

SENATE BILL REPORT

ESB 6561

As Passed Senate, February 14, 2000

Title: An act relating to the Washington national guard.

Brief Description: Designating the Washington national guard as a law enforcement agency for the purposes of federal drug asset forfeiture laws.

Sponsors: Senators Rossi, Patterson, Horn, Loveland, Heavey, Deccio, Rasmussen, Winsley, T. Sheldon and Haugen.

Brief History:

Committee Activity: State & Local Government: 1/31/2000, 2/3/2000 [DP].
Passed Senate, 2/14/2000, 45-2.

SENATE COMMITTEE ON STATE & LOCAL GOVERNMENT

Majority Report: Do pass.

Signed by Senators Patterson, Chair; Hale, Haugen, Horn and Kline.

Staff: Roger Brodniak (786-7445)

Background: When a state or local law enforcement agency participates in a successful federal drug investigation, the agency is eligible to receive an equitable share of any forfeited drug money or property. This is known as the Department of Justice Asset Forfeiture Program. The state or local law enforcement agency's share of drug money or property is based on the degree to which the agency participated in the drug investigation.

The Washington National Guard Counterdrug Task Force (CDTF) works with local, state, and federal law enforcement agencies to enforce federal drug laws and investigate drug cases. The National Guard also contributes assets and equipment to other state and local agencies for this purpose.

Because the Washington National Guard is not recognized as a law enforcement agency for any purpose, it is ineligible to receive any federal forfeiture proceeds.

State agencies that acquire forfeited drug property or money are required to maintain records and issue reports concerning the property or money.

Summary of Bill: The Washington National Guard is recognized as a law enforcement agency for the limited and specific purpose of receiving an equitable share of funds under the Department of Justice Asset Forfeiture Program.

The Washington National Guard does not receive any new law enforcement powers.

The National Guard must keep records of its drug investigations and make an annual report to the Governor and the Legislature.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: This bill allows money to stay in this state that would otherwise go back to federal agencies. The money will only be used for Counterdrug Task Force programs that further support local and state drug programs and investigations.

Testimony Against: None.

Testified: Col. Drew Blazy, Washington National Guard Counterdrug TF (pro); Tim Lowenberg, WA Military Dept. (pro); Larry Erickson, WASPC (pro).