
SUBSTITUTE HOUSE BILL 2612

State of Washington

55th Legislature

1998 Regular Session

By House Committee on Transportation Policy & Budget (originally sponsored by Representatives Zellinsky, K. Schmidt, Huff, Chandler, Fisher and O'Brien)

Read first time 02/05/98. Referred to Committee on .

1 AN ACT Relating to statutes authorizing the Washington state
2 patrol; amending RCW 43.43.010, 43.43.020, 43.43.330, and 43.43.350;
3 creating a new section; and repealing RCW 43.43.370 and 43.43.380.

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

5 **Sec. 1.** RCW 43.43.010 and 1965 c 8 s 43.43.010 are each amended to
6 read as follows:

7 There shall be a department of state government known as the
8 "Washington state patrol." The chief thereof shall be known as the
9 chief of the Washington state patrol(~~(, and members thereof shall be~~
10 ~~known as Washington state patrol officers)~~).

11 **Sec. 2.** RCW 43.43.020 and 1983 c 144 s 1 are each amended to read
12 as follows:

13 (1) The governor, with the advice and consent of the senate, shall
14 appoint the chief of the Washington state patrol, determine ((his)) the
15 chief's compensation, and may remove ((him)) the chief at will.

16 (2) The department of the Washington state patrol will be organized
17 into bureaus that promote efficient and effective performance of the
18 duties the department is charged by statute to administer. The

1 department's budget structure will match the department's
2 organizational structure.

3 (3)(a) The chief shall appoint ((a sufficient number of competent
4 persons to act as)) Washington state patrol officers, may remove them
5 for cause, as provided in this chapter, and shall make promotional
6 appointments, ((determine their compensation, and define their rank and
7 duties,)) as hereinafter provided.

8 (b) The chief may appoint an assistant chief, and up to four bureau
9 commanders.

10 (c) The chief may appoint staff or technical officers as the chief
11 deems necessary for the efficient operation of the department, and
12 assign the rank the chief deems necessary for the position for the
13 duration of the assignment. Staff or technical officers without line
14 command assignment and whose duties are of a special or technical
15 nature will hold their staff or technical ranks on a continuing
16 probationary basis; however, staff or technical officers, if otherwise
17 eligible, shall not be prevented from taking the line promotion
18 examinations, and qualifying for promotion whenever the examinations
19 may be held. If a staff or technical officer returns to the line
20 operations, the officer will return in the rank that the officer holds
21 in the line command, unless promoted to a higher rank through
22 examination and appointment as provided in this chapter.

23 (d) The assistant chief, the four bureau commanders, and the staff
24 and technical officers may be returned to their respective ranks at the
25 time their appointments end, as determined by the chief.

26 (e) Commissioned officer pay schedules will include speciality pay
27 and will be updated whenever there is a compensation change.

28 (4) The chief may appoint administrative staff as may be necessary
29 for the general administration of the department in accordance with
30 chapter 41.06 RCW.

31 (5) The chief may appoint employees of the Washington state patrol
32 to serve as special deputies, with such restricted police authority as
33 the chief shall designate as being necessary and consistent with their
34 assignment to duty. Such appointment and conferral of authority shall
35 not qualify said employees for membership in the Washington state
36 patrol retirement system, nor shall it grant tenure of office as a
37 regular officer of the Washington state patrol.

38 ((The chief may personally appoint, with the consent of the state
39 treasurer, employees of the office of the state treasurer who are

1 qualified under the standards of the criminal justice training
2 commission, or who have comparable training and experience, to serve as
3 special deputies. The law enforcement powers of any special deputies
4 appointed in the office of the state treasurer shall be designated by
5 the chief and shall be restricted to those powers necessary to provide
6 for state-wide security of the holdings or property of or under the
7 custody of the office of the state treasurer. These appointments may
8 be revoked by the chief at any time and shall be revoked upon the
9 written request of the state treasurer or by operation of law upon
10 termination of the special deputy's employment with the office of the
11 state treasurer or thirty days after the chief who made the appointment
12 leaves office. The chief shall be civilly immune for the acts of such
13 special deputies. Such appointment and conferral of authority shall
14 not qualify such employees for membership in the Washington state
15 patrol retirement system, nor shall it grant tenure of office as a
16 regular officer of the Washington state patrol.))

17 **Sec. 3.** RCW 43.43.330 and 1993 c 155 s 1 are each amended to read
18 as follows:

19 Appropriate examinations shall be conducted for the promotion of
20 commissioned patrol officers to the rank of sergeant ((and)),
21 lieutenant, and captain. The examinations shall be prepared and
22 conducted under the supervision of the chief of the Washington state
23 patrol, who shall cause at least thirty days written notice thereof to
24 be given to all patrol officers eligible for such examinations. The
25 written notice shall specify the expected type of examination and
26 relative weights to be assigned if a combination of tests is to be
27 used. Examinations shall be given once every two years, or whenever
28 the eligible list becomes exhausted as the case may be. After the
29 giving of each such examination a new eligible list shall be compiled
30 replacing any existing eligible list for such rank. Only grades
31 attained in the last examination given for a particular rank shall be
32 used in compiling each eligible list therefor. The chief, or in
33 ((his)) the chief's discretion a committee of three individuals
34 appointed by ((him)) the chief, shall prepare and conduct the
35 examinations, and thereafter grade and evaluate them in accordance with
36 the following provisions, or factors: For promotion to the rank of
37 sergeant ((or)), lieutenant, or captain, the examination shall consist
38 of one or more of the following components: (1) Oral examination; (2)

1 written examination; (3) service rating; (4) personnel record; (5)
2 assessment center or other valid tests that measures the skills,
3 knowledge, and qualities needed to perform these jobs. A cutoff score
4 may be set for each testing component that allows only those scoring
5 above the cutoff on one component to proceed to take a subsequent
6 component.

7 **Sec. 4.** RCW 43.43.350 and 1969 ex.s. c 20 s 2 are each amended to
8 read as follows:

9 Eligibility for examination or promotion shall be determined as
10 follows:

11 Patrol officers with one year of probationary experience, in
12 addition to three years experience as a regular patrolman, shall be
13 eligible for examination for the rank of sergeant; patrol officers with
14 one year of probationary experience in the rank of sergeant, in
15 addition to two years as a regular sergeant, shall be eligible for
16 examination for the rank of lieutenant. Patrol officers with one year
17 of experience in the rank of lieutenant are eligible for examination
18 for the rank of captain.

19 NEW SECTION. **Sec. 5.** Officers appointed to positions by the
20 authority of RCW 43.43.370, repealed by section 6 of this act, shall
21 retain those positions by the authority granted in RCW 43.43.020 under
22 the same conditions as their original appointment.

23 NEW SECTION. **Sec. 6.** The following acts or parts of acts are each
24 repealed:

25 (1) RCW 43.43.370 and 1965 c 8 s 43.43.370; and

26 (2) RCW 43.43.380 and 1965 c 8 s 43.43.380.

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