

HOUSE BILL REPORT

HB 2319

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

Title: An act relating to emergency management.

Brief Description: Revising provisions for emergency management.

Sponsors: Representatives Buck, Jackley, Lisk, O'Brien, Barlean, Kessler, Schmidt, Ballasiotes, Morris, Benson, Anderson, Haigh and Esser.

Brief History:

Committee Activity:

Select Committee on Community Security: 1/24/02; 1/31/02 [DPA].

Brief Summary of Amended Bill

- Removes prohibition against including preparation for emergency evacuation or relocation in anticipation of nuclear attack in state comprehensive emergency management plan and local emergency management plans.
- Requires inclusion of conventional, chemical, biological, and radiological destructive operations or attacks in state plan and programs.
- Changes the composition of the Emergency Management Council.

HOUSE COMMITTEE ON SELECT COMMITTEE ON COMMUNITY SECURITY

Majority Report: Do pass as amended. Signed by 15 members: Representatives Hurst, Chair; Simpson, Vice Chair; Lisk, Ranking Minority Member; Ballasiotes, Barlean, Benson, Buck, Campbell, 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, who serves as 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. 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. Neither the comprehensive emergency management plan nor any agreed federal-area emergency management plan may include preparation for emergency evacuation or relocation of residents in anticipation of nuclear attack.

Each county, city, and town must establish a local organization or join a joint local organization for emergency management. Each local organization must submit an emergency management plan to the Adjutant General for recommendations and verification of consistency with the state plan. No county, city or town may be required to include in its local plan any provision for emergency evacuation or relocation of residents in anticipation of nuclear attack.

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 from various state and local agencies as well as emergency medical personnel and private industry. Among other duties, the Council must ensure the Governor receives an annual assessment of state-wide emergency preparedness that considers numerous factors.

The Adjutant General is required to appoint a state coordinator for radioactive and hazardous waste programs. The state coordinator must assess current needs and capabilities of state and local response teams and coordinate training programs for radioactive and hazardous waste.

In the event of a disaster beyond local control, the Governor, through the Adjutant General, may assume operational control over all or any part of emergency management functions in the state. In addition to utilizing state and local agencies and employees for emergency response, the Governor and the chief executives or emergency management directors of counties, cities, and towns have authority to impress citizens into emergency management service if the Governor proclaims a disaster.

Summary of Amended Bill:

The Adjutant General of the state Military Department is required to include analysis of possible conventional, chemical, biological, and radiological destructive operations or attacks by enemies of the United States in the state plan. Statutory provisions prohibiting the state comprehensive emergency management plan, agreed federal area plans, and local plans from including provisions for emergency evacuation or relocation of residents in anticipation of nuclear attack are removed. Definitions and other provisions are amended to reflect this change and to add references to these types of destructive

operations or attacks.

Provisions are added to require planning for chemical, biological, and radiological substances. The Emergency Management (Council's) annual assessment of statewide emergency preparedness must include contingency planning for destructive operations or attacks involving chemical, biological, or radiological weapons. The state coordinator for radioactive and hazardous waste emergency response programs assumes responsibility for chemical, biological, and radiological substances.

The composition of the Council is changed. Four legislative members and a representative of local public health agencies are added. The 17-member maximum is removed, and the Governor is authorized to appoint other members as needed.

The definition of "emergency worker" is amended to include any person impressed into service in the event of a disaster declaration by the Governor.

Amended Bill Compared to Original Bill:

One amendment changes the composition of the Emergency Management Council by: (a) including four legislative members and a local public health representative; (b) removing the 17-member maximum; and (c) allowing the Governor to appoint other members as he or she deems necessary. The other amendment removes the term "decontamination" from the list of four items (emergency mitigation, preparedness, response, and recovery) for which the Adjutant General must coordinate skills training programs.

Appropriation: None.

Fiscal Note: Requested on January 15, 2002.

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

Testimony For: (Original bill) The emergency management system statutes were definitely written at a time when we were a lot more innocent than we are now. The prohibition against nuclear planning was probably good at the time. With the potential of "backpack nukes," however, it may be possible to get some people out of harm's way. The emergency worker definition should include those impressed into service. This bill authorizes actions already taken in an "all hazard" plan and does not add significant cost to what already has been done.

Testimony Against: (Original bill) None.

Testified: Representative Buck, prime sponsor.

