

(2) Five percent to a veteran who is receiving any veterans retirement payments and said percentage shall be utilized in said veteran's ((first)) competitive examination only and not in any promotional examination until one of such examinations results in said veteran's first appointment: PROVIDED, That said percentage shall not be utilized in any promotional examination;

(3) Five percent to a veteran who, after having previously received employment with the state or any of its political subdivisions or municipal corporations, shall be called, or recalled, to active military service for a period of one year, or more, during any period of war, for his first promotional examination only, upon compliance with RCW 73.16.035 as it now exists or may hereafter be amended;

(4) There shall be no examination preferences other than those which have been specifically provided for above and all preferences above specified in (1), (2) and (3) must be claimed by a veteran within ((five)) eight years of the date of his release from active service.

Passed the House January 31, 1974.
Passed the Senate April 19, 1974.
Approved by the Governor May 5, 1974.
Filed in Office of Secretary of State May 5, 1974.

CHAPTER 171

[House Bill No. 1183]

EMERGENCY SERVICES

AN ACT Relating to emergency services; amending section 2, chapter 24, Laws of 1971 and RCW 28A.24.172; amending section 35A.38.010, chapter 119, Laws of 1967 ex. sess. and RCW 35A.38.010; amending section 3, chapter 252, Laws of 1969 ex. sess. and RCW 36.32.440; amending section 3, chapter 178, Laws of 1951 as last amended by section 1, chapter 203, Laws of 1967 and RCW 38.52.010; amending section 2, chapter 178, Laws of 1951 as last amended by section 2, chapter 203, Laws of 1967 and RCW 38.52.020; amending section 5, chapter 178, Laws of 1951 and RCW 38.52.040; amending section 6, chapter 178, Laws of 1951 and RCW 38.52.050; amending section 7, chapter 178, Laws of 1951 and RCW 38.52.060; amending section 8, chapter 178, Laws of 1951 and RCW 38.52.070; amending section 9, chapter 178, Laws of 1951 and RCW 38.52.080; amending section 10, chapter 178, Laws of 1951 and RCW 38.52.090; amending section 12, chapter 178, Laws of 1951 and RCW 38.52.100; amending section 13, chapter 178, Laws of 1951 as

last amended by section 1, chapter 8, Laws of 1971 ex. sess. and RCW 38.52.110; amending section 14, chapter 178, Laws of 1951 and RCW 38.52.120; amending section 15, chapter 178, Laws of 1951 as amended by section 2, chapter 145, Laws of 1953 and RCW 38.52.130; amending section 16, chapter 178, Laws of 1951 and RCW 38.52.140; amending section 18, chapter 178, Laws of 1951 and RCW 38.52.150; amending section 19, chapter 178, Laws of 1951 and RCW 38.52.160; amending section 20, chapter 178, Laws of 1951 and RCW 38.52.170; amending section 11, chapter 178, Laws of 1951 as last amended by section 2, chapter 8, Laws of 1971 ex. sess. and RCW 38.52.180; amending section 3, chapter 223, Laws of 1953 and RCW 38.52.190; amending section 7, chapter 8, Laws of 1971 ex. sess. and RCW 38.52.195; amending section 9, chapter 223, Laws of 1953 and RCW 38.52.200; amending section 4, chapter 8, Laws of 1971 ex. sess. and RCW 38.52.205; amending section 5, chapter 8, Laws of 1971 ex. sess. and RCW 38.52.207; amending section 4, chapter 223, Laws of 1953 and RCW 38.52.210; amending section 7, chapter 223, Laws of 1953 and RCW 38.52.240; amending section 8, chapter 223, Laws of 1953 and RCW 38.52.250; amending section 10, chapter 223, Laws of 1953 and RCW 38.52.260; amending section 11, chapter 223, Laws of 1953 and RCW 38.52.270; amending section 12, chapter 223, Laws of 1953 and RCW 38.52.280; amending section 13, chapter 223, Laws of 1953 as amended by section 71, chapter 289, Laws of 1971 ex. sess. and RCW 38.52.290; amending section 15, chapter 223, Laws of 1953 and RCW 38.52.310; amending section 16, chapter 223, Laws of 1953 and RCW 38.52.320; amending section 17, chapter 223, Laws of 1953 as amended by section 72, chapter 289, Laws of 1971 ex. sess. and RCW 38.52.330; amending section 18, chapter 223, Laws of 1953 and RCW 38.52.340; amending section 19, chapter 223, Laws of 1953 and RCW 38.52.350; amending section 20, chapter 223, Laws of 1953 and RCW 38.52.360; amending section 21, chapter 223, Laws of 1953 and RCW 38.52.370; amending section 22, chapter 223, Laws of 1953 and RCW 38.52.380; amending section 1, chapter 178, Laws of 1951 and RCW 38.52.900; amending section 43.31.200, chapter 8, Laws of 1965 and RCW 43.31.200; amending section 46.16.340, chapter 12, Laws of 1961 as amended by section 23, chapter 32, Laws of 1967 and RCW 46.16.340; amending section 1, chapter 20, Laws of 1971 and RCW 51.12.035; amending section 1, chapter 142, Laws of 1947 and RCW 73.04.090; amending section 3, chapter 45, Laws of 1970 ex. sess. and RCW 80.50.030; and repealing section 3, chapter 6, Laws of 1972 ex. sess. and RCW

38.52.007; and enacting the interstate civil defense and disaster compact.

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

Section 1. Section 2, chapter 24, Laws of 1971 and RCW 28A.24.172 are each amended to read as follows:

Each school district board shall determine its own policy as to whether or not its school buses will be rented or leased for the purposes of RCW 28A.24.170, and if the board decision is to rent or lease, under what conditions, subject to the following:

(1) Such renting or leasing may take place only after the state director of ((civil defense)) emergency services or any of his agents so authorized has, at the request of an involved governmental agency, declared that an emergency exists in a designated area insofar as the need for additional transport is concerned.

(2) The agency renting or leasing the school buses must agree, in writing, to reimburse the school district for all costs and expenses related to their use and also must provide an indemnity agreement protecting the district against any type of claim or legal action whatsoever, including all legal costs incident thereto.

Sec. 2. Section 35A.38.010, chapter 119, Laws of 1967 ex. sess. and RCW 35A.38.010 are each amended to read as follows:

A code city may participate in the creation of local organizations for ((civil defense)) emergency services, provide for mutual aid, and exercise all of the powers and privileges and perform all of the functions and duties, and the officers and employees thereof shall have the same powers, duties, rights, privileges and immunities as any city of any class, and the employees thereof, have in connection with ((civil defense)) emergency services as provided in chapter 38.52 RCW in the manner provided by said chapters or by general law.

Sec. 3. Section 3, chapter 252, Laws of 1969 ex. sess. and RCW 36.32.440 are each amended to read as follows:

The board of county commissioners of the several counties may employ such staff as deemed appropriate to serve the several boards directly in matters including but not limited to purchasing, poverty and relief programs, parks and recreation, ((civilian defense)) emergency services, budgetary preparations set forth in RCW 36.40.010-.050, code enforcement and general administrative coordination. Such authority shall in no way infringe upon or relieve the county auditor of responsibilities contained in RCW 36.22.010 (9) and RCW 36.22.020.

Sec. 4. Section 3, chapter 178, Laws of 1951 as last amended by section 1, chapter 203, Laws of 1967 and RCW 38.52.010 are each amended to read as follows:

As used in this chapter:

(1) ("Civil defense") "Emergency services" means the preparation for and the carrying out of all emergency functions, other than functions for which the military forces are primarily responsible, to minimize and repair injury and damage resulting from disasters caused by enemy attack, sabotage, or other hostile action, or by fire, flood, storm, earthquake, or other natural causes, and to provide support for search and rescue operations for persons and property in distress. These functions include, without limitation, fire fighting services, police services, medical and health services, rescue, engineering, air raid warning services, communications, radiological, chemical and other special weapons defense, evacuation of persons from stricken areas, emergency welfare services, emergency transportation, existing or properly assigned functions of plant protection, temporary restoration of public utility services and other functions related to civilian protection, together with all other activities necessary or incidental to the preparation and for carrying out of the foregoing functions.

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

(3) "Mobile support unit" means an organization for ((civil defense)) emergency services created in accordance with the provisions of this chapter by state or local authority to be dispatched by the governor to supplement local organizations for ((civil defense)) emergency services in stricken areas.

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

(5) "((Civil defense)) Emergency services worker" means any person who is registered with a state or local ((civil defense)) emergency services organization and holds an identification card issued by the state or local ((civil defense)) emergency services director for the purpose of engaging in authorized ((civil defense)) emergency services or is an employee of the state of Washington or any political subdivision thereof who is called upon to perform ((civil defense)) emergency services.

(6) ("Civil defense service" means and includes all activities authorized by and carried on pursuant to the provisions of the Washington civil defense act of 1954, including training necessary or proper to engage in such activities:

{7}) "Injury" as used in this chapter shall mean and include accidental injuries and/or occupational diseases arising out of ((civil defense)) emergency services.

Sec. 5. Section 2, chapter 178, Laws of 1951 as last amended by section 2, chapter 203, Laws of 1967 and RCW 38.52.020 are each amended to read as follows:

(1) Because of the existing and increasing possibility of the occurrence of disasters of unprecedented size and destructiveness resulting from enemy attack, sabotage or other hostile action, or from fire, flood, storm, earthquake, or other natural causes, and in order to insure that preparations of this state will be adequate to deal with such disasters, and further to insure adequate support for search and rescue operations, and generally to provide for the common defense and to protect the public peace, health, and safety, and to preserve the lives and property of the people of the state, it is hereby found and declared to be necessary:

(a) To create a state ((civil defense agency)) department of emergency services, and to authorize the creation of local organizations for ((civil defense)) emergency services in the political subdivisions of the state;

(b) To confer upon the governor and upon the executive heads of the political subdivisions of the state the emergency powers provided herein:

(c) To provide for the rendering of mutual aid among the political subdivisions of the state and with other states and to cooperate with the federal government with respect to the carrying out of ((civil defense)) emergency services functions; and

(d) To provide a means of compensating ((civil defense)) emergency services workers who may suffer any injury as herein defined as a result of participation in ((civil defense)) emergency services.

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

Sec. 6. Section 5, chapter 178, Laws of 1951 and RCW 38.52.040 are each amended to read as follows:

There is hereby created a ((civil defense)) emergency services council (hereinafter called the council), to consist of not less than seven nor more than fifteen members who shall be appointed by the governor. The council shall advise the governor and the director on all matters pertaining to ((civil defense)) emergency services. The

governor shall serve as chairman of the council, and the members thereof shall serve without compensation, but may be reimbursed for their reasonable and necessary expenses incurred in the performance of their duties.

Sec. 7. Section 6, chapter 178, Laws of 1951 and RCW 38.52.050 are each amended to read as follows:

(1) The governor, through the director, shall have general supervision and control of the ~~((civil defense agency))~~ department of emergency services, and shall be responsible for the carrying out of the provisions of this chapter, and in the event of disaster beyond local control, may assume direct operational control over all or any part of the ~~((civil defense))~~ emergency services functions within this state.

(2) In performing his duties under this chapter, the governor is authorized to cooperate with the federal government, with other states, and with private agencies in all matters pertaining to the ~~((civil defense))~~ emergency services of this state and of the nation.

(3) In performing his duties under this chapter and to effect its policy and purpose, the governor is further authorized and empowered:

(a) To make, amend, and rescind the necessary orders, rules, and regulations to carry out the provisions of this chapter within the limits of the authority conferred upon him herein, with due consideration of the plans of the federal government; copies of all of such rules, regulations and orders shall upon their issuance forthwith be transmitted to the auditors of the respective counties for filing in their offices and a separate file and a separate index shall be maintained therefor;

(b) To prepare a comprehensive plan and program for the ~~((civil defense))~~ emergency services of this state, such plan and program to be integrated into and coordinated with the ~~((civil defense))~~ emergency services plans of the federal government and of other states to the fullest extent possible, and to coordinate the preparation of plans and programs for ~~((civil defense))~~ emergency services by the political subdivisions of this state, such plans to be integrated into and coordinated with the ~~((civil defense))~~ emergency services plan and program of this state to the fullest possible extent;

(c) In accordance with such plan and program for the ~~((civil defense))~~ emergency services of this state, to procure supplies and equipment, to institute training programs and public information programs, and to take all other preparatory steps including the partial or full mobilization of ~~((civil defense))~~ emergency services organizations in advance of actual disaster, to insure the furnishing

of adequately trained and equipped forces of ((civil defense)) emergency services personnel in time of need;

(d) To make such studies and surveys of the industries, resources, and facilities in this state as may be necessary to ascertain the capabilities of the state for ((civil defense)) emergency services, and to plan for the most efficient emergency use thereof;

(e) On behalf of this state, to enter into mutual aid arrangements with other states and territories, or provinces of the Dominion of Canada and to coordinate mutual aid plans between political subdivisions of this state;

(f) To delegate any administrative authority vested in him under this chapter, and to provide for the subdelegation of any such authority;

(g) To appoint, with the advice of local authorities, metropolitan or regional area coordinators, or both, when practicable;

(h) To cooperate with the president and the heads of the armed forces, the ((civil defense)) emergency services agency of the United States, and other appropriate federal officers and agencies, and with the officers and agencies of other states in matters pertaining to the ((civil defense)) emergency services of the state and nation, including the direction or control of

(i) blackouts and practice blackouts, air-raid drills, mobilization of ((civil defense)) emergency services forces, and other tests and exercises;

(ii) warnings and signals for drills or attacks and the mechanical devices to be used in connection therewith;

(iii) the effective screening or extinguishing of all lights and lighting devices and appliances;

(iv) shutting off water mains, gas mains, electric power connections and the suspension of all other utility services;

(v) the conduct of civilians and the movement and cessation of movement of pedestrians and vehicular traffic during, prior, and subsequent to drills or attack;

(vi) public meetings or gatherings; and

(vii) the evacuation and reception of the civilian population.

Sec. 8. Section 7, chapter 178, Laws of 1951 and RCW 38.52.060 are each amended to read as follows:

(1) The governor, through the director is authorized to create and establish such number of mobile support units as may be necessary to reinforce ((civil defense)) emergency services organizations in stricken areas and with due consideration of the

plans of the federal government and of other states. He shall appoint a commander for each such unit who shall have primary responsibility for the organization, administration and operation of such unit. Mobile support units shall be called to duty upon orders of the governor and shall perform their functions in any part of the state, or, upon the conditions specified in this section, in other states.

(2) Personnel of mobile support units while on duty, whether within or without the state, shall:

(a) If they are employees of the state, have the powers, duties, rights, privileges, and immunities and receive the compensation incidental to their employment;

(b) If they are employees of a political subdivision of the state, and whether serving within or without such political subdivision, have the powers, duties, rights, privileges, and immunities and receive the compensation incidental to their employment; and

(c) If they are not employees of the state or a political subdivision thereof, be entitled to compensation by the state at a rate to be determined by the governor based upon the scale paid by the state to state employees of the same, or similar, classification. All personnel of mobile support units shall, while on duty, be subject to the operational control of the authority in charge of ((civil defense)) emergency services activities in the area in which they are serving, and shall be reimbursed for all actual and necessary travel and subsistence expenses.

(3) The state shall reimburse a political subdivision for the compensation paid and actual and necessary travel, subsistence, and maintenance expenses of employees of such political subdivision while serving as members of a mobile support unit, and for all payments for death, disability, or injury of such employees incurred in the course of such duty, and for all losses of or damage to supplies and equipment of such political subdivision resulting from the operation of such mobile support unit.

(4) Whenever a mobile support unit of another state shall render aid in this state pursuant to the orders of the governor of its home state and upon the request of the governor of this state the personnel thereof shall have the powers, duties, rights, privileges and immunities of ((civil defense)) emergency services employees of this state except compensation, and this state shall reimburse such other state for the compensation paid and actual and necessary travel, subsistence, and maintenance expenses of the personnel of such mobile support unit while rendering such aid, and for all payments for death, disability, or injury of such personnel incurred

in the course of rendering such aid, and for all losses of or damage to supplies and equipment of such other state or a political subdivision thereof resulting from the rendering of such aid: PROVIDED, That the laws of such other state contain provisions substantially similar to this section.

(5) No personnel of mobile support units of this state shall be ordered by the governor to operate in any other state unless the laws of such other state contain provisions substantially similar to this section.

Sec. 9. Section 8, chapter 178, Laws of 1951 and RCW 38.52.070 are each amended to read as follows:

(1) Each political subdivision of this state is hereby authorized and directed to establish a local organization for ((civil defense)) emergency services in accordance with the state ((civil defense)) emergency services plan and program: PROVIDED, That a political subdivision proposing such establishment shall submit its plan and program for ((civil defense)) emergency services to the state director of ((civil defense)) emergency services and secure his recommendations thereon in order that the local organization for ((civil defense)) emergency services may be coordinated with the plan and program of the state. If the director's recommendations are adverse to the plan as submitted, the matter shall be referred to the council for final action. The director of ((civil defense)) emergency services may authorize two or more political subdivisions to join in the establishment and operation of a local organization for ((civil defense)) emergency services as circumstances may warrant, in which case each political subdivision shall contribute to the cost of ((civil defense)) emergency services upon such fair and equitable basis as may be determined upon by the executive heads of the constituent subdivisions. If in any case the executive heads cannot agree upon the proper division of cost the matter shall be referred to the council for arbitration and its decision shall be final. When two or more political subdivisions join in the establishment and operation of a local organization for ((civil defense)) emergency services each shall pay its share of the cost into a special pooled fund to be administered by the treasurer of the most populous subdivision, which fund shall be known as the ((civil defense)) emergency services fund. Each local organization for ((civil defense)) emergency services shall have a director who shall be appointed by the executive head of the political subdivision, and who shall have direct responsibility for the organization, administration, and operation of such local organization for ((civil defense)) emergency services, subject to the direction and control of such executive officer or officers. In the

case of a jointly established and operated organization for ((civil defense)) emergency services, the director shall be appointed by the joint action of the executive heads of the constituent political subdivisions. As used in this chapter, the term "executive head" and "executive heads" mean, in the case of counties, the board of county commissioners and, in the case of cities and towns, the mayor. Each local organization for ((civil defense)) emergency services shall perform ((civil defense)) emergency services functions within the territorial limits of the political subdivision within which it is organized, and, in addition, shall conduct such functions outside of such territorial limits as may be required pursuant to the provisions of this chapter.

(2) In carrying out the provisions of this chapter each political subdivision, in which any disaster as described in RCW 38.52.020 occurs, shall have the power to enter into contracts and incur obligations necessary to combat such disaster, protecting the health and safety of persons and property, and providing emergency assistance to the victims of such disaster. Each political subdivision is authorized to exercise the powers vested under this section in the light of the exigencies of an extreme emergency situation without regard to time-consuming procedures and formalities prescribed by law (excepting mandatory constitutional requirements), including, but not limited to, budget law limitations, requirements of competitive bidding and publication of notices, pertaining to the performance of public work, entering into contracts, the incurring of obligations, the employment of temporary workers, the rental of equipment, the purchase of supplies and materials, the levying of taxes, and the appropriation and expenditures of public funds.

Sec. 10. Section 9, chapter 178, Laws of 1951 and RCW 38.52.080 are each amended to read as follows:

(1) Whenever the employees of any political subdivision are rendering outside aid pursuant to the authority contained in RCW 38.52.070 such employees shall have the same powers, duties, rights, privileges, and immunities as if they were performing their duties in the political subdivisions in which they are normally employed.

(2) The political subdivision in which any equipment is used pursuant to this section shall be liable for any loss or damage thereto and shall pay any expense incurred in the operation and maintenance thereof. No claim for such loss, damage, or expense shall be allowed unless, within sixty days after the same is sustained or incurred, an itemized notice of such claim under oath is served by mail or otherwise upon the executive head of such political subdivision where the equipment was used. The term "employee" as used in this section shall mean, and the provisions of this section

shall apply with equal effect to, volunteer auxiliary employees, and ((civil defense)) emergency services workers.

(3) The foregoing rights, privileges, and obligations shall also apply in the event such aid is rendered outside the state, provided that payment or reimbursement in such case shall or may be made by the state or political subdivision receiving such aid pursuant to a reciprocal mutual aid agreement or compact with such state or by the federal government.

Sec. 11. Section 10, chapter 178, Laws of 1951 and RCW 38.52.090 are each amended to read as follows:

(1) The director of each local organization for ((civil defense)) emergency services may, in collaboration with other public and private agencies within this state, develop or cause to be developed mutual aid arrangements for reciprocal ((civil defense)) emergency services aid and assistance in case of disaster too great to be dealt with unassisted. Such arrangements shall be consistent with the state ((civil defense)) emergency services plan and program, and in time of emergency it shall be the duty of each local organization for ((civil defense)) emergency services to render assistance in accordance with the provisions of such mutual aid arrangements. The director shall adopt and distribute a standard form of contract for use by local organizations in understanding and carrying out said mutual aid arrangements.

(2) The director of each local organization for ((civil defense)) emergency services may, subject to the approval of the governor, enter into mutual aid arrangements with ((civil defense)) emergency services agencies or organizations in other states for reciprocal ((civil defense)) emergency services aid and assistance in case of disaster too great to be dealt with unassisted, and in furtherance thereof the following interstate civil defense and disaster compact is hereby approved, ratified, adopted, entered into, and enacted by the state of Washington:

INTERSTATE CIVIL DEFENSE AND DISASTER COMPACT

The contracting States solemnly agree:

Article 1. The purpose of this compact is to provide mutual aid among the States in meeting any emergency or disaster from enemy attack or other cause (natural or otherwise) including sabotage and subversive acts and direct attacks by bombs, shellfire, and atomic, radiological, chemical, bacteriological means, and other weapons. The prompt, full and effective utilization of the resources of the respective States, including such resources as may be available from the United States Government or any other source, are essential to the safety, care and welfare of the people thereof in the event of enemy action or other emergency, and any other resources, including

personnel, equipment or supplies, shall be incorporated into a plan or plans of mutual aid to be developed among the civil defense agencies or similar bodies of the States that are parties hereto. The Directors of Civil Defense (Emergency Services) of all party States shall constitute a committee to formulate plans and take all necessary steps for the implementation of this compact.

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

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

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

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

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

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

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

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

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

(i) Mobile support units.

Article 3. Any party State requested to render mutual aid shall take such action as is necessary to provide and make available the resources covered by this compact in accordance with the terms hereof; provided that it is understood that the State rendering aid may withhold resources to the extent necessary to provide reasonable protection for such State. Each party State shall extend to the civil defense forces of any other party State, while operating within its State limits under the terms and conditions of this compact, the same powers (except that of arrest unless specifically authorized by the receiving State), duties, rights, privileges and immunities as if

they were performing their duties in the State in which normally employed or rendering services. Civil defense forces will continue under the command and control of their regular leaders but the organizational units will come under the operational control of the civil defense authorities of the State receiving assistance.

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

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

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

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

Article 8. Any party State rendering aid in another State pursuant to this compact shall be reimbursed by the party State receiving such aid for any loss or damage to, or expense incurred in the operation of any equipment answering a request for aid, and for the cost incurred in connection with such requests; provided, that any aiding State may assume in whole or in part such loss, damage, expense, or other cost, or may loan such equipment or donate such services to the receiving party State without charge or cost; and provided further that any two or more party States may enter into

supplementary agreements establishing a different allocation of costs as among those States. The United States Government may relieve the party State receiving aid from any liability and reimburse the party State supplying civil defense forces for the compensation paid to and the transportation, subsistence and maintenance expenses of such forces during the time of the rendition of such aid or assistance outside the State and may also pay fair and reasonable compensation for the use or utilization of the supplies, materials, equipment or facilities so utilized or consumed.

Article 9. Plans for the orderly evacuation and reception of the civilian population as the result of an emergency or disaster shall be worked out from time to time between representatives of the party States and the various local civil defense areas thereof. Such plans shall include the manner of transporting such evacuees, the number of evacuees to be received in different areas, the manner in which food, clothing, housing, and medical care will be provided, the registration of the evacuees, the providing of facilities for the notification of relatives or friends and the forwarding of such evacuees to other areas or the bringing in of additional materials, supplies, and all other relevant factors. Such plans shall provide that the party State receiving evacuees shall be reimbursed generally for the out-of-pocket expenses incurred in receiving and caring for such evacuees, for expenditures for transportation, food, clothing, medicines and medical care and like items. Such expenditures shall be reimbursed by the party State of which the evacuees are residents, or by the United States Government under plans approved by it. After the termination of the emergency or disaster the party State of which the evacuees are resident shall assume the responsibility for the ultimate support or repatriation of such evacuees.

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

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

Article 12. This compact shall become operative immediately upon its ratification by any State as between it and any other State or States so ratifying and shall be subject to approval by Congress unless prior Congressional approval has been given. Duly authenticated copies of this compact and of such supplementary agreements as may be entered into shall, at the time of their

approval, be deposited with each of the party States and with the Civil Defense Agency and other appropriate agencies of the United States Government.

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

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

Article 15.

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

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

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

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

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

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

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

(c) Except as expressly limited by this compact or a supplementary agreement in force pursuant thereto, any aid authorized by this compact or such supplementary agreement may be furnished by any agency of a party State, a subdivision of such State, or by a joint agency providing such aid shall be entitled to reimbursement therefor to the same extent and in the same manner as a State. The personnel of such a joint agency, when rendering aid pursuant to this compact shall have the same rights, authority and immunity as personnel of party States.

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

Sec. 12. Section 12, chapter 178, Laws of 1951 and RCW 38.52.100 are each amended to read as follows:

(1) Each political subdivision shall have the power to make appropriations in the manner provided by law for making appropriations for the ordinary expenses of such political subdivision for the payment of expenses of its local organization for ((civil defense)) emergency services.

(2) Whenever the federal government or any agency or officer thereof shall offer to the state, or through the state to any political subdivision thereof, services, equipment, supplies, materials, or funds by way of gift, grant, or loan, for purposes of ((civil defense)) emergency services, the state, acting through the governor, or such political subdivision, acting with the consent of the governor and through its executive head, may accept such offer and upon such acceptance the governor of the state or executive head of such political subdivision may authorize any officer of the state or of the political subdivision, as the case may be, to receive such services, equipment, supplies, materials, or funds on behalf of the state or such political subdivision, and subject to the terms of the offer and the rules and regulations, if any, of the agency making the offer.

(3) Whenever any person, firm, or corporation shall offer to the state or to any political subdivision thereof, services, equipment, supplies, materials, or funds by way of gift, grant, or loan, for the purposes of ((civil defense)) emergency services, the state, acting through the governor, or such political subdivision, acting through its executive head, may accept such offer and upon such acceptance the governor of the state or executive head of such

political subdivision may authorize any officer of the state or of the political subdivision, as the case may be, to receive such services, equipment, supplies, materials, or funds on behalf of the state or such political subdivision, and subject to the terms of the offer.

Sec. 13. Section 13, chapter 178, Laws of 1951 as last amended by section 1, chapter 8, Laws of 1971 ex. sess. and RCW 38.52.110 are each amended to read as follows:

(1) In carrying out the provisions of this chapter, the governor and the executive heads of the political subdivisions of the state are directed to utilize the services, equipment, supplies, and facilities of existing departments, offices, and agencies of the state, political subdivisions, and all other municipal corporations thereof including but not limited to districts and quasi municipal corporations organized under the laws of the state of Washington to the maximum extent practicable, and the officers and personnel of all such departments, offices, and agencies are directed to cooperate with and extend such services and facilities to the governor and to the ((civil defense)) emergency services organizations of the state upon request notwithstanding any other provision of law.

(2) The governor, the chief executive of counties, cities and towns and the ((civil defense)) emergency services directors of local political subdivisions appointed in accordance with this chapter, in the event of a disaster, after proclamation by the governor of the existence of such disaster, shall have the power to command the service and equipment of as many citizens as considered necessary in the light of the disaster proclaimed: PROVIDED, That citizens so commandeered shall be entitled during the period of such service to all privileges, benefits and immunities as are provided by this chapter and federal and state ((civil defense)) emergency services regulations for registered ((civil defense)) emergency services workers.

Sec. 14. Section 14, chapter 178, Laws of 1951 and RCW 38.52.120 are each amended to read as follows:

No organization for ((civil defense)) emergency services established under the authority of this chapter shall participate in any form of political activity, nor shall it be employed directly or indirectly for political purposes.

Sec. 15. Section 15, chapter 178, Laws of 1951 as amended by section 2, chapter 145, Laws of 1953 and RCW 38.52.130 are each amended to read as follows:

(1) No person shall be employed or associated in any capacity in any ((civil defense)) emergency services organization established under this chapter who advocates or has advocated a change by force

or violence in the constitutional form of the government of the United States or in this state or the overthrow of any government in the United States by force or violence, or who has been convicted of or is under indictment or information charging any subversive act against the United States. Each person who is appointed to serve in an organization for ((civil defense)) emergency services shall, before entering upon his duties, take an oath, in writing, before a person authorized to administer oaths in this state, which oath shall be substantially as follows:

"I, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of Washington, against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.

"And I do further swear (or affirm) that I do not advocate, nor am I a member of any political party or organization that advocates the overthrow of the government of the United States or of this state by force or violence; and that during such time as I am a member of the (name of ((civil defense)) emergency services organization), I will not advocate nor become a member of any political party or organization that advocates the overthrow of the government of the United States or of this state by force or violence."

(2) The director of ((civil defense)) emergency services or any ((civil defense)) emergency services official designated by him is authorized to administer the loyalty oath as required by this chapter.

Sec. 16. Section 16, chapter 178, Laws of 1951 and RCW 38.52.140 are each amended to read as follows:

Any civil service employee of the state of Washington or of any political subdivision thereof while on leave of absence and on duty with any ((civil defense)) emergency services agency authorized under the provisions of this chapter shall be preserved in his civil service status as to seniority and retirement rights so long as he regularly continues to make the usual contributions incident to the retention of such beneficial rights as if he were not on leave of absence.

Sec. 17. Section 18, chapter 178, Laws of 1951 and RCW 38.52.150 are each amended to read as follows:

(1) It shall be the duty of every organization for ((civil defense)) emergency services established pursuant to this chapter and of the officers thereof to execute and enforce such orders, rules,

and regulations as may be made by the governor under authority of this chapter. Each such organization shall have available for inspection at its office all orders, rules, and regulations made by the governor, or under his authority.

(2) Every violation of any rule, regulation or order issued under the authority of this chapter shall constitute a misdemeanor and shall be punishable as such: PROVIDED, That whenever any person shall commit a second offense hereunder the same shall constitute a gross misdemeanor and shall be punishable as such.

Sec. 18. Section 19, chapter 178, Laws of 1951 and RCW 38.52.160 are each amended to read as follows:

The ((civil defense)) emergency services agency is hereby authorized to require of any political subdivision to which funds are allocated under this chapter for any project, use or activity that such subdivision shall provide matching funds in equal amounts with respect to such project, use or activity.

Sec. 19. Section 20, chapter 178, Laws of 1951 and RCW 38.52.170 are each amended to read as follows:

Whenever the state director of ((civil defense)) emergency services finds that it will be in the interest of the ((civil defense)) emergency services of this state or of the United States, he may, with the approval of the governor, agree with the federal government, or any agency thereof carrying on activities within this state, upon a plan of ((civil defense)) emergency services applicable to a federally owned area, which plan may or may not conform to all of the other provisions of this chapter with the view to integrating federally owned areas into the comprehensive plan and program of the ((civil defense)) emergency services of this state. Such plan may confer upon persons carrying out such plan any or all of the rights, powers, privileges and immunities granted employees or representatives of the state and/or its political subdivisions by this chapter.

Sec. 20. Section 11, chapter 178, Laws of 1951 as last amended by section 2, chapter 8, Laws of 1971 ex. sess. and RCW 38.52.180 are each amended to read as follows:

(1) There shall be no liability on the part of anyone including any person, partnership, corporation, the state of Washington or any political subdivision thereof who owns or maintains any building or premises which have been designated by a local organization for ((civil defense)) emergency services as a shelter from destructive operations or attacks by enemies of the United States for any injuries sustained by any person while in or upon said building or premises, as a result of the condition of said building or premises or as a result of any act or omission, or in any way

arising from the designation of such premises as a shelter, when such person has entered or gone upon or into said building or premises for the purpose of seeking refuge therein during destructive operations or attacks by enemies of the United States or during tests ordered by lawful authority, except for an act of wilful negligence by such owner or occupant or his servants, agents, or employees.

(2) All legal liability for damage to property or injury or death to persons (except a ((civil defense)) emergency services worker, regularly enrolled and acting as such), caused by acts done, or attempted, under the color of this chapter in a bona fide attempt to comply therewith shall be the obligation of the state of Washington. Suits may be instituted and maintained against the state for the enforcement of such liability, or for the indemnification of persons appointed and regularly enrolled as ((civil defense)) emergency services workers while actually engaged in ((civil defense)) emergency services duties, or as members of any agency of the state or political subdivision thereof engaged in ((civil defense)) emergency services activity, or their dependents, for damage done to their private property, or for any judgment against them for acts done in good faith in compliance with this chapter: PROVIDED, That the foregoing shall not be construed to result in indemnification in any case of wilful misconduct, gross negligence or bad faith on the part of any agent of ((civil defense)) emergency services: PROVIDED, That should the United States or any agency thereof, in accordance with any federal statute, rule or regulation, provide for the payment of damages to property and/or for death or injury as provided for in this section, then and in that event there shall be no liability or obligation whatsoever upon the part of the state of Washington for any such damage, death, or injury for which the United States government assumes liability.

(3) Any requirement for a license to practice any professional, mechanical or other skill shall not apply to any authorized ((civil defense)) emergency services worker who shall, in the course of performing his duties as such, practice such professional, mechanical or other skill during an emergency described in this chapter.

(4) The provisions of this section shall not affect the right of any person to receive benefits to which he would otherwise be entitled under this chapter, or under the workmen's compensation law, or under any pension or retirement law, nor the right of any such person to receive any benefits or compensation under any act of congress.

Sec. 21. Section 3, chapter 223, Laws of 1953 and RCW 38.52.190 are each amended to read as follows:

Except as provided in this chapter, ((a civil defense)) an emergency services worker and his dependents shall have no right to receive compensation from the state, from the agency, from the local organization for ((civil defense)) emergency services with which he is registered, or from the county or city which has empowered the local organization for ((civil defense)) emergency services to register him and direct his activities, for an injury or death arising out of and occurring in the course of his activities as ((a civil defense)) an emergency services worker.

Sec. 22. Section 7, chapter 8, Laws of 1971 ex. sess. and RCW 38.52.195 are each amended to read as follows:

Notwithstanding any other provision of law, no person, firm, corporation, or other entity acting under the direction or control of the proper authority to provide construction, equipment, or work as provided for in RCW 38.52.110, 38.52.180, 38.52.195, 38.52.205, 38.52.207, 38.52.220 and 38.52.390 while complying with or attempting to comply with RCW 38.52.110, 38.52.180, 38.52.195, 38.52.205, 38.52.207, 38.52.220 and 38.52.390 or any rule or regulation promulgated pursuant to the provisions of RCW 38.52.110, 38.52.180, 38.52.195, 38.52.205, 38.52.207, 38.52.220 and 38.52.390 shall be liable for the death of or any injury to persons or damage to property as a result of any such activity: PROVIDED, That said exemption shall only apply where all of the following conditions occur:

(1) Where, at the time of the incident the worker is performing services as ((a civil defense)) an emergency services worker, and is acting within the course of his duties as ((a civil defense)) an emergency services worker;

(2) Where, at the time of the injury, loss, or damage, the organization for ((civil defense)) emergency services which the worker is assisting is an approved organization for ((civil defense)) emergency services;

(3) Where the injury, loss, or damage is proximately caused by his service either with or without negligence as a ((civil defense)) emergency services worker;

(4) Where the injury, loss, or damage is not caused by the intoxication of the worker; and

(5) Where the injury, loss, or damage is not due to wilful misconduct or gross negligence on the part of a worker.

Sec. 23. Section 9, chapter 223, Laws of 1953 and RCW 38.52.200 are each amended to read as follows:

Liability for the compensation provided by this chapter, as limited by the provisions thereof, is in lieu of any other liability whatsoever to ((a civil defense)) an emergency services worker or his

dependents or any other person on the part of the state, the agency, the local organization for ((civil defense)) emergency services with which the ((civil defense)) emergency services worker is registered, and the county or city which has empowered the local organization for ((civil defense)) emergency services to register him and direct his activities, for injury or death arising out of and in the course of his activities while on duty as ((a civil defense)) an emergency services worker: PROVIDED, That nothing in this chapter shall limit or bar the liability of the state or its political subdivisions engaged in proprietary functions as distinguished from governmental functions that may exist by reason of injury or death sustained by ((a civil defense)) an emergency services worker.

Sec. 24. Section 4, chapter 8, Laws of 1971 ex. sess. and RCW 38.52.205 are each amended to read as follows:

All claims against the state for property damages or indemnification therefor arising from ((civil defense)) emergency service related activities will be presented to and filed with the state auditor within one hundred twenty days from the date the claim arose. Contents of all such claims shall conform to the tort claim filing requirements found in RCW 4.92.100 as now or hereafter amended.

Sec. 25. Section 5, chapter 8, Laws of 1971 ex. sess. and RCW 38.52.207 are each amended to read as follows:

The director of the state department of ((civil defense)) emergency services, with the approval of the attorney general, may consider, ascertain, adjust, determine, compromise and settle property loss or damage claims arising out of conduct or circumstances for which the state of Washington would be liable in law for money damages of five hundred dollars or less. The acceptance by the claimant of any such award, compromise, or settlement shall be final and conclusive on the claimant; and upon the state of Washington, unless procured by fraud, and shall constitute a complete release of any claim against the state of Washington. A request for administrative settlement shall not preclude a claimant from filing court action pending administrative determination, or limit the amount recoverable in such a suit, or constitute an admission against interest of either the claimant or the state.

Sec. 26. Section 4, chapter 223, Laws of 1953 and RCW 38.52.210 are each amended to read as follows:

(1) In each local organization for ((civil defense)) emergency services established by the county commissioners in accordance with the provisions of RCW 38.52.070, there is hereby created and established a compensation board for the processing of

claims as provided in this chapter. The compensation board shall be composed of one member of the board of county commissioners selected by the county commissioners of the county who will serve as chairman of the compensation board; the county director of ((civil defense)) emergency services; the prosecuting attorney; the ((civil defense)) emergency services coordinator for medical and health services; and the county auditor who will serve as secretary of the compensation board.

(2) In each local organization for ((civil defense)) emergency services established by cities and towns in accordance with RCW 38.52.070, there is hereby created and established a compensation board for the processing of claims as provided in this chapter. The compensation board shall be composed of the mayor; the city director of ((civil defense)) emergency services; one councilman or commissioner selected by the council or the commission; the city attorney or corporation counsel; and the ((civil defense)) emergency services coordinator of medical and health services. The councilman or commissioner so selected shall serve as chairman of the compensation board and the director of ((civil defense)) emergency services shall serve as secretary of the board.

Sec. 27. Section 7, chapter 223, Laws of 1953 and RCW 38.52.240 are each amended to read as follows:

The compensation board shall hear and decide all applications for compensation under this chapter. The board shall submit its recommendations to the director of the department of ((civil defense)) emergency services on such forms as he may prescribe. In case the decision of the director is different from the recommendation of the compensation board, the matter shall be submitted to the state ((civil defense)) emergency services council for action.

Sec. 28. Section 8, chapter 223, Laws of 1953 and RCW 38.52.250 are each amended to read as follows:

A majority of the compensation board shall constitute a quorum, and no business shall be transacted when a majority is not present, and no claim shall be allowed when a majority of the board has not voted favorably thereon.

The board shall send a copy of the minutes of all meetings to the department of ((civil defense)) emergency services with copies of all material pertaining to each claim submitted and noting the action of the board on each claim. Appeals may be made by the ((civil defense)) emergency services worker from any action by the board within one year by writing to the department of ((civil defense)) emergency services.

Sec. 29. Section 10, chapter 223, Laws of 1953 and RCW 38.52.260 are each amended to read as follows:

Compensation shall be furnished to ((a civil defense)) an emergency services worker either within or without the state for any injury arising out of and occurring in the course of his activities as ((a civil defense)) an emergency services worker, and for the death of any such worker if the injury proximately causes death, in those cases where the following conditions occur:

(1) Where, at the time of the injury the ((civil defense)) emergency services worker is performing services as ((a civil defense)) an emergency services worker, and is acting within the course of his duties as ((a civil defense)) an emergency services worker.

(2) Where, at the time of the injury the local organization for ((civil defense)) emergency services with which the ((civil defense)) emergency services worker is registered is an approved local organization for ((civil defense)) emergency services.

(3) Where the injury is proximately caused by his service as ((a civil defense)) an emergency services worker, either with or without negligence.

(4) Where the injury is not caused by the intoxication of the injured ((civil defense)) emergency services worker.

(5) Where the injury is not intentionally self-inflicted.

Sec. 30. Section 11, chapter 223, Laws of 1953 and RCW 38.52.270 are each amended to read as follows:

((Civil defense)) Emergency service volunteers who are minors shall have the same rights as adults for the purpose of receiving benefits under the provisions of this chapter, but this provision shall not prevent the requirements that a guardian be appointed to receive and administer such benefits until the majority of such minor. Work as ((a civil defense)) an emergency services volunteer shall not be deemed as employment or in violation of any of the provisions of chapter 49.12 RCW.

Sec. 31. Section 12, chapter 223, Laws of 1953 and RCW 38.52.280 are each amended to read as follows:

No compensation or benefits shall be paid or furnished to ((civil defense)) emergency services workers or their dependents pursuant to the provisions of this chapter except from money appropriated for the purpose of this chapter.

Sec. 32. Section 13, chapter 223, Laws of 1953 as amended by section 71, chapter 289, Laws of 1971 ex. sess. and RCW 38.52.290 are each amended to read as follows:

Insofar as not inconsistent with the provisions of this chapter, the maximum amount payable to a claimant shall be not

greater than the amount allowable for similar disability under the workmen's compensation act, chapter 51.32 RCW as amended by this 1971 amendatory act and any amendments thereto. "Employee" as used in said title shall include ((a civil defense)) an emergency services worker when liability for the furnishing of compensation and benefits exists pursuant to the provisions of this chapter and as limited by the provisions of this chapter. Where liability for compensation and benefits exists, such compensation and benefits shall be provided in accordance with the applicable provisions of said sections of chapter 51.32 RCW and at the maximum rate provided therein, subject, however, to the limitations set forth in this chapter.

Sec. 33. Section 15, chapter 223, Laws of 1953 and RCW 38.52.310 are each amended to read as follows:

The department of ((civil defense)) emergency services shall establish by rule and regulation various classes of ((civil defense)) emergency services workers, the scope of the duties of each class, and the conditions under which said workers shall be deemed to be on duty and covered by the provisions of this chapter. The department shall also adopt rules and regulations prescribing the manner in which ((civil defense)) emergency services workers of each class are to be registered.

Sec. 34. Section 16, chapter 223, Laws of 1953 and RCW 38.52.320 are each amended to read as follows:

The department of ((civil defense)) emergency services shall provide each compensation board with the approved maximum schedule of payments for injury or death prescribed in chapter 51.32 RCW: PROVIDED, That nothing in this chapter shall be construed as establishing any liability on the part of the department of labor and industries.

Sec. 35. Section 17, chapter 223, Laws of 1953 as amended by section 72, chapter 289, Laws of 1971 ex. sess. and RCW 38.52.330 are each amended to read as follows:

The department of ((civil defense)) emergency services is authorized to make all expenditures necessary and proper to carry out the provisions of this chapter including payments to claimants for compensation as ((civil defense)) emergency services workers and their dependents; to adjust and dispose of all claims submitted by a local compensation board: PROVIDED, That nothing herein shall be construed to mean that the department of ((civil defense)) emergency services or the state ((civil defense)) emergency services council or its officers or agents shall have the final decision with respect to the compensability of any case or the amount of compensation or benefits due, but any ((civil defense)) emergency services worker or his dependents shall have the same right of appeal from any order,

decision, or award to the same extent as provided in chapter 51.32 RCW as amended by this 1971 amendatory act.

Sec. 36. Section 18, chapter 223, Laws of 1953 and RCW 38.52.340 are each amended to read as follows:

Nothing in this chapter shall deprive any ((civil defense)) emergency services worker or his dependents of any right to compensation for injury or death sustained in the course of his regular employment even though his regular work is under direction of ((civil defense)) emergency services authorities: PROVIDED, That such worker, if he is eligible for some other compensation plan, and receives the benefits of such plan shall not also receive any compensation under this chapter. The department of ((civil defense)) emergency services shall adopt such rules and regulations as may be necessary to protect the rights of such workers and may enter into agreements with authorities in charge of other compensation plans to insure protection of such workers: PROVIDED, That if the compensation from some other plan is less than would have been available under this chapter, he shall be entitled to receive the deficiency between the amount received under such other plan and the amount available under this chapter.

Sec. 37. Section 19, chapter 223, Laws of 1953 and RCW 38.52.350 are each amended to read as follows:

Should the United States or any agent thereof, in accordance with any federal statute or rule or regulation, furnish monetary assistance, benefits, or other temporary or permanent relief to ((civil defense)) emergency services workers or to their dependents for injuries arising out of and occurring in the course of their activities as ((civil defense)) emergency services workers, then the amount of compensation which any ((civil defense)) emergency services worker or his dependents are otherwise entitled to receive from the state of Washington as provided herein, shall be reduced by the amount of monetary assistance, benefits, or other temporary or permanent relief the ((civil defense)) emergency services worker or his dependents have received and will receive from the United States or any agent thereof as a result of his injury.

Sec. 38. Section 20, chapter 223, Laws of 1953 and RCW 38.52.360 are each amended to read as follows:

If, in addition to monetary assistance, benefits or other temporary or permanent relief, the United States or any agent thereof furnishes medical, surgical or hospital treatment or any combination thereof to an injured ((civil defense)) emergency services worker, then the ((civil defense)) emergency services worker has no right to receive similar medical, surgical or hospital treatment as provided in this chapter. However, the department of ((civil defense))

emergency services may furnish medical, surgical or hospital treatment as part of the compensation provided under the provisions of this chapter.

Sec. 39. Section 21, chapter 223, Laws of 1953 and RCW 38.52.370 are each amended to read as follows:

If, in addition to monetary assistance, benefits, or other temporary or permanent relief, the United States or any agent thereof, will reimburse ((a civil defense)) an emergency services worker or his dependents for medical, surgical or hospital treatment, or any combination thereof, furnished to the injured ((civil defense)) emergency services worker, the ((civil defense)) emergency services worker has no right to receive similar medical, surgical or hospital treatment as provided in this chapter, but the department of ((civil defense)) emergency services, may furnish a medical, surgical or hospital treatment as part of the compensation provided under the provisions of this chapter and apply to the United States or its agent for the reimbursement which will be made to the ((civil defense)) emergency services worker or his dependents. As a condition to the furnishing of such medical, surgical or hospital treatment, the department shall require the ((civil defense)) emergency services worker and his dependents to assign to the state of Washington, for the purpose of reimbursing for any medical, surgical or hospital treatment furnished or to be furnished by the state, any claim or right such ((civil defense)) emergency services worker or his dependents may have to reimbursement from the United States or any agent thereof.

Sec. 40. Section 22, chapter 223, Laws of 1953 and RCW 38.52.380 are each amended to read as follows:

If the furnishing of compensation under the provisions of this chapter to ((a civil defense)) an emergency services worker or his dependents prevents such ((civil defense)) emergency services worker or his dependents from receiving assistance, benefits or other temporary or permanent relief under the provisions of a federal statute or rule or regulation, then the ((civil defense)) emergency services worker and his dependents shall have no right to, and shall not receive, any compensation from the state of Washington under the provisions of this chapter for any injury for which the United States or any agent thereof will furnish assistance, benefits or other temporary or permanent relief in the absence of the furnishing of compensation by the state of Washington.

Sec. 41. Section 1, chapter 178, Laws of 1951 and RCW 38.52.900 are each amended to read as follows:

This chapter may be cited as the Washington ((Civil Defense Act of 1954)) Emergency Services Act.

Sec. 42. Section 43.31.200, chapter 8, Laws of 1965 and RCW 43.31.200 are each amended to read as follows:

The department of commerce and economic development, through its appropriate division, shall have the responsibility for studying the following matters and for submitting its findings and recommendations to the governor and legislature:

(1) Legal changes necessary for the establishment of adequate metropolitan and local levels of government;

(2) The various methods of adopting forms of government for metropolitan areas;

(3) Voting procedures to be employed if local determination is used as the method of adoption;

(4) The need for adjustments in area, organization, functions and finance of reorganized governments;

(5) Interstate areas that include a part of the territory of this state;

(6) State advisory and technical services and administrative supervision to governments in local areas;

(7) The effects upon local areas of present and proposed national, state and local government programs, including but not limited to grants-in-aid;

(8) The means of facilitating greater coordination of existing and contemplated policies of the national, state and local governments and of private associations and individuals that affect local areas;

(9) The legal changes that are necessary for the establishment of metropolitan target zone authorities adequate for ((civil defense)) emergency services purposes, and the measure required for the organization and operation of such authorities.

Sec. 43. Section 46.16.340, chapter 12, Laws of 1961 as amended by section 23, chapter 32, Laws of 1967 and RCW 46.16.340 are each amended to read as follows:

The director, from time to time, shall furnish the state department of ((civil defense)) emergency services, the Washington state patrol and all county sheriffs a list of the names, addresses and license plate or radio station call letters of each person possessing the special amateur radio station license plates so that the facilities of such radio stations may be utilized to the fullest extent in the work of these governmental agencies.

Sec. 44. Section 1, chapter 20, Laws of 1971 and RCW 51.12.035 are each amended to read as follows:

Volunteers shall be deemed employees and/or workmen, as the case may be, for all purposes relating to medical aid benefits under Title 51 RCW.

A "volunteer" shall mean a person who performs any assigned or authorized duties for the state, except ((civil defense)) emergency services workers as described by chapter 38.52 RCW, brought about by one's own free choice, receives no salary, and is registered as a volunteer with a state agency or organization for the purpose of engaging in authorized volunteer service: PROVIDED, That said person may be granted maintenance and reimbursement for actual expenses necessarily incurred in performing his assigned or authorized duties.

Sec. 45. Section 1, chapter 142, Laws of 1947 and RCW 73.04.090 are each amended to read as follows:

All benefits, advantages or emoluments, not available upon equal terms to all citizens, including but not being limited to preferred rights to public employment, civil service preference, exemption from license fees or other impositions, preference in purchasing state property and special pension or retirement rights, which by any law of this state have been made specially available to war veterans or to persons who have served in the armed forces or defense forces of the United States, shall be available only to persons who have been subject to full and continuous military control and discipline as actual members of the federal armed forces. Service with such forces in a civilian capacity, or in any capacity wherein a person retained the right to terminate his service or to refuse full obedience to military superiors, shall not be the basis for eligibility for such benefits. Service in any of the following shall not for purposes of this section be considered as military service: The office of ((Civilian Defense)) emergency services or any component thereof; the American Red Cross; the United States Coast Guard Auxiliary; United States Coast Guard Reserve Temporary; United States Coast and Geodetic Survey; American Field Service; Civil Air Patrol; Cadet Nurse Corps, and any other similar organization.

Sec. 46. Section 3, chapter 45, Laws of 1970 ex. sess. and RCW 80.50.030 are each amended to read as follows:

(1) There is hereby created and established a "thermal power plant site evaluation council".

(2) The chairman of the council shall be appointed by the governor with the advice and consent of the senate and shall serve at the pleasure of the governor. The salary of the chairman shall be determined pursuant to the provisions of RCW 43.03.028 as now or hereafter amended.

(3) The council shall consist of the directors, administrators, or their designees, of the following departments, agencies and commissions or their statutory successors:

(a) Water pollution control commission

- (b) Department of water resources
- (c) Department of fisheries
- (d) Department of game
- (e) State air pollution control board
- (f) Department of parks and recreation
- (g) Department of health
- (h) Interagency committee for outdoor recreation
- (i) Department of commerce and economic development
- (j) Utilities and transportation commission
- (k) Office of program planning and fiscal management
- (l) Department of natural resources
- (m) Planning and community affairs agency
- (n) Department of ((civil defense)) emergency services
- (o) Department of agriculture.

(4) The county legislative authority of every county wherein an application for a proposed thermal power plant site is filed shall appoint a member to the council. The member so appointed shall sit with the council only at such times as the council considers the proposed site for the county which he represents and such member shall serve until there has been a final acceptance or rejection of such proposed site.

NEW SECTION. Sec. 47. Section 3, chapter 6, Laws of 1972 ex. sess. and RCW 38.52.007 are each hereby repealed.

Passed the House April 23, 1974.
Passed the Senate April 18, 1974.
Approved by the Governor May 5, 1974.
Filed in Office of Secretary of State May 5, 1974.

CHAPTER 172

[House Bill No. 1238]

MOTOR VEHICLES—MONTHLY LICENSE
FOR TRANSPORTATION OF LOGS

AN ACT Relating to motor vehicle licenses; amending section 46.16.137, chapter 12, Laws of 1961 as amended by section 17, chapter 32, Laws of 1967 and RCW 46.16.137; and prescribing an effective date.

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

Section 1. Section 46.16.137, chapter 12, Laws of 1961 as amended by section 17, chapter 32, Laws of 1967 and RCW 46.16.137 are each amended to read as follows:

During the months of October, November, December, January, February and March the gross weight license ((fee of)) for a three-axle truck, a three-axle truck tractor and a two-axle pole trailer