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**SUBSTITUTE HOUSE BILL 1004**

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**State of Washington**

**54th Legislature**

**1995 Regular Session**

**By** House Committee on Higher Education (originally sponsored by Representatives Carlson, Sherstad, Benton, Dyer, Thompson, Goldsmith, Radcliff, Pennington, Mitchell, Basich, Blanton, Mulliken, Boldt, Fuhrman, Huff, Talcott and McMahan)

Read first time 02/14/95.

1 AN ACT Relating to higher education services contracts; amending  
2 RCW 41.06.382; and adding a new section to chapter 41.06 RCW.

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

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 41.06 RCW  
5 to read as follows:

6 (1) An institution of higher education and the joint center for  
7 higher education may purchase services customarily and historically  
8 provided by employees in classified service under this chapter by  
9 contracting with individuals or business entities, without the  
10 necessity of showing that classified employees could not provide these  
11 services, if the purchase would not result in increased expenditures of  
12 public funds for the contracted service. A contract to purchase  
13 services shall provide that the contractor will pay to its employees  
14 performing the contract work, wages that are similar to those generally  
15 paid for such work in the county in which the contracted service is to  
16 be performed and will make available health benefits that are similar  
17 to, but in any case no less than, the benefits provided for basic  
18 health care services under chapter 70.47 RCW.

1 (2) No provision contrary to or in conflict with this section in  
2 any existing collective bargaining agreement adopted under this chapter  
3 may be renewed or extended beyond the expiration date next following  
4 the effective date of this section.

5 (3) This section shall not be construed to modify, reduce, or  
6 otherwise affect the purchase of services that were authorized to be  
7 purchased by contract under this chapter before the effective date of  
8 this section.

9 **Sec. 2.** RCW 41.06.382 and 1979 ex.s. c 46 s 1 are each amended to  
10 read as follows:

11 Nothing contained in this chapter shall prohibit any (~~institution~~  
12 ~~of higher education, as defined in RCW 28B.10.016, or~~) related board  
13 from purchasing services by contract with individuals or business  
14 entities if such services were regularly purchased by valid contract at  
15 such institution prior to April 23, 1979: PROVIDED, That no such  
16 contract adopted under this chapter may be executed or renewed if it  
17 would have the effect of terminating classified employees or classified  
18 employee positions existing at the time of the execution or renewal of  
19 the contract.

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