

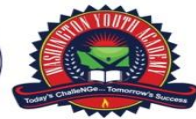


## 2018 Legislative Session *so far...*

Update for the Emergency Management Council

Nancy Bickford

Nov 2, 2017



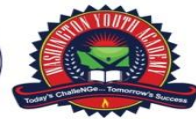
## Upcoming 2018 Session Emergency Management Legislation ..... (so far)

- **SB 5936 Eliminates the Prohibition on Planning for Nuclear Attack from Emergency Management Statutes (Frocht/Miloscia)**
  1. In section 1 it strikes from RCW 38.52.010 (4) **Definitions** = Eliminates from statute “~~However, “emergency management” or “comprehensive emergency management” does not mean preparation for emergency evacuation or relocation of residents in anticipation of nuclear attack~~”
  2. In section 2 it strikes from 38.52.030 **Director Responsibilities** = Eliminates from statute “~~The comprehensive, all-hazard emergency plan authorized under this subsection may not include preparation for emergency evacuation or relocation of residents in anticipation of nuclear attack.~~”
  3. Finally, in section 3 it strikes from 38.52.170 **Planning for Federal Areas** = Eliminates from statute “~~The plan of emergency authorized under this section may not include preparation for emergency evacuation or relocation of residents in anticipation of nuclear attack.~~”



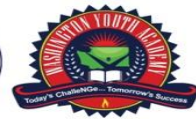
## Upcoming 2018 Session Emergency Management Legislation ..... (so far)

- **Continuity of Government Bill** – (Rep Goodman/Sen Takko)
  - Revisions to Article II, Section 42 Governmental Continuity During Emergency Periods and updates RCW 42.14 Continuity of Government Act and RCW 38.52 Emergency Management Act is needed to provide for continuing essential functions and services following a catastrophic incident.
  - These efforts will include, but are not limited to, providing for **the orderly succession and appropriate changes of leadership whether appointed or elected, filling vacancies, interoperability communications, and processes and procedures to reconvene government** following periods of disruption that may be caused by a catastrophic incident.
  - Current statute and provisions of the constitution only provide for Continuity of Government (COG) in the event of an “enemy attack”.
  - COG is also needed in time of catastrophic incident emergency or disasters due to other hazards, natural (e.g., tsunami, earthquake.) or man-made (terrorism).
  - This legislation expands the provisions to include beyond enemy attack and **adds to statute the contextual definitions from the National Incident Management System (NIMS) and National Response Framework to include “catastrophic incident” and “Continuity of Government (COG) planning”**
  - Requires EMD to **develop a program to provide information and education to state and local government officials regarding COG and assist with plans.**



## Upcoming 2018 Session Emergency Management Legislation ..... (so far)

- **HB 2042 Governor's powers** to waive statutory obligations or limitations in order to preserve and maintain life, health, property or the peace during a state of emergency (Walsh/Zeiger) – *Sen Zeiger intends on introducing Senate companion bill*
  1. **Intent section** – explains that historically emergency powers have historically included the ability to temporarily waive or suspend by prohibiting compliance of statutory provisions during a proclaimed emergency but when RCW 43.06.220(2) was amended following the 2007 flooding explicitly adding specifically identified statutes (not at the department's request) that could be waived this inadvertently narrowed the governor's ability to waive or suspend statutes.
  2. **Authorizes** - the governor, after proclaiming a state of emergency and before terminating the proclamation, to issue an order concerning the waiver or suspension of other statutory and regulatory obligations or limitations as he or she reasonably believes should be waived or suspended to help preserve and maintain life, health, property, or the public peace, unless the authority: (1) Has been expressly granted to another statewide elected official; or (2) Conflicts with federal requirements that are a prescribed condition to the allocation of federal funds to the state.
  3. **Requires** - Governor to give as much notice as practical to the legislative leadership and impacted local governments.



## Upcoming 2018 Session Emergency Management Legislation ..... (so far)

- **Senate State Government Work Session (Sep 13<sup>th</sup>)** 10:00-12:00 King County  
Emergency Management Planning Room
  - Cascadia Rising Exercise Lessons Learned and Discussion
  - State Comprehensive Emergency Planning for a Nuclear Attack
- **Joint Committee on Veteran's and Military Affairs (Oct 16<sup>th</sup>)** SHR1 JAC
  - Wildfire Update 2017
  - Cascadia Rising 16 & CSZ Planning
  - Emergency Management Division Funding
  - Resilient WA
  - Upcoming 2018 Legislative Session (Budget and Policy Bills)
    - NG 911 Transition Budget Request
    - EMD Staffing Budget Request
    - COG Bill
    - Governor's Powers Bill
- **Numerous Visits and Briefings (Oct – Nov)**