

# HOUSE BILL REPORT

## HJR 4206

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### As Reported By House Committee On:

Government Administration

**Brief Description:** Providing a chaplain for state employees.

**Sponsors:** Representatives Chandler, Linville, Sump, L. Thomas, Schoesler, Reams, Appelwick, McMorris, Veloria, Thompson, Kessler and Mulliken.

### Brief History:

#### Committee Activity:

Government Administration: 2/18/97, 2/21/97 [DPS].

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## HOUSE COMMITTEE ON GOVERNMENT ADMINISTRATION

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 11 members: Representatives D. Schmidt, Chairman; D. Sommers, Vice Chairman; Scott, Ranking Minority Member; Gardner, Assistant Ranking Minority Member; Doumit; Dunn; Reams; Smith; L. Thomas; Wensman and Wolfe.

**Minority Report:** Do not pass. Signed by 2 members: Representatives Dunshee and Murray.

**Staff:** Michael Spiro (786-5793).

**Background:** Under Article I, Sec. 11, of the Washington State Constitution no public money or property may be appropriated or used for any religious worship, exercise, or instruction, or for the support of any religious establishment. A chaplain, however, may be employed by the state for its custodial, correctional, and mental institutions, or by a county's or public hospital district's hospital, health care facility, or hospice as is deemed justified by the Legislature.

As originally adopted in 1889, Article I, Sec. 11 provided no exceptions to the prohibition against the appropriation or use of public money or property for religious purposes. In 1904, however, Article I, Sec. 11 was amended to allow the state to employ a chaplain for the state penitentiary and any state reformatories as deemed to be justified by the Legislature. This section was amended again in 1957, replacing state penitentiaries— and reformatories— with state custodial, correctional, and mental institutions.— In 1993, Article I, Sec. 11 was amended a third time to allow a

chaplain to be employed by a county's or public hospital district's hospital, health care facility, or hospice as deemed to be justified by the Legislature.

An amendment to a state constitutional provision must be agreed to by two-thirds of the elected members of both houses of the Legislature, and it must be submitted to the qualified voters of the state for their approval at the next general election.

**Summary of Substitute Bill:** The constitutional provision precluding the appropriation of public money for religious purposes is amended to allow state, county, city, town, and special district coroner and medical examiner offices to employ a chaplain.

**Substitute Bill Compared to Original Bill:** The original resolution amended the constitutional provision precluding the appropriation of public money for religious purposes to allow the state, counties, cities, towns and special districts to employ a chaplain for law enforcement agencies, fire suppression agencies, and emergency medical response agencies. The substitute resolution adds coroner and medical examiner offices to this list.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Testimony For:** Many chaplains currently volunteer their services. They serve the crisis intervention needs of emergency services departments by providing emotional and spiritual support, and help police officers do their jobs better by taking a real burden off of the officers and reducing the stress on the families of victims. The chaplain is there as part of the critical stress debriefing team and as a friend.

This is not a religious issue, but rather one of heart and caring. The practice of religion by a chaplain is a fundamental wrong, and thus it is wrong to confuse chaplaincy with the practice of religion. Further, chaplains can provide certain services after professional mental health help has been given that mental health professionals cannot do.

**Testimony Against:** The government should not inject itself in and pay for matters of religion, which is diminished by the government injecting itself into this area. In addition, there is no need for this bill, which is extremely broad in its application. These matters can be dealt with and should be dealt with by supporting government employees' efforts to deal with these matters in their own private lives.

**Testified:** (Pro) Representative Chandler, prime sponsor; Representative Honeyford; Richard Carbone, Tacoma Pierce County Chaplaincy; Joanne Dyk, Ellensburg Police

Department, members of ICPC; and Dr. Jerry Montgomery, King County Police Chaplains. (Con) Jerry Sheehan, American Civil Liberties Union.