

SENATE BILL REPORT

SSB 6164

As Amended by House, February 29, 2024

Title: An act relating to county emergency management plans.

Brief Description: Concerning county emergency management plans.

Sponsors: Senate Committee on Local Government, Land Use & Tribal Affairs (originally sponsored by Senator Wagoner).

Brief History:

Committee Activity: Local Government, Land Use & Tribal Affairs: 1/18/24, 1/30/24 [DPS].

Floor Activity: Passed Senate: 2/6/24, 49-0.
Passed House: 2/29/24, 96-0.

Brief Summary of First Substitute Bill

- Requires a local organization that produces a local comprehensive emergency management plan to include in the communication plan an expeditious notification of citizens at risk during a hazardous materials spill or release.
- Provides that a local comprehensive emergency management plan include the provision of at least one public meeting to inform the public about the hazardous material spill or release.

SENATE COMMITTEE ON LOCAL GOVERNMENT, LAND USE & TRIBAL AFFAIRS

Majority Report: That Substitute Senate Bill No. 6164 be substituted therefor, and the substitute bill do pass.

Signed by Senators Lovelett, Chair; Salomon, Vice Chair; Torres, Ranking Member; Kauffman and Short.

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.

Staff: Maggie Douglas (786-7279)

Background: Each county, city, and town (political subdivision) in Washington must establish an emergency management organization by ordinance or resolution, either independently or in cooperation with another political subdivision.

Every political subdivision must develop a local comprehensive emergency management plan to address all natural and man-made emergencies to which the political subdivision is vulnerable including a hazardous materials emergency response plan. The comprehensive emergency management plan must provide a functional description of how warnings and emergency information will be addressed.

Summary of First Substitute Bill: A local organization that produces a local comprehensive emergency management plan must include in its communication plan an expeditious notification of citizens at risk during a hazardous materials spill or release. Notification must be via the most appropriate technology available to determine citizen risk levels.

A local comprehensive emergency plan must include, if a hazardous material release or spill necessitates the establishment of an incident command system, the provision of at least one public meeting to inform the public about the spill or release. A public meeting conducted under this provision must allow for remote participation and may be held jointly with the county legislative authority's regularly scheduled meeting or special meeting. The public meeting must include representatives from the Department of Ecology, Department of Fish and Wildlife, and the party liable for the hazardous material spill or release.

Appropriation: None.

Fiscal Note: Requested on January 26, 2024.

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 on Original Bill: *The committee recommended a different version of the bill than what was heard.* PRO: There was a large gasoline line leak up in Skagit County, and leaked across the land and flowed out towards the Skagit River. Landowners had gasoline flowing across their properties and under their bridges and they didn't feel like they received timely notification. This is a belt and suspenders bill to make sure that affected communities are being promptly contacted in the case of emergency. Jurisdictions may choose what kind of technology is most appropriate to communicate to those likely to be affected.

Persons Testifying: PRO: Senator Keith Wagoner, Prime Sponsor.

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

EFFECT OF HOUSE AMENDMENT(S):

- Requires local organizations for emergency services or management's communication plans to expeditiously notify at-risk citizens of a Type 1 or 2 hazardous material spill or release, and eliminates the requirement that notification is by the most appropriate technology available.
- Requires the Department of Ecology, rather than local organizations for emergency services or management, to provide for at least one public meeting to inform the public about a Type 1 or 2 hazardous material spill or release, rather than any spill or release resulting in the establishment of an incident command system.
- Requires a representative from the local organization for emergency services or management in the jurisdiction where the spill or release occurred to attend the public meeting.
- Authorizes the public meeting to allow remote participation if technologically feasible, rather than requiring remote participation.
- Removes the requirement that a representative from the Washington Department of Fish and Wildlife attend the public meeting.
- Requires the party responsible for, rather than liable for, the spill or release to attend the public meeting.