
SENATE BILL 5208

State of Washington 59th Legislature 2005 Regular Session

By Senators Haugen, Delvin, Weinstein, Esser, Carrell, Keiser, McAuliffe and Rasmussen

Read first time 01/18/2005. Referred to Committee on Transportation.

1 AN ACT Relating to negotiating state patrol officer wages and
2 wage-related matters; amending RCW 41.56.473 and 41.56.475; providing
3 an effective date; and declaring an emergency.

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

5 **Sec. 1.** RCW 41.56.473 and 1999 c 217 s 3 are each amended to read
6 as follows:

7 (1) In addition to the entities listed in RCW 41.56.020, this
8 chapter applies to the ((Washington)) state ((patrol)) with respect to
9 the officers of the Washington state patrol appointed under RCW
10 43.43.020(~~(. Subjects of bargaining include wage related matters)~~),
11 except that the ((Washington)) state ((patrol)) is prohibited from
12 negotiating (~~(rates of pay or wage levels and)~~) any matters relating to
13 retirement benefits or health care benefits or other employee insurance
14 benefits.

15 (2) For the purposes of negotiating:

16 (a) Wages and wage-related matters, the state shall be represented
17 by the governor or the governor's designee who is appointed under
18 chapter 41.80 RCW; and

1 (b) Nonwage related matters, the state shall be represented by the
2 Washington state patrol.

3 (3) The negotiation of provisions pertaining to wages and wage-
4 related matters in a collective bargaining agreement between the
5 ((Washington)) state ((patrol)) and the Washington state patrol
6 officers is subject to the following:

7 (a) The state's bargaining representative must periodically consult
8 with a subcommittee of the joint committee on employment relations
9 created in RCW 41.80.010(5) which shall consist of the four members
10 appointed to the joint committee with leadership positions in the
11 senate and the house of representatives, and the chairs and ranking
12 minority members of the senate highways and transportation committee
13 and the house transportation committee, or their successor committees.
14 The subcommittee must be consulted regarding the appropriations
15 necessary to implement these provisions in a collective bargaining
16 agreement and, on completion of negotiations, must be advised on the
17 elements of these provisions.

18 (b) Provisions that are entered into before the legislature
19 approves the funds necessary to implement the provisions must be
20 conditioned upon the legislature's subsequent approval of the funds.

21 **Sec. 2.** RCW 41.56.475 and 1999 c 217 s 4 are each amended to read
22 as follows:

23 In addition to the classes of employees listed in RCW 41.56.030(7),
24 the provisions of RCW 41.56.430 through 41.56.452 and 41.56.470,
25 41.56.480, and 41.56.490 also apply to Washington state patrol officers
26 appointed under RCW 43.43.020 as provided in this section, subject to
27 the following:

28 (1) The mediator or arbitration panel may consider only matters
29 that are subject to bargaining under RCW 41.56.473.

30 (2) The decision of an arbitration panel is not binding on the
31 legislature and, if the legislature does not approve the funds
32 necessary to implement provisions pertaining to wages and wage-related
33 matters of an arbitrated collective bargaining agreement, is not
34 binding on the state or the Washington state patrol.

35 (3) In making its determination, the arbitration panel shall be
36 mindful of the legislative purpose enumerated in RCW 41.56.430 and, as

1 additional standards or guidelines to aid it in reaching a decision,
2 shall take into consideration the following factors:

3 (a) The constitutional and statutory authority of the employer;

4 (b) Stipulations of the parties;

5 (c) Comparison of the hours and conditions of employment of
6 personnel involved in the proceedings with the hours and conditions of
7 employment of like personnel of like employers of similar size on the
8 west coast of the United States;

9 (d) Changes in any of the foregoing circumstances during the
10 pendency of the proceedings; and

11 (e) Such other factors, not confined to the foregoing, which are
12 normally or traditionally taken into consideration in the determination
13 of matters that are subject to bargaining under RCW 41.56.473.

14 NEW SECTION. **Sec. 3.** This act is necessary for the immediate
15 preservation of the public peace, health, or safety, or support of the
16 state government and its existing public institutions, and takes effect
17 July 1, 2005.

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