
SUBSTITUTE SENATE BILL 5106

AS AMENDED BY THE HOUSE

Passed Legislature - 2019 Regular Session

State of Washington

66th Legislature

2019 Regular Session

By Senate Financial Institutions, Economic Development & Trade
(originally sponsored by Senators Das, Mullet, Frockt, Keiser,
Zeiger, and Kuderer; by request of Insurance Commissioner)

READ FIRST TIME 01/21/19.

1 AN ACT Relating to the creation of a work group to study and make
2 recommendations on natural disaster mitigation and resiliency
3 activities; adding a new section to chapter 48.02 RCW; and creating
4 new sections.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 NEW SECTION. **Sec. 1.** The legislature finds that residents of
7 this state have been impacted by natural disasters such as floods,
8 landslides, wildfires, and earthquakes and continue to be at risk
9 from these and other natural disasters. In 2016, insured losses from
10 natural disasters in the United States totaled almost twenty-four
11 billion dollars. In 2015, Washington state had the largest wildfire
12 season in state history, with more than one million acres burned and
13 costing more than two hundred fifty-three million dollars. In 2017,
14 four hundred four thousand two hundred twenty-three acres burned in
15 Washington state and there were more than four hundred thirty
16 national flood insurance program claims filed, totaling over seven
17 million dollars.

18 The legislature finds that Washington state has the second
19 highest earthquake risk in the nation, estimated by the federal
20 emergency management agency to exceed four hundred thirty-eight
21 million dollars per year. The 2001 Nisqually earthquake caused more

1 than two billion dollars in damage. A Seattle fault earthquake will
2 cause an estimated thirty-three billion dollars in damage, and a
3 Cascadia subduction zone earthquake will cause an estimated amount of
4 over forty-nine billion dollars in damage.

5 The legislature finds that it is critical to better prepare this
6 state for disasters and to put in place strategies to mitigate the
7 impacts of disasters. To address this critical need, the legislature
8 is creating a work group to review disaster mitigation and
9 preparation projects in this state and other states, make
10 recommendations regarding how to coordinate and expand state efforts
11 to mitigate the impacts of natural disasters, and evaluate whether an
12 ongoing disaster resiliency program should be created.

13 NEW SECTION. **Sec. 2.** A new section is added to chapter 48.02
14 RCW to read as follows:

15 (1) A work group to study and make recommendations on natural
16 disaster and resiliency activities is hereby created. The work group
17 membership shall be composed of:

18 (a) The insurance commissioner or his or her designee, who shall
19 serve as the chair of the work group;

20 (b) One member from each of the two largest caucuses of the house
21 of representatives, appointed by the speaker of the house of
22 representatives;

23 (c) One member from each of the two largest caucuses of the
24 senate, appointed by the president of the senate;

25 (d) A representative from the governor's resilient Washington
26 work group;

27 (e) A representative from the Washington state association of
28 counties;

29 (f) A representative from the association of Washington cities;

30 (g) A representative from the state building code council;

31 (h) The commissioner of the department of natural resources or
32 his or her designee;

33 (i) The director of the Washington state military department or
34 his or her designee;

35 (j) The superintendent of public instruction or his or her
36 designee;

37 (k) The secretary of the state department of transportation or
38 his or her designee;

1 (l) The director of the department of ecology or his or her
2 designee;

3 (m) The director of the department of commerce or his or her
4 designee;

5 (n) A representative from the Washington association of building
6 officials;

7 (o) A representative from the building industry association of
8 Washington;

9 (p) Two representatives from the property and casualty insurance
10 industry, to be selected by the insurance commissioner or his or her
11 designee, through an application process;

12 (q) A representative of emergency and transitional housing
13 providers, to be appointed by the office of the insurance
14 commissioner;

15 (r) A representative from public utility districts to be selected
16 by a state association of public utility districts;

17 (s) A representative of water and sewer districts to be selected
18 by a state association of water and sewer districts;

19 (t) A representative selected by the Washington state commission
20 on African-American affairs, the Washington state commission on
21 Hispanic affairs, the governor's office of Indian affairs, and the
22 Washington state commission on Asian Pacific American affairs to
23 represent the entities on the work group;

24 (u) A representative from the state department of agriculture;

25 (v) A representative from the state conservation commission as
26 defined in RCW 89.08.030;

27 (w) A representative of a federally recognized Indian tribe with
28 a reservation located east of the crest of the Cascade mountains, to
29 be appointed by the governor;

30 (x) A representative of a federally recognized Indian tribe with
31 a reservation located west of the crest of the Cascade mountains, to
32 be appointed by the governor; and

33 (y) Other state agency representatives or stakeholder group
34 representatives, at the discretion of the work group, for the purpose
35 of participating in specific topic discussions or subcommittees.

36 (2) The work group shall engage in the following activities:

37 (a) Review disaster mitigation and resiliency activities being
38 done in this state by public and private entities;

39 (b) Review disaster mitigation and resiliency activities being
40 done in other states and at the federal level;

1 (c) Review information on uptake in this state for disaster
2 related insurance, such as flood and earthquake insurance;

3 (d) Review information on how other states are coordinating
4 disaster mitigation and resiliency work including, but not limited
5 to, the work of entities such as the California earthquake authority;

6 (e) Review how other states and the federal government fund their
7 disaster mitigation and resiliency activities and programs; and

8 (f) Make recommendations to the legislature and office of the
9 insurance commissioner regarding:

10 (i) Whether this state should create an ongoing disaster
11 resiliency program;

12 (ii) What activities the program should engage in;

13 (iii) How the program should coordinate with state agencies and
14 other entities engaged in disaster mitigation and resiliency work;

15 (iv) Where the program should be housed; and

16 (v) How the program should be funded.

17 (3) The work group shall submit, in compliance with RCW
18 43.01.036, a preliminary report of recommendations to the
19 legislature, the office of the insurance commissioner, the governor,
20 the office of the superintendent of public instruction, and the
21 commissioner of public lands by November 1, 2019, and a final report
22 by December 1, 2020.

23 NEW SECTION. **Sec. 3.** If specific funding for the purposes of
24 this act, referencing this act by bill or chapter number, is not
25 provided by June 30, 2019, in the omnibus appropriations act, this
26 act is null and void.

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