

SENATE BILL REPORT

SB 5106

As Reported By Senate Committee On:
Government Operations & Elections, January 17, 2008

Title: An act relating to emergency preparedness planning for service animals and household pets.

Brief Description: Requiring emergency preparedness planning for service animals and household pets.

Sponsors: Senators Jacobsen, Kohl-Welles, Murray and Rasmussen.

Brief History:

Committee Activity: Government Operations & Elections: 1/16/07, 2/26/07 [DPS];
1/15/08, 1/17/08 [DP2S, w/oRec].

SENATE COMMITTEE ON GOVERNMENT OPERATIONS & ELECTIONS

Majority Report: That Second Substitute Senate Bill No. 5106 be substituted therefor, and the second substitute bill do pass.

Signed by Senators Fairley, Chair; Oemig, Vice Chair; Kline, McDermott and Pridemore.

Minority Report: That it be referred without recommendation.

Signed by Senator Benton.

Staff: Sharon Swanson (786-7447)

Background: Efforts to evacuate New Orleans in response to Hurricane Katrina were complicated because many pet owners were unwilling to abandon their pets. Emergency shelters were unable or unwilling to accept pets, a fact that dissuaded many pet owners from seeking safety.

Approximately 10,000 animals were rescued, and nearly 1,000 have been reunited with their owners.

On October 6, 2006, President George W. Bush signed into law H.R. 3858, which amends the Robert T. Stafford Disaster Relief and Emergency Assistance Act to ensure that state and local emergency preparedness operational plans address the needs of individuals with household pets and service animals following a major disaster or emergency.

The state military department, specifically the emergency management division, administers emergency management and disaster relief programs. Local jurisdictions are directed to

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establish comprehensive local emergency management plans. Local jurisdictions may also establish and operate joint local emergency management organizations.

Summary of Bill (Recommended Second Substitute): Requires the Military Department, through the Emergency Management Division (EMD), to prepare, as part of the state comprehensive emergency management plan, animal emergency operations guidance for local jurisdictions. The plan must provide for the evacuation, transportation, and temporary sheltering of pets and service animals.

Requires the Department of Agriculture, in cooperation with EMD, to prepare, as part of the state comprehensive emergency management plan, livestock emergency operations guidance.

The bill enumerates several elements that the EMD and Department of Agriculture must consider in developing the guidance. Adds livestock.

EFFECT OF CHANGES MADE BY GOVERNMENT OPERATIONS & ELECTIONS COMMITTEE (Recommended Second Substitute): Removes the requirement that the Washington State Emergency Management Division, the Washington Animal Response Management Team, representatives of local government, and the Department of Agriculture develop rules in accordance with federal legislation. Removes the requirement that each county and municipality within the state to prepare a written emergency plan. Adds a list of several elements that EMD and the Department of Agriculture must consider in developing the guidance. Adds livestock. Removes the null and void clause.

EFFECT OF CHANGES MADE BY GOVERNMENT OPERATIONS & ELECTIONS COMMITTEE (Recommended First Substitute): Removes the definition of household pet, and adds a null and void clause. Requires that the Washington State Emergency Management Division, the Washington Animal Response Management Team, representatives of local government, and the Department of Agriculture develop rules in accordance with federal legislation. Requires each county and municipality within the state to prepare a written emergency plan.

Appropriation: None.

Fiscal Note: Requested on January 9, 2008.

Committee/Commission/Task Force Created: No.

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

Staff Summary of Public Testimony on Recommended Second Substitute: PRO: More than 1,300 farm animals were lost in the recent floods. It is our hope that this planning legislation will prevent a similar impact in the future. The death of farm animals causes economic devastation as well as creating a public health risk. This legislation will put local jurisdiction in line with existing federal regulations passed in 2006. Current federal regulations require state and local jurisdictions emergency operations' plans to include the sheltering and evacuation of household animals and service animals. States and local governments that have these plans are eligible for some federal reimbursement in a declared disaster. This is extremely modest legislation. We simply want the Department of Agriculture, EMD, and local jurisdictions to plan and work together. There are virtually no counties across our state that are prepared to deal with the evacuation of large animals. It

often falls to private groups to assist. We support the intent of the legislation but have concerns about the potential fiscal impact. During the recent floods a local woman refused to leave her home because there was no way to evacuate her lamas. This person stayed on the second floor of her home with the animals, rather than leave them behind. We do need to revise our disaster plans to consider the evacuation of pets. There is a reimbursement provision for pets but not for farm animals. Better planning will encourage people to evacuate and get out of harms way if they believe their pets will be safely evacuated.

OTHER: Our main concern regarding this legislation focuses on making sure we do not create another parallel planning process for state and local governments. It is our hope that any guidance the legislature chooses to give us regarding pets and service animals become part of the state's current emergency planning system. This will ensure implementation costs are minimized and state agencies or local governments will not be burdened with an additional workload.

Persons Testifying: PRO: Jenny Edwards, Washington Animal Control Association; Hope for Horses; Inga Gibson, Humane Society of the United States.

OTHER: Sandy Johnson, Washington State Emergency Management Association; Jim Mullen, Washington Military Department / Emergency Management Division.