

FINAL BILL REPORT

SB 6950

C 181 L 08

Synopsis as Enacted

Brief Description: Providing a limited waiver or suspension of statutory obligations during officially declared emergencies.

Sponsors: Senators Brown, Hewitt, Fraser, Brandland, Swecker, Hatfield, Rasmussen, Rockefeller, Stevens, Haugen, Zarelli, Pridemore, Parlette, Sheldon, Hobbs, Hargrove, Holmquist, Fairley, Prentice, Kauffman, Berkey, Kilmer, Kohl-Welles, Shin, Carrell, King, Schoesler, Morton, Delvin, Pflug, Honeyford and Eide.

House Committee on State Government & Tribal Affairs

Background: The Governor has the authority to proclaim a state of emergency in the area of the state effected by a riot, energy emergency, public disorder, or disaster. Other than prohibiting specific activities that may be undertaken by the general public, the Governor's emergency powers include prohibiting activities that the Governor believes should be prohibited to help preserve and maintain life, health, property, or the public peace.

The usual administration of various executive functions was discovered to be inadequate to facilitate immediate response to the devastation of the December 2007 flooding. Likewise, the responses of government to the continuing needs of citizens living or working in the counties declared to be in a state of emergency, were found to be hampered by the lack of specific statutory authority for waivers or other reasonable responses to these unusual circumstances.

Summary: The Governor has authority to waive or suspend statutory obligations or limitations for certain executive functions during and in the areas affected by a proclamation of emergency.

The Department of Community, Trade and Economic Development may enter into interlocal agreements with public agencies that provide mutual aide and cooperation to the public agencies affected by the emergency. Any liability arising from acts done by these public agencies during, traveling to or from, or in preparation for the emergency are obligations of the state, unless they are undertaken by the United States.

During a state of emergency, the Governor may waive or suspend the collection of fees for permits and inspections charged by the Department of Labor and Industries that would otherwise be due for activities facilitating the operation of the government or for the safety and protection of the civilian population.

During a state of emergency, the Governor may order that the benefits of the family emergency assistance program be extended to individuals and families without children.

The Governor may order that the authority of the Utilities and Transportation Commission to set tariffs, enforce regulations, require notice, and collect taxes be waived or suspended in

order to facilitate the operation of government or for the safety and protection of the civilian population.

The county treasurers have authority during a state of emergency to grant extensions of the due date of any property taxes. Likewise, the Department of Revenue (DOR) may grant extension of the due date of any taxes due to DOR. DOR may also allow the small forest landowner to retain that classification even though a harvest occurs of up to five million board feet of timber from December 31, 2007, through January 1, 2010.

During a state of emergency the Governor may waive the requirement for a special liquor purchase permit for alcohol to be used for industrial, business, or medical purposes.

Votes on Final Passage:

Senate	48	0	
House	96	0	(House amended)
Senate	48	0	(Senate concurred)

Effective: June 12, 2008
July 1, 2008 (Section 602)