

HOUSE BILL REPORT

HB 1728

As Reported by House Committee On:
Innovation, Community & Economic Development, & Veterans
Appropriations

Title: An act relating to creating a statewide resiliency program.

Brief Description: Creating a statewide resiliency program.

Sponsors: Representatives Donaghy, Rule, Reeves, Morgan, Ramel, Reed and Leavitt.

Brief History:

Committee Activity:

Innovation, Community & Economic Development, & Veterans: 2/8/23, 2/15/23
[DPS];
Appropriations: 2/22/23, 2/24/23 [DP2S(w/o sub ICEV)].

Brief Summary of Second Substitute Bill

- Requires the Military Department to develop and administer a disaster resilience program.

**HOUSE COMMITTEE ON INNOVATION, COMMUNITY & ECONOMIC
DEVELOPMENT, & VETERANS**

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 11 members: Representatives Ryu, Chair; Rule, Vice Chair; Barnard, Assistant Ranking Minority Member; Christian, Corry, Cortes, Paul, Senn, Shavers, Street and Waters.

Minority Report: Without recommendation. Signed by 3 members: Representatives Volz, Ranking Minority Member; Chambers and Ybarra.

Staff: Cassie Jones (786-7303).

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.

Background:

The Military Department, under the direction of the Adjutant General, administers the state's comprehensive program of emergency management. The Adjutant General is responsible for developing a comprehensive, all-hazard emergency plan for the state, known as the Comprehensive Emergency Management Plan, that includes an analysis of natural, technological, or human-caused hazards and procedures to coordinate state and local resources in responding to such hazards.

Summary of Substitute Bill:

The Emergency Management Division (EMD) within the Military Department must develop and administer a statewide resilience program. The program should include:

- methods for ensuring ongoing coordination of state and local resilience and response activities, including:
 - developing, administering, tracking, and communicating progress of overall resilience efforts;
 - coordinating funding to maximize federal, state, local, and private investments;
 - serving as a public and private resilience resource center;
 - enhancing interagency collaboration, education, and outreach programs; and
 - identifying and leveraging respective roles, authorities, and expertise of agencies;
- strategies for addressing the impacts of all hazards, both natural and human-caused, such as border closures, including:
 - developing, coordinating, and communicating resilience initiatives and projects across state agencies and local governments on hazards and issues where there is not another lead agency for coordinating resilience activities, including projects that give special consideration to exclave communities;
 - conducting policy research and recommendations related to enhancing resilience;
 - coordinating research, data collection, and analysis;
 - researching economic tools to address resilience; and
 - recommending investments to mitigate risks from all hazards; and
- participating and collaborating in interagency efforts to advance statewide climate resilience activities, including collaborating on the development of a statewide strategy and identifying opportunities to leverage funding to advance solutions that improve the resilience of communities, infrastructure, and ecosystems.

Beginning June 30, 2025, and every two years thereafter, the EMD must provide a report to the Governor and the appropriate committees of the Legislature on the overall progress of resilience efforts for the hazards and issues where there is not another lead agency for coordinating resilience activities. Agencies with responsibilities for resilience activities are encouraged to include their efforts as an appendix to the report.

"Resilience" is defined as the ability to prepare, mitigate, plan for, withstand, recover from, and more successfully adapt to adverse events and changing conditions, and reorganize in an equitable manner that results in a new and better condition.

Substitute Bill Compared to Original Bill:

As compared to the original bill, the substitute bill:

- changes references to "resiliency" to "resilience";
- removes language suggesting that the statewide resilience program include a coordinated long-term resiliency strategy, including projects supporting climate resiliency;
- adds identifying and leveraging respective roles, authorities, and expertise of agencies to the statewide resilience program;
- provides that resilience projects and initiatives relate to hazards and issues where there is not another lead agency for coordinating resilience activities;
- removes support functions to agencies, departments, tribes, and other stakeholders for improving ecosystem resiliency from the statewide resilience program;
- adds participating and collaborating in interagency efforts to advance statewide climate resilience activities to the statewide resilience program;
- requires the EMD, beginning June 30, 2025, and every two years thereafter, to provide a report to the Governor and the appropriate committees of the Legislature on the overall progress of resilience efforts for hazards and issues where there is not another lead agency for coordinating resilience activities;
- adds references to border closures to the intent language and the suggestion that the statewide resilience program include strategies for addressing all hazards; and
- adds language suggesting that projects giving special consideration to exclave communities be included among projects supported by the statewide resilience program.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Substitute Bill: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) Coordination is key when dealing with a disaster. This bill is designed to allow the EMD to support a program to identify hazards and prepare to face them. All agencies should coordinate in a way that works for each one. Climate resiliency is a top priority. Coordination is important so there is support for the coordination aspects of this bill.

Scientists and land managers have seen firsthand the impacts of the changing climate. There is concern about overlapping policies. Property insurance is financial resiliency and a key component of economic development. Property insurance markets are under tremendous pressure from the cost of damage caused by natural disasters. A few states have had special sessions to address the crisis. The overall costs of insurance claims from damaging events are a significant factor in the availability and affordability of property insurance. This bill will help Washington become more resilient. More resilience will help maintain a healthy property insurance market.

(Opposed) None.

(Other) There is support for the policy goal of the bill to have the EMD conduct disaster resiliency activities, but there is concern that the bill duplicates climate resiliency activities of other agencies in other bills. Suggested amendments would clarify agencies' roles and responsibilities. Washington's hazard profile includes several natural and human-caused hazards. The state is dealing with these in increasing numbers and severity. Low frequency but high impact geologic events are also a risk. There is a need to continue to build resilience in the state. Many state agencies have resiliency programs and initiatives, but there are many sectors that are not covered. There is a lot more work that needs to be done. One mitigation dollar results in \$6 to \$8 in savings when disaster strikes. Creating a resiliency program within the EMD may help enable the state to recover more quickly from disasters when they occur.

Persons Testifying: (In support) Representative Brandy Donaghy, prime sponsor; David Forte, Office of the Insurance Commissioner; and Skippy Shaw, The Nature Conservancy.

(Other) Robert Ezelle, Military Department, Emergency Management Division; and Jennifer Hennessey, Department of Ecology.

Persons Signed In To Testify But Not Testifying: None.

HOUSE COMMITTEE ON APPROPRIATIONS

Majority Report: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Innovation, Community & Economic Development, & Veterans. Signed by 28 members: Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Stokesbary, Ranking Minority Member; Corry, Assistant Ranking Minority Member; Berg, Chandler, Chopp, Connors, Couture, Davis, Dye, Fitzgibbon, Harris, Lekanoff, Pollet, Riccelli, Rude, Ryu, Sandlin, Senn, Simmons, Slatter, Springer, Steele, Stonier and Tharinger.

Minority Report: Without recommendation. Signed by 2 members: Representatives Chambers, Assistant Ranking Minority Member; Schmick.

Staff: Jessica Van Horne (786-7288).

Summary of Recommendation of Committee On Appropriations Compared to Recommendation of Committee On Innovation, Community & Economic Development, & Veterans:

The second substitute bill requires the Military Department (Department) to develop and administer a disaster resilience program, rather than a statewide resilience program. Disaster resilience is defined to mean resilience within the critical infrastructure sectors of: (1) emergency services; (2) communications; (3) critical government facilities; (4) transportation; (5) critical manufacturing; (6) commercial facilities; (7) chemical manufacturing and distribution; (8) water and waste water management; and (9) dams, excluding power generation. The requirement for the Department to develop, administer, track, and communicate progress of overall resilience efforts is removed. The Department is required to submit a report to the Governor and Legislature on resiliency activities by July 1, 2025, rather than beginning June 30, 2025, and every two years thereafter.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Second Substitute Bill: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) Investing in resiliency will improve the quality of life for Washingtonians. Every dollar spent on disaster mitigation will save the state by lowering disaster recovery costs. These savings will extend to both the public and private sectors.

(Opposed) None.

Persons Testifying: Representative Cindy Ryu.

Persons Signed In To Testify But Not Testifying: None.