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**SENATE BILL 5589**

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**State of Washington**

**57th Legislature**

**2001 Regular Session**

**By** Senators Gardner, Swecker and Winsley; by request of Governor Locke

Read first time 01/26/2001. Referred to Committee on State & Local Government.

1 AN ACT Relating to transferring the public printer to the  
2 department of general administration; amending RCW 41.06.070,  
3 43.78.030, 43.78.040, 43.78.050, 43.78.070, 43.78.090, 43.78.100,  
4 43.78.105, 43.78.110, and 43.78.170; adding a new section to  
5 chapter 43.78 RCW; adding a new section to chapter 41.56 RCW;  
6 creating a new section; repealing RCW 43.78.010 and 43.78.020; and  
7 providing an effective date.

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

9 NEW SECTION. **Sec. 1.** The legislature recognizes that  
10 efficiencies, improvements in customer service, and economies can  
11 be achieved by merging the operations of agencies with like  
12 functions. Both the public printer and the department of general  
13 administration provide vital direct central services to state  
14 agencies and their other clients, which involve large scale  
15 purchasing, mailing, and distribution and storage. Because of these  
16 functional similarities, there is overlap and duplication of some  
17 services, administrative functions, and facilities and equipment.

18 It is, therefore, the intent of the legislature, to transfer

1 the powers, duties, and functions of the public printer to the  
2 department of general administration to strengthen the ability of  
3 both agencies to provide optimal central services to their  
4 clients. By combining the resources of the two agencies, the  
5 legislature expects that service duplications will be eliminated,  
6 administrative functions streamlined, distribution networks  
7 coordinated, facility and equipment use maximized, and other  
8 efficiencies and economies achieved.

9 NEW SECTION. **Sec. 2.** A new section is added to chapter 43.78  
10 RCW to read as follows:

11 (1) The office of the public printer is hereby abolished and  
12 its powers, duties, and functions are hereby transferred to the  
13 department of general administration. All references to the public  
14 printer or the state printer in the Revised Code of Washington  
15 shall be construed to mean the director or the department of  
16 general administration.

17 (2)(a) All reports, documents, surveys, books, records, files,  
18 papers, or written material in the possession of the public  
19 printer shall be delivered to the custody of the department of  
20 general administration. All cabinets, furniture, office equipment,  
21 motor vehicles, and other tangible property employed by the public  
22 printer shall be made available to the department of general  
23 administration. All funds, credits, or other assets held by the  
24 public printer shall be assigned to the department of general  
25 administration.

26 (b) If any question arises as to the transfer of any personnel,  
27 funds, books, documents, records, papers, files, equipment, or  
28 other tangible property used or held in the exercise of the powers  
29 and the performance of the duties and functions transferred, the  
30 director of financial management shall make a determination as to  
31 the proper allocation and certify the same to the state agencies  
32 concerned.

33 (3) All employees of the public printer are transferred to the  
34 jurisdiction of the department of general administration. All  
35 employees classified under chapter 41.06 RCW, the state civil  
36 service law, are assigned to the department of general  
37 administration to perform their usual duties upon the same terms

1 as formerly, without any loss of rights, subject to any action  
2 that may be appropriate thereafter in accordance with the laws and  
3 rules governing state civil service.

4 (4) All rules and all pending business before the public  
5 printer shall be continued and acted upon by the department of  
6 general administration. All existing contracts and obligations  
7 shall remain in full force and shall be performed by the  
8 department of general administration.

9 (5) The transfer of the powers, duties, functions, and  
10 personnel of the public printer shall not affect the validity of  
11 any act performed before the effective date of this section.

12 (6) If apportionments of budgeted funds are required because of  
13 the transfers directed by this section, the director of financial  
14 management shall certify the apportionments to the agencies  
15 affected, the state auditor, and the state treasurer. Each of these  
16 shall make the appropriate transfer and adjustments in funds and  
17 appropriation accounts and equipment records in accordance with  
18 the certification.

19 (7) Nothing contained in this section may be construed to alter  
20 any existing collective bargaining unit or the provisions of any  
21 existing collective bargaining agreement until the agreement has  
22 expired or until the bargaining unit has been modified. Nothing  
23 contained in this section may be construed to alter any right to  
24 bargain collectively of employees or positions in the state  
25 printing plant within the department of general administration.

26 **Sec. 3.** RCW 41.06.070 and 1998 c 245 s 40 are each amended to read  
27 as follows:

28 (1) The provisions of this chapter do not apply to:

29 (a) The members of the legislature or to any employee of, or  
30 position in, the legislative branch of the state government  
31 including members, officers, and employees of the legislative  
32 council, joint legislative audit and review committee, statute law  
33 committee, and any interim committee of the legislature;

34 (b) The justices of the supreme court, judges of the court of  
35 appeals, judges of the superior courts or of the inferior courts,  
36 or to any employee of, or position in the judicial branch of state  
37 government;

1 (c) Officers, academic personnel, and employees of technical  
2 colleges;

3 (d) The officers of the Washington state patrol;

4 (e) Elective officers of the state;

5 (f) The chief executive officer of each agency;

6 (g) In the departments of employment security and social and  
7 health services, the director and the director's confidential  
8 secretary; in all other departments, the executive head of which  
9 is an individual appointed by the governor, the director, his or  
10 her confidential secretary, and his or her statutory assistant  
11 directors;

12 (h) In the case of a multimember board, commission, or  
13 committee, whether the members thereof are elected, appointed by  
14 the governor or other authority, serve ex officio, or are  
15 otherwise chosen:

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

17 (ii) If the members of the board, commission, or committee  
18 serve on a part-time basis and there is a statutory executive  
19 officer: The secretary of the board, commission, or committee; the  
20 chief executive officer of the board, commission, or committee;  
21 and the confidential secretary of the chief executive officer of  
22 the board, commission, or committee;

23 (iii) If the members of the board, commission, or committee  
24 serve on a full-time basis: The chief executive officer or  
25 administrative officer as designated by the board, commission, or  
26 committee; and a confidential secretary to the chair of the board,  
27 commission, or committee;

28 (iv) If all members of the board, commission, or committee  
29 serve ex officio: The chief executive officer; and the confidential  
30 secretary of such chief executive officer;

31 (i) The confidential secretaries and administrative assistants  
32 in the immediate offices of the elective officers of the state;

33 (j) Assistant attorneys general;

34 (k) Commissioned and enlisted personnel in the military service  
35 of the state;

36 (l) Inmate, student, part-time, or temporary employees, and  
37 part-time professional consultants, as defined by the Washington  
38 personnel resources board;

1 (m) (~~The public printer or to any~~) Employees of or positions  
2 in the state printing plant within the department of general  
3 administration;

4 (n) Officers and employees of the Washington state fruit  
5 commission;

6 (o) Officers and employees of the Washington state apple  
7 advertising commission;

8 (p) Officers and employees of the Washington state dairy  
9 products commission;

10 (q) Officers and employees of the Washington tree fruit  
11 research commission;

12 (r) Officers and employees of the Washington state beef  
13 commission;

14 (s) Officers and employees of any commission formed under  
15 chapter 15.66 RCW;

16 (~~t~~) (~~Officers and employees of the state wheat commission~~  
17 ~~formed under chapter 15.63 RCW~~;

18 (~~u~~)) Officers and employees of agricultural commissions formed  
19 under chapter 15.65 RCW;

20 (~~v~~)) (u) Officers and employees of the nonprofit corporation  
21 formed under chapter 67.40 RCW;

22 (~~w~~)) (v) Executive assistants for personnel administration  
23 and labor relations in all state agencies employing such executive  
24 assistants including but not limited to all departments, offices,  
25 commissions, committees, boards, or other bodies subject to the  
26 provisions of this chapter and this subsection shall prevail over  
27 any provision of law inconsistent herewith unless specific  
28 exception is made in such law;

29 (~~x~~)) (w) In each agency with fifty or more employees: Deputy  
30 agency heads, assistant directors or division directors, and not  
31 more than three principal policy assistants who report directly to  
32 the agency head or deputy agency heads;

33 (~~y~~)) (x) All employees of the marine employees' commission;  
34 (~~z~~) ~~Up to a total of five senior staff positions of the~~  
35 ~~western library network under chapter 27.26 RCW responsible for~~  
36 ~~formulating policy or for directing program management of a major~~  
37 ~~administrative unit. This subsection (1)(z) shall expire on June~~  
38 ~~30, 1997~~;

1       ~~(aa))~~ (y) Staff employed by the department of community,  
2 trade, and economic development to administer energy policy  
3 functions and manage energy site evaluation council activities  
4 under RCW 43.21F.045(2)(m);

5       ~~((bb))~~ (z) Staff employed by Washington State University to  
6 administer energy education, applied research, and technology  
7 transfer programs under RCW 43.21F.045 as provided in RCW  
8 28B.30.900(5).

9       (2) The following classifications, positions, and employees of  
10 institutions of higher education and related boards are hereby  
11 exempted from coverage of this chapter:

12       (a) Members of the governing board of each institution of  
13 higher education and related boards, all presidents, vice-  
14 presidents, and their confidential secretaries, administrative,  
15 and personal assistants; deans, directors, and chairs; academic  
16 personnel; and executive heads of major administrative or academic  
17 divisions employed by institutions of higher education; principal  
18 assistants to executive heads of major administrative or academic  
19 divisions; other managerial or professional employees in an  
20 institution or related board having substantial responsibility for  
21 directing or controlling program operations and accountable for  
22 allocation of resources and program results, or for the  
23 formulation of institutional policy, or for carrying out personnel  
24 administration or labor relations functions, legislative  
25 relations, public information, development, senior computer  
26 systems and network programming, or internal audits and  
27 investigations; and any employee of a community college district  
28 whose place of work is one which is physically located outside the  
29 state of Washington and who is employed pursuant to RCW 28B.50.092  
30 and assigned to an educational program operating outside of the  
31 state of Washington;

32       (b) Student, part-time, or temporary employees, and part-time  
33 professional consultants, as defined by the Washington personnel  
34 resources board, employed by institutions of higher education and  
35 related boards;

36       (c) The governing board of each institution, and related  
37 boards, may also exempt from this chapter classifications  
38 involving research activities, counseling of students, extension

1 or continuing education activities, graphic arts or publications  
2 activities requiring prescribed academic preparation or special  
3 training as determined by the board: PROVIDED, That no nonacademic  
4 employee engaged in office, clerical, maintenance, or food and  
5 trade services may be exempted by the board under this provision;

6 (d) Printing craft employees in the department of printing at  
7 the University of Washington.

8 (3) In addition to the exemptions specifically provided by this  
9 chapter, the Washington personnel resources board may provide for  
10 further exemptions pursuant to the following procedures. The  
11 governor or other appropriate elected official may submit requests  
12 for exemption to the Washington personnel resources board stating  
13 the reasons for requesting such exemptions. The Washington  
14 personnel resources board shall hold a public hearing, after  
15 proper notice, on requests submitted pursuant to this  
16 subsection. If the board determines that the position for which  
17 exemption is requested is one involving substantial responsibility  
18 for the formulation of basic agency or executive policy or one  
19 involving directing and controlling program operations of an  
20 agency or a major administrative division thereof, the Washington  
21 personnel resources board shall grant the request and such  
22 determination shall be final as to any decision made before July  
23 1, 1993. The total number of additional exemptions permitted under  
24 this subsection shall not exceed one percent of the number of  
25 employees in the classified service not including employees of  
26 institutions of higher education and related boards for those  
27 agencies not directly under the authority of any elected public  
28 official other than the governor, and shall not exceed a total of  
29 twenty-five for all agencies under the authority of elected public  
30 officials other than the governor.

31 The salary and fringe benefits of all positions presently or  
32 hereafter exempted except for the chief executive officer of each  
33 agency, full-time members of boards and commissions,  
34 administrative assistants and confidential secretaries in the  
35 immediate office of an elected state official, and the personnel  
36 listed in subsections (1)(j) through ~~((v))~~ (u), ~~((y)-(z))~~  
37 (x), and (2) of this section, shall be determined by the  
38 Washington personnel resources board. However, beginning with

1 changes proposed for the 1997-99 fiscal biennium, changes to the  
2 classification plan affecting exempt salaries must meet the same  
3 provisions for classified salary increases resulting from  
4 adjustments to the classification plan as outlined in RCW  
5 41.06.152.

6 Any person holding a classified position subject to the  
7 provisions of this chapter shall, when and if such position is  
8 subsequently exempted from the application of this chapter, be  
9 afforded the following rights: If such person previously held  
10 permanent status in another classified position, such person shall  
11 have a right of reversion to the highest class of position  
12 previously held, or to a position of similar nature and salary.

13 Any classified employee having civil service status in a  
14 classified position who accepts an appointment in an exempt  
15 position shall have the right of reversion to the highest class of  
16 position previously held, or to a position of similar nature and  
17 salary.

18 A person occupying an exempt position who is terminated from  
19 the position for gross misconduct or malfeasance does not have the  
20 right of reversion to a classified position as provided for in  
21 this section.

22 **Sec. 4.** RCW 43.78.030 and 1994 c 82 s 1 are each amended to read  
23 as follows:

24 The ((~~public printer~~)) director of general administration shall  
25 print and bind the session laws, the journals of the two houses of  
26 the legislature, all bills, resolutions, documents, and other  
27 printing and binding of either the senate or house, as the same  
28 may be ordered by the legislature; and such forms, blanks, record  
29 books, and printing and binding of every description as may be  
30 ordered by all state officers, boards, commissions, and  
31 institutions, and the supreme court, and the court of appeals and  
32 officers thereof, as the same may be ordered on requisition, from  
33 time to time, by the proper authorities. This section shall not  
34 apply to the printing of the supreme court and the court of  
35 appeals reports, to the printing of bond certificates or bond  
36 offering disclosure documents, to the printing of educational

1 publications of the state historical societies, or to any printing  
2 done or contracted for by institutions of higher education:  
3 PROVIDED, That institutions of higher education, in consultation  
4 with the ((~~public printer~~)) director of general administration,  
5 develop vendor selection procedures comparable to those used by  
6 the ((~~public printer~~)) director of general administration for  
7 contracted printing jobs. Where any institution or institution of  
8 higher learning of the state is or may become equipped with  
9 facilities for doing such work, it may do any printing: (1) For  
10 itself, or (2) for any other state institution when such printing  
11 is done as part of a course of study relative to the profession of  
12 printer. Any printing and binding of whatever description as may be  
13 needed by any institution or agency of the state department of  
14 social and health services not at Olympia, or the supreme court or  
15 the court of appeals or any officer thereof, the estimated cost of  
16 which shall not exceed one thousand dollars, may be done by any  
17 private printing company in the general vicinity within the state  
18 of Washington so ordering, if in the judgment of the officer of  
19 the agency so ordering, the saving in time and processing  
20 justifies the award to such local private printing concern.

21 Beginning on July 1, 1989, and on July 1 of each succeeding odd-  
22 numbered year, the dollar limit specified in this section shall be  
23 adjusted as follows: The office of financial management shall  
24 calculate such limit by adjusting the previous biennium's limit by  
25 an appropriate federal inflationary index reflecting the rate of  
26 inflation for the previous biennium. Such amounts shall be rounded  
27 to the nearest fifty dollars.

28 NEW SECTION. **Sec. 5.** A new section is added to chapter 41.56  
29 RCW to read as follows:

30 In addition to the entities listed in RCW 41.56.020, this  
31 chapter shall apply to the department of general administration  
32 with respect to printing craft employees in the state printing  
33 plant within the department of general administration.

34 **Sec. 6.** RCW 43.78.040 and 1965 c 8 s 43.78.040 are each amended to  
35 read as follows:

36 All printing and binding shall be done under the general

1 superintendence of the authorities ordering it, and when completed  
2 shall be delivered to such authorities, who shall sign receipts  
3 therefor.

4 Before the (~~public printer~~) director of general  
5 administration shall execute any printing or binding for any  
6 office, board, commission, or institution, the proper officer  
7 thereof shall apply therefor by requisition.

8 **Sec. 7.** RCW 43.78.050 and 1965 c 8 s 43.78.050 are each amended  
9 to read as follows:

10 Upon delivering a printing or binding job and receiving a  
11 receipt therefor the (~~public printer~~) director of general  
12 administration shall make out, and deliver to the requesting  
13 agency an itemized statement of charges.

14 **Sec. 8.** RCW 43.78.070 and 1979 c 151 s 134 are each amended to  
15 read as follows:

16 The (~~public printer~~) director of general administration shall  
17 use the state printing plant, which includes the state copy  
18 centers, upon the following conditions, to wit:

19 (1) (~~He~~) The director shall do the public printing, and  
20 charge therefor the fees as provided by law. (~~He~~) The director  
21 may print the Washington Reports for the publishers thereof under  
22 a contract approved in writing by the governor.

23 (2) (~~The gross income of the public printer~~) All receipts  
24 from the state printing plant shall be deposited in (~~an account~~  
25 ~~designated "state printing plant revolving fund" in depositaries~~  
26 ~~approved by the state treasurer~~) the general administration  
27 services account, and shall be disbursed (~~by the public printer~~  
28 ~~by check and only~~) as follows:

29 (~~First,~~) (a) In payment of the actual cost of labor,  
30 material, supplies, replacements, repairs, water, light, heat,  
31 telephone, rent, and all other expenses necessary in the operation  
32 of the plant (~~PROVIDED, That no machinery shall be purchased~~  
33 ~~except on written approval of the governor~~);

34 (~~Second,~~) (b) In payment of the cost of reasonable insurance  
35 upon the printing plant (~~payable to the state and of all~~  
36 ~~fidelity bonds required by law of the public printer~~;

1 ~~Third, in payment to the public printer of a salary which shall~~  
2 ~~be fixed by the governor in accordance with the provisions of RCW~~  
3 ~~43.03.040;~~

4 ~~Fourth, in remitting the balance to the state treasurer for the~~  
5 ~~general fund: PROVIDED, That a reasonable sum to be determined by~~  
6 ~~the governor, the public printer, and the director of financial~~  
7 ~~management shall be retained in the fund for working capital for~~  
8 ~~the public printer)).~~

9 (3) Disbursements from the general administration services  
10 account for the cost of materials and services purchased for  
11 resale by the state printing plant are not subject to allotment  
12 procedures provided under chapter 43.88 RCW. Disbursements from the  
13 general administration services account for all other expenses of  
14 the state printing plant including administrative expenses and all  
15 staff costs are subject to the allotment procedures provided under  
16 chapter 43.88 RCW. An appropriation is not required for  
17 expenditures for the operation of the state printing plant.

18 **Sec. 9.** RCW 43.78.090 and 1965 c 8 s 43.78.090 are each amended to  
19 read as follows:

20 Whenever required by law or by the legislature or by any state  
21 officer, board, commission, or institution the ((public printer))  
22 director of general administration shall keep the ((type)) copy  
23 used in printing any matter ((forming a part of the first, second,  
24 third, and fourth classes standing)) for a period not exceeding  
25 sixty days for use in reprinting such matter.

26 **Sec. 10.** RCW 43.78.100 and 1993 c 379 s 106 are each amended to  
27 read as follows:

28 The ((public printer)) director of general administration shall  
29 furnish all paper, stock, and binding materials required in all  
30 public work, and shall charge the same to the state, as it is  
31 actually used, at the actual price at which it was purchased plus  
32 up to five percent for waste, insurance, storage, and  
33 handling. This section does not apply to institutions of higher  
34 education.

35

1       **Sec. 11.** RCW 43.78.105 and 1993 c 379 s 105 are each amended to  
2 read as follows:

3       The ((~~public printer~~)) director of general administration may  
4 use the state printing plant for the purposes of printing or  
5 furnishing materials under RCW 43.78.100 if an interlocal  
6 agreement under chapter 39.34 RCW has been executed between an  
7 institution of higher education and the ((~~public printer~~))  
8 department of general administration.

9       **Sec. 12.** RCW 43.78.110 and 1993 c 379 s 107 are each amended to  
10 read as follows:

11       Whenever in the judgment of the ((~~public printer~~)) director of  
12 general administration certain printing, ruling, binding, or  
13 supplies can be secured from private sources more economically  
14 than by doing the work or preparing the supplies in the state  
15 printing plant, the ((~~public printer~~)) director may obtain such  
16 work or supplies from such private sources.

17       In event any work or supplies are secured on behalf of the  
18 state under this section the state printing plant shall be  
19 entitled to add up to five percent to the cost thereof to cover  
20 the handling of the orders which shall be added to the bills and  
21 charged to the respective authorities ordering the work or  
22 supplies. The five percent handling charge shall not apply to  
23 contracts with institutions of higher education.

24       **Sec. 13.** RCW 43.78.170 and 1996 c 198 s 3 are each amended to read  
25 as follows:

26       The ((~~public printer~~)) director of general administration shall  
27 take all actions consistent with the ((~~plan~~)) strategy under RCW  
28 43.19A.050 to ensure that seventy-five percent or more of the  
29 total dollar amount of printing paper stock used by the  
30 ((~~printer~~)) state printing plant is recycled content paper by  
31 January 1, 1997, and ninety percent or more of the total dollar  
32 amount of printing paper stock used by the ((~~printer~~)) state  
33 printing plant is recycled content paper by January 1, 1999.

34       NEW SECTION. **Sec. 14.** The following acts or parts of acts are each  
35 repealed:

1 (1) RCW 43.78.010 (Appointment of public printer) and 1981 c 338 s  
2 6 & 1965 c 8 s 43.78.010; and  
3 (2) RCW 43.78.020 (Bond) and 1965 c 8 s 43.78.020.

4 NEW SECTION. **Sec. 15.** This act takes effect July 1, 2002.

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