

# SENATE BILL REPORT

## SB 6950

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As Amended by House, March 5, 2008

**Title:** An act relating to limited waiver or suspension of statutory obligations during officially declared emergencies.

**Brief Description:** Providing a limited waiver or suspension of statutory obligations during officially declared emergencies.

**Sponsors:** Senators Brown, Hewitt, Fraser, Brandland, Swecker, Hatfield, Rasmussen, Rockefeller, Stevens, Haugen, Zarelli, Pridemore, Parlette, Sheldon, Hobbs, Hargrove, Holmquist, Fairley, Prentice, Kauffman, Berkey, Kilmer, Kohl-Welles, Shin, Carrell, King, Schoesler, Morton, Delvin, Pflug, Honeyford and Eide.

**Brief History:**

Passed Senate: 2/18/08, 48-0.

**Staff:** Diane Smith (786-7410)

**Background:** The Governor has the authority to proclaim a state of emergency in the area of the state effected by a riot, energy emergency, public disorder or disaster. Other than prohibiting specific activities that may be undertaken by the general public, the Governor's emergency powers include prohibiting activities that the Governor believes should be prohibited to help preserve and maintain life, health, property or the public peace.

The usual administration of various executive functions was discovered to be inadequate to facilitate immediate response to the devastation of the December 2007 flooding. Likewise, the responses of government to the continuing needs of citizens living or working in the counties declared to be in a state of emergency, were found to be hampered by the lack of specific statutory authority for waivers or other reasonable responses to these unusual circumstances.

**Summary of Bill:** The Governor has authority to waive or suspend statutory obligations or limitations for certain executive functions during and in the areas affected by a proclamation of emergency.

The Department of Community, Trade and Economic Development may enter into interlocal agreements with public agencies that provide mutual aide and cooperation to the public agencies affected by the emergency. Any liability arising from acts done by these public agencies during, traveling to or from, or in preparation for the emergency are obligations of the state, unless they are undertaken by the United States.

During a state of emergency, the Governor may waive or suspend the collection of fees for permits and inspections charged by the Department of Labor and Industries that would

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otherwise be due for activities facilitating the operation of the government or for the safety and protection of the civilian population.

During a state of emergency, the Governor may order that the benefits of the family emergency assistance program be extended to individuals and families without children.

The Governor may order that the authority of the Utilities and Transportation Commission to set tariffs, enforce regulations, require notice, and collect taxes be waived or suspended in order to facilitate the operation of government or for the safety and protection of the civilian population.

The county treasurers have authority during a state of emergency to grant extensions of the due date of any property taxes. Likewise, the Department of Revenue may grant extension of the due date of any taxes due to the Department of Revenue.

During a state of emergency the Governor may waive the requirement for a special liquor purchase permit for alcohol to be used for medical or health purposes.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Committee/Commission/Task Force Created:** No.

**Effective Date:** The bill contains several effective dates. Please refer to the bill.

**House Amendment(s):** The Governor also may waive the alcohol special purpose permit for mechanical or manufacturing businesses and scientific pursuits requiring the use of alcohol; and the special liquor purchase permit for drug stores' dispensing of alcohol by prescription.

Through 2009, authorizes an alternative timber tax calculation for certain timber harvested in an amount not exceeding five-million board feet on property within a county designated by the President of the United States as a disaster area due to the storms and flooding of 2007 that also qualifies for individual assistance through the federal emergency management agency.