

government and its existing public institutions, and shall take effect immediately.

Passed the Senate April 10, 1982.

Passed the House April 5, 1982.

Approved by the Governor April 20, 1982 with the exceptions of Sections 15, 16, 43(6), 49 and 57, which are vetoed.

Filed in Office of Secretary of State April 20, 1982.

Note: Governor's explanation of partial veto is as follows:

"I am returning herewith without my approval as to several provisions Substitute Senate Bill No. 4369, entitled:

"AN ACT Relating to appropriations"

I have vetoed Section 15, making an appropriation "FOR THE GOVERNOR - MINORITY AND WOMEN'S AFFAIRS" in its entirety. This section will not be necessary as I have also vetoed Section 16, thus leaving intact the existing minority offices.

I have vetoed Section 16, amending the appropriation "FOR THE COMMISSION ON MEXICAN-AMERICAN AFFAIRS, THE COMMISSION ON ASIAN-AMERICAN AFFAIRS, AND THE GOVERNOR'S OFFICE OF INDIAN AFFAIRS" in its entirety. Important and sensitive programs would be eliminated without the opportunity for public input and considered legislative evaluation. Furthermore, the legislature has not provided any statutory mechanism for the establishment of an alternate organization.

I have vetoed Section 43, subsection (6), which requires that any caseload savings lapse at the end of each calendar quarter. This section conflicts with Section 47(4), which allows the transfer of up to \$7.0 million into the Administration program. It is also unnecessarily restrictive because it prevents any use of savings to offset further losses in Federal funds.

I have vetoed Sections 49 and 57. These sections would have repealed the appropriation for the Commission for the Blind and transferred it to the Department of Social and Health Services, authorizing DSHS to provide services to the blind. This would have the effect of nullifying existing law in RCW 74.16, which requires the Commission for the Blind to distribute funds and provide services to the blind. In effect, the legislature would have placed the dollars with DSHS, while leaving the statutory responsibility for the provision of services with the Commission for the Blind.

With the exceptions noted above, Substitute Senate Bill No. 4369 is approved."

Reviser's note: The title of ESSB No. 4369 was moved to its customary place at the beginning of the measure to accord with the direction of the conference report as adopted by the House of Representatives on April 5, 1982, and the Senate on April 10, 1982.

CHAPTER 51

[Engrossed Substitute Senate Bill No. 5007]

PUBLIC EMPLOYEE RETIREMENT—ACCRUED VACATION LEAVE PAYMENTS PROHIBITED

AN ACT Relating to compensation for public employees; amending section 43.01.040, chapter 8, Laws of 1965 as amended by section 1, chapter 13, Laws of 1965 ex. sess. and RCW 43.01.040; amending section 43.01.041, chapter 8, Laws of 1965 and RCW 43.01.041; adding a new section to chapter 41.04 RCW; creating a new section; and providing an effective date.

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

NEW SECTION. Section 1. There is added to chapter 41.04 RCW a new section to read as follows:

No agency or department of the state or political subdivision of the state except those subdivisions not participating in the public employment retirement systems may make any payment to an employee for unused or accrued vacation leave upon termination of employment except in the case of death: **PROVIDED**, That contracts may provide a method whereby all accumulated vacation leave may be taken as vacation leave: **PROVIDED FURTHER**, That this section shall not apply to any employee covered by chapter 41.26 RCW.

Sec. 2. Section 43.01.040, chapter 8, Laws of 1965 as amended by section 1, chapter 13, Laws of 1965 ex. sess. and RCW 43.01.040 are each amended to read as follows:

Each subordinate officer and employee of the several offices, departments, and institutions of the state government shall be entitled under their contract of employment with the state government to not less than one working day of vacation leave with full pay for each month of employment if said employment is continuous for six months.

Each such subordinate officer and employee shall be entitled under such contract of employment to not less than one additional working day of vacation with full pay each year for satisfactorily completing the first two, three and five continuous years of employment respectively.

Such part time officers or employees of the state government who are employed on a regular schedule of duration of not less than one year shall be entitled under their contract of employment to that fractional part of the vacation leave that the total number of hours of such employment bears to the total number of hours of full time employment.

Each subordinate officer and employee of the several offices, departments and institutions of the state government shall be entitled under his contract of employment with the state government to accrue unused vacation leave not to exceed thirty working days. Officers and employees transferring within the several offices, departments and institutions of the state government shall be entitled to transfer such accrued vacation leave to each succeeding state office, department or institution. All vacation leave shall be taken at the time convenient to the employing office, department or institution: **PROVIDED**, That if a subordinate officer's or employee's request for vacation leave is deferred by reason of the convenience of the employing office, department or institution, and a statement of the necessity therefor is filed by such employing office, department or institution with the appropriate personnel board or other state agency or officer, then the aforesaid maximum thirty working days of accrued unused vacation leave shall be extended for each month said leave is so deferred. No agency or department of the state may make any payment to an employee for unused or accrued vacation leave upon termination of employment except in the case of death:

PROVIDED, That agencies or departments of the state shall provide a method whereby all accumulated vacation leave may be taken as vacation leave.

Sec. 3. Section 43.01.041, chapter 8, Laws of 1965 and RCW 43.01.041 are each amended to read as follows:

Officers and employees referred to in RCW 43.01.040 whose employment is terminated by their death (~~(, reduction in force, resignation, dismissal, or by retirement)~~) and who have accrued vacation leave as specified in RCW 43.01.040, shall ((be)) have such accrued vacation leave paid ((therefor under their contract of employment, or)) to their estate ((if they are deceased, or if the employee in case of voluntary resignation has provided adequate notice of termination)).

NEW SECTION. Sec. 4. This act shall not have the effect of terminating or modifying any rights acquired under a contract in existence prior to the effective date of this act.

NEW SECTION. Sec. 5. This act shall take effect July 1, 1982.

NEW SECTION. Sec. 6. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

Passed the Senate April 10, 1982.

Passed the House April 10, 1982.

Approved by the Governor April 20, 1982.

Filed in Office of Secretary of State April 20, 1982.

CHAPTER 52

[Engrossed Senate Bill No. 4640]

PUBLIC EMPLOYMENT—RETIREMENT SYSTEMS REVISIONS

AN ACT Relating to retirement from public service; amending section 18, chapter 267, Laws of 1971 ex. sess. as amended by section 1, chapter 205, Laws of 1979 ex. sess. and RCW 2.10.180; amending section 1, chapter 229, Laws of 1937 as last amended by section 4, chapter 106, Laws of 1973 and RCW 2.12.010; amending section 2, chapter 229, Laws of 1937 as last amended by section 2, chapter 18, Laws of 1982 and RCW 2.12.020; amending section 5, chapter 229, Laws of 1937 as last amended by section 1, chapter 75, Laws of 1977 and RCW 2.12.050; amending section 15, chapter 294, Laws of 1977 ex. sess. and RCW 41.26.540; amending section 1, chapter 80, Laws of 1947 as last amended by section 5, chapter 256, Laws of 1981 and RCW 41.32.010; amending section 3, chapter 80, Laws of 1947 as last amended by section 1, chapter 150, Laws of 1969 ex. sess. and RCW 41.32.030; amending section 38, chapter 80, Laws of 1947 and RCW 41.32.380; amending section 11, chapter 14, Laws of 1963 ex. sess. as amended by section 15, chapter 87, Laws of 1980 and RCW 41.32.401; amending section 12, chapter 150, Laws of 1969 ex. sess. as amended by section 8, chapter 189, Laws of 1973 1st ex. sess. and RCW 41.32.405; amending section 41, chapter 80, Laws of 1947 as last amended by section 13, chapter 150, Laws of 1969 ex. sess. and RCW 41.32.410; amending section 46, chapter 80, Laws of 1947 and RCW 41.32.460; amending section 7, chapter 35, Laws of 1970 ex. sess. as last amended by section 1, chapter 148, Laws of 1975 1st ex. sess. and RCW 41.32.493; amending section 51, chapter 80, Laws of 1947 as last amended by section 17,