

# SENATE BILL REPORT

## SB 5936

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As Reported by Senate Committee On:  
State Government, Tribal Relations & Elections, February 2, 2018

**Title:** An act relating to removing the prohibition on planning for a nuclear attack in emergency management plans.

**Brief Description:** Removing the prohibition on planning for a nuclear attack in emergency management plans.

**Sponsors:** Senators Frockt, Miloscia, Ranker and Palumbo.

**Brief History:**

**Committee Activity:** State Government, Tribal Relations & Elections: 2/02/18 [DP].

**Brief Summary of Bill**

- Removes the prohibition on planning for a nuclear attack in state emergency management plans.

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### SENATE COMMITTEE ON STATE GOVERNMENT, TRIBAL RELATIONS & ELECTIONS

**Majority Report:** Do pass.

Signed by Senators Hunt, Chair; Kuderer, Vice Chair; Miloscia, Ranking Member; Saldaña and Zeiger.

**Staff:** Melissa Van Gorkom (786-7491)

**Background:** The Washington Military Department, under the direction of the adjutant general, administers the state's comprehensive program of emergency management. Emergency management includes preparation for and carrying out all emergency functions to mitigate, prepare for, respond to, and recover from emergencies and disasters; to aid victims suffering from injury or damage resulting from disasters; and to provide support for search and rescue operations. Emergency management, as defined, excludes planning for emergency evacuation or relocation of residents in anticipation of a nuclear attack.

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*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 adjutant general is responsible for developing a comprehensive, all-hazard emergency plan for the state that includes an analysis of natural, technological, or human-caused hazards, and procedures to coordinate local and state resources in responding to such hazards. With respect to federally owned areas, the adjutant general may agree with the federal government or other agencies upon a plan of emergency management that may or may not conform to all state law requirements, with a view to integrating federally owned areas into the state comprehensive emergency management plan. Each political subdivision of the state is directed to establish a local organization or to be a member of a joint local organization for emergency management in accordance with the state comprehensive emergency management plan and program. No emergency management plan may include preparation for emergency evacuation or relocation of residents in anticipation of a nuclear attack.

**Summary of Bill:** Provisions are removed that exclude nuclear attack planning from the definition of emergency management, and that prohibit the state comprehensive emergency management plan and agreed federal area plans from including preparation for emergency evacuation or relocation of residents in anticipation of a nuclear attack.

**Appropriation:** None.

**Fiscal Note:** Available.

**Creates Committee/Commission/Task Force that includes Legislative members:** No.

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

**Staff Summary of Public Testimony:** PRO: This is an interesting provision placed into statute a long time ago that must be revisited. Nothing in the law should prohibit the Emergency Management Division (EMD) from planning for whatever incidents they feel are necessary. This bill removes the prohibition. It is a sensible change that in no way should make this a priority in terms of emergency management planning. This type of emergency is remote on the spectrum, but there should be the ability to plan for whatever they deem necessary and EMD needs to have the resources necessary to be able to do that.

CON: Public policy should not deceive people. The state law prohibits only the meaningless and ineffective, deceptive illusion that evacuation can save us. The state should do other kinds of planning. There is no feasible relevant medical or public health response to a nuclear war. All efforts must be focused on reducing nuclear weapons, all other efforts for preparing for nuclear attack are misleading and irresponsible. It would be impractical to shut down the state economy, leave housing and businesses vacant and subject citizens to looting and loss of wages for an evacuation. This is not realistic.

OTHER: Support removing the prohibition that prevents us from planning for emergency evacuation or relocation in anticipation of nuclear attack. The EMD focus is all hazard planning and the hazards most likely to hit Washington are floods, earthquakes and other natural disasters which take the entire focus of EMD staff. If the intent of the Legislature is to conduct this planning, EMD is not resourced to do that, but this could certainly allow for the planning to occur for this in the future.

**Persons Testifying:** PRO: Senator David Frockt, Prime Sponsor.

CON: Glen Anderson, citizen.

OTHER: Robert Ezelle, Emergency Management Director, Washington Military Department.

**Persons Signed In To Testify But Not Testifying:** No one.