

HOUSE BILL REPORT

HB 2612

As Reported By House Committee On:

Transportation Policy & Budget

Title: An act relating to statutes authorizing the Washington state patrol.

Brief Description: Revising authorizing statutes of the state patrol.

Sponsors: Representatives Zellinsky, K. Schmidt, Huff, Chandler, Fisher and O'Brien.

Brief History:

Committee Activity:

Transportation Policy & Budget: 1/22/98, 2/5/98 [DPS].

HOUSE COMMITTEE ON TRANSPORTATION POLICY & BUDGET

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 23 members: Representatives K. Schmidt, Chairman; Hankins, Vice Chairman; Mielke, Vice Chairman; Mitchell, Vice Chairman; Cooper, Assistant Ranking Minority Member; Backlund; Buck; Cairnes; Chandler; Constantine; DeBolt; Gardner; Hatfield; Johnson; McCune; Murray; Ogden; Romero; Scott; Skinner; Sterk; Wood and Zellinsky.

Minority Report: Do not pass. Signed by 3 members: Representatives Fisher, Ranking Minority Member; O'Brien and Robertson.

Staff: Jerry Long (786-7306).

Background: The first Washington State Patrol (WSP) authorization statutes were enacted in 1933. The appointment of the chief is by the Governor, with the advice and consent of the Senate. The chief appoints WSP officers, may remove them for cause, will make promotional appointments, determine their compensation, and define their rank and duties. The chief may appoint employees of the WSP and the State Treasurer to serve as special deputies.

The chief may appoint staff or technical officers as the chief deems necessary for the efficient operation of the WSP and assign whatever rank the chief deems necessary. Staff or technical officers may be returned to their line rank or position at the chief's discretion. These provisions are utilized by WSP to appoint positions above the rank of lieutenant and specialty pay positions.

The ranks of trooper, sergeant and lieutenant are referred to as RCW ranks. Examinations are conducted for the promotion of commissioned patrol officers to the rank of sergeant and lieutenant.

The WSP's primary responsibility is traffic enforcement on state and interstate highways. The traffic service practice is to provide services at the request of local law enforcement agencies and respond to collisions on county roads when no sheriff's deputy is available. Time spent on county activities is calculated using 15 minutes per incident and is included in WSP's monthly report.

Summary of Substitute Bill: An examination is required for the rank of captain; the rank of captain is made an RCW rank (like the rank of trooper, sergeant and lieutenant). WSP officers with one year of experience in the rank of lieutenant are eligible for examination for the rank of captain. The authority for the chief to determine compensation is removed. The chief may appoint an assistant chief and up to four bureau commanders who may be returned to their line ranks at the time their appointments end, as determined by the chief. Commissioned officer pay schedules will include specialty pay and will be updated whenever there is a compensation change.

Appointments of agency administrative staff will be conducted in accordance with the state civil service law. Technical changes made to consolidate the technical and staff officer appointments within the existing "Appointment of Personnel" section.

The WSP is organized by bureaus which promote efficient and effective performance of the duties of the WSP. The WSP budget structure will match the its organization structure.

Obsolete language setting the minimum salary and the appointment of State Treasurer employees as deputies is removed.

Substitute Bill Compared to Original Bill: The substitute bill removes the new section on WSP county road responsibilities. The substitute bill also clarifies that the officer appointments that were granted previously by RCW 43.43.370, which was consolidated with the appointment section (RCW 43.43.020), will continue.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date of Substitute Bill: Ninety days after adjournment of session in which bill is passed.

Testimony For: The bill provides for a promotional process and due process for the rank of captain, similar to the existing RCW ranks of lieutenant and sergeant.

Testimony Against: The chief of the WSP should retain the authority to remove captains managing a program area if they disagree with the policy direction of the agency and replace them with persons agreeing with the strategic policy direction of the agency.

Testified: Chief Annette Sandberg, WSP (con); Bill Hanson, WSP Troopers Association (pro); Tim Quenzer, WSP Lieutenants Association (pro); and Larry Erickson, Washington Association of Sheriffs and Police Chiefs (con).