

SENATE BILL REPORT

SB 5101

As Amended by House, March 24, 2021

Title: An act relating to establishing tribal representation on the emergency management council.

Brief Description: Establishing tribal representation on the emergency management council.

Sponsors: Senators Stanford, Conway, Dhingra, Hasegawa, Hunt, Nguyen, Randall, Saldaña, Wagoner and Wilson, C.; by request of Military Department.

Brief History:

Committee Activity: State Government & Elections: 1/22/21, 2/03/21 [DP].

Floor Activity: Passed Senate: 2/23/21, 48-0.

Passed House: 3/24/21, 98-0.

Brief Summary of Bill

- Adds two representatives of federally recognized tribes to the Emergency Management Council.

SENATE COMMITTEE ON STATE GOVERNMENT & ELECTIONS

Majority Report: Do pass.

Signed by Senators Hunt, Chair; Kuderer, Vice Chair; Wilson, J., Ranking Member; Hasegawa and Hawkins.

Staff: Melissa Van Gorkom (786-7491)

Background: The Emergency Management Council (council) advises the Governor and the adjutant general on all matters pertaining to state and local emergency management. The council must prepare an annual assessment of statewide emergency preparedness and review administrative rules governing state and local emergency management practices.

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

The council is limited to 18 members appointed by the adjutant general.

The membership of the council shall include, but not be limited to, representatives of:

- city and county governments;
- sheriffs and police chiefs;
- the Washington State Patrol;
- the Military Department;
- the Department of Ecology;
- state and local fire chiefs;
- seismic safety experts;
- state and local emergency management directors;
- search and rescue volunteers;
- medical professions who have expertise in emergency medical care;
- building officials;
- private industry representatives with knowledge in emergency and hazardous materials management; and
- the Office of the Superintendent of Public Instruction.

The council members shall elect a chair from within the council membership. The members of the council serve without compensation, but may be reimbursed for travel expenses incurred in the performance of their duties.

Summary of Bill: The total membership of the council is expanded to 20 members, adding two representatives of federally recognized tribes.

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: The statute directs broad membership but does not currently include tribes, this bill increases the membership to 20 members maximum adding two tribal representatives. It will be important to have the input of the tribes regarding appointments for the council. In order to honor tribal sovereignty one of the appointments will be the east and west side of the state. Tribes will convene a workgroup managed by the tribes to appoint the positions so that all tribes can have the proper voice on the council which can occur separately without fiscal impact. Tribes need to be involved in these conversations so that plans can be developed to address tribal issues. Many tribes have stood up emergency operations centers for the first time during this pandemic. If this bill would have passed last year we would have been on better footing for this emergency.

The American Indian Health Commission hosts weekly meetings with tribes during the current pandemic to allow for response efforts to occur on a government-to-government basis. The purpose of the committee in last year's bill was to allow for all tribes to have a voice and select representatives to serve on the council. This version of the bill does not allow a true government-to-government relationship to select tribal representatives, it only provides representation for two tribal governments.

Emergencies do not recognize borders. There is a need to build cross jurisdictional relationships across the state because these partnerships are necessary during emergencies. No single jurisdiction has capacity to respond alone to a hazard. Clear communication with all first responders and safety committees during an emergency is important and all people need to be at the table which is why you should consider including a representative from coroners and medical examiner community as well.

Persons Testifying: PRO: Timothy Davidson, Washington Association of Coroners and Medical Examiners; Robert Ezelle, Emergency Management Division, Washington Military Department; Vickie Lowe, American Indian Health Commission of Washington State; Andy Joseph, Colville Tribes; Lou Schmitz, American Indian Health Commission of Washington State.

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

EFFECT OF HOUSE AMENDMENT(S):

- Increases the total membership of the council to 21 members.