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HOUSE BILL 1568

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State of Washington                      59th Legislature                      2005 Regular Session

By Representatives Haigh, Hinkle, Wallace, P. Sullivan, Conway, Chase, McCoy and Kenney; by request of Governor Gregoire

Read first time 01/28/2005. Referred to Committee on State Government Operations & Accountability.

1            AN ACT Relating to activation of the national guard; and amending  
2 RCW 38.08.040 and 38.24.010.

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

4            **Sec. 1.** RCW 38.08.040 and 1993 c 263 s 1 are each amended to read  
5 as follows:

6            In event of war, insurrection, rebellion, invasion, tumult, riot,  
7 mob, or organized body acting together by force with intent to commit  
8 a felony or to offer violence to persons or property, or by force and  
9 violence to break and resist the laws of this state, or the United  
10 States, or in case of the imminent danger of the occurrence of any of  
11 said events, or at the lawful request of competent state or local  
12 authority in support of enforcement of controlled substance statutes,  
13 or whenever responsible civil authorities shall, for any reason, fail  
14 to preserve law and order, or protect life or property, or the governor  
15 believes that such failure is imminent, or in event of public disaster,  
16 or when otherwise required for the public health, safety, or welfare,  
17 or to perform any military duty authorized by state law, or to prepare  
18 for or recover from any of these events or the consequences thereof,  
19 the governor shall have power to order the organized militia of

1 Washington, or any part thereof, into active service of the state to  
2 execute the laws, and to perform such duty as the governor shall deem  
3 proper.

4 **Sec. 2.** RCW 38.24.010 and 1991 c 43 s 4 are each amended to read  
5 as follows:

6 All bills, claims and demands for military purposes shall be  
7 certified or verified and audited in the manner prescribed by  
8 regulations promulgated by the governor and shall be paid by the state  
9 treasurer from funds available for that purpose. In all cases where  
10 the organized militia, or any part of the organized militia, is called  
11 into the service of the state to (~~execute or enforce the laws or in~~  
12 ~~case of war, riot, insurrection, invasion, breach of the peace, public~~  
13 ~~disaster, or the imminent danger of the occurrence of any of these~~  
14 ~~events)) perform duties under RCW 38.08.040, except for anticipated  
15 planning, training, exercises, and other administrative duties that are  
16 not of an emergent nature, warrants for allowed pay and expenses for  
17 such services or compensation for injuries or death shall be drawn upon  
18 the general fund of the state treasury and paid out of any moneys in  
19 said fund not otherwise appropriated. All such warrants shall be the  
20 obligation of the state and shall bear interest at the legal rate from  
21 the date of their presentation for payment.~~

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