

# SENATE BILL REPORT

## SJR 8200

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As Passed Senate, March 7, 2019

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

**Sponsors:** Senators Takko, Zeiger, Rolfes, Hobbs, O'Ban, Keiser, Warnick, Hunt, Pedersen, Bailey, Conway, McCoy, Carlyle, Frockt, Palumbo and Van De Wege.

**Brief History:**

**Committee Activity:** State Government, Tribal Relations & Elections: 1/25/19, 1/30/19 [DP].

**Floor Activity:**  
Passed Senate.

**Brief Summary of Joint Resolution**

- Proposes a constitutional amendment to authorize the Legislature to enact measures for ensuring continuity of government operations during emergencies resulting from a catastrophic incident.

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### SENATE COMMITTEE ON STATE GOVERNMENT, TRIBAL RELATIONS & ELECTIONS

**Majority Report:** Do pass.

Signed by Senators Hunt, Chair; Kuderer, Vice Chair; Zeiger, Ranking Member; Bailey, Hawkins and Takko.

**Staff:** Melissa Van Gorkom (786-7491)

**Background:** Article II section 42 of the Washington State Constitution provides the Legislature with the power to enact legislation in order to ensure continuity of state and local governmental operations during a period of an emergency resulting from enemy attack, that provides for prompt and temporary succession to the powers and duties of public offices when the incumbents and legal successors may become unavailable for carrying on the powers and duties of the offices.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

Washington's Continuity of Government Act provides direction for the continuity of government and operations in the event of an attack taken against the United States in the state of Washington. An "attack" means any act of warfare taken by an enemy of the United States causing substantial damage or injury to persons or property in the United States and the state of Washington.

**Summary of Joint Resolution:** An amendment is proposed to Article II section 42 of the state Constitution that would authorize the Legislature, in order to ensure continuity of state and local government, to enact legislation providing for prompt and temporary succession to the powers and duties of public offices, and enact other measures as may be necessary during periods of emergency resulting from a catastrophic incident or enemy attack.

**Appropriation:** None.

**Fiscal Note:** Available.

**Creates Committee/Commission/Task Force that includes Legislative members:** No.

**Effective Date:** The Joint Resolution takes effect if approved by the voters at the next general election.

**Staff Summary of Public Testimony:** PRO: Following catastrophic incidents it is critical that government continue to operate. Current law restricts emergency planning to an enemy attack but there are many other catastrophic incident that may occur. The state needs to be better prepared for incidents like the Cascadia earthquake and have the ability to continue to operate at the state and county level during these emergency events.

**Persons Testifying:** PRO: Senator Dean Takko, Prime Sponsor; Robert Ezelle, Director, Emergency Management Division, Washington Military Department.

**Persons Signed In To Testify But Not Testifying:** No one.