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SENATE BILL 5536

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State of Washington                      63rd Legislature                      2013 Regular Session

By Senators Conway, Litzow, Hewitt, Bailey, and Holmquist Newbry

Read first time 02/01/13. Referred to Committee on Transportation.

1            AN ACT Relating to the marine employees' commission; amending RCW  
2 47.64.280 and 41.58.065; amending 2011 1st sp.s. c 16 s 28  
3 (uncodified); and declaring an emergency.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5            **Sec. 1.** RCW 47.64.280 and 2011 1st sp.s. c 16 s 20 are each  
6 amended to read as follows:

7            (1) The marine employees' commission, created in RCW 41.58.065,  
8 shall adjust all complaints, grievances, and disputes between labor and  
9 management arising out of the operation of the ferry system as provided  
10 in RCW 47.64.150.

11            (2) All unfair labor practice complaints, questions concerning  
12 representation, and unit clarifications must be filed with the public  
13 employment relations commission and processed in accordance with the  
14 commission's rules adopted under RCW 41.58.050, except that the marine  
15 employees' commission shall act in place of the public employment  
16 relations commission only for appeals.

17            (~~(3) This section expires June 30, 2013.~~)

1       **Sec. 2.** RCW 41.58.065 and 2011 1st sp.s. c 16 s 16 are each  
2 amended to read as follows:

3       (1) There is created the marine employees' commission within the  
4 public employment relations commission. The governor shall appoint the  
5 marine employees' commission with the consent of the senate. The  
6 marine employees' commission shall consist of three members: One  
7 member to be appointed from labor; one member from industry; and one  
8 member from the public who has significant knowledge of maritime  
9 affairs. The public member is chair of the marine employees'  
10 commission. Any member of the marine employees' commission may be  
11 removed by the governor, upon notice and hearing, for neglect of duty  
12 or malfeasance in office, but for no other cause. Marine employees'  
13 commission members are not eligible for state retirement under chapter  
14 41.40 RCW by virtue of their service on the marine employees'  
15 commission. Members of the marine employees' commission must be  
16 compensated in accordance with RCW 43.03.250 and must receive  
17 reimbursement for official travel and other expenses at the same rate  
18 and on the same terms as provided for the transportation commission  
19 under RCW 47.01.061.

20       (2) The rules of procedure adopted by the public employment  
21 relations commission under RCW 41.58.050 apply to state ferry system  
22 employees, except that the marine employees' commission shall act in  
23 place of the public employment relations commission only for appeals of  
24 unfair labor practice complaints, questions concerning representation,  
25 and unit clarifications.

26       (3) In addition to subsection (2) of this section, the marine  
27 employees' commission shall perform the duties as provided in RCW  
28 47.64.280.

29       (~~(4) This section expires June 30, 2013.~~)

30       **Sec. 3.** 2011 1st sp.s. c 16 s 28 (uncodified) is amended to read  
31 as follows:

32       (~~The following acts or parts of acts are each repealed:~~  
33       ~~(1))~~) RCW 47.64.080 (Employee seniority rights) and 1984 c 7 s 341  
34 & 1961 c 13 s 47.64.080(~~(1) and~~  
35       ~~(2) RCW 47.64.150 (Grievance procedures) and 1983 c 15 s 6~~) are  
36 each repealed.

1        NEW SECTION.    **Sec. 4.**    This act is necessary for the immediate  
2    preservation of the public peace, health, or safety, or support of the  
3    state government and its existing public institutions, and takes effect  
4    immediately.

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