



## Washington State Senate

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**Senator Hans Zeiger**  
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Dear colleagues,

I write five and a half months after the 2020 legislative session adjourned to ask for your support to reconvene in a special session. I don't need to explain the magnitude of events that have occurred during our interim.

In ordinary times, it would make sense to respect the calendar for legislative sessions and wait until January for legislative action on the range of issues we consider. These are not ordinary times. We face monumental and urgent decisions about our state budget and policy.

Today, 180 days after Gov. Inslee declared a state of emergency in response to the rise of COVID-19, it is long past time for the state legislature to be fully engaged in the response. I write this not to challenge the governor or oppose the governor, but to work in partnership with the governor, and in so doing to fulfill our constitutional obligation to represent our constituents.

Throughout the country, other state legislatures have convened in special sessions in recent months, and the U.S. Congress has met to conduct its work. These other legislative bodies have shown that they can do this work safely.

A constitutional option is available to us to convene ourselves as a legislature. I believe it is time for us to act on this option. Here is why:

Our constitutional government was not designed to operate on an ongoing emergency basis. Emergency powers in our law are designed for brief circumstances. That is why, in 2019, when I sponsored legislation to create new flexibility in the governor's emergency powers, I included a provision requiring the legislature to give its approval or disapproval of emergency suspensions of laws if the governor seeks to extend them past 30 days. As we have exercised this new legislative review process, it has become increasingly evident that the legislature should have an even greater role during extended periods of emergency. I sincerely hope that the legislature will take up additional reforms to our emergency powers statute to extend the legislative review process to the full range of emergency executive powers.

But the reasons for the legislature to meet in these late days of summer extend far beyond our role in reviewing emergency policy that originates with the governor. There are also roles in the balance of state powers that belong to the legislature as the elected representatives of the people, and that it is right for us to assert.

In the face of an \$8.8 billion three-year budget shortfall, we should take swift action to enact a supplemental budget that slows the growth of state spending in order to prevent steep cuts during the

2021 legislative session. There is absolutely no advantage in deferring to the governor to make unilateral across-the-board cuts. It would result in devastating reductions to our most vulnerable Washingtonians.

The potential for federal funds that could be used to mitigate our state budget situation should not be an excuse to avoid planning within our current means. An example of how we might well proceed comes from California, where the legislature approved a plan to partially restore reductions and deferrals in the event that federal funds are received by October 15, 2020.

Moreover, the legislature should work with the governor to make decisions about priorities for spending more than \$2 billion in federal funds already received rather than leaving these decisions to one branch of government alone. With federal funds of that amount and importance, it should matter to the legislature how they are spent. It only makes sense that we would seek to exercise our responsibility as appropriators in a way that most effectively helps the constituents we represent.

When it comes to policy, we owe it to our citizens to pass legislation that protects public health, eases the burden on our small businesses, safeguards renters and rental housing providers, and promotes student learning during a time when parents, teachers, and school boards are eager to have a voice in the proceeding of the coming school year. We cannot merely rely on officials in the executive branch to piece together proclamations, directives, and stopgap measures while the legislature is unavailable to act. If there are worthwhile public policies to adopt, we should exercise our constitutional responsibility in adopting them, giving them the legitimacy of law. In this same vein, there are suspensions of laws we have approved repeatedly that, in the light of recent experience, deserve to become permanent through the enactment of legislation.

Additionally, the conscience of the country has been awakened in the aftermath of the murder of George Floyd while in police custody. We owe it to the people of our state to pass legislation to strengthen the prospects for equal justice in Washington State—sooner, rather than later. Democrats and Republicans have been discussing ways that we can be responsive to the concerns we are hearing from citizens of color. I believe that there are policies related to law enforcement training and accountability, access to our court system, and behavioral health on which we can find common ground and take action this year.

Government feels distant to people today, despite a multitude of technologies that make aspects of democracy more pronounced. The legislative process remains a focal point for hope that we might bridge the distance.

And in a time of social distancing, when people are eager to regain some sense of control over their lives, it is more important than ever that people feel like they have a voice in their government. The legislature is uniquely suited—and constitutionally designated—to provide this voice in the deliberations of state government. If ever there was a time for us to go to work, it is now.

Sincerely,

A handwritten signature in black ink, appearing to read "Hans Zeiger". The signature is written in a cursive, flowing style.

Hans Zeiger  
State Senator, 25<sup>th</sup> District