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**SUBSTITUTE SENATE BILL 5902**

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**State of Washington**

**61st Legislature**

**2009 Regular Session**

**By** Senate Ways & Means (originally sponsored by Senators Pridemore, Fraser, McAuliffe, Kline, Kohl-Welles, and McDermott)

READ FIRST TIME 02/26/09.

1       AN ACT Relating to promoting accessible communities for persons  
2 with disabilities; amending RCW 29A.46.260 and 38.52.070; reenacting  
3 and amending RCW 46.16.381 and 43.79A.040; adding a new section to  
4 chapter 50.40 RCW; adding a new section to chapter 36.01 RCW; creating  
5 new sections; and providing an effective date.

6       BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

7       NEW SECTION.   **Sec. 1.** The legislature finds that when people who  
8 have disabilities are welcomed and included as members of our  
9 communities and provided with equal access to the opportunities  
10 available to others, their participation enriches those communities,  
11 enhances the strength of those communities' diversity, and contributes  
12 toward the economic vitality of those communities. The legislature  
13 further finds that more than nine hundred thousand Washington state  
14 residents with disabilities continue to face barriers to full  
15 participation that could be easily eliminated.

16       NEW SECTION.   **Sec. 2.** (1) The accessible communities account is  
17 created in the custody of the state treasurer. Two hundred dollars  
18 from each full penalty imposed under RCW 46.16.381 (8) and (9) must be

1 deposited into the account. When a court suspends a portion of a  
2 penalty imposed under RCW 46.16.381 (8) or (9), the amount from that  
3 penalty that must be deposited into the account shall be reduced in  
4 proportion to the reduction in the penalty that results from that  
5 suspension.

6 (2) The account is subject to the allotment procedures under  
7 chapter 43.88 RCW, but an appropriation is not required for  
8 expenditures. Only the commissioner may authorize expenditures from  
9 the account.

10 (3) Expenditures from the account may be used for promoting greater  
11 awareness of disability issues and improved access for and acceptance  
12 of persons with disabilities in communities in the state of Washington,  
13 including:

14 (a) Reimbursing travel, per diem, and reasonable accommodation or  
15 meeting expenses for county accessible community advisory committees  
16 and for the state and local work group, facilitated by the governor's  
17 office, to develop a planning template for local emergency management  
18 jurisdictions to identify and respond to the needs of persons with  
19 disabilities in disasters as described in RCW 38.52.070;

20 (b) Establishing and maintaining an accessible communities web  
21 site;

22 (c) Providing training or technical assistance for county  
23 accessible community advisory committees;

24 (d) A grant program for funding proposals developed and submitted  
25 by county accessible community advisory committees to promote greater  
26 awareness of disability issues and access for persons with disabilities  
27 within the community; and

28 (e) Programming changes to the judicial information system  
29 accounting module required for disbursement of funds to this account.

30 NEW SECTION. **Sec. 3.** A new section is added to chapter 50.40 RCW  
31 to read as follows:

32 (1) The governor's committee on disability issues and employment  
33 shall:

34 (a) Determine eligibility of accessible community advisory  
35 committees for reimbursement or for grant funding according to section  
36 4(1) of this act; and

1 (b) Solicit proposals from active accessible community advisory  
2 committees for projects to improve disability awareness and access for  
3 persons with disabilities, and shall select projects for funding from  
4 moneys available in the accessible communities account.

5 (2) The commissioner shall adopt rules to administer this section.

6 (3) The governor's committee on disability issues and employment  
7 shall establish an accessible communities web site to provide the  
8 following information: Guidance, technical assistance, reference  
9 materials, and resource identification for local governments,  
10 accessible community advisory committees, and public accommodations;  
11 examples of best practices for local initiatives and activities to  
12 promote greater awareness of disability issues and access for persons  
13 with disabilities within the community; and a searchable listing of  
14 local public accommodations that have taken steps to be more disability  
15 friendly, including information on the specific access features  
16 provided.

17 NEW SECTION. **Sec. 4.** A new section is added to chapter 36.01 RCW  
18 to read as follows:

19 (1) A county that has an active accessible community advisory  
20 committee established under RCW 29A.46.260 may be reimbursed from the  
21 accessible communities account created in section 2 of this act for  
22 travel, per diem, reasonable accommodation expenses for the  
23 participation of that committee's members in committee meetings and  
24 sponsored activities, and meeting room costs for the county's  
25 accessible community advisory committee meetings.

26 (2) A county establishes that it has an active accessible community  
27 advisory committee by submitting annual assurances to the governor's  
28 committee on disability issues and employment that:

29 (a) Committee members include persons with a diverse range of  
30 disabilities who are knowledgeable in identifying and eliminating  
31 attitudinal, programmatic, and physical barriers encountered by persons  
32 with disabilities.

33 (b) The committee is actively involved in the following activities:  
34 Advising on addressing the needs of persons with disabilities in  
35 emergency plans; advising the county and other local governments within  
36 the county on access to programs services and activities, new  
37 construction or renovation projects, sidewalks, other pedestrian routes

1 of travel, and disability parking enforcement; and developing local  
2 initiatives and activities to promote greater awareness of disability  
3 issues and access for persons with disabilities within the community.

4 (3) Adjacent counties may form joint accessible community advisory  
5 committees, as long as no more than one of the participating counties  
6 has a population greater than seventy thousand.

7 (4) A county that is required to establish and maintain an advisory  
8 committee under RCW 29A.46.260 may incorporate the functions of that  
9 committee into an active accessible community advisory committee.

10 **Sec. 5.** RCW 29A.46.260 and 2006 c 207 s 7 are each amended to read  
11 as follows:

12 (1) The legislature finds that the elimination of polling places  
13 resulting from the transition to vote by mail creates barriers that  
14 restrict the ability of many voters with disabilities from achieving  
15 the independence and privacy in voting provided by the accessible  
16 voting devices required under the help America vote act. Counties  
17 adopting a vote by mail system must take appropriate steps to mitigate  
18 these impacts and to address the obligation to provide voters with  
19 disabilities an equal opportunity to vote independently and privately,  
20 to the extent that this can be achieved without incurring undue  
21 administrative and financial burden.

22 (2) Each county shall establish and maintain an accessible  
23 community advisory committee that includes persons with diverse  
24 disabilities and persons with expertise in providing accommodations for  
25 persons with disabilities. The committee shall assist election  
26 officials in developing a plan to identify and implement changes to  
27 improve the accessibility of elections for voters with disabilities.  
28 The plan shall include recommendations for the following:

29 (a) The number of polling places that will be maintained in order  
30 to ensure that people with disabilities have reasonable access to  
31 accessible voting devices, and a written explanation for how the  
32 determination was made;

33 (b) The locations of polling places, drop-off facilities, voting  
34 centers, and other election-related functions necessary to maximize  
35 accessibility to persons with disabilities;

36 (c) Outreach to voters with disabilities on the availability of  
37 disability accommodation, including in-person disability access voting;

1 (d) Transportation of voting devices to locations convenient for  
2 voters with disabilities in order to ensure reasonable access for  
3 voters with disabilities; and

4 (e) Implementation of the provisions of the help America vote act  
5 related to persons with disabilities.

6 Counties must update the plan at least annually. The election  
7 review staff of the secretary of state shall review and evaluate the  
8 plan in conformance with the review procedure identified in RCW  
9 29A.04.570.

10 (3) Counties may form a joint accessible community advisory  
11 committee to develop the plan identified in subsection (2) of this  
12 section if (~~the total population of the joining counties does not~~  
13 ~~exceed thirty thousand, and the counties are geographically adjacent~~)  
14 no more than one of the participating counties has a population greater  
15 than seventy thousand.

16 **Sec. 6.** RCW 46.16.381 and 2007 c 262 s 1 and 2007 c 44 s 1 are  
17 each reenacted and amended to read as follows:

18 (1) The director shall grant special parking privileges to any  
19 person who has a disability that limits or impairs the ability to walk  
20 or involves acute sensitivity to light and meets one of the following  
21 criteria, as determined by a licensed physician, an advanced registered  
22 nurse practitioner licensed under chapter 18.79 RCW, or a physician  
23 assistant licensed under chapter 18.71A or 18.57A RCW:

24 (a) Cannot walk two hundred feet without stopping to rest;

25 (b) Is severely limited in ability to walk due to arthritic,  
26 neurological, or orthopedic condition;

27 (c) Has such a severe disability, that the person cannot walk  
28 without the use of or assistance from a brace, cane, another person,  
29 prosthetic device, wheelchair, or other assistive device;

30 (d) Uses portable oxygen;

31 (e) Is restricted by lung disease to such an extent that forced  
32 expiratory respiratory volume, when measured by spirometry is less than  
33 one liter per second or the arterial oxygen tension is less than sixty  
34 mm/hg on room air at rest;

35 (f) Impairment by cardiovascular disease or cardiac condition to  
36 the extent that the person's functional limitations are classified as

1 class III or IV under standards accepted by the American Heart  
2 Association;

3 (g) Has a disability resulting from an acute sensitivity to  
4 automobile emissions which limits or impairs the ability to walk. The  
5 personal physician, advanced registered nurse practitioner, or  
6 physician assistant of the applicant shall document that the disability  
7 is comparable in severity to the others listed in this subsection;

8 (h) Is legally blind and has limited mobility; or

9 (i) Is restricted by a form of porphyria to the extent that the  
10 applicant would significantly benefit from a decrease in exposure to  
11 light.

12 (2) The applications for parking permits for persons with  
13 disabilities and parking permits for persons with temporary  
14 disabilities are official state documents. Knowingly providing false  
15 information in conjunction with the application is a gross misdemeanor  
16 punishable under chapter 9A.20 RCW. The following statement must  
17 appear on each application form immediately below the physician's,  
18 advanced registered nurse practitioner's, or physician assistant's  
19 signature and immediately below the applicant's signature: "A parking  
20 permit for a person with disabilities may be issued only for a medical  
21 necessity that severely affects mobility or involves acute sensitivity  
22 to light (RCW 46.16.381). Knowingly providing false information on  
23 this application is a gross misdemeanor. The penalty is up to one year  
24 in jail and a fine of up to \$5,000 or both."

25 (3) Persons who qualify for special parking privileges are entitled  
26 to receive from the department of licensing a removable windshield  
27 placard bearing the international symbol of access and an individual  
28 serial number, along with a special identification card bearing the  
29 name and date of birth of the person to whom the placard is issued, and  
30 the placard's serial number. The special identification card shall be  
31 issued to all persons who are issued parking placards, including those  
32 issued for temporary disabilities, and special parking license plates  
33 for persons with disabilities. The department shall design the placard  
34 to be displayed when the vehicle is parked by suspending it from the  
35 rearview mirror, or in the absence of a rearview mirror the card may be  
36 displayed on the dashboard of any vehicle used to transport the person  
37 with disabilities. Instead of regular motor vehicle license plates,  
38 persons with disabilities are entitled to receive special license

1 plates under this section or RCW 46.16.385 bearing the international  
2 symbol of access for one vehicle registered in the name of the person  
3 with disabilities. Persons with disabilities who are not issued the  
4 special license plates are entitled to receive a second special placard  
5 upon submitting a written request to the department. Persons who have  
6 been issued the parking privileges and who are using a vehicle or are  
7 riding in a vehicle displaying the placard or special license plates  
8 issued under this section or RCW 46.16.385 may park in places reserved  
9 for persons with physical disabilities. The director shall adopt rules  
10 providing for the issuance of special placards and license plates to  
11 public transportation authorities, nursing homes licensed under chapter  
12 18.51 RCW, boarding homes licensed under chapter 18.20 RCW, senior  
13 citizen centers, private nonprofit agencies as defined in chapter 24.03  
14 RCW, and vehicles registered with the department as cabulances that  
15 regularly transport persons with disabilities who have been determined  
16 eligible for special parking privileges provided under this section.  
17 The director may issue special license plates for a vehicle registered  
18 in the name of the public transportation authority, nursing home,  
19 boarding home, senior citizen center, private nonprofit agency, or  
20 cabulance service if the vehicle is primarily used to transport persons  
21 with disabilities described in this section. Public transportation  
22 authorities, nursing homes, boarding homes, senior citizen centers,  
23 private nonprofit agencies, and cabulance services are responsible for  
24 insuring that the special placards and license plates are not used  
25 improperly and are responsible for all fines and penalties for improper  
26 use.

27 (4) Whenever the person with disabilities transfers or assigns his  
28 or her interest in the vehicle, the special license plates shall be  
29 removed from the motor vehicle. If another vehicle is acquired by the  
30 person with disabilities and the vehicle owner qualifies for a special  
31 plate, the plate shall be attached to the vehicle, and the director  
32 shall be immediately notified of the transfer of the plate. If another  
33 vehicle is not acquired by the person with disabilities, the removed  
34 plate shall be immediately surrendered to the director.

35 (5) The special license plate shall be renewed in the same manner  
36 and at the time required for the renewal of regular motor vehicle  
37 license plates under this chapter. No special license plate may be  
38 issued to a person who is temporarily disabled. A person who has a

1 condition expected to improve within six months may be issued a  
2 temporary placard for a period not to exceed six months. If the  
3 condition exists after six months a new temporary placard shall be  
4 issued upon receipt of a new certification from the person's physician.  
5 The permanent parking placard and identification card of a person with  
6 disabilities shall be renewed at least every five years, as required by  
7 the director, by satisfactory proof of the right to continued use of  
8 the privileges. In the event of the permit holder's death, the parking  
9 placard and identification card must be immediately surrendered to the  
10 department. The department shall match and purge its database of  
11 parking permits issued to persons with disabilities with available  
12 death record information at least every twelve months.

13 (6) Additional fees shall not be charged for the issuance of the  
14 special placards or the identification cards. No additional fee may be  
15 charged for the issuance of the special license plates except the  
16 regular motor vehicle registration fee and any other fees and taxes  
17 required to be paid upon registration of a motor vehicle.

18 (7) Any unauthorized use of the special placard, special license  
19 plate issued under this section or RCW 46.16.385, or identification  
20 card is a traffic infraction with a monetary penalty of (~~two~~) four  
21 hundred fifty dollars.

22 (8) It is a parking infraction, with a monetary penalty of (~~two~~)  
23 four hundred fifty dollars for a person to park in, block, or otherwise  
24 make inaccessible the access aisle located next to a space reserved for  
25 persons with physical disabilities. The clerk of the court shall  
26 report all violations related to this subsection to the department.

27 (9) It is a parking infraction, with a monetary penalty of (~~two~~)  
28 four hundred fifty dollars for any person to park a vehicle in a  
29 parking place provided on private property without charge or on public  
30 property reserved for persons with physical disabilities without a  
31 placard or special license plate issued under this section or RCW  
32 46.16.385. If a person is charged with a violation, the person shall  
33 not be determined to have committed an infraction if the person  
34 produces in court or before the court appearance the placard or special  
35 license plate issued under this section or RCW 46.16.385 required under  
36 this section. A local jurisdiction providing nonmetered, on-street  
37 parking places reserved for persons with physical disabilities may  
38 impose by ordinance time restrictions of no less than four hours on the



1 use of these parking places. A local jurisdiction may impose by  
2 ordinance time restrictions of no less than four hours on the use of  
3 nonreserved, on-street parking spaces by vehicles displaying the  
4 special parking placards or special license plates issued under this  
5 section or RCW 46.16.385. All time restrictions must be clearly  
6 posted.

7 (10) (~~The penalties~~) Two hundred dollars from each full penalty  
8 imposed under subsections (7), (8) (~~and~~), (9), and (11) of this  
9 section shall be deposited in the accessible communities account  
10 created in section 2 of this act. When a court suspends a portion of  
11 a penalty imposed under subsection (8) or (9) of this section the  
12 amount from that penalty that shall be deposited into the accessible  
13 communities account shall be reduced in proportion to the reduction in  
14 the penalty that results from that suspension. The remaining penalty  
15 amounts shall be used by that local jurisdiction exclusively for law  
16 enforcement. The court may also impose an additional penalty  
17 sufficient to reimburse the local jurisdiction for any costs it may  
18 have incurred in removal and storage of the improperly parked vehicle.

19 (11) Except as provided by subsection (2) of this section, it is a  
20 traffic infraction with a monetary penalty of (~~two~~) four hundred  
21 fifty dollars for any person willfully to obtain a special license  
22 plate issued under this section or RCW 46.16.385, placard, or  
23 identification card in a manner other than that established under this  
24 section.

25 (12)(a) A law enforcement agency authorized to enforce parking laws  
26 may appoint volunteers, with a limited commission, to issue notices of  
27 infractions for violations of this section or RCW 46.61.581.  
28 Volunteers must be at least twenty-one years of age. The law  
29 enforcement agency appointing volunteers may establish any other  
30 qualifications the agency deems desirable.

31 (b) An agency appointing volunteers under this section must provide  
32 training to the volunteers before authorizing them to issue notices of  
33 infractions.

34 (c) A notice of infraction issued by a volunteer appointed under  
35 this subsection has the same force and effect as a notice of infraction  
36 issued by a police officer for the same offense.

37 (d) A police officer or a volunteer may request a person to show  
38 the person's identification card or special parking placard when

1 investigating the possibility of a violation of this section. If the  
2 request is refused, the person in charge of the vehicle may be issued  
3 a notice of infraction for a violation of this section.

4 (13) For second or subsequent violations of this section, in  
5 addition to a monetary fine, the violator must complete a minimum of  
6 forty hours of:

7 (a) Community restitution for a nonprofit organization that serves  
8 persons having disabilities or disabling diseases; or

9 (b) Any other community restitution that may sensitize the violator  
10 to the needs and obstacles faced by persons who have disabilities.

11 (14) The court may not suspend more than one-half of any fine  
12 imposed under subsection (7), (8), (9), or (11) of this section.

13 (15) For the purposes of this section, "legally blind" means a  
14 person who: (a) Has no vision or whose vision with corrective lenses  
15 is so limited that the individual requires alternative methods or  
16 skills to do efficiently those things that are ordinarily done with  
17 sight by individuals with normal vision; or (b) has an eye condition of  
18 a progressive nature which may lead to blindness.

19 **Sec. 7.** RCW 43.79A.040 and 2008 c 239 s 9, 2008 c 208 s 9, 2008 c  
20 128 s 20, and 2008 c 122 s 24 are each reenacted and amended to read as  
21 follows:

22 (1) Money in the treasurer's trust fund may be deposited, invested,  
23 and reinvested by the state treasurer in accordance with RCW 43.84.080  
24 in the same manner and to the same extent as if the money were in the  
25 state treasury.

26 (2) All income received from investment of the treasurer's trust  
27 fund shall be set aside in an account in the treasury trust fund to be  
28 known as the investment income account.

29 (3) The investment income account may be utilized for the payment  
30 of purchased banking services on behalf of treasurer's trust funds  
31 including, but not limited to, depository, safekeeping, and  
32 disbursement functions for the state treasurer or affected state  
33 agencies. The investment income account is subject in all respects to  
34 chapter 43.88 RCW, but no appropriation is required for payments to  
35 financial institutions. Payments shall occur prior to distribution of  
36 earnings set forth in subsection (4) of this section.

1 (4)(a) Monthly, the state treasurer shall distribute the earnings  
2 credited to the investment income account to the state general fund  
3 except under (b) and (c) of this subsection.

4 (b) The following accounts and funds shall receive their  
5 proportionate share of earnings based upon each account's or fund's  
6 average daily balance for the period: The Washington promise  
7 scholarship account, the college savings program account, the  
8 Washington advanced college tuition payment program account, the  
9 accessible communities account, the agricultural local fund, the  
10 American Indian scholarship endowment fund, the foster care scholarship  
11 endowment fund, the foster care endowed scholarship trust fund, the  
12 students with dependents grant account, the basic health plan self-  
13 insurance reserve account, the contract harvesting revolving account,  
14 the Washington state combined fund drive account, the commemorative  
15 works account, the Washington international exchange scholarship  
16 endowment fund, the toll collection account, the developmental  
17 disabilities endowment trust fund, the energy account, the fair fund,  
18 the family leave insurance account, the food animal veterinarianian  
19 conditional scholarship account, the fruit and vegetable inspection  
20 account, the future teachers conditional scholarship account, the game  
21 farm alternative account, the GET ready for math and science  
22 scholarship account, the grain inspection revolving fund, the juvenile  
23 accountability incentive account, the law enforcement officers' and  
24 firefighters' plan 2 expense fund, the local tourism promotion account,  
25 the pilotage account, the produce railcar pool account, the regional  
26 transportation investment district account, the rural rehabilitation  
27 account, the stadium and exhibition center account, the youth athletic  
28 facility account, the self-insurance revolving fund, the sulfur dioxide  
29 abatement account, the children's trust fund, the Washington horse  
30 racing commission Washington bred owners' bonus fund account, the  
31 Washington horse racing commission class C purse fund account, the  
32 individual development account program account, the Washington horse  
33 racing commission operating account (earnings from the Washington horse  
34 racing commission operating account must be credited to the Washington  
35 horse racing commission class C purse fund account), the life sciences  
36 discovery fund, the Washington state heritage center account, the  
37 reduced cigarette ignition propensity account, and the reading

1 achievement account. However, the earnings to be distributed shall  
2 first be reduced by the allocation to the state treasurer's service  
3 fund pursuant to RCW 43.08.190.

4 (c) The following accounts and funds shall receive eighty percent  
5 of their proportionate share of earnings based upon each account's or  
6 fund's average daily balance for the period: The advanced right-of-way  
7 revolving fund, the advanced environmental mitigation revolving  
8 account, the city and county advance right-of-way revolving fund, the  
9 federal narcotics asset forfeitures account, the high occupancy vehicle  
10 account, the local rail service assistance account, and the  
11 miscellaneous transportation programs account.

12 (5) In conformance with Article II, section 37 of the state  
13 Constitution, no trust accounts or funds shall be allocated earnings  
14 without the specific affirmative directive of this section.

15 **Sec. 8.** RCW 38.52.070 and 1997 c 49 s 4 are each amended to read  
16 as follows:

17 (1) Each political subdivision of this state is hereby authorized  
18 and directed to establish a local organization or to be a member of a  
19 joint local organization for emergency management in accordance with  
20 the state comprehensive emergency management plan and program:  
21 PROVIDED, That a political subdivision proposing such establishment  
22 shall submit its plan and program for emergency management to the state  
23 director and secure his or her recommendations thereon, and  
24 verification of consistency with the state comprehensive emergency  
25 management plan, in order that the plan of the local organization for  
26 emergency management may be coordinated with the plan and program of  
27 the state. Local comprehensive emergency management plans must specify  
28 the use of the incident command system for  
29 multiagency/multijurisdiction operations. Under the guidance and  
30 supervision of the governor's emergency management council, the  
31 governor's office will facilitate a state and local work group to  
32 develop a planning template for local emergency management  
33 jurisdictions to identify and respond to the needs of persons with  
34 disabilities in disasters concerning issues such as: Notification;  
35 medications, refrigeration, and backup power; access to mobility  
36 devices and service animals while in transit or at shelters; and access  
37 to information, to be completed and approved by the governor by July

1 2010. Local emergency management jurisdictions shall then work with  
2 accessible community advisory committees or other local disability  
3 organizations to complete the planning template and incorporate  
4 necessary changes to local comprehensive emergency management plans by  
5 2012. The local emergency planning effort must document the  
6 participation of accessible community advisory committees or other  
7 local disability organizations in developing the responses to these  
8 issues. No political subdivision may be required to include in its  
9 plan provisions for the emergency evacuation or relocation of residents  
10 in anticipation of nuclear attack. If the director's recommendations  
11 are adverse to the plan as submitted, and, if the local organization  
12 does not agree to the director's recommendations for modification to  
13 the proposal, the matter shall be referred to the council for final  
14 action. The director may authorize two or more political subdivisions  
15 to join in the establishment and operation of a joint local  
16 organization for emergency management as circumstances may warrant, in  
17 which case each political subdivision shall contribute to the cost of  
18 emergency management upon such fair and equitable basis as may be  
19 determined upon by the executive heads of the constituent subdivisions.  
20 If in any case the executive heads cannot agree upon the proper  
21 division of cost the matter shall be referred to the council for  
22 arbitration and its decision shall be final. When two or more  
23 political subdivisions join in the establishment and operation of a  
24 joint local organization for emergency management each shall pay its  
25 share of the cost into a special pooled fund to be administered by the  
26 treasurer of the most populous subdivision, which fund shall be known  
27 as the . . . . . emergency management fund. Each local organization  
28 or joint local organization for emergency management shall have a  
29 director who shall be appointed by the executive head of the political  
30 subdivision, and who shall have direct responsibility for the  
31 organization, administration, and operation of such local organization  
32 for emergency management, subject to the direction and control of such  
33 executive officer or officers. In the case of a joint local  
34 organization for emergency management, the director shall be appointed  
35 by the joint action of the executive heads of the constituent political  
36 subdivisions. Each local organization or joint local organization for  
37 emergency management shall perform emergency management functions  
38 within the territorial limits of the political subdivision within which

1 it is organized, and, in addition, shall conduct such functions outside  
2 of such territorial limits as may be required pursuant to the  
3 provisions of this chapter.

4 (2) In carrying out the provisions of this chapter each political  
5 subdivision, in which any disaster as described in RCW 38.52.020  
6 occurs, shall have the power to enter into contracts and incur  
7 obligations necessary to combat such disaster, protecting the health  
8 and safety of persons and property, and providing emergency assistance  
9 to the victims of such disaster. Each political subdivision is  
10 authorized to exercise the powers vested under this section in the  
11 light of the exigencies of an extreme emergency situation without  
12 regard to time-consuming procedures and formalities prescribed by law  
13 (excepting mandatory constitutional requirements), including, but not  
14 limited to, budget law limitations, requirements of competitive bidding  
15 and publication of notices, provisions pertaining to the performance of  
16 public work, entering into contracts, the incurring of obligations, the  
17 employment of temporary workers, the rental of equipment, the purchase  
18 of supplies and materials, the levying of taxes, and the appropriation  
19 and expenditures of public funds.

20 NEW SECTION. **Sec. 9.** Section 7 of this act takes effect August 1,  
21 2009.

--- END ---