

Multiple Agency Fiscal Note Summary

Bill Number: 6164 SB 6164-S AMH ICEV H-3317.1	Title: County emergency management
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Estimated Cash Receipts

NONE

Estimated Operating Expenditures

Agency Name	2023-25				2025-27				2027-29			
	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total
Military Department	.0	0	0	0	.0	0	0	0	.0	0	0	0
Department of Ecology	.0	0	0	0	.0	0	0	0	.0	0	0	0
Department of Fish and Wildlife	.0	0	0	0	.0	0	0	0	.0	0	0	0
Total \$	0.0	0	0	0	0.0	0	0	0	0.0	0	0	0

Agency Name	2023-25			2025-27			2027-29		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Local Gov. Courts									
Loc School dist-SPI									
Local Gov. Other	Non-zero but indeterminate cost and/or savings. Please see discussion.								
Local Gov. Total									

Estimated Capital Budget Expenditures

Agency Name	2023-25			2025-27			2027-29		
	FTEs	Bonds	Total	FTEs	Bonds	Total	FTEs	Bonds	Total
Military Department	.0	0	0	.0	0	0	.0	0	0
Department of Ecology	.0	0	0	.0	0	0	.0	0	0
Department of Fish and Wildlife	.0	0	0	.0	0	0	.0	0	0
Total \$	0.0	0	0	0.0	0	0	0.0	0	0

Agency Name	2023-25			2025-27			2027-29		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Local Gov. Courts									
Loc School dist-SPI									
Local Gov. Other	Non-zero but indeterminate cost and/or savings. Please see discussion.								
Local Gov. Total									

Estimated Capital Budget Breakout

NONE

Prepared by: Val Terre, OFM	Phone: (360) 280-3073	Date Published: Final 2/27/2024
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Individual State Agency Fiscal Note

Bill Number: 6164 SB 6164-S AMH ICEV H-3317.1	Title: County emergency management	Agency: 245-Military Department
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Martha Wehling	Phone: 360-786-7067	Date: 02/20/2024
Agency Preparation: Serina Roberts	Phone: 2535127388	Date: 02/22/2024
Agency Approval: Regan Hesse	Phone: 253-512-7698	Date: 02/22/2024
OFM Review: Val Terre	Phone: (360) 280-3073	Date: 02/23/2024

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

This bill defines notification requirements for informing the public about hazardous material spill or release.

Action is required by the Department of Ecology, an emergency representative from the jurisdiction local to the spill, and the party responsible for the spill. Depending upon the severity, the Governor's office, federal agencies, and an incident action plan may be included in the response. There is no action required by Military Department in this bill.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

III. C - Operating FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

Individual State Agency Fiscal Note

Bill Number: 6164 SB 6164-S AMH ICEV H-3317.1	Title: County emergency management	Agency: 461-Department of Ecology
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Martha Wehling	Phone: 360-786-7067	Date: 02/20/2024
Agency Preparation: Ryan Olson	Phone: 360-584-4086	Date: 02/22/2024
Agency Approval: Erik Fairchild	Phone: 360-407-7005	Date: 02/22/2024
OFM Review: Lisa Borkowski	Phone: (360) 742-2239	Date: 02/25/2024

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

Compared to 6164 SSB, 6164 SSB AMH ICEV H-3317.1:

- Removes the requirement for at least one public meeting to be held when there is a hazardous material release or spill where the Incident Command System is established and require a representative of Ecology to attend each meeting.
- Adds a requirement for Ecology to provide at least one public meeting to inform the public about a type 1 or 2 hazardous material spill or release.

These changes result in a change to the fiscal impact for Ecology.

Current law under RCW 38.52.070 requires local or joint local organizations that produce a local comprehensive emergency management plan to include a communication plan for notifying the public of life safety information during an emergency.

Section 1(3)(a)(i) of this bill would add a requirement that those communication plans include expeditious notification of citizens reasonably determined to be at risk during a type 1 or 2 hazardous material spill or release.

Section 2(1) would require Ecology to provide at least one public meeting to inform the public about a type 1 or 2 hazardous material spill or release.

Section 2(2) would require the public meeting to allow for remote participation if technologically feasible. It also allows for the meeting to be held jointly with a county legislative authority's regularly scheduled meeting.

Section 2(3) would require that the public meetings must include a representative from Ecology, a representative from the local organization for emergency services or management for the jurisdiction in which the spill or release occurs, and a representative for the party responsible for the spill or release.

Section 2(4) defines what constitutes a type 1 or 2 hazardous material spill or release based on Ecology policy, including activation of certain agency teams, involvement of the Governor's Office and federal agencies, establishment of area command, involvement of the Spills Program Manager, and preparation of an Incident Action Plan.

There would be no fiscal impact to Ecology. Section 2 requirements for Ecology are consistent with current policy. Ecology already holds a public meeting for a type 1 or 2 release or spill that has remote participation capability and includes Ecology representatives.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

III. C - Operating FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

Individual State Agency Fiscal Note

Bill Number: 6164 SB 6164-S AMH ICEV H-3317.1	Title: County emergency management	Agency: 477-Department of Fish and Wildlife
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Martha Wehling	Phone: 360-786-7067	Date: 02/20/2024
Agency Preparation: Tiffany Hicks	Phone: (360) 902-2544	Date: 02/21/2024
Agency Approval: Tiffany Hicks	Phone: (360) 902-2544	Date: 02/21/2024
OFM Review: Matthew Hunter	Phone: (360) 529-7078	Date: 02/21/2024

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

6164-S AMH ICEV H337.1 compared to 6164 SSB

Section 2 requires public meetings following types 1 or 2 hazardous material spills or releases to include Ecology, and representatives from local emergency management organizations and the responsible party. WDFW was removed from the requirement to attend the public meetings.

WDFW determined no fiscal impact.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

III. C - Operating FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

LOCAL GOVERNMENT FISCAL NOTE

Department of Commerce

Bill Number: 6164 SB 6164-S AMH ICEV H-3317.1	Title: County emergency management
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Part I: Jurisdiction

Location, type or status of political subdivision defines range of fiscal impacts.

Legislation Impacts:

- Cities: 95 cities' Comprehensive Emergency Management Plan update costs could total approximately \$6,650,000.
- Counties: 39 counties' Comprehensive Emergency Management Plan update costs could total approximately \$2,730,000.
- Special Districts:
- Specific jurisdictions only:
- Variance occurs due to: Staff and funding available to conduct Comprehensive Emergency Management Plan updates.

Part II: Estimates

- No fiscal impacts.
- Expenditures represent one-time costs: One-time costs to add a communication plan for Type 1 and Type 2 hazardous material spill or releases.
- Legislation provides local option:
- Key variables cannot be estimated with certainty at this time: Each jurisdiction's staff and funding available to conduct Comprehensive Emergency Management Plan updates.

Estimated revenue impacts to:

None

Estimated expenditure impacts to:

Non-zero but indeterminate cost and/or savings. Please see discussion.

Part III: Preparation and Approval

Fiscal Note Analyst: Kate Fernald	Phone: 564-200-3519	Date: 02/27/2024
Leg. Committee Contact: Martha Wehling	Phone: 360-786-7067	Date: 02/20/2024
Agency Approval: Allan Johnson	Phone: 360-725-5033	Date: 02/27/2024
OFM Review: Val Terre	Phone: (360) 280-3073	Date: 02/27/2024

Part IV: Analysis

A. SUMMARY OF BILL

Description of the bill with an emphasis on how it impacts local government.

This fiscal note compares 6164 SB 6164-S AMH ICEV H-3317.1 to SSB 6164.

CHANGES BETWEEN THIS VERSION AND PREVIOUS BILL VERSION:

The striker amendment 6164 SB 6164-S AMH ICEV H-3317.1 would significantly reduce the number of notifications and public meetings required for each hazardous material spill or release; would require the Department of Ecology, rather than local emergency management organizations, to provide at least one public meeting for each Type 1 or 2 hazardous material spill or release; and would eliminate the requirement to notify impacted residents via the most appropriate technology available.

SUMMARY OF CURRENT BILL:

Sec. 3 (a) (i) would require local Comprehensive Emergency Management Plans to include a communication plan during a Type 1 or Type 2 hazardous material spill or release. However, it would eliminate the requirement that notification be via “the most appropriate technology available.”

Sec. 2 would add a new section that no longer requires local jurisdictions to hold a public meeting. The striker version of the bill would require the Department of Ecology to provide at least one public meeting to inform the public about a Type 1 or Type 2 hazardous material spill or release.

Sec. 2 (3) (b) would require a representative from the local organization for emergency services or management, as defined in RCW 38.52.010, in the jurisdiction where a spill or release occurs to attend Ecology’s public meeting.

Sec. 2 (4) would define a Type 1 and Type 2 hazardous material spill or release.

B. SUMMARY OF EXPENDITURE IMPACTS

Expenditure impacts of the legislation on local governments with the expenditure provisions identified by section number and when appropriate, the detail of expenditures. Delineated between city, county and special district impacts.

CHANGES IN EXPENDITURE IMPACTS BETWEEN THIS VERSION AND PREVIOUS BILL VERSION:

6164 SB 6164-S AMH ICEV H-3317.1 would significantly reduce local governments’ expenditure impacts compared to SSB 6164 because public meetings would only be required for Type 1 or 2 hazardous materials spills or releases, rather than requiring public meetings for any spill or release resulting in the establishment of an incident command system; the Department of Ecology, rather than local governments, would be required to host public meetings for spills; and SSB 6164's requirement for local governments to notify residents via “the most appropriate technology available” is removed by the striker.

The striker amendment’s overall effect would significantly reduce local governments’ expenditure impacts because it would eliminate all local government indeterminate costs that would have resulted from purchasing new notification systems, and hosting public meetings for each hazardous material spill or release that caused the Incident Command System to be used.

EXPENDITURE IMPACTS OF CURRENT BILL:

All 39 counties and 95 cities would incur costs totaling approximately \$9,380,000 (\$2,730,000 counties + \$6,650,000 cities) to modify their local Comprehensive Emergency Management Plans (CEMPs), although exact costs will vary by jurisdiction and cannot be predicted in advance. The legislation would require all CEMPs to add a communication plan for a Type 1 or Type 2 hazardous material spill or release.

CEMP UPDATES:

According to the Municipal Research Services Program’s January 16, 2024 article titled, “Local Government Emergency

Planning,” any local jurisdiction that chooses to have emergency management is required to have a CEMP. According to the Emergency Management Division (EMD), as of February 2024, 95 cities and all 39 counties have a CEMP.

The legislation would require all jurisdictions with a CEMP to modify it. Each CEMP would be required to add a communication plan during a Type 1 or Type 2 hazardous material spill or release. While actual costs to update a CEMP cannot be predicted in advance, EMD approximates that the average CEMP update costs roughly \$70,000 per jurisdiction based on EMD’s experience working with cities and counties to update their CEMPs. Using EMD’s average cost estimate, city and county expenditure impacts are approximated below.

- Cities could incur CEMP update costs totaling roughly \$6,650,000 (95 cities x \$70,000).
 - Counties could incur CEMP update costs totaling roughly \$2,730,000 (39 counties x \$70,000).
- However, actual costs will vary by jurisdiction and cannot be predicted in advance.

ILLUSTRATIVE CEMP UPDATE COSTS:

A sampling of jurisdictions’ actual CEMP update costs are offered below to demonstrate what it could cost each jurisdiction to update their CEMP per the requirements of the proposed legislation:

- Asotin County: \$84,000 (actual cost from a different plan update with a similar process in complexity)
- Chelan County: \$10,000
- City of North Bend: \$50,000
- Franklin County: \$100,000
- Grant County: \$80,000
- Skagit County: \$150,000 to \$200,000
- Snohomish County: \$174,000 (maintenance year) or \$406,000 (update year)
- Whatcom County: \$141,925

SHERIFFS AND COUNTY EMERGENCY MANAGERS:

In counties where sheriffs are also the county’s Emergency Manager, staff resources may be slim. These jurisdictions may require more time than well-resourced jurisdictions to complete CEMP updates due to limited funding and staff availability to complete the extra work, as reported by EMD.

ATTENDING PUBLIC MEETINGS:

Local governments would incur a de minimis impact for attending all Type 1 or Type 2 public meetings, as attending such meetings would codify current practice. Clark Regional Emergency Services Agency reports that events of this size already call for public meetings at the local and regional level, as do FEMA’s best practices. Additionally, Ecology’s reported spills data indicates the statewide average number of Type 1 and Type 2 spills per year is slightly more than one per year. Based on Ecology’s data, one representative from the local emergency management organization would be required to attend roughly one public meeting per year, resulting in a de minimis impact to local jurisdictions for attending the public meetings.

HOSTING PUBLIC MEETINGS:

Under the striker amendment, local jurisdictions’ costs to host Type 1 and Type 2 public meetings would be eliminated, as local governments would no longer be required to host the meetings. Instead, the striker amendment would codify current practice by making the Department of Ecology, rather than local governments, responsible for hosting public meetings for a Type 1 or Type 2 hazardous material spill or release. The Incident Management Team from Ecology would be the lead agency that would work with the locals to find a location, notify people about the meeting, and ensure that all local partners are part of the meeting, according to Clark Regional Emergency Services Agency. Because Ecology would be responsible for creating and hosting the public meetings, local governments’ expenditure impacts to host public meetings would be eliminated by the striker amendment.

COUNTY TREASURERS:

County treasurers' workload to administer the Emergency Management Fund is not anticipated to increase significantly as a result of the legislation. According to current law, when two or more political subdivisions join in the establishment and operation of a joint local organization for emergency management, each shall pay its share of the cost into a special pooled fund to be administered by the treasurer of the most populous subdivision. According to Washington Association of County Officials and Thurston County, county treasurers' workload to administer the Emergency Management Fund is not anticipated to increase significantly as a result of the legislation.

C. SUMMARY OF REVENUE IMPACTS

Revenue impacts of the legislation on local governments, with the revenue provisions identified by section number, and when appropriate, the detail of revenue sources. Delineated between city, county and special district impacts.

CHANGES IN REVENUE IMPACTS BETWEEN THIS VERSION AND PREVIOUS BILL VERSION:

The striker would not impact local government revenue.

REVENUE IMPACTS OF CURRENT BILL:

The legislation would not impact local government revenue.

SOURCES:

Asotin County
Association of Washington Cities
Benton County
Chelan County
City of North Bend
Clallam County
Clark County
Clark Regional Emergency Services Agency
Franklin County
Grant County
Department of Ecology
Department of Fish and Wildlife
Emergency Management Division
King County
Klickitat County
Municipal Research Services Program's "Local Government Emergency Planning" Jan. 2024
Skagit County
Snohomish County
State Emergency Response Commission
Walla Walla County
Washington State Association of Counties
Whatcom County
Yakima County