
SENATE BILL 6179

State of Washington

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By Senators Takko, Schoesler, Hunt, and Wagoner

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1 AN ACT Relating to the Washington search and rescue grant
2 program; reenacting and amending RCW 38.52.010; and adding a new
3 section to chapter 38.52 RCW.

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

5 **Sec. 1.** RCW 38.52.010 and 2019 c 471 s 2 and 2019 c 207 s 1 are
6 each reenacted and amended to read as follows:

7 As used in this chapter:

8 (1) "Broadcaster" means a person or entity that holds a license
9 issued by the federal communications commission under 47 C.F.R. Part
10 73, 74, 76, or 78.

11 (2)(a) "Catastrophic incident" means any natural or human-caused
12 incident, including terrorism and enemy attack, that results in
13 extraordinary levels of mass casualties, damage, or disruption
14 severely affecting the population, infrastructure, environment,
15 economy, or government functions.

16 (b) "Catastrophic incident" does not include an event resulting
17 from individuals exercising their rights, under the first amendment,
18 of freedom of speech, and of the people to peaceably assemble.

19 (3) "Communication plan," as used in RCW 38.52.070, means a
20 section in a local comprehensive emergency management plan that
21 addresses emergency notification of life safety information.

1 (4) "Continuity of government planning" means the internal effort
2 of all levels and branches of government to provide that the
3 capability exists to continue essential functions and services
4 following a catastrophic incident. These efforts include, but are not
5 limited to, providing for: (a) Orderly succession and appropriate
6 changes of leadership whether appointed or elected; (b) filling
7 vacancies; (c) interoperability communications; and (d) processes and
8 procedures to reconvene government following periods of disruption
9 that may be caused by a catastrophic incident. Continuity of
10 government planning is intended to preserve the constitutional and
11 statutory authority of elected officials at the state and local level
12 and provide for the continued performance of essential functions and
13 services by each level and branch of government.

14 (5) "Continuity of operations planning" means the internal effort
15 of an organization to provide that the capability exists to continue
16 essential functions and services in response to a comprehensive array
17 of potential emergencies or disasters.

18 (6) "Department" means the state military department.

19 (7) "Director" means the adjutant general.

20 (8) "Emergency management" or "comprehensive emergency
21 management" means the preparation for and the carrying out of all
22 emergency functions, other than functions for which the military
23 forces are primarily responsible, to mitigate, prepare for, respond
24 to, and recover from emergencies and disasters, and to aid victims
25 suffering from injury or damage, resulting from disasters caused by
26 all hazards, whether natural, technological, or human caused, and to
27 provide support for search and rescue operations for persons and
28 property in distress. However, "emergency management" or
29 "comprehensive emergency management" does not mean preparation for
30 emergency evacuation or relocation of residents in anticipation of
31 nuclear attack.

32 (9) (a) "Emergency or disaster" as used in all sections of this
33 chapter except RCW 38.52.430 means an event or set of circumstances
34 which: (i) Demands immediate action to preserve public health,
35 protect life, protect public property, or to provide relief to any
36 stricken community overtaken by such occurrences; or (ii) reaches
37 such a dimension or degree of destructiveness as to warrant the
38 governor proclaiming a state of emergency pursuant to RCW 43.06.010.

39 (b) "Emergency" as used in RCW 38.52.430 means an incident that
40 requires a normal police, coroner, fire, rescue, emergency medical

1 services, or utility response as a result of a violation of one of
2 the statutes enumerated in RCW 38.52.430.

3 (10) "Emergency response" as used in RCW 38.52.430 means a public
4 agency's use of emergency services during an emergency or disaster as
5 defined in subsection (9) (b) of this section.

6 (11) "Emergency worker" means any person who is registered with a
7 local emergency management organization or the department (~~and~~),
8 holds an identification card issued by the local emergency management
9 director or the department for the purpose of engaging in authorized
10 emergency management activities (~~or is an employee of the state of
11 Washington or any political subdivision thereof who is called upon to
12 perform emergency management activities~~), and is not receiving or
13 expecting to receive any compensation for serving as an emergency
14 worker from a federal, state, or local governmental agency except as
15 expressly authorized in this chapter.

16 (12) "Executive head" and "executive heads" means the county
17 executive in those charter counties with an elective office of county
18 executive, however designated, and, in the case of other counties,
19 the county legislative authority. In the case of cities and towns, it
20 means the mayor in those cities and towns with mayor-council or
21 commission forms of government, where the mayor is directly elected,
22 and it means the city manager in those cities and towns with council
23 manager forms of government. Cities and towns may also designate an
24 executive head for the purposes of this chapter by ordinance.

25 (13) "Expense of an emergency response" as used in RCW 38.52.430
26 means reasonable costs incurred by a public agency in reasonably
27 making an appropriate emergency response to the incident, but shall
28 only include those costs directly arising from the response to the
29 particular incident. Reasonable costs shall include the costs of
30 providing police, coroner, firefighting, rescue, emergency medical
31 services, or utility response at the scene of the incident, as well
32 as the salaries of the personnel responding to the incident.

33 (14) "First informer broadcaster" means an individual who:

34 (a) Is employed by, or acting pursuant to a contract under the
35 direction of, a broadcaster; and

36 (b) (i) Maintains, including repairing or resupplying,
37 transmitters, generators, or other essential equipment at a broadcast
38 station or facility; or (ii) provides technical support services to
39 broadcasters needed during a period of proclaimed emergency.

1 (15) "Incident command system" means: (a) An all-hazards, on-
2 scene functional management system that establishes common standards
3 in organization, terminology, and procedures; provides a means
4 (unified command) for the establishment of a common set of incident
5 objectives and strategies during multiagency/multijurisdiction
6 operations while maintaining individual agency/jurisdiction
7 authority, responsibility, and accountability; and is a component of
8 the national interagency incident management system; or (b) an
9 equivalent and compatible all-hazards, on-scene functional management
10 system.

11 (16) "Injury" as used in this chapter shall mean and include
12 accidental injuries and/or occupational diseases arising out of
13 emergency management activities.

14 (17) "Life safety information" means information provided to
15 people during a response to a life-threatening emergency or disaster
16 informing them of actions they can take to preserve their safety.
17 Such information may include, but is not limited to, information
18 regarding evacuation, sheltering, sheltering-in-place, facility
19 lockdown, and where to obtain food and water.

20 (18) "Local director" means the director of a local organization
21 of emergency management or emergency services.

22 (19) "Local organization for emergency services or management"
23 means an organization created in accordance with the provisions of
24 this chapter by state or local authority to perform local emergency
25 management functions.

26 (20) "Political subdivision" means any county, city or town.

27 (21) "Public agency" means the state, and a city, county,
28 municipal corporation, district, town, or public authority located,
29 in whole or in part, within this state which provides or may provide
30 firefighting, police, ambulance, medical, or other emergency
31 services.

32 (22) "Radio communications service company" has the meaning
33 ascribed to it in RCW 82.14B.020.

34 (23) "Search and rescue" means the acts of searching for,
35 rescuing, or recovering by means of ground, marine, or air activity
36 any person who becomes lost, injured, or is killed while outdoors or
37 as a result of a natural, technological, or human caused disaster,
38 including instances involving searches for downed aircraft when
39 ground personnel are used. Nothing in this section shall affect

1 appropriate activity by the department of transportation under
2 chapter 47.68 RCW.

3 (24) "Search and rescue organization" means a Washington domestic
4 nonprofit corporation organized under chapter 24.03 RCW and
5 registered with the Washington secretary of state, whose primary
6 purpose is search and rescue, has its principal place of business
7 established in a political subdivision of the state of Washington, is
8 formally recognized by the local emergency management organization of
9 that political subdivision as being available for participation in
10 search and rescue activities consistent with RCW 38.52.400, and whose
11 members are registered as emergency workers with the political
12 subdivision.

13 NEW SECTION. Sec. 2. A new section is added to chapter 38.52
14 RCW to read as follows:

15 (1) Subject to the availability of amounts appropriated for this
16 specific purpose, the search and rescue grant program is established.
17 The department shall administer the program. The department may adopt
18 rules, in consultation with the emergency management council, to
19 administer the search and rescue grant program.

20 (2) The search and rescue account is created in the state
21 treasury. All receipts from legislative appropriations, donations,
22 gifts, grants, or funds directed to the account from other public or
23 private sources must be deposited in the account. Moneys in the
24 account may be spent only after appropriation. Expenditures from the
25 account may only be used by the department to provide grants to
26 search and rescue organizations for anticipated planning, equipment,
27 training, exercise, and operations.

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