

# HOUSE BILL REPORT

## SJR 8211

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**As Reported by House Committee On:**  
Public Safety

**Brief Description:** Amending the state Constitution to provide governmental continuity during emergency periods resulting from a catastrophic incident.

**Sponsors:** Senators Takko, Zeiger, Pedersen, Conway, McCoy, Hunt, Hobbs, Frockt, Fain, Bailey, Angel, Warnick, Carlyle, Van De Wege, Keiser, Chase and Kuderer.

**Brief History:**

**Committee Activity:**

Public Safety: 2/19/18, 2/20/18 [DPA].

**Brief Summary of Bill**  
**(As Amended by Committee)**

- Proposes an amendment to Article II, section 42 of the Washington Constitution to authorize the Legislature to enact measures ensuring the continuity of government operations during an emergency caused by a catastrophic incident, rather than an enemy attack.

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### HOUSE COMMITTEE ON PUBLIC SAFETY

**Majority Report:** Do pass as amended. Signed by 11 members: Representatives Goodman, Chair; Pellicciotti, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Appleton, Chapman, Griffey, Holy, Orwall, Pettigrew and Van Werven.

**Staff:** Omeara Harrington (786-7136).

**Background:**

Under Article II, section 42 of the Washington State Constitution (Constitution), in order to insure continuity of state and local governmental operations in periods of emergency resulting from an enemy attack, the Legislature has the power and duty to enact legislation providing for prompt and temporary succession to public offices when the incumbents and their legal successors are unavailable for official duties. The Legislature must also enact

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other measures as necessary for insuring the continuity of governmental operations during these emergencies.

Legislation may depart from specified provisions of the Constitution during the emergency if conformance with those provisions would be impracticable or cause undue delay. Constitutional provisions to which adherence is not required during these periods include those concerning: the seat of government; membership and quorum of the Legislature, and passage of bills; vacancies in state and county offices; and state records.

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**Summary of Amended Bill:**

An amendment is proposed to Article II, section 42 of the Constitution that authorizes the Legislature to enact legislation providing for succession to public offices and other measures as necessary in order to insure continuity of state and local governmental operations in periods of emergency resulting from a catastrophic incident, rather than periods of emergency resulting from an enemy attack.

**Amended Bill Compared to Original Bill:**

The Legislature is constitutionally authorized to enact continuity of government measures during periods of emergency caused by a "catastrophic incident" rather than an "enemy attack" (as opposed to authorizing enactment of such measures during emergencies caused by either a catastrophic incident or an enemy attack).

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**Appropriation:** None.

**Fiscal Note:** Not requested.

**Staff Summary of Public Testimony:**

(In support) This proposal will allow the voters, at the next general election, to adopt constitutional changes addressing periods of emergency. With the existence of the Cascadia subduction zone, and the associated tsunami threat, an incident could have far-reaching effects and will be quite devastating. There will be a lot of destruction when one of these events occurs.

(Opposed) None.

**Persons Testifying:** Senator Takko, prime sponsor; and Robert Ezelle, Washington Military Department – Emergency Management Division.

**Persons Signed In To Testify But Not Testifying:** None.