STATE OF WASHINGTON
OFFICE OF GOVERNOR JAY INSLEE

PROCLAMATION BY THE GOVERNOR
AMENDING PROCLAMATION 20-05

21-01

WAIVER OF IN-PERSON ADMINISTRATION OF OATH OF OFFICE

WHEREAS, on February 29, 2020, I issued Proclamation 20-05, proclaiming a State of Emergency for all counties throughout the state of Washington as a result of the coronavirus disease 2019 (COVID-19) outbreak in the United States and confirmed person-to-person spread of COVID-19 in Washington State; and

WHEREAS, as a result of the continued worldwide spread of COVID-19, its significant progression in Washington State, and the high risk it poses to our most vulnerable populations, I have subsequently issued several amendatory proclamations, exercising my emergency powers under RCW 43.06.220 by prohibiting certain activities and waiving and suspending specified laws and regulations; and

WHEREAS, the COVID-19 disease, caused by a virus that spreads easily from person to person which may result in serious illness or death and has been classified by the World Health Organization as a worldwide pandemic, continues to broadly spread throughout Washington State, significantly increasing the threat of serious associated health risks statewide; and

WHEREAS, there is evidence that the virus can be spread through very small droplets called aerosols that are expelled from our mouths when we breathe, talk, sing, vocalize, cough, or sneeze, that these aerosols linger in air, and that a significant risk factor for spreading the virus is prolonged, close contact with an infected person indoors, especially in poorly ventilated spaces; and

WHEREAS, several factors increase the risk for person-to-person COVID-19 transmission; such factors include (1) the more that people and groups interact, (2) the longer those interactions last, (3) the closer the contact between individuals, and (4) the denser the occupancy for indoor facilities; and

WHEREAS, I issued Proclamations 20-25, et seq., first entitled “Stay Home – Stay Healthy,” in which I initially prohibited all people in Washington State from leaving their homes except under certain circumstances, which I have subsequently amended based on changing COVID-19 activity and is now entitled “Healthy Washington” and

contains a flexible, science-based matrix for determining the level of restrictions in place in Washington 39 counties based on level of COVID-19 activity; and

WHEREAS, to protect the health and welfare of state officials and employees and the general public, Washington agencies and officials courts have imposed numerous restrictions, including holding proceedings remotely, strictly observing social distancing measures, suspending many in-building operations, and promulgating emergency rules as necessary; and

WHEREAS, despite this guidance, COVID-19-related cases, hospitalizations and deaths have remained very high, putting our people, our health system, our economy, and our government operations and services in as dangerous a position as we faced in March 2020; and

WHEREAS, pursuant to RCW 43.01.020, before entering upon the duties of their respective offices, the nine state-wide elected officials referenced in this statute are required to swear or affirm an oath, which by statute shall be administered by one of the justices of the supreme court at the capitol; and

WHEREAS, allowing remote administration of the required oath by waiving the requirement that the oath be administered in-person at the capitol will retain the solemnity and importance of the oath while protecting the health and welfare of those administering, taking, and witnessing the ceremony; and

WHEREAS, COVID-19, caused by a virus that spreads easily from person to person which may result in serious illness or death and has been classified by the World Health Organization as a worldwide pandemic, has broadly spread throughout Washington State and remains a significant health risk to all of our people, especially among our most vulnerable populations; and

WHEREAS, the worldwide COVID-19 pandemic and its progression in Washington State continue to threaten the life and health of our people as well as the economy of Washington State, and remain a public disaster affecting life, health, property or the public peace; and

WHEREAS, the Washington State Department of Health continues to maintain a Public Health Incident Management Team in coordination with the State Emergency Operations Center and other supporting state agencies to manage the public health aspects of the incident; and

WHEREAS, the Washington State Military Department Emergency Management Division, through the State Emergency Operations Center, continues coordinating resources across state government to support the Department of Health and local health officials in alleviating the impacts to people, property, and infrastructure, and continues coordinating with the Department of Health in assessing the impacts and long-term effects of the incident on Washington State and its people; and

NOW, THEREFORE, I, Jay Inslee, Governor of the state of Washington, as a result of the above noted situation, and under Chapters 38.08, 38.52 and 43.06 RCW, do hereby proclaim and order that a State of Emergency continues to exist in all counties of Washington State, that Proclamation 20-05 and all amendments thereto remain in effect.

FURTHERMORE, based on the above situation and under the provisions of RCW 43.06.220(2)(g), I also find that strict compliance with RCW 43.01.020 will prevent, hinder, or delay the response to the COVID-19 pandemic State of Emergency under Proclamation 20-05, and therefore, RCW 43.01.020 is amended by waiving and suspending the language indicated by strikethrough below, and the language of the statutory provision specified below is hereby waived and suspended as provided herein until the end of the emergency or 11:59 p.m. on January 15, 2021, whichever is first:

> RCW 43.01.020
> Oath of office.
> The governor, lieutenant governor, secretary of state, treasurer, auditor, attorney general, superintendent of public instruction, commissioner of public lands, and insurance commissioner, shall, before entering upon the duties of their respective offices, take and subscribe an oath or affirmation in substance as follows: I do solemnly swear (or affirm) that I will support the Constitution of the United States and the Constitution and laws of the state of Washington, and that I will faithfully discharge the duties of the office of (name of office) to the best of my ability.
> The oath or affirmation shall be administered by one of the justices of the supreme court ~~at the capitol~~. A certificate shall be affixed thereto by the person administering the oath, and the oath or affirmation so certified shall be filed in the office of the secretary of state before the officer shall be qualified to discharge any official duties: PROVIDED, That the oath of the secretary of state shall be filed in the office of the state auditor.

I again direct that the plans and procedures of the *Washington State Comprehensive Emergency Management Plan* be implemented throughout state government. State agencies and departments are directed to continue utilizing state resources and doing everything reasonably possible to support implementation of the *Washington State Comprehensive Emergency Management Plan* and to assist affected political subdivisions in an effort to respond to and recover from the COVID-19 pandemic.

I continue to order into active state service the organized militia of Washington State to include the National Guard and the State Guard, or such part thereof as may be necessary in the opinion of The Adjutant General to address the circumstances described above, to perform such duties as directed by competent authority of the Washington State Military Department in addressing the outbreak. Additionally, I continue to direct the Department of Health, the Washington State Military Department Emergency Management Division, and other agencies to identify and provide appropriate personnel for conducting necessary and ongoing incident related assessments.

Violators of this order may be subject to criminal penalties pursuant to RCW 43.06.220(5). Further, if people fail to comply with the required social distancing and other protective measures while engaging in this phased reopening, I may be forced to reinstate the prohibitions established in earlier proclamations.

Signed and sealed with the official seal of the state of Washington on this 12th day of January, A.D., Two Thousand and Twenty-One at Olympia, Washington.

By:

/s/
Jay Inslee, Governor

BY THE GOVERNOR:

/s/
Secretary of State