

2 ESB 6004 - S AMD
3 By Senator Hayner

4 ADOPTED 3/11/92

5 Strike everything after the enacting clause and insert the
6 following:

7 "Sec. 1. RCW 43.06.010 and 1991 c 257 s 22 are each amended to
8 read as follows:

9 In addition to those prescribed by the Constitution, the governor
10 may exercise the powers and perform the duties prescribed in this and
11 the following sections:

12 (1) The governor shall supervise the conduct of all executive and
13 ministerial offices;

14 (2) The governor shall see that all offices are filled, and the
15 duties thereof performed, or in default thereof, apply such remedy as
16 the law allows; and if the remedy is imperfect, acquaint the
17 legislature therewith at its next session;

18 (3) The governor shall make the appointments and supply the
19 vacancies mentioned in this title;

20 (4) The governor is the sole official organ of communication
21 between the government of this state and the government of any other
22 state or territory, or of the United States;

23 (5) Whenever any suit or legal proceeding is pending against this
24 state, or which may affect the title of this state to any property, or
25 which may result in any claim against the state, the governor may
26 direct the attorney general to appear on behalf of the state, and
27 report the same to the governor, or to any grand jury designated by the
28 governor, or to the legislature when next in session;

1 (6) The governor may require the attorney general or any
2 prosecuting attorney to inquire into the affairs or management of any
3 corporation existing under the laws of this state, or doing business in
4 this state, and report the same to the governor, or to any grand jury
5 designated by the governor, or to the legislature when next in session;

6 (7) The governor may require the attorney general to aid any
7 prosecuting attorney in the discharge of his duties;

8 (8) The governor may offer rewards, not exceeding one thousand
9 dollars in each case, payable out of the state treasury, for
10 information leading to the apprehension of any person convicted of a
11 felony who has escaped from a state correctional institution or for
12 information leading to the arrest of any person who has committed or is
13 charged with the commission of a felony;

14 (9) The governor shall perform such duties respecting fugitives
15 from justice as are prescribed by law;

16 (10) The governor shall issue and transmit election proclamations
17 as prescribed by law;

18 (11) The governor may require any officer or board to make, upon
19 demand, special reports to the governor, in writing;

20 (12) The governor may, after finding that a public disorder,
21 disaster, energy emergency, or riot exists within this state or any
22 part thereof which affects life, health, property, or the public peace,
23 proclaim a state of emergency in the area affected, and the powers
24 granted the governor during a state of emergency shall be effective
25 only within the area described in the proclamation;

26 (13) The governor shall, when appropriate, submit to the select
27 joint committee created by RCW 43.131.120, lists of state agencies, as
28 defined by RCW 43.131.030, which agencies might appropriately be
29 scheduled for termination by a bill proposed by the select joint
30 committee;

1 (14) The governor may, after finding that there exists within this
2 state an imminent danger of infestation of plant pests as defined in
3 RCW 17.24.007 or plant diseases which seriously endangers the
4 agricultural or horticultural industries of the state of Washington, or
5 which seriously threatens life, health, or economic well-being, order
6 emergency measures to prevent or abate the infestation or disease
7 situation, which measures, after thorough evaluation of all other
8 alternatives, may include the aerial application of pesticides;

9 (15) On all compacts forwarded to the governor pursuant to section
10 2(6) of this act, the governor is authorized and empowered to execute
11 on behalf of the state compacts with federally recognized Indian tribes
12 in the state of Washington pursuant to the federal Indian Gaming
13 Regulatory Act, 25 U.S.C. Sec. 2701 et seq., for conducting class III
14 gaming, as defined in the Act, on Indian lands."

15 "NEW SECTION. Sec. 2. A new section is added to chapter 9.46 RCW
16 to read as follows:

17 (1) The negotiation process for compacts with federally recognized
18 Indian tribes for conducting class III gaming, as defined in the Indian
19 Gaming Regulatory Act, 25 U.S.C. Sec. 2701 et seq., on federal Indian
20 lands is governed by this section.

21 (2) The gambling commission through the director or the director's
22 designee shall negotiate compacts for class III gaming on behalf of the
23 state with federally recognized Indian tribes in the state of
24 Washington.

25 (3) When a tentative agreement with an Indian tribe on a proposed
26 compact is reached, the director shall immediately transmit a copy of
27 the proposed compact to all voting and ex officio members of the
28 gambling commission and to the standing committees designated pursuant
29 to subsection (5) of this section.

1 (4) Notwithstanding RCW 9.46.040, the four ex officio members of
2 the gambling commission shall be deemed voting members of the gambling
3 commission for the sole purpose of voting on proposed compacts
4 submitted under this section.

5 (5) Within thirty days after receiving a proposed compact from the
6 director, one standing committee from each house of the legislature
7 shall hold a public hearing on the proposed compact and forward its
8 respective comments to the gambling commission. The president of the
9 senate shall designate the senate standing committee that is to carry
10 out the duties of this section, and the speaker of the house of
11 representatives shall designate the house standing committee that is to
12 carry out the duties of this section. The designated committees shall
13 continue to perform under this section until the president of the
14 senate or the speaker of the house of representatives, as the case may
15 be, designates a different standing committee.

16 (6) The gambling commission may hold public hearings on the
17 proposed compact any time after receiving a copy of the compact from
18 the director. Within forty-five days after receiving the proposed
19 compact from the director, the gambling commission, including the four
20 ex officio members, shall vote on whether to return the proposed
21 compact to the director with instructions for further negotiation or to
22 forward the proposed compact to the governor for review and final
23 execution.

24 (7) Notwithstanding provisions in this section to the contrary, if
25 the director forwards a proposed compact to the gambling commission and
26 the designated standing committees within ten days before the beginning
27 of a regular session of the legislature, or during a regular or special
28 session of the legislature, the thirty-day time limit set forth in
29 subsection (5) of this section and the forty-five day limit set forth

1 in subsection (6) of this section are each forty-five days and sixty
2 days, respectively.

3 (8) Funding for the negotiation process under this section must
4 come from the gambling revolving fund.

5 (9) In addition to the powers granted under this chapter, the
6 commission, consistent with the terms of any compact, is authorized and
7 empowered to enforce the provisions of any compact between a federally
8 recognized Indian tribe and the state of Washington."

9 "NEW SECTION. **Sec. 3.** This act is necessary for the immediate
10 preservation of the public peace, health, or safety, or support of the
11 state government and its existing public institutions, and shall take
12 effect immediately."

13 "NEW SECTION. **Sec. 4.** If any provision of this act or its
14 application to any person or circumstance is held invalid, the
15 remainder of the act or the application of the provision to other
16 persons or circumstances is not affected."

17 **ESB 6004** - S AMD
18 By Senator Hayner

19 ADOPTED 3/11/92

20 On page 1, line 2 of the title, after "1988;" strike the remainder
21 of the title and insert "amending RCW 43.06.010; and adding a new
22 section to chapter 9.46 RCW; and declaring an emergency."