

SJR 8211 - H COMM AMD

By Committee on Public Safety

1 Strike everything after page 1, line 2, and insert the following:

2 "THAT, At the next general election to be held in this state the
3 secretary of state shall submit to the qualified voters of the state
4 for their approval and ratification, or rejection, an amendment to
5 Article II, section 42 of the Constitution of the state of Washington
6 to read as follows:

7 Article II, section 42. The legislature, in order to insure
8 continuity of state and local governmental operations in periods of
9 emergency resulting from ((~~enemy-attack~~)) a catastrophic incident,
10 shall have the power and the duty, immediately upon and after
11 adoption of this amendment, to enact legislation providing for prompt
12 and temporary succession to the powers and duties of public offices
13 of whatever nature and whether filled by election or appointment, the
14 incumbents and legal successors of which may become unavailable for
15 carrying on the powers and duties of such offices; the legislature
16 shall likewise enact such other measures as may be necessary and
17 proper for insuring the continuity of governmental operations during
18 such emergencies. Legislation enacted under the powers conferred by
19 this amendment shall in all respects conform to the remainder of the
20 Constitution: *Provided*, That if, in the judgment of the legislature
21 at the time of ((~~disaster~~)) the emergency, conformance to the
22 provisions of the Constitution would be impracticable or would admit
23 of undue delay, such legislation may depart during the period of
24 emergency caused by ((~~enemy-attack~~)) a catastrophic incident only,
25 from the following sections of the Constitution:

26 Article 14, Sections 1 and 2, Seat of Government;

27 Article 2, Sections 8, 15 (Amendments 13 and 32), and 22,
28 Membership, Quorum of Legislature and Passage of Bills;

29 Article 3, Section 10 (Amendment 6), Succession to Governorship:

30 *Provided*, That the legislature shall not depart from Section 10,
31 Article III, as amended by Amendment 6, of the state Constitution
32 relating to the Governor's office so long as any successor therein

1 named is available and capable of assuming the powers and duties of
2 such office as therein prescribed;

3 Article 3, Section 13, Vacancies in State Offices;

4 Article 11, Section 6, Vacancies in County Offices;

5 Article 11, Section 2, Seat of County Government;

6 Article 3, Section 24, State Records.

7 BE IT FURTHER RESOLVED, That the secretary of state shall cause
8 notice of this constitutional amendment to be published at least four
9 times during the four weeks next preceding the election in every
10 legal newspaper in the state."

EFFECT: Replaces the current law authority of the Legislature to enact continuity of government measures during periods of emergency resulting from an "enemy attack" with authorization to enact such measures during periods of emergency resulting from a "catastrophic incident" (rather than authorizing the Legislature to enact such measures during periods of emergency resulting from "a catastrophic incident or enemy attack").

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