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**State Government & Tribal  
Affairs Committee**

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**SB 6950**

**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.

**Brief Summary of Bill**

- Extends Governor's authority under a declared state of emergency to waive or suspend statutory obligations.
- Authorizes the Department of Community, Trade and Economic Development to enter into interlocal agreements with public agencies and transfers liability associated with acts under the agreements to the state.
- Authorizes county auditors and the Department of Revenue to grant extensions of taxes due during a declared state of emergency.

**Hearing Date:** 2/27/08

**Staff:** Marsha Reilly (786-7135).

**Background:**

The Governor has the authority to proclaim a state of emergency in an area of the state affected by a public disorder, disaster, energy emergency, or riot. The powers granted to the Governor under a state of emergency proclamation allow him or her to issue an order prohibiting such things as the gathering of persons in public or private places; the manufacture, transfer, possession or use of explosive devices; transporting, possessing or using combustible materials; possession of firearms

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or other deadly weapons; the sale and purchase of alcoholic beverages; and the use of certain streets or highways. Powers granted to the Governor under a declared emergency are effective only within the area described in and during the time of the proclamation.

**Summary of Bill:**

In order to facilitate the operation of government or for the safety and protection of the civilian population, the Governor has the authority to waive or suspend statutory obligations or limitations for certain executive functions during, and in the areas affected by, a proclamation of emergency, including:

- liability for participation in interlocal agreements;
- inspection fees owed to the Department of Labor and Industries (L & I);
- application of the family emergency assistance program;
- regulations, tariffs, and notice requirements under the jurisdiction of the Utilities and Transportation Commission (UTC);
- application of tax due dates and penalties relating to collection of taxes; and
- permits for industrial, business, or medical uses of alcohol.

During a state of emergency, the Governor may waive or suspend the collection of fees charged by the L & I for permits for inspections of:

- electrical installations;
- mobile homes, commercial coaches, conversion vending units, medical units, recreational vehicles, and/or park trailers;
- factory built housing and commercial structures;
- boilers and unfired pressure vessels; and
- elevators, lifting devices, and moving walks.

The Governor may also order that the benefits of the family emergency assistance program be extended to individuals and families without children; that the authority of the UTC to set tariffs, enforce regulations, require notice, and collect taxes be waived or suspended; and that the requirement for a special liquor purchase permit for alcohol used for medical or health purposes be waived.

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.

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 an extension of the due date of any taxes due to the DOR.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect 90 days after adjournment of session in which bill is passed except for section 602, pertaining to fees relating to the issuance of liquor permits, which takes effect July 1, 2008 after the expiration of Section 601 on July 1, 2008.