

SENATE BILL REPORT

EHB 1752

As Reported by Senate Committee On:
Government Operations & Security, February 22, 2016

Title: An act relating to qualifications for chief examiners.

Brief Description: Addressing the qualifications for chief examiners.

Sponsors: Representatives Hawkins and Takko.

Brief History: Passed House: 3/03/15, 92-5; 2/11/16, 92-4.

Committee Activity: Government Operations & Security: 3/12/15; 2/18/16, 2/22/16 [DP].

SENATE COMMITTEE ON GOVERNMENT OPERATIONS & SECURITY

Majority Report: Do pass.

Signed by Senators Roach, Chair; Pearson, Vice Chair; Habib, McCoy and Takko.

Staff: Alex Kearns (786-7416)

Background: Civil service commissions for county sheriff's offices (Commissions) are established to adopt rules and regulations governing personnel administration in sheriffs' offices. Commissions consist of three or five members, appointed by the county board of commissioners in the county where the sheriff's office is located. Commissioners serve six-year terms without compensation.

Commissions are responsible for adopting rules and regulations to regulate the manner of examination, appointment, promotion, suspension, and discharge of employees of the sheriff's office. In addition, Commissions administer practical tests to determine a person's ability to perform job duties, and conduct hearings and investigations in accordance with state statute and commission rules.

Commissions are charged with appointing and supervising a chief examiner, who serves as secretary of the Commission. The chief examiner keeps records for the Commission, preserves all reports made to the Commission, and keeps a record of all examinations held under the Commission's direction. The chief examiner is appointed to the position as a result of a competitive examination open to all qualified citizens of the county. The appointee is prohibited from being an employee of the sheriff's office.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Summary of Bill: A chief examiner may now reside either in the county they serve or in a county adjacent to the county they serve.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

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

Staff Summary of Public Testimony: Testimony From 2015 Regular Session. PRO: A chief examiner is a staff-level county position, typically in the human resources division. Currently, the statute from the 1950s has very strict residency requirements for these little-known chief examiner positions. The statutes require that the chief examiner live in the county where the sheriff's office is located. This residency requirement is presenting a potential issue for some counties, including Chelan County. It does not appear there is a reason for the strict residency requirement. This bill will help Chelan County and other counties by removing the residency requirement related to chief examiners, a human resources staff-level position. This bill modernizes an old statute to provide flexibility for counties and allows counties to hire the most qualified candidate to do the job.

Persons Testifying: Persons Testifying From 2015 Regular Session. PRO: Representative Hawkins, Prime Sponsor; Cathy Mulhall, Chelan County; Brad Banks, WA Assn. of Counties.

Persons Signed in to Testify But Not Testifying: No one.

Staff Summary of Public Testimony: Testimony From 2016 Regular Session. PRO: There are very strict residency requirements for this part-time, staff level position that go back to the 1950s. Chelan County and Douglas County are close together and many staff work in one county and live in another. The counties want to hire the best candidates for the position, but right now they have to check to see where each candidate lives to see if they are eligible to be hired. This seems to be the only unelected county position that has this residency requirement. The counties want to be in compliance but also want to hire the best candidate.

Persons Testifying: Persons Testifying From 2016 Regular Session. PRO: Representative Hawkins, Prime Sponsor; Cathy Mulhall, Chelan County Administrator; Keith Goehner, Chelan County Commissioner.

Persons Signed In To Testify But Not Testifying: No one.