

30 January 2023

House Committee on Agriculture, Land Use, Natural Resources and Water

Re: House Bill 2813

Dear Chair Representative Helm, Vice-Chairs Representatives Hartman and Owens and members representatives Gamba, Levy, Marsh, McLain and Scharf:

I am neutral on whether this bill passes or not. There is no question that access to clean water is critically important. It is a decisive—some would say—life-and-death feature of modern life.

I would like to make a point on what is a chronic problem with legislative bills in general. The use of the “emergency clause.”

HB 2813, if passed, requires the provisions of the bill go into effect “on 91st day following adjournment sine die.” True, a common provision of bills but it indicates the bill in question is no big deal, that it can wait. What’s the rush?

On the other hand bills with not a shred of urgency to them, such as Senate Bill 64 that would deal with the disposal of electric vehicle batteries blithely tacks on the emergency clause. Another example is Senate Bill 799 forcing more regulations on rental property owners to accommodate tenants wishes, is also considered worthy of an emergency clause.

The worst feature of the use of such clause – and I believe why it is mainly used – is because it prohibits constituents from using our initiative and referendum system. Legislators forcing laws down our throats.

It is my earnest hope that two new bills making the rounds this session, Senate Joint Resolution 5 and House Joint Resolution 11, both of which call for a two-thirds majority vote to addend the emergency clause to bills are taken seriously and passed. Reigning in legislators rampant use of the emergency clause is a problem that is long past due. In a word, it is an “emergency.”

Sincerely,



Richard Wisner