

chapter 68.05 RCW, disturbances of which shall be a class C felony punishable under chapter 9A.20 RCW, without having obtained a written permit from the director for such activities ((on public property or written permission from the private landowner for such activities on private land. A private landowner may request the director to assume the duty of issuing such permits)).

(2) The director must obtain the consent of the private or public property owner or agency responsible for the management thereof, prior to issuance of the permit. The ((public)) property ((landowner)) owner or agency responsible for the management of such land may condition its consent on the execution of a separate agreement, lease, or other real property conveyance with the applicant as may be necessary to carry out the legal rights or duties of the public property landowner or agency. The director, in consultation with the ((Washington state archaeological research center)) affected tribes, shall develop guidelines for the issuance and processing of permits. Such written permit and any agreement or lease or other conveyance required by any public property owner or agency responsible for management of such land shall be physically present while any such activity is being conducted. The provisions of this section shall not apply to the removal of artifacts found exposed on the surface of the ground which are not historic archaeological resources or sites.

NEW SECTION. Sec. 8. Sections 1 through 3 of this act are each added to chapter 27.44 RCW.

NEW SECTION. Sec. 9. Sections 4 and 5 of this act are each added to chapter 68.05 RCW.

NEW SECTION. Sec. 10. Section captions used in this act do not constitute any part of the law.

NEW SECTION. Sec. 11. This act is to be liberally construed to achieve the legislature's intent.

NEW SECTION. Sec. 12. Section 1, chapter 216, Laws of 1941 and RCW 27.44.010 are each repealed.

Passed the Senate March 6, 1989.

Passed the House April 4, 1989.

Approved by the Governor April 18, 1989.

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

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## CHAPTER 45

[Substitute Senate Bill No. 5263]

### PUBLIC EMPLOYEES—ARBITRATION—ALLEGED VIOLATIONS OF UNILATERALLY IMPLEMENTED EMPLOYER PROPOSALS

AN ACT Relating to arbitration for unilaterally implemented proposals; and amending RCW 41.56.100.

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.

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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.