
SUBSTITUTE SENATE BILL 6363

State of Washington

62nd Legislature

2012 Regular Session

By Senate Government Operations, Tribal Relations & Elections
(originally sponsored by Senators Swecker and Pridemore)

READ FIRST TIME 02/01/12.

1 AN ACT Relating to state fire service mobilization; and amending
2 RCW 43.43.960 and 43.43.961.

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

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

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

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

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

18 (5) "Mobilization" means (~~(that firefighting)~~) all risk resources
19 regularly provided by fire departments, fire districts, and regional

1 fire protection authorities, beyond those available through existing
2 agreements will be requested and, when available, sent in response to
3 an emergency or disaster situation that has exceeded the capabilities
4 of available local resources. During a large scale emergency,
5 mobilization includes the redistribution of regional or statewide
6 ((firefighting)) risk resources to either direct emergency incident
7 assignments or to assignment in communities where ((firefighting))
8 resources are needed.

9 When mobilization is declared and authorized as provided in this
10 chapter, all ((firefighting)) resources regularly provided by fire
11 departments, fire districts, and regional fire protection authorities
12 including those of the host fire protection authorities, i.e. incident
13 jurisdiction, shall be deemed as mobilized under this chapter,
14 including those that responded earlier under existing mutual aid or
15 other agreement. All nonhost fire protection authorities providing
16 ((firefighting)) resources in response to a mobilization declaration
17 shall be eligible for expense reimbursement as provided by this chapter
18 from the time of the mobilization declaration.

19 This chapter shall not reduce or suspend the authority or
20 responsibility of the department of natural resources under chapter
21 76.04 RCW.

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

25 (7) "All risk resources" means those resources regularly provided
26 by fire departments, fire districts, and regional fire protection
27 authorities required to respond to incidents such as, but not limited
28 to, wild land fires, earthquakes, floods, rescues, and contagious
29 diseases.

30 **Sec. 2.** RCW 43.43.961 and 2003 c 405 s 2 are each amended to read
31 as follows:

32 (1) Because of the possibility of the occurrence of disastrous
33 fires or other disasters of unprecedented size and destructiveness, the
34 need to insure that the state is adequately prepared to respond to such
35 a fire or disaster, the need to establish a mechanism and a procedure
36 to provide for reimbursement to state agencies and local
37 ((firefighting)) agencies that respond to help others in time of need

1 or to a host fire district that experiences expenses beyond the
2 resources of the fire district, and generally to protect the public
3 peace, health, safety, lives, and property of the people of Washington,
4 it is hereby declared necessary to:

5 ((+1)) (a) Provide the policy and organizational structure for
6 large scale mobilization of ((firefighting)) all risk resources in the
7 state through creation of the Washington state fire services
8 mobilization plan;

9 ((+2)) (b) Confer upon the chief the powers provided herein;

10 ((+3)) (c) Provide a means for reimbursement to state agencies and
11 local fire jurisdictions that incur expenses when mobilized by the
12 chief under the Washington state fire services mobilization plan; and

13 ((+4)) (d) Provide for reimbursement of the host fire department
14 or fire protection district when it has: ((+a)) (i) Exhausted all of
15 its resources; and ((+b)) (ii) invoked its local mutual aid network
16 and exhausted those resources. Upon implementation of state fire
17 mobilization, the host district resources shall become state fire
18 mobilization resources consistent with the fire mobilization plan.

19 (2) Reimbursement is not authorized for activities described in
20 chapter 38.56 RCW.

21 (3) It is the intent of the legislature that mutual aid and other
22 interlocal agreements providing for enhanced emergency response be
23 encouraged as essential to the public peace, safety, health, and
24 welfare, and for the protection of the lives and property of the people
25 of the state of Washington. If possible, mutual aid agreements should
26 be without stated limitations as to resources available, time, or area.
27 Nothing in this chapter shall be construed or interpreted to limit the
28 eligibility of any nonhost fire protection authority for reimbursement
29 of expenses incurred in providing ((firefighting)) all risk resources
30 for mobilization.

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