

# MEDIA RELEASE



Contact: Shyanne Palmus, Communications Coordinator  
[Shyanne.Palmus@co.benton.wa.us](mailto:Shyanne.Palmus@co.benton.wa.us) | 509-222-3760

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## BENTON COUNTY STATEMENT ON COVID-19 RECOVERY

Kennewick, WA – The Benton County Administration and Commissioners' Office continues to receive calls, emails, and inquiries from the community regarding how Benton County will be addressing the reopening of our community, in light of [Governor Inslee's "Safe Start Washington"](#) phased recovery plan.

The health and safety of our community are of paramount importance, and Benton County leadership will continue to encourage our County employees, local business, and community members to observe the recommended health and safety guidelines as set forth by the [Centers for Disease Control and Prevention](#) (CDC), the [Washington State Department of Health](#) (DOH), and the [Benton-Franklin Health District](#) (BFHD).

We understand our community's need to return to business as usual, as well as the need for our local businesses to be able to reopen and the sense of urgency surrounding this issue. County officials continue to be in regular contact with the Governor's Office, as well as neighboring jurisdictions, to discuss how to safely and responsibly begin to recover, while ensuring that our community stays safe and healthy.

The Benton County Board of Commissioners have sent multiple letters to the Governor, included for reference, urging the responsible and timely reopening of our community, and other communities, throughout the state.

County officials have received numerous inquiries from the community about the Governor's authority, and why the County doesn't push back on some of the restrictions in place.

The Governor has the authority to declare an emergency statewide or in any portion of the state ([RCW 43.06.010\(12\)](#)) and once a state of emergency is declared, it does not cease until the Governor enters a proclamation declaring its termination ([RCW 43.06.210](#)). There are many options for the Governor to deal with an emergency. The two options being utilized regarding the COVID-19 pandemic are:

1. Orders prohibiting activities the Governor reasonably believes should be prohibited to help preserve and maintain life, health, property, or public peace ([RCW 43.06.220\(1\)\(h\)](#)). The Governor's authority under this provision has no time limitation other than that it may not extend beyond the termination of the state of emergency. In addition, this authority does not require legislative approval.
2. Orders concerning waiver of suspension of statutory obligations or limitations ([RCW 43.06.220\(2\)](#)). These orders do have time limits. Specifically, the waiver(s) may not continue longer than 30 days unless extended by the legislature through concurrent resolution, or (if the legislature is not in session) in writing by the leadership of the State Senate and House of Representatives until the legislature can extend the waiver by concurrent resolution.

Counties may make and enforce local regulations as long as they do not conflict with state law, including the Governor's recent proclamations related to COVID-19 ([Washington Constitution Article XI, Section 11](#)). If Benton County were to adopt regulations inconsistent with the Governor's proclamations it may result in confusion for the citizens and lead to unintended impacts when the State enforces its regulations.

The County is limited to imposing only those regulations which go above and beyond what the State of Washington has imposed. The County cannot institute laws or proclamations that are less restrictive than those in place by the State. To date, we've imposed no such additional measures, and are working with fellow

jurisdictions and our State representatives to encourage the State to lift some of the regulations that are currently in place.

While Benton County leaders may not agree with every decision made by the Governor in response to the COVID-19 pandemic, we recognize and respect the authority that people of Washington have granted to the Governor and the representatives they've elected to serve them in the State Legislature.

In the meantime, County offices and departments continue to serve the community as safely as possible, including processing permits, rescheduling events at the Fairgrounds, and keeping our County parks (like Candy Mountain and Badger Mountain Preserves) open for our residents to use. The County is also actively seeking grant funds to assist the community, including small businesses, in its response to the COVID-19 pandemic.

We encourage our community to regularly contact their state representatives and the Governor to voice their concerns so that we can all work together to get our community on the path to recovery.

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