

HB 2024 - S COMM AMD

By Committee on Ways & Means

NOT CONSIDERED

1 Strike everything after the enacting clause and insert the
2 following:

3 "**Sec. 1.** RCW 43.10.030 and 2009 c 549 s 5048 are each amended to
4 read as follows:

5 The attorney general shall:

6 (1) Appear for and represent the state before the supreme court or
7 the court of appeals in all cases in which the state is interested;

8 (2) Institute and prosecute all actions and proceedings for, or for
9 the use of the state, which may be necessary in the execution of the
10 duties of any state officer. However, the attorney general shall not
11 be required to institute or prosecute actions or proceedings on behalf
12 of superior court judges unless requested to do so by the administrator
13 for the courts under chapter 2.56 RCW. In such an action on behalf of
14 superior court judges, one-half of the attorneys' fees and costs shall
15 be borne by the administrator for the courts and one-half shall be
16 borne by the attorney general;

17 (3) Defend all actions and proceedings against any state officer or
18 employee acting in his or her official capacity, in any of the courts
19 of this state or the United States;

20 (4) Consult with and advise the several prosecuting attorneys in
21 matters relating to the duties of their office, and when the interests
22 of the state require, he or she shall attend the trial of any person
23 accused of a crime, and assist in the prosecution;

24 (5) Consult with and advise the governor, members of the
25 legislature, and other state officers, and when requested, give written
26 opinions upon all constitutional or legal questions relating to the
27 duties of such officers;

28 (6) Prepare proper drafts of contracts and other instruments
29 relating to subjects in which the state is interested;

1 (7) Give written opinions, when requested by either branch of the
2 legislature, or any committee thereof, upon constitutional or legal
3 questions;

4 (8) Enforce the proper application of funds appropriated for the
5 public institutions of the state, and prosecute corporations for
6 failure or refusal to make the reports required by law;

7 (9) Keep in proper books a record of all cases prosecuted or
8 defended by him or her, on behalf of the state or its officers, and of
9 all proceedings had in relation thereto, and deliver the same to his or
10 her successor in office;

11 (10) Keep books in which he or she shall record all the official
12 opinions given by him or her during his or her term of office, and
13 deliver the same to his or her successor in office;

14 (11) Pay into the state treasury all moneys received by him or her
15 for the use of the state.

16 NEW SECTION. **Sec. 2.** A new section is added to chapter 2.08 RCW
17 to read as follows:

18 No legal action may be brought by a superior court judge or judges
19 against the state or a county until ninety days have elapsed after the
20 claim has been filed with the attorney general or county prosecuting
21 attorney, as the case may be. For the period of one hundred twenty
22 days following the filing of such a suit, the parties must engage in
23 mediation or other form of alternative dispute resolution to resolve
24 the suit."

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25 On page 1, line 2 of the title, after "officers;" strike the
26 remainder of the title and insert "amending RCW 43.10.030; and adding
27 a new section to chapter 2.08 RCW."

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