LAWS OF WASHINGTON

PASSED AT THE

Thirty-Seventh Regular Session
1961

CHAPTER 1.

[INITIATIVE MEASURE NO. 207.]

CIVIL SERVICE FOR STATE EMPLOYEES.

AN ACT, entitled "The State Civil Service Law," relating to state government; establishing a civil service system for state employees; defining employees included and excluded; providing that appointments and promotions in the classified civil service shall be based solely on merit and fitness; governing appointment, promotion, transfer, layoff, recruitment, retention, classification and pay plan, removal, discipline and welfare of civil service employees, agreements regarding grievance procedures and collective negotiations, and other incidents of employment; blanketing-in certain employees; prohibiting certain activities; creating a revolving fund; abolishing existing personnel system; and repealing or amending inconsistent laws.

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

SECTION 1. The general purpose of this act is to establish for the state a system of personnel administration based on merit principles and scientific methods governing the appointment, promotion, transfer, layoff, recruitment, retention, classication and pay plan, removal, discipline and welfare of its civil employees, and other incidents of state employment. All appointments and promotions to positions, and retention therein, in the state service, shall be made on the basis of policies hereinafter specified. **Purpose.**

SEC. 2. Unless the context clearly indicates otherwise, the words used in this act have the meaning given in this section. **Definitions.**

(1) "Institutions of higher learning" are the University of Washington, Washington State University, Central Washington College of Education, Eastern Washington College of Education, and Western Washington College of Education;

(2) "Agency" means an office, department, board, commission, or other separate unit or division, however designated, of the state government and all personnel thereof; it includes any unit of state government established by law, the executive officer or members of which are either elected or appointed, upon which the statutes confer powers and impose duties in connection with operations of either a governmental or proprietary nature;

(3) "Board" means the State Personnel Board established under the provisions of section 11, the Personnel Committee established under section 5 and the Personnel Board established under section 6, except that this definition does not apply to the words "board" or "Boards" when used in section 7;

(4) "Classified service" means all positions in the state service subject to the provisions of this act;

(5) "Competitive service" means all positions in the classified service for which a competitive examination is required as a condition precedent to appointment;

(6) "Noncompetitive service" means all positions in the classified service for which a competitive examination is not required;

(7) "Department" means an agency of government that has as its governing officer a person, or combination of persons such as a commission, board or council, by law empowered to operate the agency responsible either to (1) no other public officer or (2) the governor.

Department established.

SEC. 3. A Department of Personnel, governed by a State Personnel Board and administered by

a Director of Personnel, is hereby established as a separate agency within the state government.

Application.

SEC. 4. The provisions of this act apply to:

(1) Each board, commission or other multimember body, including, but not limited to, those consisting in whole or in part of elective officers;

(2) Each agency, and each employee and position therein, not expressly excluded or exempted under the provisions of section 7 of this act.

(3) Institutions of higher learning, subject to the exemptions hereinafter made.

Institutions of higher learning, administrative implementation procedure.

SEC. 5. At each institution of higher learning the governing body shall within thirty (30) days after the effective date of this act designate three (3) of its members as a permanent Personnel Committee, compensated and reimbursed as provided in section 11 of this act, to enforce and perform for all its non-academic personnel, except those in positions specifically exempted by the governing body on analogy to the exemptions of section 7 of this act, the policies and duties given to the State Personnel Board by sections 1, 10, 12, 14, 15, 16, 17, 18, 19, 20, 21, 22, 24, 25, 26, and 27 of this act, and shall designate a qualified full-time non-academic employee to perform for such personnel at the institution the duties under section 13 of the Director of Personnel. The comptroller or corresponding officer shall likewise perform for the institution the functions of the Budget Director under section 27 of this act.

State highway commission, administrative implementation procedure.

SEC. 6. Within thirty (30) days after the effective date of this act the State Highway Commission shall appoint, subject to confirmation by the Senate, a Highway Department Personnel Board of three (3) members for the same terms, having the same qualifications, subject to the same restrictions, and to be given the same compensation and reimburse-

ments, as are provided for members of the State Personnel Board in section 11 of this act. The board so appointed shall organize as provided in section 11 hereof and enforce and perform for all Highway Department personnel in the classes of positions covered by this act the policies and duties given to the State Personnel Board by sections 1, 10, 12, 14, 15, 16, 17, 18, 19, 20, 21, 22, 24, 25, 26, and 27 of this act; and all personnel, supplies, equipment and records heretofore employed in the administration of the departmental merit system under RCW 43.27.060 shall be transferred to this board. A Highway Department Personnel Director shall be appointed and removable by the Highway Commission on the same basis as the Director of Personnel is appointed and removable under section 13 hereof, the departmental board herein created performing the functions of the State Board under that section with respect to such appointments and removals, and the Highway Commission shall have the same option to name as the first Highway Department Personnel Director the person serving in a comparable capacity under RCW 43.27.060 immediately prior to the effective date of this act.

Exempt positions.

SEC. 7. The provisions of this act do not apply to:

(1) The members of the Legislature or to any employee of, or position in, the legislative branch of the state government including members, officers and employees of the Legislative Council, Legislative Budget Committee, Statute Law Committee, and of any interim committee of the Legislature;

(2) The judges of the supreme court, of the superior courts or of the inferior courts or to any employee of, or position in the judicial branch of state government;

(3) Academic personnel of the institutions of

higher learning and other such positions as are exempted under provisions of section 5 of this act;

(4) The officers of the Washington State Patrol;

(5) Elective officers of the state;

(6) The chief executive officer of each agency;

(7) In the Departments of Employment Security, Health, Fisheries, Institutions and Public Assistance, the director and his confidential secretary; in all other departments, the executive head of which is an individual appointed by the Governor, the director, his confidential secretary, and his statutory assistant directors;

(8) In the case of a multimember board, commission or committee, whether the members thereof are elected, appointed by the Governor or other authority, serve ex officio, or are otherwise chosen;

(a) All members of such boards, commissions or committees;

(b) If the members of the board, commission, or committee serve on a part-time basis and there is a statutory executive officer: (i) the secretary of the board, commission or committee; (ii) the chief executive officer of the board, commission, or committee; and (iii) the confidential secretary of the chief executive officer of the board, commission, or committee;

(c) If the members of the board, commission, or committee serve on a full-time basis: (i) the chief executive officer or administrative officer as designated by the board, commission, or committee; and (ii) a confidential secretary to the chairman of the board, commission, or committee;

(d) If all members of the board, commission, or committee serve ex officio: (i) the chief executive officer; and (ii) the confidential secretary of such chief executive officer;

(9) The confidential secretaries and administra-

tive assistants in the immediate offices of the elective officers of the state;

(10) Assistant Attorneys General;

(11) Commissioned and enlisted personnel in the military service of the state;

(12) Inmate, student, part-time or temporary employees, and part-time professional consultants, as defined by the State Personnel Board or the Board having jurisdiction;

(13) The public printer or to any employees of or positions in the state printing plant.

Note: See also section 1, chapter 179, Laws of 1961.

Groups may request department's services —Reimbursement.

SEC. 8. Notwithstanding the provisions of this act, the Department of Personnel may make its services available on request, on a reimbursable basis, to:

(1) Either the legislative or the judicial branch of the state government;

(2) Any county, city, town, or other municipal subdivision of the state;

(3) The institutions of higher learning;

(4) The Department of Highways.

Study on integration of personnel systems.

SEC. 9. The Department of Highways and the Washington State Patrol in conjunction with the State Personnel Board shall make a study prior to January 1, 1963 to determine if it is feasible to integrate completely the personnel systems of the Department of Highways and officers of the State Patrol with the State Department of Personnel, such study to be presented in writing with recommendations to the State Legislature on the day of its convening the thirty-eighth (38) regular session.

Classified employee may temporarily take exempt position.

SEC. 10. Any classified employee having civil service status in a position may take a temporary appointment in an exempt position, with the right to return to his regular position, or to a like position at the conclusion of such temporary appointment.

State personnel board. Created—Members.

SEC. 11. (1) There is hereby created a State Personnel Board composed of three (3) members appointed by the Governor, subject to confirmation by the Senate: *Provided,* That no member appointed when the Legislature was not in session shall continue to be a member of the Board after the thirtieth (30) day of the next legislative session unless his appointment shall have been approved by the Senate. The first such Board shall be appointed within thirty (30) days after the effective date of this act for terms of two, four, and six years. Each odd numbered year thereafter the Governor shall appoint a member for a six year term. Persons so appointed shall have clearly demonstrated an interest and belief in the merit principle, shall not hold any other employment with the state, shall not have been an officer of a political party for a period of one (1) year immediately prior to such appointment, and shall not be or become a candidate for partisan elective public office during the term to which they are appointed;

Terms.

Payment.

(2) Each member of the Board shall be paid fifty (50) dollars for each day in which he has actually attended a meeting of the Board officially held. The members of the Board may receive any number of daily payments for official meetings of the Board, actually attended: *Provided,* That after July 1, 1962, no one Board member shall receive more than one thousand five hundred dollars ($1,500) in any fiscal year for this purpose: *Provided, further,* That such limitation shall not apply to daily payments for the hearing of employee appeals. Members of the Board shall also be reimbursed for necessary travel and other expenses incurred in the discharge of their official duties on the same basis as is provided for state officers and employees generally.

Reimbursed for expenses.

Officers.

(3) At its first meeting following the appointment of all of its members, and annually thereafter,

the Board shall elect a chairman and vice chairman from among its members to serve one year. The presence of at least two (2) members of the Board shall constitute a quorum to transact business. A written public record shall be kept by the Board of all actions of the Board. The Director of Personnel shall serve as secretary.

Quorum.

State personnel board. Administrative procedures.

SEC. 12. (1) In the necessary conduct of its work, the Board shall meet monthly unless there is no pending business requiring Board action and may hold hearings, such hearings to be called by (a) the chairman of the Board, or (b) a majority of the members of the Board. An official notice of the calling of the hearing shall be filed with the secretary, and all members shall be notified of the hearing within a reasonable period of time prior to its convening;

(2) No release of material, or statement of findings shall be made except with the approval of a majority of the Board;

(3) In the conduct of hearings or investigations, a member of the Board, or the Director of Personnel, may administer oaths.

Director of personnel.

SEC. 13. The office of Director of Personnel is hereby established.

Appointment.

(1) Within ninety (90) days after the effective date of this act a Director of Personnel shall be appointed. The merit system director then serving under RCW 50.12.030, whose position is terminated by this act, may serve as Director of Personnel hereunder until a permanent Director of Personnel is appointed as herein provided, and may be appointed as Director of Personnel by the Governor alone; or the Governor may fill the position in the manner hereinafter provided for subsequent vacancies therein on the basis of competitive examination, in conformance with Board rules for competitive examinations, for which examinations said merit system director shall be eligible.

(2) The Director of Personnel shall be appointed by the Governor from a list of three (3) names submitted to him by the Board with its recommendations, the names on such list shall be those of the three (3) standing highest upon competitive examination conducted by a committee of three (3) persons which shall be appointed by the Board solely for that purpose whenever the position is vacant. Only persons with substantial experience in the field of personnel management shall be eligible to take such examination.

Removal.

(3) The Director of Personnel shall be removable for cause by the Governor with the approval of a majority of the Board or by a majority of the Board.

Duties.

(4) The Director of Personnel shall direct and supervise all the Department of Personnel's administrative and technical activities in accordance with the provisions of this act and the rules and regulations approved and promulgated thereunder. He shall prepare for consideration by the Board proposed rules and regulations required by this act. His salary shall be fixed by the Board.

State personnel board. To provide for employee participation.

SEC. 14. It shall be the duty of the Board to make rules and regulations providing for employee participation in the development and administration of personnel policies. To assure this right, personnel policies, rules, classification and pay plans, and amendments thereto, shall be acted on only after the Board has given twenty (20) days notice to, and considered proposals from, employee representatives and agencies affected. Complete and current compilations of all rules and regulations of the Board in printed, mimeographed or multigraphed form shall be available to the public in the office of the Director of Personnel free of charge.

State personnel board. To promulgate rules and regulations; scope.

SEC. 15. The Board shall adopt and promulgate rules and regulations, consistent with the purposes and provisions of this act and with the best standards of personnel administration, regarding the basis for, and procedures to be followed for, the dismissal, suspension, or demotion of an employee, and appeals therefrom; certification of names for vacancies, including departmental promotions, with the number of names equal to two (2) more names than there are vacancies to be filled, such names representing applicants rated highest on eligibility lists; examinatons for all positions in the competitive and non-competitive service; appointments; probationary periods of six (6) months and rejections therein; transfers; sick leaves and vacations; hours of work; layoffs when necessary and subsequent re-employment, both according to seniority; agreements between agencies and employee organizations providing for grievance procedures and collective negotiations on personnel matters, including wages, hours and working conditions, which may be peculiar to an agency; adoption and revision of a comprehensive classification plan for all positions in the classified service, based on investigation and analysis of the duties and responsibilities of each such position; allocation and re-allocation of positions within the classification plan; adoption and revision of a state salary schedule to reflect not less than the prevailing rates in Washington State private industries and other governmental units for positions of a similar nature, such adoption and revision subject to approval by the State Budget Director in accordance with provisions of chapter 328, Laws of 1959; training programs, including in-service, promotional and supervisory; regular increment increases within the series of steps for each pay grade, based on length of service for all employees whose standards of performance are such as to permit them to retain job

status in the classified service; and providing for veteran's preference as required by existing statutes.

State personnel board. To make wage surveys; report on.

SEC. 16. In adopting or revising classification and salary schedules as set forth in section 15 the Board shall give full consideration to prevailing rates in other public employment and in private employment in this state and for this purpose shall have made periodic wage surveys with one such survey to be conducted each year prior to the convening of each regular session of the state legislature, the results of such wage survey to be forwarded with a recommended state salary schedule to the Governor and State Budget Director for their use in preparing budgets to be submitted to the succeeding legislature.

Employee discipline, board to limit.

SEC. 17. (1) The Board, in the promulgation of rules and regulations governing suspensions for cause, shall not authorize an appointing authority to suspend an employee for more than fifteen (15) calendar days as a single penalty or more than thirty (30) calendar days in any one calendar year as an accumulation of several penalties. The Board shall require that the appointing authority give written notice to the employee not later than one day after the suspension takes effect, stating the reasons for and the duration thereof. The authority shall file a copy of the notice with the Director of Personnel.

Employee's right to appeal to board.

(2) Any employee who is reduced, dismissed, suspended or demoted, after completing his probationary period of service as provided by the rules and regulations of the Board, shall have the right to appeal to the Board not later than thirty (30) days after the effective date of such action. The employee shall be furnished with specified charges in writing when the action is taken. Such appeal shall be in writing and shall be heard by the Board within thirty (30) days after its receipt. The Board

shall furnish the agency concerned with a copy of the appeal in advance of the hearing.

Employee discipline; hearing on appeals, generally.

SEC. 18. Hearings on such appeals shall be open to the public, except for cases in which the Board determines there is substantial reason for not having an open hearing, or in cases where the employee so requests, and shall be informal with technical rules of evidence not applying to the proceedings except the rules of privilege recognized by law. Both the employee and his appointing agency shall be notified reasonably in advance of the hearing and may select representatives of their choosing, present and cross-examine witnesses and give evidence before the Board. Members of the Board may, and shall at the request of either party, issue subpoenas and subpoenas duces tecum. All testimony shall be on oath administered by a member of the Board. The Board shall certify to the superior court the facts of any refusals to obey a subpoena, take the oath, or testify. The court shall summarily hear the evidence on such refusal and if the evidence warrants punish such refusal in the same manner and to the same extent as for contempt committed before, or in connection with the proceedings of, the court. The Board shall prepare an official record of the hearing, including all testimony, recorded manually or by mechanical device, and exhibits; but it shall not be required to transcribe such record unless requested by the employee, who shall be furnished with a complete transcript upon payment of a reasonable charge therefor. Payment of the cost of a transcript used on appeal shall await determination of the appeal, and shall be made by the employing agency if the employee prevails.

Board order from appeal.

SEC. 19. Within thirty (30) days after the conclusion of the hearing the Board shall make and fully record in its permanent records findings of fact, conclusions of law when the construction of a rule,

regulation or statute is in question, reasons for the action taken and its order based thereon, which shall be final subject to action by the court on appeal as hereinafter provided, at the same time sending a copy of the findings, conclusions and order by registered mail to the employing agency and to the employee at his address as given at the hearing or to a representative designated by him to receive the same.

Appeal from order; grounds, notice of.

SEC. 20. (1) Within thirty (30) days after the recording of the order and the mailing thereof, the employee may appeal to the Superior Court of Thurston County, or in the case of an employee of an institution of higher learning to the Superior Court of the county in which such institution is located, on one or more of the grounds that the order was:

(a) Founded on or contained error of law, which shall specifically include error in construction or application of any pertinent rules or regulations;

(b) Contrary to a preponderance of the evidence as disclosed by the entire record with respect to any specified finding or findings of fact;

(c) Materially affected by unlawful procedure;

(d) Based on violation of any constitutional provision; or

(e) Arbitrary or capricious.

(2) Such grounds shall be stated in a written notice of appeal filed with the court, with copies thereof served on the Director of Personnel or a member of his staff or a member of the Board and on the employing agency, all within the time stated.

(3) Within thirty (30) days after service of such notice, or within such further time as the court may allow, the Board shall transmit to the court a certified transcript, with exhibits, of the hearing; but by stipulation between the employing agency and the employee the transcript may be shortened, and

either party unreasonably refusing to stipulate to such limitation may be ordered by the court to pay the additional cost involved. The court may require or permit subsequent corrections or additions to the transcript.

Court review, scope.

SEC. 21. (1) The court shall review the hearing without a jury on the basis of the transcript and exhibits, except that in case of alleged irregularities in procedure before the Board not shown by the transcript the court may order testimony to be given thereon. The court shall upon request by either party hear oral argument and receive written briefs.

(2) The court may affirm the order of the Board, remand the matter for further proceedings before the Board, or reverse or modify the order if it finds that the employee's objection thereto is well taken on any of the grounds stated. Appeal shall be available to the employee to the Supreme Court from the order of the Superior Court as in other civil cases.

Appeal to Supreme Court.

Terminated employee, re-employment.

SEC. 22. (1) An employee who is terminated from state service may request the Board to place his name on an appropriate re-employment list and the Board shall grant this request where the circumstances are found to warrant re-employment.

Reinstated employee, rights.

(2) Any employee, when fully reinstated after appeal, shall be guaranteed all employee rights and benefits, including back pay, sick leave, vacation accrual, retirement and OASDI credits.

Board abolished; personnel, facilities and funds transferred.

SEC. 23. The State Personnel Board established and existing under the provisions of RCW 50.12.030, section 42, chapter 35, Laws of 1945, and section 10, chapter 215, Laws of 1947, is abolished, and the terms of office of its members are terminated at such time as the Board created by section 11 of this act has been appointed by the Governor. The employees, and the supplies, equipment, records, and funds in the possession or under the control of said board

shall be transferred forthwith by it to the Department of Personnel.

Current employees, effect on.

SEC. 24. (1) Employees, except the merit system director, currently serving under the jurisdiction of a state merit system established by law shall automatically retain their permanent or probationary status acquired under such system;

(2) All persons who were in the employ of the state government outside the statutory personnel systems immediately prior to the effective date of this act, in positions not exempted from the classified system coverage by this act, shall automatically receive such permanent or probationary status with respect to such positions, and any prior positions, as they would have acquired with respect thereto had they been serving satisfactorily therein under the merit system rule, in effect on April 1, 1958, administered by the State Personnel Board under RCW 50.12.030;

(3) The Board shall give due consideration to any prior state service of an applicant in its establishment of rules and regulations for the making of appointments under this act.

Political participation of employee enunciated.

SEC. 25. (1) Solicitation for or payment to any partisan, political organization or for any partisan, political purpose of any compulsory assessment or involuntary contribution is prohibited. No person shall solicit on state property any contribution to be used for partisan, political purposes.

(2) Employees shall have the right to vote and to express their opinions on all political subjects and candidates, but shall not hold any political party office or participate in the management of a partisan, political campaign. Nothing in this section shall prohibit a classified employee from participating fully in campaigns relating to constitutional amendments, referendums, initiatives, and issues of a similar character, and for non-partisan offices.

(3) Nothing in this section shall prohibit appointment, nomination or election to part-time public office in a political subdivision of the state when the holding of such office is not incompatible with, nor substantially interferes with, the discharge of official duties in state employment.

(4) For persons employed in State Agencies the operation of which is financed in total or in part by Federal grant-in-aid funds political activity will be regulated by the rules and regulations of the United States Civil Service Commission.

Conflicting federal requirements control.

SEC. 26. If any part of this act shall be found to be in conflict with federal requirements which are a condition precedent to the allocation of federal funds to the state, such conflicting part of this act is hereby declared to be inoperative solely to the extent of such conflict and with respect to the agencies directly affected, and such findings or determination shall not affect the operation of the remainder of this act in its application to the agencies concerned. The Board shall make such rules and regulations as may be necessary to meet federal requirements which are a condition precedent to the receipt of federal funds by the state.

Certification of pay rolls.

SEC. 27. A disbursing officer shall not pay any employee holding a position covered by this act unless the employment is in accordance with this act or the rules, regulations and orders issued hereunder. The Board and the State Budget Director shall jointly establish procedures for the certification of payrolls.

Revolving fund established; administration services fee charged.

SEC. 28. There is hereby created a fund to be held in the custody of the State Treasurer, outside the state treasury, designated as the "Department of Personnel Service Fund", to be used by the Board as a revolving fund for the payment of salaries, wages and operations required for the administra-

tion of the provisions of this act. An amount equal to one percent (1%) of the approved allotments of salaries and wages for all positions in the classified service in each of the agencies subject to this act, except the institutions of higher learning and the department of highways, shall be charged to the operations appropriations of each agency and credited to the Department of Personnel Service Fund as such allotments are approved pursuant to chapter 328, Laws of 1959. The Director of Personnel shall fix the terms and charges for services rendered by the Department of Personnel pursuant to section 8 of this act, which amounts shall be credited to the Department of Personnel Service Fund and charged against the proper fund or appropriation of the recipient of such services on a quarterly basis; payment for services so rendered under section 8 shall be made on a quarterly basis to the State Treasurer as custodian of the Department of Personnel Service Fund. Monies from the Department of Personnel Service Fund shall be disbursed by the State Treasurer by warrants or checks on vouchers duly authorized by the Board.

Ferry system employment unaffected.

SEC. 29. Nothing in this act shall be interpreted as changing the provisions of or affecting the conditions of employment for personnel covered by chapter 47.64 RCW.

RCW 43.66.030 amended.

SEC. 30. Section 2, chapter 113, Laws of 1947 and RCW 43.66.030 are each amended to read as follows:

Liquor control board. Employees.

The Board may employ such employees as in its judgment are required from time to time.

RCW 43.17.090 amended.

SEC. 31. Section 1, chapter 68, Laws of 1929 and RCW 43.17.090 are each amended to read as follows:

Administrative board—Powers and duties.

The administrative board shall:

(1) From time to time, systematize and unify

the administrative duties of the departments of the state government and make such necessary assignments of duties to the departments as it may deem advisable to correlate and coordinate the work thereof;

(2) Fix the amount of bond to be given by each appointive state officer and each employee of the state in all cases where it is not fixed by law;

(3) Require the giving of an additional bond, or a bond in a greater amount than provided by law, in all cases where in its judgment the statutory bond is not sufficient in amount to cover the liabilities of the officer or employee;

(4) Exempt subordinate employees from giving bond when in its judgment their powers and duties are such as not to require a bond.

RCW 43.41.020 amended.

SEC. 32. Section 4, chapter 114, Laws of 1947; section 19, chapter 176, Laws of 1935; section 47, chapter 7, Laws of 1921 (heretofore combined and codified as RCW 43.41.020) are each amended to read as follows:

Director of budget—Powers and duties.

(RCW 43.41.020) The director of budget shall:

(1) Exercise all the powers and perform all the duties prescribed by law with respect to the administration of the state budget law, the pre-auditing of state departments, the approval of purchases of materials and supplies by state departments, and the approval of public printing bills;

(2) Make efficiency surveys of all state departments and institutions, and the administrative and business methods pursued therein, examine into the physical needs and industrial activities thereof, and make confidential reports to the Governor, recommending necessary betterments, repairs, and the installation of improved and more economical administrative methods, and advising such action as will result in a greater measure of self-support and remedies for inefficient functioning;

(3) Compute cost findings of the several farming and industrial operations at the state institutions, and making confidential reports to the Governor of profit and loss.

Repeal.

SEC. 33. The following sections of the Revised Code of Washington and the following sections of the session laws are each hereby repealed:

(1) Section 5, chapter 234, Laws of 1951 and RCW 43.19.290;
(2) Section 6, chapter 234, Laws of 1951 and RCW 43.19.300;
(3) Section 7, chapter 234, Laws of 1951 and RCW 43.19.310;
(4) Section 8, chapter 234, Laws of 1951 and RCW 43.19.320;
(5) Section 9, chapter 234, Laws of 1951 and RCW 43.19.330;
(6) Section 10, chapter 234, Laws of 1951 and RCW 43.19.340;
(7) Section 11, chapter 234, Laws of 1951 and RCW 43.19.350;
(8) Section 12, chapter 234, Laws of 1951 and RCW 43.19.360;
(9) Section 3, chapter 220, Laws of 1949, as last amended by section 44, chapter 383, Laws of 1955, and RCW 43.27.060;
(10) Section 42, chapter 35, Laws of 1945, as amended by section 10, chapter 215, Laws of 1947 and RCW 50.12.030;
(11) Section 3, chapter 216, Laws of 1939, as amended by section 1, chapter 128, Laws of 1941 and RCW 74.04.030.

Short title.

SEC. 34. This act shall be referred to as the State Civil Service Law.

Severability.

SEC. 35. If any provision of this act or the application thereof is held invalid, such invalidity shall not affect other provisions or applications of the act

which can be given effect without the invalid provision or application, and to this end any section, sentence, or word is declared to be severable.

Filed in the office of the Secretary of State January 13, 1960.

Passed by the vote of the people November 8, 1960 at the state general election.

Proclamation signed by the Governor December 8, 1960 declaring measure effective law.

CHAPTER 2.

[INITIATIVE MEASURE NO. 208.]

AUTHORIZING JOINT TENANCIES IN PROPERTY.

AN ACT relating to property; authorizing joint tenancies in real and personal property with common law incidents of survivorship and severability; allowing property rights of a deceased joint tenant to pass immediately upon death to the surviving joint tenant; prescribing methods and requirements for the creation of joint tenancies; providing that the transfer of property to surviving joint tenants shall not derogate from the rights of creditors; and repealing existing laws which abolished the right of survivorship as an incident of joint tenancies or tenancy by the entireties.

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

Joint tenancy, created, defined.

SECTION 1. Whereas joint tenancy with right of survivorship permits property to pass to the survivor without the cost or delay of probate proceedings, there shall be a form of co-ownership of property, real and personal, known as joint tenancy. A joint tenancy shall have the incidents of survivorship and severability as at common law. Joint tenancy may be created by written agreement, written transfer, deed, will or other instrument of conveyance, when expressly declared therein to be a joint tenancy, or when granted or devised to executors or trustees as joint tenants: *Provided however*, That