
SENATE BILL 6503

State of Washington

61st Legislature

2010 Regular Session

By Senator Prentice

Read first time 01/15/10. Referred to Committee on Ways & Means.

1 AN ACT Relating to the operations of state agencies; amending RCW
2 42.04.060; adding a new section to chapter 41.80 RCW; creating new
3 sections; providing an expiration date; and declaring an emergency.

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

5 NEW SECTION. **Sec. 1.** (1) From the effective date of this section
6 until June 30, 2011, state agencies of the legislative, executive, and
7 judicial branches shall be closed on the following dates in addition to
8 the legal holidays specified in RCW 1.16.050:

- 9 (a) Friday, March 12, 2010;
10 (b) Friday, April 9, 2010;
11 (c) Friday, May 28, 2010;
12 (d) Monday, June 14, 2010;
13 (e) Friday, July 2, 2010;
14 (f) Friday, August 6, 2010;
15 (g) Friday, September 3, 2010;
16 (h) Monday, October 11, 2010;
17 (i) Friday, November 12, 2010;
18 (j) Monday, December 27, 2010;
19 (k) Friday, January 14, 2011;

- 1 (l) Friday, February 18, 2011;
- 2 (m) Friday, March 11, 2011;
- 3 (n) Friday, April 15, 2011;
- 4 (o) Friday, May 27, 2011; and
- 5 (p) Friday, June 10, 2011.

6 (2) If the closure of an office of an agency of the state under
7 this section prevents the performance of any action, the action shall
8 be considered timely if performed on the next business day.

9 (3) The following activities of state agencies are exempt from
10 subsection (1) of this section:

11 (a) Direct custody, supervision, and patient care in corrections,
12 juvenile rehabilitation, institutional care of veterans, the mentally
13 ill, developmentally disabled, state hospitals, the special commitment
14 center, and the schools for the blind and the deaf;

15 (b) Direct protective services to children and other vulnerable
16 populations in the department of social and health services;

17 (c) Washington state patrol investigative services and field
18 enforcement;

19 (d) Hazardous materials response or emergency response and cleanup;

20 (e) Emergency public health and patient safety response and the
21 public health laboratory;

22 (f) Military operations and emergency management within the
23 military department;

24 (g) Firefighting;

25 (h) Enforcement offices in the department of fish and wildlife, the
26 liquor control board, the gambling commission, and the department of
27 natural resources;

28 (i) State parks operated by the parks and recreation commission;

29 (j) In institutions of higher education, classroom instruction,
30 operations not funded from state funds or tuition, campus police and
31 security, emergency management and response, and student health care;

32 (k) Operations of liquor control board business enterprises;

33 (l) The unemployment insurance program of the employment security
34 department;

35 (m) The workers' compensation program of the department of labor
36 and industries;

37 (n) The operation of state ferries;

1 (o) Legislative agencies and the office of financial management,
2 during sessions of the legislature under Article II, section 12 of the
3 state Constitution; and

4 (p) The minimal use of state employees on the specified closure
5 dates as necessary to protect public assets and maintain public safety.

6 (4) The closure of an office of a state agency under this section
7 shall result in the temporary layoff of the employees of the agency.
8 The compensation of the employees shall be reduced proportionately to
9 the duration of the temporary layoff. Temporary layoffs under this
10 section shall not affect the employees' vacation leave accrual,
11 seniority, or sick leave credits. For the purposes of chapter 430,
12 Laws of 2009, the compensation reductions under this section are deemed
13 to be an integral part of an employer's expenditure reduction efforts.

14 (5) Except as provided in subsection (3) of this section, for
15 employees not scheduled to work on a day specified in subsection (1) of
16 this section, the employing agency must designate an alternative day
17 during that month on which the employee is scheduled to work that the
18 employee will be temporarily laid off.

19 (6) To the extent that the implementation of this section is
20 subject to collective bargaining under chapter 41.80 RCW, the
21 bargaining shall be conducted pursuant to section 2 of this act.

22 NEW SECTION. **Sec. 2.** A new section is added to chapter 41.80 RCW
23 to read as follows:

24 (1) To the extent that the implementation of section 1 of this act
25 is subject to collective bargaining under this chapter:

26 (a) Except for institutions of higher education, negotiations
27 regarding impacts of the temporary layoffs mandated by section 1 of
28 this act shall be conducted between the employer and one coalition of
29 all the exclusive bargaining representatives subject to chapter 41.80
30 RCW; and

31 (b) For institutions of higher education that have elected to have
32 negotiations conducted by the governor or governor's designee in
33 accordance with RCW 41.80.010(4), negotiations regarding impacts of the
34 temporary layoffs mandated by section 1 of this act shall be conducted
35 between the governor or governor's designee and one coalition of all of
36 the exclusive bargaining representatives subject to chapter 41.80 RCW.

37 (2) This section expires on June 30, 2011.

1 **Sec. 3.** RCW 42.04.060 and 2009 c 428 s 1 are each amended to read
2 as follows:

3 Except as provided in section 1 of this act, all state elective and
4 appointive officers shall keep their offices open for the transaction
5 of business for a minimum of forty hours per week, except weeks that
6 include state legal holidays. Customary business hours must be posted
7 on the agency or office's web site and made known by other means
8 designed to provide the public with notice.

9 This section shall not apply to the courts of record of this state
10 or to their officers nor to the office of the attorney general and the
11 lieutenant governor.

12 NEW SECTION. **Sec. 4.** If any part of this act is found to be in
13 conflict with federal requirements that are a prescribed condition to
14 the allocation of federal funds to the state, the conflicting part of
15 this act is inoperative solely to the extent of the conflict and with
16 respect to the agencies directly affected, and this finding does not
17 affect the operation of the remainder of this act in its application to
18 the agencies concerned. Rules adopted under this act must meet federal
19 requirements that are a necessary condition to the receipt of federal
20 funds by the state.

21 NEW SECTION. **Sec. 5.** If any provision of this act or its
22 application to any person or circumstance is held invalid, the
23 remainder of the act or the application of the provision to other
24 persons or circumstances is not affected.

25 NEW SECTION. **Sec. 6.** This act is necessary for the immediate
26 preservation of the public peace, health, or safety, or support of the
27 state government and its existing public institutions, and takes effect
28 immediately.

--- END ---