

Be it enacted by the Legislature of the State of Washington:

Sec. 1. Section 10, chapter 108, Laws of 1967 ex. sess. as amended by section 21, chapter 296, Laws of 1975 1st ex. sess. and RCW 41.56.100 are each amended to read as follows:

A public employer shall have the authority to engage in collective bargaining with the exclusive bargaining representative and no public employer shall refuse to engage in collective bargaining with the exclusive bargaining representative: **PROVIDED**, That nothing contained herein shall require any public employer to bargain collectively with any bargaining representative concerning any matter which by ordinance, resolution or charter of said public employer has been delegated to any civil service commission or personnel board similar in scope, structure and authority to the board created by chapter 41.06 RCW. Upon the failure of the public employer and the exclusive bargaining representative to conclude a collective bargaining agreement, any matter in dispute may be submitted by either party to the commission. If a public employer implements its last and best offer where there is no contract settlement, allegations that either party is violating the terms of the implemented offer shall be subject to grievance arbitration procedures if and as such procedures are set forth in the implemented offer, or, if not in the implemented offer, if and as such procedures are set forth in the parties' last contract.

Passed the Senate March 3, 1989.

Passed the House April 3, 1989.

Approved by the Governor April 18, 1989.

Filed in Office of Secretary of State April 18, 1989.

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## CHAPTER 46

[Senate Bill No. 5042]

### PUBLIC EMPLOYEES—UNILATERAL IMPLEMENTATION OF COLLECTIVE BARGAINING AGREEMENTS

AN ACT Relating to unilateral implementation in public sector collective bargaining; and adding a new section to chapter 41.56 RCW.

Be it enacted by the Legislature of the State of Washington:

**NEW SECTION.** Sec. 1. A new section is added to chapter 41.56 RCW to read as follows:

(1) After the termination date of a collective bargaining agreement, all of the terms and conditions specified in the collective bargaining agreement shall remain in effect until the effective date of a subsequent agreement, not to exceed one year from the termination date stated in the agreement. Thereafter, the employer may unilaterally implement according to law.

(2) This section does not apply to provisions of a collective bargaining agreement which both parties agree to exclude from the provisions of subsection (1) of this section and to provisions within the collective bargaining agreement with separate and specific termination dates.

(3) This section shall not apply to the following:

(a) Bargaining units covered by RCW 41.56.430 et seq. for factfinding and interest arbitration;

(b) Collective bargaining agreements authorized by chapter 53.18 RCW;

(c) Security forces established under RCW 43.52.520; or

(d) Collective bargaining agreements authorized by chapter 54.04 RCW.

(4) This section shall not apply to collective bargaining agreements in effect or being bargained at the time of the effective date of this section.

Passed the Senate February 10, 1989.

Passed the House March 29, 1989.

Approved by the Governor April 18, 1989.

Filed in Office of Secretary of State April 18, 1989.

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CHAPTER 47

[House Bill No. 1025]

COMMERCIAL FISHING LICENSES—REQUIREMENTS AND RESTRICTIONS

AN ACT Relating to commercial fishing licenses; amending RCW 75.28.020 and 75.28.095; and repealing RCW 75.28.081, 75.28.123, and 75.28.370.

Be it enacted by the Legislature of the State of Washington:

Sec. 1. Section 75.28.020, chapter 12, Laws of 1955 as last amended by section 104, chapter 46, Laws of 1983 1st ex. sess. and RCW 75.28.020 are each amended to read as follows:

(1) The department may only issue a commercial license to a person who is sixteen years of age or older (~~and who is a citizen~~) and a bona fide resident of the United States. The deckhand license required by RCW 75.28.690 may be issued to persons under sixteen years of age. The department may only issue a commercial license to a corporation if it is authorized to do business in this state. A valid Oregon license which is comparable to a license under this title is valid in the concurrent waters of the Columbia River if the state of Oregon recognizes as valid the comparable Washington license.

Sec. 2. Section 1, chapter 90, Laws of 1969 as last amended by section 1, chapter 9, Laws of 1988 and RCW 75.28.095 are each amended to read as follows: