

SENATE BILL REPORT

ESHB 1406

As Reported by Senate Committee On:
Government Operations, Tribal Relations & Elections, March 17, 2011

Title: An act relating to intrastate building safety mutual aid in the event of emergencies and other situations that temporarily render a jurisdiction incapable of providing required building safety services.

Brief Description: Establishing the intrastate building safety mutual aid system.

Sponsors: House Committee on Public Safety & Emergency Preparedness (originally sponsored by Representatives Hunt, Ross, Appleton, Armstrong, Hurst and Stanford).

Brief History: Passed House: 2/26/11, 97-0.

Committee Activity: Government Operations, Tribal Relations & Elections: 3/14/11, 3/17/11 [DP].

SENATE COMMITTEE ON GOVERNMENT OPERATIONS, TRIBAL RELATIONS & ELECTIONS

Majority Report: Do pass.

Signed by Senators Pridemore, Chair; Prentice, Vice Chair; Swecker, Ranking Minority Member; Chase, Nelson and Roach.

Staff: Diane Smith (786-7410)

Background: The Washington Association of Building Officials is a nonprofit, professional association of state, county, city, and town officials in Washington State engaged in the development, enforcement, and administration of building construction codes and ordinances. Membership includes building officials and inspectors, planners, architects, structural engineers, and others.

The Military Department administers the comprehensive emergency management program of the state. Each political subdivision of the state is directed to establish a local organization for emergency management in accordance with the state comprehensive emergency management plan and program. The director of each local organization may, in collaboration with other public and private agencies within the state, develop mutual aid arrangements for reciprocal aid and assistance.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

The Emergency Management Council (Council) advises the Governor and the Director of the Military Department, the Adjutant General, on all matters pertaining to state and local emergency management. The Council is composed of not more than 17 members appointed by the Governor, with membership from city and county government, police, fire, state and local emergency management directors, and building officials, among others.

These local arrangements must be consistent with the state comprehensive emergency management plan and program. It is the duty of each local organization to render assistance, in time of emergency, in accordance with the provisions of the local arrangement.

Summary of Bill: The building safety mutual aid system provides mutual assistance among member jurisdictions in the case of emergency or to participate in training and exercises. Emergency means a situation that temporarily renders a building safety department incapable of providing building safety services.

Counties, cities, towns, as well as tribes, that make a written declaration of their intention to participate, are member jurisdictions. Other governmental entities responsible for building safety are also member jurisdictions.

The request and acceptance of assistance is made from chief executive officer to chief executive officer of member jurisdictions. The request and response are voluntary and the responding jurisdiction may withhold requested resources for any reason and at any time.

The requesting jurisdiction must reimburse the responding jurisdictions for the true and full value of assistance provided. Requests for reimbursement must be made within 30 days, as prescribed by the Intrastate Building Safety Mutual Aid Oversight Committee (Committee). However, a responding jurisdiction may donate its assistance and resources.

The Committee is created as a committee of the Washington Association of Building Officials. The Committee must be representative of building safety agencies and disciplines as well as local political subdivisions. Members are appointed by the President of the Washington Association of Building Officials. The Committee must meet at least annually. It must develop and update comprehensive guidelines and procedures implementing the system and draft guidelines, policies, and procedures to correct any deficiencies in the system.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

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

Staff Summary of Public Testimony: PRO: The differences in this bill with the other mutual aid bill are consistent. This is a grass-roots effort to build capacity at the local level without adding staff. It covers lending staff to a jurisdiction where its staff is ill, has died, or is otherwise shorthanded. There is no cost to the state because a volunteer, nonprofit

organization, WABO, will provide the administration for credentials. This bill is a complement to the other bill. This bill is a single-discipline bill providing for the interruption in a local jurisdiction's ability to provide building safety. It is fully covered in Title 38. One could differentiate this bill from the other by calling this bill a building safety services interruption bill.

Persons Testifying: PRO: Dick Bower, City of Gig Harbor; Ron Newbry, Washington Association of Building Officials; Nancy Bickford, Washington Military Department.