

## CHAPTER 520

[Senate Bill No. 5666]  
ENCHANTED PARKWAY

AN ACT Relating to state route number 161; and amending RCW 47.17.310.

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

Sec. 1. Section 63, chapter 51, Laws of 1970 ex. sess. as amended by section 6, chapter 73, Laws of 1971 ex. sess. and RCW 47.17.310 are each amended to read as follows:

A state highway to be known as state route number 161 is established as follows:

Beginning at a junction with state route number 7 in the vicinity of La Grande, thence northeasterly via Eatonville to Puyallup, thence northerly to a junction with state route number 18.

That portion of state route 161 within King county shall be designated Enchanted Parkway.

Passed the Senate March 5, 1987.

Passed the House April 17, 1987.

Approved by the Governor May 19, 1987.

Filed in Office of Secretary of State May 19, 1987.

## CHAPTER 521

[Engrossed Substitute House Bill No. 498]  
FIRE FIGHTERS—COLLECTIVE BARGAINING

AN ACT Relating to collective bargaining for fire fighters and emergency medical personnel; amending RCW 41.56.030 and 41.56.460; and repealing RCW 41.56.495.

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

*\*Sec. 1. Section 3, chapter 108, Laws of 1967 ex. sess. as last amended by section 1, chapter 150, Laws of 1984 and RCW 41.56.030 are each amended to read as follows:*

*As used in this chapter:*

*(1) "Public employer" means any officer, board, commission, council, or other person or body acting on behalf of any public body governed by this chapter as designated by RCW 41.56.020, or any subdivision of such public body.*

*(2) "Public employee" means any employee of a public employer except any person (a) elected by popular vote, or (b) appointed to office pursuant to statute, ordinance or resolution for a specified term of office by the executive head or body of the public employer, or (c) whose duties as deputy, administrative assistant or secretary necessarily imply a confidential relationship to the executive head or body of the applicable bargaining unit, or any person*

*elected by popular vote or appointed to office pursuant to statute, ordinance or resolution for a specified term of office by the executive head or body of the public employer.*

*(3) "Bargaining representative" means any lawful organization which has as one of its primary purposes the representation of employees in their employment relations with employers.*

*(4) "Collective bargaining" means the performance of the mutual obligations of the public employer and the exclusive bargaining representative to meet at reasonable times, to confer and negotiate in good faith, and to execute a written agreement with respect to grievance procedures and collective negotiations on personnel matters, including wages, hours and working conditions, which may be peculiar to an appropriate bargaining unit of such public employer, except that by such obligation neither party shall be compelled to agree to a proposal or be required to make a concession unless otherwise provided in this chapter.*

*(5) "Commission" means the public employment relations commission.*

*(6) "Uniformed personnel" means (a) law enforcement officers as defined in RCW 41.26.030 as now or hereafter amended, of cities with a population of fifteen thousand or more or law enforcement officers employed by the governing body of any county of the second class or larger, ~~((or (b) fire fighters as that term is defined in RCW 41.26.030, as now or hereafter amended))~~ (b) employees regularly employed on a full-time basis in a fire department of a public employer in fire suppression, fire investigation, fire inspection, fire dispatching, and emergency medical services, or (c) employees in the several classes of advanced life support technicians as defined in RCW 18.71.200 who are not otherwise covered under (b) of this subsection and who are employed by public employers other than public hospital districts.*

*\*Sec. 1 was vetoed, see message at end of chapter.*

Sec. 2. Section 5, chapter 131, Laws of 1973 as last amended by section 4, chapter 287, Laws of 1983 and RCW 41.56.460 are each amended to read as follows:

In making its determination, the panel shall be mindful of the legislative purpose enumerated in RCW 41.56.430 and as additional standards or guidelines to aid it in reaching a decision, it shall take into consideration the following factors:

(a) The constitutional and statutory authority of the employer;

(b) Stipulations of the parties;

(c)(i) For employees listed in RCW 41.56.030(6) (a) and (c), comparison of the wages, hours and conditions of employment of personnel involved in the proceedings with the wages, hours, and conditions of employment of like personnel of like employers of similar size on the west coast of the United States(-);

(ii) For employees listed in RCW 41.56.030(6)(b), comparison of the wages, hours, and conditions of employment of personnel involved in the

proceedings with the wages, hours, and conditions of employment of like personnel of public fire departments of similar size on the west coast of the United States. However, when an adequate number of comparable employers exists within the state of Washington, other west coast employers shall not be considered;

(d) The average consumer prices for goods and services, commonly known as the cost of living;

(e) Changes in any of the foregoing circumstances during the pendency of the proceedings; and

(f) Such other factors, not confined to the foregoing, which are normally or traditionally taken into consideration in the determination of wages, hours and conditions of employment.

**\*NEW SECTION. Sec. 3. Section 1, chapter 150, Laws of 1985 and RCW 41.56.495 are each repealed.**

\*Sec. 3 was vetoed, see message at end of chapter.

Passed the House April 22, 1987.

Passed the Senate April 9, 1987.

Approved by the Governor May 19, 1987, with the exception of certain items which were vetoed.

Filed in Office of Secretary of State May 19, 1987.

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

"I am returning herewith, without my approval as to sections 1 and 3, Engrossed Substitute House Bill No. 498, entitled:

"AN ACT Relating to collective bargaining for firefighters and emergency medical personnel."

Section 1 expands for the first time the definition of "uniform personnel" beyond law enforcement officers and firefighters as defined under RCW 41.26.030, which is the LEOFF Retirement Act. This bill would add employees regularly employed on a full-time basis in a public fire department with duties related to fire, investigation, inspection and dispatch.

There are public policy reasons for binding interest arbitration as the ultimate collective bargaining dispute resolution for "essential public safety employees" (i.e. police officers and firefighters). The employees who would be added under this bill are different in terms of how essential they are to the maintenance of public safety. At this point we have a strong and clearly defined line in the law between what is "essential" to public safety and what is not. If this bill becomes law, that line becomes blurred.

I do feel that employees engaged in fire investigation, fire inspection and fire dispatching provide needed and important services similar to those provided by a number of other public employees in other occupations, including dispatchers employed in joint communication centers which dispatch fire, police and emergency vehicle responses. If this bill were signed into law, many other groups would ask for inclusion under what would be an uncertain and an expanded use of the term "essential services". All of these employees have full collective bargaining rights now, and I do not feel the expansion is necessary to protect public safety.

Section 3 is vetoed to reinstate the law to its present status, since the change in section 1 is vetoed.

<sup>1</sup> With the exception of sections 1 and 3, Engrossed Substitute House Bill No 498 is approved."