

CHAPTER 203.

[Sub. S. B. 128.]

CONTINUITY OF GOVERNMENT ACT.

AN ACT providing for the continuity of the government of the state and of the governments of its political subdivisions in the event of an attack upon the United States; and declaring an emergency.

Be it enacted by the Legislature of the State of Washington:

SECTION 1. This act shall be known as the "con- Short title.
tinuity of government act."

SEC. 2. Unless otherwise clearly required by the Continuity of
government.
Definitions.
context, the following definitions apply:

(1) "Unavailable" means either that a vacancy in the office exists or that the lawful incumbent of the office is absent or unable to exercise the powers and discharge the duties of the office following an attack and a declaration of existing emergency by the governor or his successor.

(2) "Attack" means any acts of warfare taken by an enemy of the United States causing substantial damage or injury to persons or property in the United States and in the state of Washington.

SEC. 3. (1) In the event that all successors to Office of the
governor.
the office of governor as provided by article 3, section 10, as amended by amendment 6 of the Constitution of the state of Washington are unavailable following an enemy attack, the powers and duties of the office of governor shall be exercised and discharged by the speaker of the house of representatives.

(2) In the event the speaker of the house is unavailable, the powers and duties of the office of governor shall be exercised and discharged by the president pro tem of the senate.

(3) In the event that neither the speaker nor

the president pro tem is available, the house of representatives and the senate in joint assembly shall elect an emergency interim governor.

Continuity of
government.
Legislature.

SEC. 4. In the event enemy attack reduces the number of legislators available for duty, then those legislators available for duty shall constitute the legislature and shall have full power to act in separate or joint assembly by majority vote of those present. In the event of an attack, (1) quorum requirements for the legislature shall be suspended, and (2) where the affirmative vote of a specified proportion of members for approval of a bill, resolution or other action would otherwise be required, the same proportion of those voting thereon shall be sufficient. In the event of an attack, the governor shall call the legislature into session as soon as practicable, and in any case within thirty days following the inception of the attack. If the governor fails to issue such call, the legislature shall, on the thirtieth day from the date of inception of the attack, automatically convene at the place where the governor then has his office. Each legislator shall proceed to the place of session as expeditiously as practicable. At such session or at any session in operation at the inception of the attack, and at any subsequent sessions, limitations on the length of session and on the subjects which may be acted upon shall be suspended.

County
commissioners.

SEC. 5. In the event enemy attack reduces the number of county commissioners of any county, then those commissioners available for duty shall have full authority to act in all matters as a board of county commissioners. In the event no county commissioner is available for duty, then those elected county officials, except for the members of the county board of education, as are available for duty shall jointly act as the board of county commissioners and

shall possess by majority vote the full authority of the board of county commissioners.

SEC. 6. In the event that executive head of any city or town is unavailable by reason of enemy attack to exercise the powers and discharge the duties of his office, then those members of the city or town council or commission available for duty shall by majority vote select one of their number to act as the executive head of such city or town. In the event enemy attack reduces the number of city or town councilmen or commission members, then those members available for duty shall have full power to act by majority vote of those present.

City and town officers.

SEC. 7. The governor shall, subject to such rules and regulations as he may adopt, permit each appointed officer of the state to designate temporary interim successors to the office of such officer.

Temporary interim successors, state, appointment.

SEC. 8. The legislative authority of each political subdivision, subject to the provisions of this act, shall adopt rules and regulations providing for appointment of temporary interim successors to the elected and appointed offices of the political subdivisions.

Temporary interim successors, political subdivisions, appointment.

SEC. 9. If any provision of this act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected.

Severability.

SEC. 10. This act is necessary for the immediate preservation of the public peace, health and safety, the support and preservation of the state government and its existing public institutions, and shall take effect immediately.

Emergency.

Passed the Senate March 13, 1963.

Passed the House March 12, 1963.

Approved by the Governor March 26, 1963.