



PROPOSED RULE MAKING

CR-102 (June 2024) (Implements RCW 34.05.320) Do NOT use for expedited rule making

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: July 30, 2025

TIME: 11:30 AM

WSR 25-16-048

Agency: Washington Military Department, Emergency Management Division

☒ **Original Notice**

☐ **Supplemental Notice to WSR** _____

☐ **Continuance of WSR** _____

☒ **Preproposal Statement of Inquiry was filed as WSR 24-15-038 ; or**

☐ **Expedited Rule Making--Proposed notice was filed as WSR** _____; or

☐ **Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1); or**

☐ **Proposal is exempt under RCW** _____.

Title of rule and other identifying information: (describe subject) Tribal participation in the Emergency Worker Program, per HB 2135, in chapter 118-04 WAC.

Hearing location(s):

| Date: | Time: | Location: (be specific) | Comment: |
|-----------|------------|--|-----------------|
| 9/10/2025 | 02:00 p.m. | Microsoft Teams Join the meeting now Meeting ID: 275 070 117 392 8 Passcode: dh6Hs3qv | Virtual Meeting |
| | | Dial in by phone +1 253-372-2181,,915396197# United States, Kent (833) 322-1218,,915396197# United States (Toll-free) Find a local number Phone conference ID: 915 396 197# | |

Date of intended adoption: 9/11/25 (Note: This is **NOT** the **effective** date)

Submit written comments to:

Name Amy Allbritton

Address 20 Aviation Dr, Camp Murray, WA 98430

Email amy.allbritton@mil.wa.gov

Fax

Other

Beginning (date and time) 08/20/25, 8:00 a.m..

By (date and time) 9/10/2025, 5:00 p.m.

Assistance for persons with disabilities:

Contact Amy Allbritton

Phone 253-512-7024

Fax

TTY

Email amy.allbritton@mil.wa.gov

Other

By (date) 9/09/2025

Purpose of the proposal and its anticipated effects, including any changes in existing rules: HB 2135 from the 2024 Legislative Session amends statutes related to the Emergency Worker program to include any federally recognized Indian tribe as defined in RCW 43.376.010 as participants. Guidelines for registering, using, and reimbursing emergency workers in WAC 118-04 need to be updated to reflect the inclusion of tribes and their unique needs and priorities.

Reasons supporting proposal: HB 2135 amended RCW 43.376.010 to include recognized tribes in the Emergency Worker program as defined under RCW 38.52.

Statutory authority for adoption: RCW 38.52.310

Statute being implemented: RCW 38.52.310

| | | | |
|---|----------------|---------------------------------------|---|
| Is rule necessary because of a: | | | |
| Federal Law? | | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| Federal Court Decision? | | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| State Court Decision? | | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| If yes, CITATION: | | | |
| Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters: None | | | |
| Name of proponent: (person or organization) | | | |
| Type of proponent: <input type="checkbox"/> Private. <input type="checkbox"/> Public. <input checked="" type="checkbox"/> Governmental. | | | |
| Name of agency personnel responsible for: | | | |
| | Name | Office Location | Phone |
| Drafting | Amy Allbritton | 20 Aviation Dr, Camp Murray, WA 98430 | 253-512-7024 |
| Implementation | Amy Allbritton | 20 Aviation Dr, Camp Murray, WA 98430 | 253-512-7024 |
| Enforcement | Amy Allbritton | 20 Aviation Dr, Camp Murray, WA 98430 | 253-512-7024 |
| Is a school district fiscal impact statement required under RCW 28A.305.135? | | | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| If yes, insert statement here: | | | |
| <p>The public may obtain a copy of the school district fiscal impact statement by contacting:</p> <p>Name</p> <p>Address</p> <p>Phone</p> <p>Fax</p> <p>TTY</p> <p>Email</p> <p>Other</p> | | | |
| Is a cost-benefit analysis required under RCW 34.05.328? | | | |
| <input type="checkbox"/> Yes: A preliminary cost-benefit analysis may be obtained by contacting: <p>Name</p> <p>Address</p> <p>Phone</p> <p>Fax</p> <p>TTY</p> <p>Email</p> <p>Other</p> | | | |
| <input checked="" type="checkbox"/> No: Please explain: The Washington Military Department is not subject to RCW 34.05.328 | | | |
| Regulatory Fairness Act and Small Business Economic Impact Statement | | | |
| Note: The Governor's Office for Regulatory Innovation and Assistance (ORIA) provides support in completing this part. | | | |
| (1) Identification of exemptions: | | | |
| This rule proposal, or portions of the proposal, may be exempt from requirements of the Regulatory Fairness Act (see chapter 19.85 RCW). For additional information on exemptions, consult the exemption guide published by ORIA . Please check the box for any applicable exemption(s): | | | |
| <input type="checkbox"/> This rule proposal, or portions of the proposal, is exempt under RCW 19.85.061 because this rule making is being adopted solely to conform and/or comply with federal statute or regulations. Please cite the specific federal statute or regulation this rule is being adopted to conform or comply with, and describe the consequences to the state if the rule is not adopted. Citation and description: | | | |
| <input type="checkbox"/> This rule proposal, or portions of the proposal, is exempt because the agency has completed the pilot rule process defined by RCW 34.05.313 before filing the notice of this proposed rule. | | | |
| <input type="checkbox"/> This rule proposal, or portions of the proposal, is exempt under the provisions of RCW 15.65.570(2) because it was adopted by a referendum. | | | |

- ☐ This rule proposal, or portions of the proposal, is exempt under [RCW 19.85.025\(3\)](#). Check all that apply:
- | | |
|---|--|
| <input type="checkbox"/> RCW 34.05.310 (4)(b) (Internal government operations) | <input type="checkbox"/> RCW 34.05.310 (4)(e) (Dictated by statute) |
| <input type="checkbox"/> RCW 34.05.310 (4)(c) (Incorporation by reference) | <input type="checkbox"/> RCW 34.05.310 (4)(f) (Set or adjust fees) |
| <input type="checkbox"/> RCW 34.05.310 (4)(d) (Correct or clarify language) | <input type="checkbox"/> RCW 34.05.310 (4)(g) ((i) Relating to agency hearings; or (ii) process requirements for applying to an agency for a license or permit) |
- ☒ This rule proposal, or portions of the proposal, is exempt under [RCW 19.85.025\(4\)](#). (Does not affect small businesses).
- ☐ This rule proposal, or portions of the proposal, is exempt under RCW _____.
Explanation of how the above exemption(s) applies to the proposed rule:

(2) Scope of exemptions: *Check one.*

- ☒ The rule proposal: Is fully exempt. (*Skip section 3.*) Exemptions identified above apply to all portions of the rule proposal.
- ☐ The rule proposal: Is partially exempt. (*Complete section 3.*) The exemptions identified above apply to portions of the rule proposal, but less than the entire rule proposal. Provide details here (consider using [this template from ORIA](#)):
- ☐ The rule proposal: Is not exempt. (*Complete section 3.*) No exemptions were identified above.

(3) Small business economic impact statement: *Complete this section if any portion is not exempt.*

If any portion of the proposed rule is **not exempt**, does it impose more-than-minor costs (as defined by RCW 19.85.020(2)) on businesses?

- ☐ No Briefly summarize the agency's minor cost analysis and how the agency determined the proposed rule did not impose more-than-minor costs. _____
- ☐ Yes Calculations show the rule proposal likely imposes more-than-minor cost to businesses and a small business economic impact statement is required. Insert the required small business economic impact statement here:

The public may obtain a copy of the small business economic impact statement or the detailed cost calculations by contacting:

Name
Address
Phone
Fax
TTY
Email
Other

Signature:

Date: 6/26/2025

Name: Amy Allbritton

Title: Search and Rescue Program Manager

