
HOUSE BILL 1327

State of Washington

52nd Legislature

1991 Regular Session

By Representatives Anderson, Silver, R. Fisher, McLean, Pruitt, Bowman, Moyer, Chandler, Paris, Hochstatter, Wynne, D. Sommers, Miller and Brekke.

Read first time January 25, 1991. Referred to Committee on State Government.

1 AN ACT Relating to sunset review responsibilities of the
2 legislative budget committee; amending RCW 43.131.120 and 43.06.010;
3 and repealing RCW 43.131.115 and 43.131.118.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 43.131.120 and 1983 1st ex.s. c 27 s 7 are each
6 amended to read as follows:

7 (1) The legislative budget committee shall be responsible for
8 monitoring the schedule of agencies to be reviewed under this chapter,
9 modifying this schedule to insure the effective operation of this
10 chapter, and performing other duties necessary for the implementation
11 of this chapter. (~~The committee shall continue to be responsible for~~
12 ~~the development of~~) No later than January 15, 1993, and by January 15
13 of each odd-numbered year thereafter, the legislative budget committee
14 shall submit for consideration by the legislature legislation which
15 provides for the termination of state agencies as needed in a manner

1 consistent with the terms of this chapter (~~and of RCW 43.06.010 as now~~
2 ~~or hereafter amended~~) or which modifies as needed the schedule of
3 agencies to be reviewed under this chapter. If necessary to ensure the
4 effective operation of this chapter, the legislative budget committee
5 may also submit such legislation in an even-numbered year. In the
6 development of such legislation, the (~~select joint~~) legislative
7 budget committee shall:

8 (a) Identify state agencies which might appropriately be scheduled
9 for termination under subsection (2) of this section. No more than one
10 state agency shall be so identified or scheduled for automatic
11 termination in any one section of such legislation;

12 (b) Seek to schedule state agencies with like goals, objectives, or
13 functions for termination on the same date so as to better assure
14 identification of duplicative activities and provide for appropriate
15 modification or consolidation of state agencies to avoid future
16 duplication; (~~and~~)

17 (c) Seek to schedule state agencies for termination in a manner
18 which assures that as many committees of reference as possible have
19 sufficient opportunity to develop experience in conducting reviews as
20 provided pursuant to the terms of this chapter, and which assures that
21 no such committee is given responsibility for review of an unreasonable
22 number of state agencies during any legislative session;

23 (d) Seek recommendations from and consult with committees of
24 reference having governmental oversight responsibilities, including the
25 house committees on state government and appropriations and the senate
26 committees on governmental operations and ways and means, or their
27 successors; and

28 (e) Consider any recommendations submitted by the governor under
29 RCW 43.06.010.

1 (2) In identifying those state agencies to be scheduled for
2 termination, the ((~~select joint~~)) legislative budget committee shall
3 consider, but not be limited to, the following factors where
4 applicable:

5 (a) The extent to which the burden of compliance on the executive
6 and legislative branches with the terms of this chapter is reasonable;

7 (b) The extent to which a state agency may serve the interests of
8 a particular profession, occupation, or industry as opposed to the
9 interests of the public;

10 (c) The extent to which a state agency may have outlived its
11 original statutory purpose; and

12 (d) The potential for fiscal savings.

13 (3) The ((~~select joint~~)) legislative budget committee may propose
14 procedures which facilitate legislative review as required by this
15 chapter for presentation to the legislature. The committee may
16 recommend legislative rules which assure effective and appropriate
17 consideration of all bills and reports regarding termination,
18 modification, consolidation, or reauthorization of state agencies
19 scheduled for termination.

20 **Sec. 2.** RCW 43.06.010 and 1982 c 153 s 1 are each amended to read
21 as follows:

22 In addition to those prescribed by the Constitution, the governor
23 may exercise the powers and perform the duties prescribed in this and
24 the following sections:

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

27 (2) The governor shall see that all offices are filled, and the
28 duties thereof performed, or in default thereof, apply such remedy as

1 the law allows; and if the remedy is imperfect, acquaint the
2 legislature therewith at its next session;

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

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

8 (5) Whenever any suit or legal proceeding is pending against this
9 state, or which may affect the title of this state to any property, or
10 which may result in any claim against the state, the governor may
11 direct the attorney general to appear on behalf of the state, and
12 report the same to the governor, or to any grand jury designated by the
13 governor, or to the legislature when next in session;

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

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

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

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

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

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

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

9 (13) The governor shall, when appropriate, submit to the ((select
10 joint)) legislative budget committee ((created by RCW 43.131.120)),
11 lists of state agencies, as defined by RCW 43.131.030, which agencies
12 might appropriately be scheduled for termination by a bill proposed by
13 the ((select joint)) legislative budget committee;

14 (14) The governor may, after finding that there exists within this
15 state an imminent danger of infestation of plant pests as defined in
16 RCW 17.24.005 or plant diseases which seriously endangers the
17 agricultural or horticultural industries of the state of Washington, or
18 which seriously threatens life, health, or economic well-being, order
19 emergency measures to prevent or abate the infestation or disease
20 situation, which measures, after thorough evaluation of all other
21 alternatives, may include the aerial application of pesticides.

22 NEW SECTION. Sec. 3. The following acts or parts of acts are each
23 repealed:

24 (1) RCW 43.131.115 and 1983 1st ex.s. c 27 s 5; and

25 (2) RCW 43.13.118 and 1983 1st ex.s. c 27 s 6.