

HOUSE BILL REPORT

HB 2680

As Passed House:
February 18, 2020

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

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

Sponsors: Representatives Chapman, Jenkin, Steele, Walsh, Tarleton, Ortiz-Self, Gildon, Tharinger, Springer, Santos, Kretz and Pollet.

Brief History:

Committee Activity:

State Government & Tribal Relations: 2/4/20, 2/7/20 [DP].

Floor Activity:

Passed House: 2/18/20, 97-0.

Brief Summary of Bill

- Creates the Tribal Advisory Committee (Committee) as a subcommittee of the Emergency Management Council (EMC).
- Increases the membership of the EMC to include two tribal representatives appointed by the Committee.

HOUSE COMMITTEE ON STATE GOVERNMENT & TRIBAL RELATIONS

Majority Report: Do pass. Signed by 9 members: Representatives Gregerson, Chair; Pellicciotti, Vice Chair; Walsh, Ranking Minority Member; Goehner, Assistant Ranking Minority Member; Appleton, Dolan, Hudgins, Mosbrucker and Smith.

Staff: Carrington Skinner (786-7192).

Background:

The Emergency Management Council (EMC) advises the Governor and the Adjutant General on all matters pertaining to state and local emergency management. The EMC must prepare an annual assessment of statewide emergency preparedness and review administrative rules

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governing state and local emergency management practices. The EMC consists of up to 18 members appointed by the Adjutant General, with representatives of specific sectors required, including local governments, law enforcement, fire, state departments, and emergency medicine. Members of the EMC serve without compensation but may be reimbursed for travel expenses.

Among the EMC's subcommittees and commissions, the State Emergency Response Commission (Commission) coordinates hazardous materials policy as required by federal law. Among other duties, the Commission must seek the attendance and active participation of representatives of tribal emergency response commissions at Commission meetings.

There are 29 federally recognized tribes in Washington. Tribes are recognized by federal law as sovereign governments with inherent powers of self-governance, including the power to regulate within tribal territory and certain immunities from state authority. Legislation passed in 2012 set standards for the Governor and state agencies in establishing government-to-government relationships with federally recognized tribes, which include requiring state agencies to make reasonable efforts to collaborate with tribes.

Summary of Bill:

The Tribal Advisory Committee (Committee) is created as a subcommittee of the Emergency Management Council (EMC). The Committee consists of up to 29 members from each tribe in the state that chooses to appoint a representative. Meetings of the Committee must be held at least once per year. The Committee must do the following:

- appoint two members to serve on the EMC, with one tribal representative from Eastern Washington and one tribal representative from Western Washington;
- provide tribal technical expertise to the EMC; and
- provide information to the 29 tribes on policies or actions that may impact one or more tribes.

The total membership of the EMC is increased to include two tribal representatives appointed by the Committee.

Appropriation: None.

Fiscal Note: Available.

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

Staff Summary of Public Testimony:

(In support) This bill ensures that tribal issues, concerns, and insights are incorporated into state emergency management processes. Adding tribal representation on the Emergency Management Council (EMC) will fill gaps in the whole community stakeholder approach, making the EMC stronger with broader stakeholder representation. The Tribal Advisory Committee will provide significant value added. Tribes have a long legacy of knowledge and experience in this area, so it is important to have tribal input on the EMC.

(Opposed) None.

Persons Testifying: Representative Chapman, prime sponsor; Jason Marquiss, Washington Military Department; and Cal Bray and Ada McDaniel, Chehalis Tribe.

Persons Signed In To Testify But Not Testifying: None.