

# HOUSE BILL REPORT

## HJR 4200

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**As Reported by House Committee On:**  
Housing, Community Development & Veterans

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

**Sponsors:** Representatives Goodman, Klippert, Reeves, Fey, Ryu, Kilduff, Slatter, Dolan, Barkis, Appleton, Macri, Stanford and Leavitt.

**Brief History:**

**Committee Activity:**

Housing, Community Development & Veterans: 1/16/19, 1/22/19 [DP].

**Brief Summary of Bill**

- 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.

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### HOUSE COMMITTEE ON HOUSING, COMMUNITY DEVELOPMENT & VETERANS

**Majority Report:** Do pass. Signed by 8 members: Representatives Ryu, Chair; Morgan, Vice Chair; Jenkin, Ranking Minority Member; Gildon, Assistant Ranking Minority Member; Barkis, Entenman, Frame and Leavitt.

**Staff:** Cassie Jones (786-7303).

**Background:**

Under Article II, section 42 of the Washington 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 other measures as necessary for insuring the continuity of governmental operations during these emergencies. Legislation may depart from specified provisions of the Constitution during

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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 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, in addition to enemy attack.

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**Appropriation:** None.

**Fiscal Note:** Available.

**Staff Summary of Public Testimony:**

(In support) We are not prepared for the big one; the Cascadia earthquake could be a catastrophic disaster. The issue is who will run the government after such an event. Statutes establish a continuity of government process so essential government services and processes will continue in the event of an enemy attack. The bill and the proposed constitutional amendment are needed to address a critical gap in state law by providing for those same processes under a catastrophic incident in addition to an enemy attack. We need to be prepared to respond to the disaster and run the government in those circumstances.

(Opposed) None.

**Persons Testifying:** Representative Goodman, prime sponsor; and Robert Ezelle, Washington Military Department.

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