

# HOUSE BILL REPORT

## HB 2853

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**As Reported by House Committee On:**  
Select Committee on Community Security

**Title:** An act relating to emergencies involving critical infrastructure arising from terrorist acts.

**Brief Description:** Requiring the emergency management council to identify critical infrastructure in the state.

**Sponsors:** Representatives Morris, Hurst, Schmidt, Barlean, Buck, Simpson, Schual-Berke, Cooper, Haigh, Benson, Ballasiotes, O'Brien, Anderson, Chase, Upthegrove, Linville and Rockefeller.

**Brief History:**

**Committee Activity:**

Select Committee on Community Security: 2/5/02 [DP].

**Brief Summary of Bill**

- Requires the Emergency Management Council to identify critical infrastructure within the state and prioritize infrastructure in need of protection.
- Requires the Emergency Management Council to facilitate efforts to develop regional plans for management and restoration of critical functions.

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### HOUSE COMMITTEE ON SELECT COMMITTEE ON COMMUNITY SECURITY

**Majority Report:** Do pass. Signed by 14 members: Representatives Hurst, Chair; Simpson, Vice Chair; Lisk, Ranking Minority Member; Ballasiotes, Barlean, Benson, Buck, Haigh, Jackley, Kessler, Morris, O'Brien, Schmidt and Schual-Berke.

**Staff:** Caroleen Dineen (786-7156).

**Background:**

The state Military Department (Military Department) administers a comprehensive program of emergency management in the state. The Adjutant General, director of the Military Department, is required to develop an "all hazard" comprehensive emergency management plan including an analysis of the natural, technological, or human-caused

hazards that could affect the state. The Adjutant General must verify local emergency management plans' consistency with the state plan. With the Governor's approval, the Adjutant General may agree with federal officials on an emergency management plan for federally owned areas within the state.

The Emergency Management Council (Council) is a 17-member council appointed by the Governor to advise the Governor and the Adjutant General on state and local emergency management matters. The Council includes representatives of at least the following:

- city and county governments;
- sheriffs and police chiefs;
- Washington State Patrol;
- Military Department;
- Department of Ecology;
- state and local fire chiefs;
- seismic safety experts;
- state and local emergency management directors;
- search and rescue volunteers;
- medical professions who have expertise in emergency medical care;
- building officials; and
- private industry members who are knowledgeable in emergency and hazardous materials management.

Among other duties, the Council must ensure the Governor receives an annual assessment of state-wide emergency preparedness that considers numerous factors.

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### **Summary of Bill:**

The Council is required to identify infrastructure within the state that is critical to regional economic stability and security. The Council's identification of critical infrastructure must be done in cooperation with the public and the private sectors. The Council must assess the vulnerability of various critical infrastructures and prioritize infrastructures most in need of protection. The Council must report its conclusions and recommendations to the Governor and the appropriate committees of the Legislature by December 1, 2002. The Council is also required to facilitate and participate in efforts to develop regional plans for management and restoration of critical functions, which may require coordination with other states, federal agencies, and neighboring nations.

Legislative intent is included to recognize the state's dependence on reliable functioning of complex infrastructure, including energy, water, transportation, and communications systems. Legislative intent also recognizes the government's responsibility to participate in and facilitate the development of a regional approach for protecting critical infrastructure.

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**Appropriation:** None.

**Fiscal Note:** Requested February 5, 2002.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** The bill gives a needed direction to the state to plan for infrastructure protection. Some fiscal and public disclosure issues will be addressed in this bill.

**Testimony Against:** The Military Department has serious concerns about this bill with respect to resources, public disclosure, and the appropriate role for the Emergency Management Council. The Committee on Terrorism has created an infrastructure working group that includes state agency, local government, and private industry participants.

**Testified:** (In support) Representative Morris, prime sponsor.

(Opposed) Glen Woodbury, Director, Emergency Management Division.