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HOUSE BILL 2896

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State of Washington                      58th Legislature                      2004 Regular Session

By Representatives Hunt, Armstrong, Romero and Sullivan

Read first time 01/22/2004. Referred to Committee on State Government.

1            AN ACT Relating to the governor's powers during an emergency; and  
2 amending RCW 43.06.010.

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

4            **Sec. 1.** RCW 43.06.010 and 1994 c 223 s 3 are each amended to read  
5 as follows:

6            In addition to those prescribed by the Constitution, the governor  
7 may exercise the powers and perform the duties prescribed in this and  
8 the following sections:

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

11            (2) The governor shall see that all offices are filled, including  
12 as provided in RCW 42.12.070, and the duties thereof performed, or in  
13 default thereof, apply such remedy as the law allows; and if the remedy  
14 is imperfect, acquaint the legislature therewith at its next session;

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

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

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

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

12 (7) The governor may require the attorney general to aid any  
13 prosecuting attorney in the discharge of the prosecutor's duties;

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

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

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

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

26 (12) The governor may, after finding that a public disorder,  
27 disaster, energy emergency, or riot exists within this state or any  
28 part thereof which affects life, health, property, or the public peace,  
29 proclaim a state of emergency in the area affected(~~(, and)~~). The  
30 powers granted the governor during a state of emergency ((~~shall be~~))  
31 are effective only within the area described in the proclamation. In  
32 addition to all other emergency powers, the governor may, at his or her  
33 discretion, order any state executive agency or individual agency  
34 office to cease operation until the governor declares that order has  
35 been restored;

36 (13) The governor may, after finding that there exists within this  
37 state an imminent danger of infestation of plant pests as defined in  
38 RCW 17.24.007 or plant diseases which seriously endangers the

1 agricultural or horticultural industries of the state of Washington, or  
2 which seriously threatens life, health, or economic well-being, order  
3 emergency measures to prevent or abate the infestation or disease  
4 situation, which measures, after thorough evaluation of all other  
5 alternatives, may include the aerial application of pesticides;

6 (14) On all compacts forwarded to the governor pursuant to RCW  
7 9.46.360(6), the governor is authorized and empowered to execute on  
8 behalf of the state compacts with federally recognized Indian tribes in  
9 the state of Washington pursuant to the federal Indian Gaming  
10 Regulatory Act, 25 U.S.C. Sec. 2701 et seq., for conducting class III  
11 gaming, as defined in the Act, on Indian lands.

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