **Sec. 7.** RCW 38.52.020 and 1986 c 266 s 24 are each amended to read  
12 as follows:

13 (1) Because of the existing and increasing possibility of the  
14 occurrence of disasters of unprecedented size and destructiveness as  
15 defined in RCW 38.52.010(6), and in order to insure that preparations  
16 of this state will be adequate to deal with such disasters, to insure  
17 the administration of state and federal programs providing disaster  
18 relief to individuals, and further to insure adequate support for  
19 search and rescue operations, and generally to protect the public  
20 peace, health, and safety, and to preserve the lives and property of  
21 the people of the state, it is hereby found and declared to be  
22 necessary:

23 (a) To provide for emergency management by the state, and to  
24 authorize the creation of local organizations for emergency management  
25 in the political subdivisions of the state;

26 (b) To confer upon the governor and upon the executive heads of the  
27 political subdivisions of the state the emergency powers provided  
28 herein;

29 (c) To provide for the rendering of mutual aid among the political  
30 subdivisions of the state and with other states and to cooperate with  
31 the federal government with respect to the carrying out of emergency  
32 management functions;

33 (d) To provide a means of compensating emergency management workers  
34 who may suffer any injury, as herein defined, or death; who suffer  
35 economic harm including personal property damage or loss; or who incur  
36 expenses for transportation, telephone or other methods of  
37 communication, and the use of personal supplies as a result of  
38 participation in emergency management activities; ((and))

1 (e) To provide a means of compensating local nonprofit  
2 organizations for increased demand for their services as a result of  
3 the declared state of emergency; and

4 (f) To provide programs, with intergovernmental cooperation, to  
5 educate and train the public to be prepared for emergencies.

6 (2) It is further declared to be the purpose of this chapter and  
7 the policy of the state that all emergency management functions of this  
8 state and its political subdivisions be coordinated to the maximum  
9 extent with the comparable functions of the federal government  
10 including its various departments and agencies of other states and  
11 localities, and of private agencies of every type, to the end that the  
12 most effective preparation and use may be made of the nation's  
13 manpower, resources, and facilities for dealing with any disaster that  
14 may occur.

15 **Sec. 8.** RCW 38.52.090 and 1987 c 185 s 6 are each amended to read  
16 as follows:

17 (1) The director of each local organization for emergency  
18 management may, in collaboration with other public and private agencies  
19 within this state, develop or cause to be developed mutual aid  
20 arrangements for reciprocal emergency management aid and assistance in  
21 case of disaster too great to be dealt with unassisted. Such  
22 arrangements shall be consistent with the state emergency management  
23 plan and program, and in time of emergency it shall be the duty of each  
24 local organization for emergency management to render assistance in  
25 accordance with the provisions of such mutual aid arrangements. The  
26 director of community, trade, and economic development shall adopt and  
27 distribute a standard form of contract for use by local organizations  
28 in understanding and carrying out said mutual aid arrangements.

29 (2) The director of community, trade, and economic development and  
30 the director of each local organization for emergency management may,  
31 subject to the approval of the governor, enter into mutual aid  
32 arrangements with emergency management agencies or organizations in  
33 other states for reciprocal emergency management aid and assistance in  
34 case of disaster too great to be dealt with unassisted. All such  
35 arrangements shall be pursuant to either of the compacts contained in  
36 subsection (2) (a) or (b) of this section.

37 (a) The legislature recognizes that the compact language contained  
38 in this subsection is inadequate to meet many forms of emergencies.

1 For this reason, after June 7, 1984, the state may not enter into any  
2 additional compacts under this subsection (2)(a).

3 INTERSTATE CIVIL DEFENSE  
4 AND DISASTER COMPACT

5 The contracting States solemnly agree:

6 Article 1. The purpose of this compact is to provide mutual aid  
7 among the States in meeting any emergency or disaster from enemy attack  
8 or other cause (natural or otherwise) including sabotage and subversive  
9 acts and direct attacks by bombs, shellfire, and atomic, radiological,  
10 chemical, bacteriological means, and other weapons. The prompt, full  
11 and effective utilization of the resources of the respective States,  
12 including such resources as may be available from the United States  
13 Government or any other source, are essential to the safety, care and  
14 welfare of the people thereof in the event of enemy action or other  
15 emergency, and any other resources, including personnel, equipment or  
16 supplies, shall be incorporated into a plan or plans of mutual aid to  
17 be developed among the civil defense agencies or similar bodies of the  
18 States that are parties hereto. The Directors of Civil Defense  
19 (Emergency Services) of all party States shall constitute a committee  
20 to formulate plans and take all necessary steps for the implementation  
21 of this compact.

22 Article 2. It shall be the duty of each party State to formulate  
23 civil defense plans and programs for application within such State.  
24 There shall be frequent consultation between the representatives of the  
25 States and with the United States Government and the free exchange of  
26 information and plans, including inventories of any materials and  
27 equipment available for civil defense. In carrying out such civil  
28 defense plans and programs the party States shall so far as possible  
29 provide and follow uniform standards, practices and rules and  
30 regulations including:

31 (a) Insignia, arm bands and any other distinctive articles to  
32 designate and distinguish the different civil defense services;

33 (b) Blackouts and practice blackouts, air raid drills, mobilization  
34 of civil defense forces and other tests and exercises;

35 (c) Warnings and signals for drills or attacks and the mechanical  
36 devices to be used in connection therewith;

37 (d) The effective screening or extinguishing of all lights and  
38 lighting devices and appliances;

1 (e) Shutting off water mains, gas mains, electric power connections  
2 and the suspension of all other utility services;

3 (f) All materials or equipment used or to be used for civil defense  
4 purposes in order to assure that such materials and equipment will be  
5 easily and freely interchangeable when used in or by any other party  
6 State;

7 (g) The conduct of civilians and the movement and cessation of  
8 movement of pedestrians and vehicular traffic, prior, during, and  
9 subsequent to drills or attacks;

10 (h) The safety of public meetings or gatherings; and

11 (i) Mobile support units.

12 Article 3. Any party State requested to render mutual aid shall  
13 take such action as is necessary to provide and make available the  
14 resources covered by this compact in accordance with the terms hereof;  
15 provided that it is understood that the State rendering aid may  
16 withhold resources to the extent necessary to provide reasonable  
17 protection for such State. Each party State shall extend to the civil  
18 defense forces of any other party State, while operating within its  
19 State limits under the terms and conditions of this compact, the same  
20 powers (except that of arrest unless specifically authorized by the  
21 receiving State), duties, rights, privileges and immunities as if they  
22 were performing their duties in the State in which normally employed or  
23 rendering services. Civil defense forces will continue under the  
24 command and control of their regular leaders but the organizational  
25 units will come under the operational control of the civil defense  
26 authorities of the State receiving assistance.

27 Article 4. Whenever any person holds a license, certificate or  
28 other permit issued by any State evidencing the meeting of  
29 qualifications for professional, mechanical or other skills, such  
30 person may render aid involving such skill in any party State to meet  
31 an emergency or disaster and such State shall give due recognition to  
32 such license, certificate or other permit as if issued in the State in  
33 which aid is rendered.

34 Article 5. No party State or its officers or employees rendering  
35 aid in another State pursuant to this compact shall be liable on  
36 account of any act or omission in good faith on the part of such forces  
37 while so engaged, or on account of the maintenance or use of any  
38 equipment or supplies in connection therewith.

1 Article 6. Inasmuch as it is probable that the pattern and detail  
2 of the machinery for mutual aid among two or more states may differ  
3 from that appropriate among other States party hereto, this instrument  
4 contains elements of a broad base common to all States, and nothing  
5 herein contained shall preclude any State from entering into  
6 supplementary agreements with another State or States. Such  
7 supplementary agreements may comprehend, but shall not be limited to,  
8 provisions for evacuation and reception of injured and other persons,  
9 and the exchange of medical, fire, police, public utility,  
10 reconnaissance, welfare, transportation and communications personnel,  
11 equipment and supplies.

12 Article 7. Each party State shall provide for the payment of  
13 compensation and death benefits to injured members of the civil defense  
14 forces of that State and the representatives of deceased members of  
15 such forces in case such members sustain injuries or are killed while  
16 rendering aid pursuant to this compact, in the same manner and on the  
17 same terms as if the injury or death were sustained within such State.

18 Article 8. Any party State rendering aid in another State pursuant  
19 to this compact shall be reimbursed by the party State receiving such  
20 aid for any loss or damage to, or expense incurred in the operation of  
21 any equipment answering a request for aid, and for the cost incurred in  
22 connection with such requests; provided, that any aiding State may  
23 assume in whole or in part such loss, damage, expense, or other cost,  
24 or may loan such equipment or donate such services to the receiving  
25 party State without charge or cost; and provided further that any two  
26 or more party States may enter into supplementary agreements  
27 establishing a different allocation of costs as among those States.  
28 The United States Government may relieve the party State receiving aid  
29 from any liability and reimburse the party State supplying civil  
30 defense forces for the compensation paid to and the transportation,  
31 subsistence and maintenance expenses of such forces during the time of  
32 the rendition of such aid or assistance outside the State and may also  
33 pay fair and reasonable compensation for the use or utilization of the  
34 supplies, materials, equipment or facilities so utilized or consumed.

35 Article 9. Plans for the orderly evacuation and reception of the  
36 civilian population as the result of an emergency or disaster shall be  
37 worked out from time to time between representatives of the party  
38 States and the various local civil defense areas thereof. Such plans  
39 shall include the manner of transporting such evacuees, the number of

1 evacuees to be received in different areas, the manner in which food,  
2 clothing, housing, and medical care will be provided, the registration  
3 of the evacuees, the providing of facilities for the notification of  
4 relatives or friends and the forwarding of such evacuees to other areas  
5 or the bringing in of additional materials, supplies, and all other  
6 relevant factors. Such plans shall provide that the party State  
7 receiving evacuees shall be reimbursed generally for the out-of-pocket  
8 expenses incurred in receiving and caring for such evacuees, for  
9 expenditures for transportation, food, clothing, medicines and medical  
10 care and like items. Such expenditures shall be reimbursed by the  
11 party State of which the evacuees are residents, or by the United  
12 States Government under plans approved by it. After the termination of  
13 the emergency or disaster the party State of which the evacuees are  
14 resident shall assume the responsibility for the ultimate support or  
15 repatriation of such evacuees.

16 Article 10. This compact shall be available to any State,  
17 territory or possession of the United States, and the District of  
18 Columbia. The term "State" may also include any neighboring foreign  
19 country or province or state thereof.

20 Article 11. The committee established pursuant to Article 1 of  
21 this compact may request the Civil Defense Agency of the United States  
22 Government to act as an informational and coordinating body under this  
23 compact, and representatives of such agency of the United States  
24 Government may attend meetings of such committee.

25 Article 12. This compact shall become operative immediately upon  
26 its ratification by any State as between it and any other State or  
27 States so ratifying and shall be subject to approval by Congress unless  
28 prior Congressional approval has been given. Duly authenticated copies  
29 of this compact and of such supplementary agreements as may be entered  
30 into shall, at the time of their approval, be deposited with each of  
31 the party States and with the Civil Defense Agency and other  
32 appropriate agencies of the United States Government.

33 Article 13. This compact shall continue in force and remain  
34 binding on each party State until the legislature or the Governor of  
35 such party State takes action to withdraw therefrom. Such action shall  
36 not be effective until 30 days after notice thereof has been sent by  
37 the Governor of the party State desiring to withdraw to the Governors  
38 of all other party States.

1 Article 14. This compact shall be construed to effectuate the  
2 purposes stated in Article 1 hereof. If any provision of this compact  
3 is declared unconstitutional, or the applicability thereof to any  
4 person or circumstance is held invalid, the constitutionality of the  
5 remainder of this compact and the applicability thereof to other  
6 persons and circumstances shall not be effected thereby.

7 Article 15. (a) This Article shall be in effect only as among  
8 those states which have enacted it into law or in which the Governors  
9 have adopted it pursuant to constitutional or statutory authority  
10 sufficient to give it the force of law as part of this compact.  
11 Nothing contained in this Article or in any supplementary agreement  
12 made in implementation thereof shall be construed to abridge, impair or  
13 supersede any other provision of this compact or any obligation  
14 undertaken by a State pursuant thereto, except that if its terms so  
15 provide, a supplementary agreement in implementation of this Article  
16 may modify, expand or add to any such obligation as among the parties  
17 to the supplementary agreement.

18 (b) In addition to the occurrences, circumstances and subject  
19 matters to which preceding articles of this compact make it applicable,  
20 this compact and the authorizations, entitlements and procedures  
21 thereof shall apply to:

22 1. Searches for and rescue of person who are lost, marooned, or  
23 otherwise in danger.

24 2. Action useful in coping with disasters arising from any cause  
25 or designed to increase the capability to cope with any such disasters.

26 3. Incidents, or the imminence thereof, which endanger the health  
27 or safety of the public and which require the use of special equipment,  
28 trained personnel or personnel in larger numbers than are locally  
29 available in order to reduce, counteract or remove the danger.

30 4. The giving and receiving of aid by subdivisions of party  
31 States.

32 5. Exercises, drills or other training or practice activities  
33 designed to aid personnel to prepare for, cope with or prevent any  
34 disaster or other emergency to which this compact applies.

35 (c) Except as expressly limited by this compact or a supplementary  
36 agreement in force pursuant thereto, any aid authorized by this compact  
37 or such supplementary agreement may be furnished by any agency of a  
38 party State, a subdivision of such State, or by a joint agency  
39 providing such aid shall be entitled to reimbursement therefor to the

1 same extent and in the same manner as a State. The personnel of such  
2 a joint agency, when rendering aid pursuant to this compact shall have  
3 the same rights, authority and immunity as personnel of party States.

4 (d) Nothing in this Article shall be construed to exclude from the  
5 coverage of Articles 1-15 of this compact any matter which, in the  
6 absence of this Article, could reasonably be construed to be covered  
7 thereby.

8 (b) The compact language contained in this subsection (2)(b) is  
9 intended to deal comprehensively with emergencies requiring assistance  
10 from other states.

## 11 INTERSTATE MUTUAL AID COMPACT

### 12 Purpose

13 The purpose of this Compact is to provide voluntary assistance among  
14 participating states in responding to any disaster or imminent  
15 disaster, that over extends the ability of local and state governments  
16 to reduce, counteract or remove the danger. Assistance may include,  
17 but not be limited to, rescue, fire, police, medical, communication,  
18 transportation services and facilities to cope with problems which  
19 require use of special equipment, trained personnel or personnel in  
20 large numbers not locally available.

### 21 Authorization

22 Article I, Section 10 of the Constitution of the United States permits  
23 a state to enter into an agreement or compact with another state,  
24 subject to the consent of Congress. Congress, through enactment of  
25 Title 50 U.S.C. Sections 2281(g), 2283 and the Executive Department, by  
26 issuance of Executive Orders No. 10186 of December 1, 1950, encourages  
27 the states to enter into emergency, disaster and civil defense mutual  
28 aid agreements or pacts.

### 29 Implementation

30 It is agreed by participating states that the following conditions will  
31 guide implementation of the Compact:

32 1. Participating states through their designated officials are  
33 authorized to request and to receive assistance from a participating  
34 state. Requests will be granted only if the requesting state is  
35 committed to the mitigation of the emergency, and other resources are  
36 not immediately available.



1 officers, agents, or employees when performing their respective  
2 functions within the territorial limits of their respective political  
3 subdivisions, shall apply to them to the same degree and extent while  
4 engaged in the performance of any of their functions and duties extra-  
5 territorially under the provisions of this Agreement.

6 2. All privileges and immunities from liability, exemptions from  
7 law, ordinances, and rules, workers' compensation and other benefits  
8 which apply to duly enrolled or registered volunteers when performing  
9 their respective functions at the request of their state and within its  
10 territorial limits, shall apply to the same degree and extent while  
11 performing their functions extra-territorially under the provisions of  
12 this Agreement. Volunteers may include, but not be limited to,  
13 physicians, surgeons, nurses, dentists, structural engineers, and  
14 trained search and rescue volunteers.

15 3. The signatory states, their political subdivisions, municipal  
16 corporations and other public agencies shall hold harmless the  
17 corresponding entities and personnel thereof from the other state with  
18 respect to the acts and omissions of its own agents and employees that  
19 occur while providing assistance pursuant to the common plan.

20 4. Nothing in this arrangement shall be construed as repealing or  
21 impairing any existing Interstate Mutual Aid Agreements.

22 5. Upon enactment of this Agreement by two or more states, and by  
23 January 1, annually thereafter, the participating states will exchange  
24 with each other the names of officials designated to request and/or  
25 provide services under this arrangement. In accordance with the  
26 cooperative nature of this arrangement, it shall be permissible and  
27 desirable for the parties to exchange operational procedures to be  
28 followed in requesting assistance and reimbursing expenses.

29 6. This compact shall enter into force and become effective and  
30 binding upon the states so acting when it has been enacted into law by  
31 any two states. Thereafter, this compact shall enter into force and  
32 become effective and binding as to any other of said states upon  
33 similar action by such state.

34 7. This compact shall continue in force and remain binding upon a  
35 party state until it shall have enacted a statute repealing the same  
36 and providing for the sending of formal written notice of withdrawal  
37 from the compact to the appropriate official of all other party states.  
38 An actual withdrawal shall not take effect until the thirtieth  
39 consecutive day after the notice provided in the statute has been sent.

1 Such withdrawal shall not relieve the withdrawing state from its  
2 obligations assumed hereunder prior to the effective date of  
3 withdrawal.

4 **Sec. 9.** RCW 38.54.010 and 1992 c 117 s 9 are each amended to read  
5 as follows:

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

8 (1) "Department" means the department of community, trade, and  
9 economic development.

10 (2) "Director" means the director of (~~the department of~~)  
11 community, trade, and economic development.

12 (3) "State fire marshal" means the assistant director of the  
13 division of fire protection services in the department of community,  
14 trade, and economic development.

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

19 (5) "Jurisdiction" means state, county, city, fire district, or  
20 port district (~~{fire}~~) fire fighting units, or other units covered by  
21 this chapter.

22 (6) "Mobilization" means that fire fighting resources beyond those  
23 available through existing agreements will be requested and, when  
24 available, sent to fight a fire that has or soon will exceed the  
25 capabilities of available local resources. During a large scale fire  
26 emergency, mobilization includes redistribution of regional or state-  
27 wide fire fighting resources to either direct fire fighting assignments  
28 or to assignment in communities where fire fighting resources are  
29 needed. This chapter shall not reduce or suspend the authority or  
30 responsibility of the department of natural resources under chapter  
31 76.04 RCW.

32 (7) "Mutual aid" means emergency interagency assistance provided  
33 without compensation under (~~and [an]~~) an agreement between  
34 jurisdictions under chapter 39.34 RCW.

35 **Sec. 10.** RCW 38.54.020 and 1992 c 117 s 10 are each amended to  
36 read as follows:

1 Because of the possibility of the occurrence of disastrous fires or  
2 other disasters of unprecedented size and destructiveness, the need to  
3 insure that the state is adequately prepared to respond to such a fire  
4 or disaster, the need to establish a mechanism and a procedure to  
5 provide for reimbursement to fire fighting agencies that respond to  
6 help others in time of need or to a host fire district that experiences  
7 expenses beyond the resources of the fire district, and generally to  
8 protect the public peace, health, safety, lives, and property of the  
9 people of Washington, it is hereby declared necessary to:

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

13 (2) Confer upon the director of the department of community, trade,  
14 and economic development the powers provided herein; ((and))

15 (3) Provide a means for reimbursement to fire jurisdictions that  
16 incur expenses when mobilized by the director under the Washington  
17 state fire services mobilization plan; and

18 (4) Provide a means to reimburse the host fire district or its fire  
19 fighting personnel for expenses incurred that are beyond the resources  
20 of the host fire district. As used in this section, "host fire  
21 district" means a jurisdiction that receives fire fighting services  
22 under this chapter.

23 **Sec. 11.** RCW 38.54.030 and 1992 c 117 s 11 are each amended to  
24 read as follows:

25 There is created the state fire defense board consisting of the  
26 state fire marshal, a representative from the department of natural  
27 resources appointed by the commissioner of public lands, the assistant  
28 director of the emergency management division of the department of  
29 community, trade, and economic development, and one representative  
30 selected by each regional fire defense board in the state. Members of  
31 the state fire defense board shall select from among themselves a  
32 chairperson. Members serving on the board do so in a voluntary  
33 capacity and are not eligible for reimbursement for meeting-related  
34 expenses from the state.

35 The state fire defense board shall develop and maintain the  
36 Washington state fire services mobilization plan, which shall include  
37 the procedures to be used during fire emergencies for coordinating  
38 local, regional, and state fire jurisdiction resources. The Washington

1 state fire services mobilization plan shall be consistent with, and  
2 made part of, the Washington state comprehensive emergency management  
3 plan. The director shall review the fire services mobilization plan as  
4 submitted by the state fire defense board and after consultation with  
5 the fire protection policy board, recommend changes that may be  
6 necessary, and approve the fire services mobilization plan for  
7 inclusion within the state comprehensive emergency management plan.

8 It is the responsibility of the director to mobilize jurisdictions  
9 under the Washington state fire services mobilization plan. The state  
10 fire marshal shall serve as the state fire resources coordinator when  
11 the Washington state fire services mobilization plan is mobilized.

12 **Sec. 12.** RCW 38.54.050 and 1992 c 117 s 13 are each amended to  
13 read as follows:

14 The department of community, trade, and economic development in  
15 consultation with the office of financial management shall develop  
16 procedures to facilitate reimbursement to jurisdictions from  
17 appropriate federal and state funds when jurisdictions are mobilized by  
18 the director under the Washington state fire services mobilization  
19 plan.

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