

1 2304-S AMH H3521.1

2 **SHB 2304 - H AMD 0007 WITHDRAWN 1/18/02**

3 By Representative

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5 On page 3, beginning on line 1, after "public." strike all material
6 through "procedures." on line 3

7 On page 3, line 6, strike "(1)"

8 On page 3, beginning on line 16, strike all of subsections (2) and
9 (3)

10 On page 4, beginning on line 3, strike all of sections 203 and 204
11 and insert the following:

12 **"Sec. 203.** RCW 41.06.380 and 1979 ex.s. c 46 s 2 are each amended
13 to read as follows:

14 (1) Nothing contained in this chapter ((shall)) prohibits any
15 department, as defined in RCW 41.06.020, from purchasing services by
16 contract with individuals or business entities if such services were
17 regularly purchased by valid contract by such department prior to April
18 23, 1979((:— PROVIDED, That no such)).

19 (2) No contract referred to in subsection (1) of this section may
20 be executed or renewed if it would have the effect of terminating
21 classified employees or classified employee positions existing at the
22 time of the execution or renewal of the contract except as provided in
23 subsection (3) of this section.

24 (3) This chapter does not prohibit the department of transportation
25 until January 1, 2003, from purchasing services for highway maintenance
26 or purchasing services for engineering and inspection, including
27 services that have customarily and historically been provided by
28 employees in the classified service under this chapter, by contracting
29 with individuals, nonprofit organizations, businesses, or other
30 entities. after January 1, 2003, this chapter shall not prohibit the
31 department of transportation from purchasing services, including
32 services that have customarily and historically been provided by
33 employees in the classified service under this chapter, by contracting

1 with individuals, nonprofit organizations, businesses, or other
2 entities.

3 NEW SECTION. **Sec. 204.** Provisions of a collective bargaining
4 agreement adopted under chapter 41.06 RCW that are in effect on the
5 effective date of this section and that conflict with RCW 41.06.380, as
6 amended by section 203 of this act, will continue in effect until
7 contract expiration, unless a superseding agreement resolving the
8 conflict is executed by the parties before expiration. After
9 expiration, any new agreement executed between the parties must be
10 consistent with RCW 41.06.380.

11 NEW SECTION. **Sec. 205.** On or before January 1, 2003, the
12 secretary of transportation will report to the transportation
13 committees of the house of representatives and senate on the current
14 use of contracting out by the department and on further opportunities
15 for contracting out within the department. In recommending programs
16 which might be performed by the private sector, the secretary will
17 place emphasis on programs which could be undertaken at a lower cost by
18 the private sector than by state employees, and programs in which the
19 use of the private sector could augment the department's work force in
20 order to increase the department's capacity to complete projects as
21 quickly as possible. The secretary may issue the report electronically
22 by publishing it on the department's web site and by transmitting the
23 report electronically to all members of the house of representatives
24 and senate transportation committees."

25 On page 4, strike lines 31 through 33

26 On page 5, line 23, after "requirements" strike "of sections 301
27 through 308"

28 On page 6, beginning on line 24, strike all of section 305

29 Renumber the sections following consecutively and correct internal
30 references accordingly.

31 On page 7, after line 4, insert the following:

1 **"Sec. 307.** RCW 39.12.015 and 1965 ex.s. c 133 s 2 are each amended
2 to read as follows:

3 (1) All determinations of the prevailing rate of wage shall be made
4 by the industrial statistician of the department of labor and
5 industries. By January 1, 2003, the industrial statistician shall
6 determine the prevailing rate of wage using a stratified random
7 sampling method.

8 (2)(a) A stratified random sampling method shall be used to the
9 broadest extent possible, subject to available resources.

10 (b) If it is determined by the industrial statistician, in
11 consultation with the prevailing wage advisory committee established in
12 subsection (4) of this section, that sample size, strata size, or other
13 factors do not permit the effective use of a stratified random sampling
14 method, an equally reliable statistical method shall be used.

15 (3) In order to ensure a fair and scientifically accurate
16 stratified random sampling survey, the industrial statistician shall
17 consult with the prevailing wage advisory committee established in
18 subsection (4) of this section regarding the necessary scientific
19 methods, implementation parameters, and resource allocations.

20 (4) The director shall appoint a prevailing wage advisory committee
21 composed of eleven members: Four members representing subject workers,
22 each of whom shall be appointed from a list of names submitted by a
23 recognized statewide organization of employees, representing a majority
24 of employees in a cross-section of state industries; four members
25 representing subject employers, each of whom shall be appointed from a
26 list of names submitted by a recognized statewide organization of
27 employers, representing a majority of employers in a cross-section of
28 state industries; and three ex officio members, without a vote, two of
29 whom shall represent the counties, and the other representing the
30 department. The member representing the department shall be
31 chairperson. Labor, business, and county representatives shall include
32 representatives from both large and small entities. The committee
33 shall, as necessary, report to the legislative committees dealing with
34 commerce and labor regarding the implementation of this section.

35 (5) Subsections (2), (3), and (4) of this section expire December
36 31, 2003."

37 Renumber the sections following consecutively, correct internal
38 references accordingly, and correct the title.

1 On page 8, beginning on line 11, strike all of section 309

2 Renumber the section following consecutively and correct internal
3 references accordingly.

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