

**EHB 2969** - S COMM AMD

By Committee on Ways & Means

NOT CONSIDERED 04/12/2010

1 Strike everything after the enacting clause and insert the  
2 following:

3 "NEW SECTION. **Sec. 1.** The legislature finds that the current  
4 state printing enterprise approach should be reviewed and modified to  
5 accommodate new technology, changing industry trends, and agency  
6 practices of distributing more information electronically rather than  
7 using paper documents. The legislature intends to facilitate the  
8 public printer's efforts to function more efficiently through the  
9 changes, transfer of duties, and study in this act.

10 NEW SECTION. **Sec. 2.** A new section is added to chapter 43.105 RCW  
11 to read as follows:

12 (1) The department shall broker print management contracts for  
13 state agencies that are required to utilize print management contracts  
14 under this section.

15 (2) The department is authorized to broker print management  
16 contracts for other state agencies that choose to utilize these  
17 services.

18 (3) Except as provided under subsection (6) of this section, all  
19 state agencies with total annual average full-time equivalent staff  
20 that exceeds one thousand as determined by the office of financial  
21 management shall utilize print management services brokered by the  
22 department, as follows:

23 (a) Any agency with a copier and multifunctional device contract  
24 that is set to expire on or before December 31, 2010, may opt to:

25 (i) Renew the copier and multifunctional device contract; or

26 (ii) Enter a print management contract;

27 (b) Any agency with a copier and multifunctional device contract  
28 that is set to expire on or after January 1, 2011, shall begin planning  
29 for the transition to a print management contract six months prior to

1 the expiration date of the contract. Upon expiration of the copier and  
2 multifunctional device contract, the agency shall utilize a print  
3 management contract; and

4 (c) Any agency with a copier and multifunctional device contract  
5 that is terminated on or after January 1, 2011, shall enter a print  
6 management contract.

7 (4) Until December 31, 2016, for each agency transitioning from a  
8 copier and multifunctional device contract to a print management  
9 contract, the print management contract should result in savings in  
10 comparison with the prior copier and multifunctional device contract.

11 (5) If an agency has more full-time equivalent employees than it  
12 had when it entered its most recently completed print management  
13 contract, the cost of a new print management contract may exceed the  
14 cost of the most recently completed print management contract.

15 (6) The director of financial management may exempt a state agency,  
16 or a program within a state agency, from the requirements of this  
17 section if the director deems it unfeasible or the department and  
18 agency could not reasonably reach an agreement regarding print  
19 management.

20 NEW SECTION. **Sec. 3.** A new section is added to chapter 43.105 RCW  
21 to read as follows:

22 (1) The department shall consult with the office of financial  
23 management and state agencies to more efficiently manage the use of  
24 envelopes by standardizing them to the extent feasible given the  
25 business needs of state agencies.

26 (2) All state agencies with total annual average full-time  
27 equivalent staff that exceeds one thousand as determined by the office  
28 of financial management shall cooperate with the department in efforts  
29 to standardize envelopes under subsection (1) of this section. In the  
30 event that an agency is updating a mailing, the agency shall transition  
31 to an envelope recommended by the department, unless the office of  
32 financial management considers the change unfeasible.

33 (3) State agencies with one thousand total annual average full-time  
34 equivalent staff or less, as determined by the office of financial  
35 management, are encouraged to cooperate with the department to  
36 standardize envelopes under this section.



1 ordered by the legislature, or either branch thereof, in bill form,  
2 shall constitute the first class, and shall be printed in such form as  
3 the legislature shall provide.

4 SECOND CLASS. The second class shall consist of printing and  
5 binding of journals of the senate and house of representatives, and the  
6 annual and biennial reports of the several state officers, state  
7 commissions, boards, and institutions, with the exception of the  
8 reports of the attorney general and the governor's message to the  
9 legislature, which shall be printed and bound in the same style as  
10 heretofore. Said journals and reports shall be printed in such form as  
11 the senate and house of representatives and the various state officers,  
12 commissions, boards, and institutions shall respectively provide.

13 THIRD CLASS. The third class shall consist of all reports,  
14 communications, and all other documents that may be ordered printed in  
15 book form by the legislature or either branch thereof, and all reports,  
16 books, pamphlets, and other like matter printed in book form required  
17 by all state officers, boards, commissions, and institutions shall be  
18 printed in such form and style, and set in such size type, and printed  
19 on such grade of paper as may be desired by the state officer, board,  
20 commission, or institution ordering them, and which they think will  
21 best serve the purpose for which intended.

22 FOURTH CLASS. The fourth class shall consist of the session laws,  
23 and shall be printed and bound in such form as the statute law  
24 committee shall provide.

25 FIFTH CLASS. The fifth class shall consist of the printing of all  
26 stationery blanks, record books, and circulars, and all printing and  
27 binding required by the respective state officers, boards, commissions,  
28 and institutions not covered by classes one, two, three, and four.

29 **Sec. 7.** RCW 43.78.030 and 1994 c 82 s 1 are each amended to read  
30 as follows:

31 The ((~~public printer~~)) department shall print and bind the session  
32 laws, the journals of the two houses of the legislature, all bills,  
33 resolutions, documents, and other printing and binding of either the  
34 senate or house, as the same may be ordered by the legislature; and  
35 such forms, blanks, record books, and printing and binding of every  
36 description as may be ordered by all state officers, boards,  
37 commissions, and institutions, and the supreme court, and the court of

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

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

31 **Sec. 8.** RCW 43.78.070 and 2009 c 549 s 5148 are each amended to  
32 read as follows:

33 The ((~~public printer~~)) department shall use the state printing  
34 plant upon the following conditions((~~, to wit~~)):

35 (1) ((~~He or she~~)) The department shall do the public printing, and  
36 charge ((~~therefor the~~)) fees as provided by law. ((~~He or she~~)) The

1 department may print the Washington Reports for the publishers  
2 ((thereof)) under a contract ((approved in writing by the governor)).

3 (2) The ((gross income of the public printer shall be deposited in  
4 an account designated)) director of the department of information  
5 services shall transfer any residual funds remaining in the "state  
6 printing plant revolving fund" ((in depositaries approved by the state  
7 treasurer, and shall be disbursed by the public printer by check and  
8 only as follows:

9 First, in payment of the actual cost of labor, material, supplies,  
10 replacements, repairs, water, light, heat, telephone, rent, and all  
11 other expenses necessary in the operation of the plant: PROVIDED, That  
12 no machinery shall be purchased except on written approval of the  
13 governor;

14 Second, in payment of the cost of reasonable insurance upon the  
15 printing plant, payable to the state and of all fidelity bonds required  
16 by law of the public printer;

17 Third, in payment to the public printer of a salary which shall be  
18 fixed by the governor in accordance with the provisions of RCW  
19 43.03.040;

20 Fourth, in remitting the balance to the state treasurer for the  
21 general fund: PROVIDED, That a reasonable sum to be determined by the  
22 governor, the public printer, and the director of financial management  
23 shall be retained in the fund for working capital for the public  
24 printer)) to the public printing revolving account established in  
25 section 9 of this act.

26 NEW SECTION. Sec. 9. A new section is added to chapter 43.105 RCW  
27 to read as follows:

28 The public printing revolving account is created in the custody of  
29 the state treasurer. All receipts from public printing must be  
30 deposited in the account. Expenditures from the account may be used  
31 only for administrative and operating purposes related to public  
32 printing. Only the director or the director's designee may authorize  
33 expenditures from the account. The account is subject to allotment  
34 procedures under chapter 43.88 RCW, but an appropriation is not  
35 required for expenditures.

1           **Sec. 10.** RCW 43.78.090 and 1965 c 8 s 43.78.090 are each amended  
2 to read as follows:

3           Whenever required by law or by the legislature or by any state  
4 officer, board, commission, or institution the ((~~public printer~~))  
5 department shall keep the type used in printing any matter forming a  
6 part of the first, second, third, and fourth classes standing for a  
7 period not exceeding sixty days for use in reprinting such matter.

8           **Sec. 11.** RCW 43.78.100 and 1993 c 379 s 106 are each amended to  
9 read as follows:

10           The ((~~public printer~~)) department shall furnish all paper, stock,  
11 and binding materials required in all public work, and shall charge the  
12 same to the state, as it is actually used, at the actual price at which  
13 it was purchased plus five percent for waste, insurance, storage, and  
14 handling. This section does not apply to institutions of higher  
15 education.

16           **Sec. 12.** RCW 43.78.105 and 1993 c 379 s 105 are each amended to  
17 read as follows:

18           The ((~~public printer~~)) department may use the state printing plant  
19 for the purposes of printing or furnishing materials under RCW  
20 43.78.100 (as recodified by this act) if an interlocal agreement under  
21 chapter 39.34 RCW has been executed between an institution of higher  
22 education and the ((~~public printer~~)) department.

23           **Sec. 13.** RCW 43.78.110 and 2009 c 486 s 12 are each amended to  
24 read as follows:

25           (1) Whenever in the judgment of the ((~~public printer~~)) department  
26 certain printing, ruling, binding, or supplies can be secured from  
27 private sources more economically than by doing the work or preparing  
28 the supplies in the state printing plant, the ((~~public printer~~))  
29 department may obtain such work or supplies from such private sources.  
30 The solicitation for the contract opportunity must be posted on the  
31 state's common vendor registration and bid notification system. The  
32 ((~~public printer~~)) department shall develop procurement policies and  
33 procedures, such as unbundled contracting and subcontracting, that  
34 encourage and facilitate the purchase of such services or supplies from

1 Washington small businesses to the maximum extent practicable and  
2 consistent with international trade agreement commitments.

3 (2) In event any work or supplies are secured on behalf of the  
4 state under this section the state printing plant shall be entitled to  
5 add up to five percent to the cost (~~(thereof)~~) to cover the handling of  
6 the orders which shall be added to the bills and charged to the  
7 respective authorities ordering the work or supplies. The five percent  
8 handling charge shall not apply to contracts with institutions of  
9 higher education.

10 (3) The definitions in this subsection apply throughout this  
11 section.

12 (a) "Common vendor registration and bid notification system" has  
13 the definition in RCW 39.29.006.

14 (b) "Small business" has the definition in RCW 39.29.006.

15 **Sec. 14.** RCW 43.78.170 and 2009 c 356 s 5 are each amended to read  
16 as follows:

17 Except as provided in RCW 43.19A.022(3), the (~~public printer~~)  
18 department shall use one hundred percent recycled copy and printing  
19 paper for all jobs printed on white copy and printing paper.

20 **Sec. 15.** RCW 43.105.020 and 2009 c 565 s 32, 2009 c 509 s 7, and  
21 2009 c 486 s 14 are each reenacted and amended to read as follows:

22 The definitions in this section apply throughout this chapter  
23 unless the context clearly (~~(required [requires])~~) requires otherwise.

24 (1) "Administrator" means the community technology opportunity  
25 program administrator designated by the department.

26 (2) "Backbone network" means the shared high-density portions of  
27 the state's telecommunications transmission facilities. It includes  
28 specially conditioned high-speed communications carrier lines,  
29 multiplexors, switches associated with such communications lines, and  
30 any equipment and software components necessary for management and  
31 control of the backbone network.

32 (3) "Board" means the information services board.

33 (4) "Broadband" means a high-speed, high capacity transmission  
34 medium, using land-based, satellite, wireless, or any other mechanism,  
35 that can carry either signals or transmit data, or both, over long  
36 distances by using a wide range of frequencies.

1 (5) "Committee" means the state interoperability executive  
2 committee.

3 (6) "Common vendor registration and bid notification system" has  
4 the definition in RCW 39.29.006.

5 (7) "Community technology programs" means programs that are engaged  
6 in diffusing information and communications technology in local  
7 communities, particularly in unserved and underserved areas of the  
8 state. These programs may include, but are not limited to, programs  
9 that provide education and skill-building opportunities, hardware and  
10 software, internet connectivity, digital media literacy, development of  
11 locally relevant content, and delivery of vital services through  
12 technology.

13 (8) "Copier and multifunctional device contract" means a contract  
14 to lease or purchase copiers and/or multifunctional devices to meet  
15 office printing needs, procured and administered by the department of  
16 general administration, under chapter 43.19 RCW.

17 (9) "Council" means the advisory council on digital inclusion  
18 created in RCW 43.105.400.

19 ~~((+9))~~ (10) "Department" means the department of information  
20 services.

21 ~~((+10))~~ (11) "Director" means the director of the department.

22 ~~((+11))~~ (12) "Educational sectors" means those institutions of  
23 higher education, school districts, and educational service districts  
24 that use the network for distance education, data transmission, and  
25 other uses permitted by the K-20 board.

26 ~~((+12))~~ (13) "Equipment" means the machines, devices, and  
27 transmission facilities used in information processing, such as  
28 computers, word processors, terminals, telephones, wireless  
29 communications system facilities, cables, and any physical facility  
30 necessary for the operation of such equipment.

31 ~~((+13))~~ (14) "High-speed internet" means broadband.

32 ~~((+14))~~ (15) "Information" includes, but is not limited to, data,  
33 text, voice, and video.

34 ~~((+15))~~ (16) "Information processing" means the electronic  
35 capture, collection, storage, manipulation, transmission, retrieval,  
36 and presentation of information in the form of data, text, voice, or  
37 image and includes telecommunications and office automation functions.



1 (B) Installation;

2 (C) Maintenance;

3 (D) Removal; and

4 (E) Replacement; and

5 (ii) May not assess any additional fee beyond the agreed upon  
6 monthly fee.

7 (25) "Print management services" means services that provide  
8 management of office printing, which includes providing printer  
9 devices, supplies, consumables, repair services, and support within an  
10 enterprise.

11 (26) "Proprietary software" means that software offered for sale or  
12 license.

13 ~~((+24))~~ (27) "Purchased services" means services provided by a  
14 vendor to accomplish routine, continuing, and necessary functions.  
15 This term includes, but is not limited to, services acquired for  
16 equipment maintenance and repair, operation of a physical plant,  
17 security, computer hardware and software installation and maintenance,  
18 telecommunications installation and maintenance, data entry, keypunch  
19 services, programming services, and computer time-sharing.

20 ~~((+25))~~ (28) "Small business" has the definition in RCW 39.29.006.

21 ~~((+26))~~ (29) "Telecommunications" means the transmission of  
22 information by wire, radio, optical cable, electromagnetic, or other  
23 means.

24 ~~((+27))~~ (30) "Video telecommunications" means the electronic  
25 interconnection of two or more sites for the purpose of transmitting  
26 and/or receiving visual and associated audio information. Video  
27 telecommunications shall not include existing public television  
28 broadcast stations as currently designated by the department of  
29 commerce under chapter 43.330 RCW.

30 **Sec. 16.** RCW 43.105.041 and 2009 c 486 s 13 are each amended to  
31 read as follows:

32 (1) The board shall have the following powers and duties related to  
33 information services:

34 (a) To develop standards and procedures governing the acquisition  
35 and disposition of equipment, proprietary software and purchased  
36 services, licensing of the radio spectrum by or on behalf of state

1 agencies, (~~and~~) confidentiality of computerized data, and standards  
2 for print management services;

3 (b) To purchase, lease, rent, or otherwise acquire, dispose of, and  
4 maintain equipment, proprietary software, and purchased services, or to  
5 delegate to other agencies and institutions of state government, under  
6 appropriate standards, the authority to purchase, lease, rent, or  
7 otherwise acquire, dispose of, and maintain equipment, proprietary  
8 software, and purchased services: PROVIDED, That, agencies and  
9 institutions of state government are expressly prohibited from  
10 acquiring or disposing of equipment, proprietary software, and  
11 purchased services without such delegation of authority. The  
12 acquisition and disposition of equipment, proprietary software, and  
13 purchased services is exempt from RCW 43.19.1919 and, as provided in  
14 RCW 43.19.1901, from the provisions of RCW 43.19.190 through 43.19.200,  
15 except that the board, the department, and state agencies, as  
16 delegated, must post notices of technology procurement bids on the  
17 state's common vendor registration and bid notification system. This  
18 subsection (1)(b) does not apply to the legislative branch;

19 (c) To develop statewide or interagency technical policies,  
20 standards, and procedures;

21 (d) To review and approve standards and common specifications for  
22 new or expanded telecommunications networks proposed by agencies,  
23 public postsecondary education institutions, educational service  
24 districts, or statewide or regional providers of K-12 information  
25 technology services, and to assure the cost-effective development and  
26 incremental implementation of a statewide video telecommunications  
27 system to serve: Public schools; educational service districts;  
28 vocational-technical institutes; community colleges; colleges and  
29 universities; state and local government; and the general public  
30 through public affairs programming;

31 (e) To provide direction concerning strategic planning goals and  
32 objectives for the state. The board shall seek input from the  
33 legislature and the judiciary;

34 (f) To develop and implement a process for the resolution of  
35 appeals by:

36 (i) Vendors concerning the conduct of an acquisition process by an  
37 agency or the department; or

1 (ii) A customer agency concerning the provision of services by the  
2 department or by other state agency providers;

3 (g) To establish policies for the periodic review by the department  
4 of agency performance which may include but are not limited to analysis  
5 of:

6 (i) Planning, management, control, and use of information services;

7 (ii) Training and education; and

8 (iii) Project management;

9 (h) To set its meeting schedules and convene at scheduled times, or  
10 meet at the request of a majority of its members, the chair, or the  
11 director;

12 (i) To review and approve that portion of the department's budget  
13 requests that provides for support to the board; and

14 (j) To develop procurement policies and procedures, such as  
15 unbundled contracting and subcontracting, that encourage and facilitate  
16 the purchase of products and services by state agencies and  
17 institutions from Washington small businesses to the maximum extent  
18 practicable and consistent with international trade agreement  
19 commitments.

20 (2) Statewide technical standards to promote and facilitate  
21 electronic information sharing and access are an essential component of  
22 acceptable and reliable public access service and complement content-  
23 related standards designed to meet those goals. The board shall:

24 (a) Establish technical standards to facilitate electronic access  
25 to government information and interoperability of information systems,  
26 including wireless communications systems. Local governments are  
27 strongly encouraged to follow the standards established by the board;  
28 and

29 (b) Require agencies to consider electronic public access needs  
30 when planning new information systems or major upgrades of systems.

31 In developing these standards, the board is encouraged to include  
32 the state library, state archives, and appropriate representatives of  
33 state and local government.

34 (3)(a) The board, in consultation with the K-20 board, has the duty  
35 to govern, operate, and oversee the technical design, implementation,  
36 and operation of the K-20 network including, but not limited to, the  
37 following duties: Establishment and implementation of K-20 network  
38 technical policy, including technical standards and conditions of use;

1 review and approval of network design; procurement of shared network  
2 services and equipment; and resolving user/provider disputes concerning  
3 technical matters. The board shall delegate general operational and  
4 technical oversight to the K-20 network technical steering committee as  
5 appropriate.

6 (b) The board has the authority to adopt rules under chapter 34.05  
7 RCW to implement the provisions regarding the technical operations and  
8 conditions of use of the K-20 network.

9 **Sec. 17.** RCW 1.08.039 and 1955 c 235 s 8 are each amended to read  
10 as follows:

11 The committee may enter into contracts or otherwise arrange for the  
12 publication and/or distribution, provided for in RCW 1.08.038, with or  
13 without calling for bids, by the (~~public printer~~) department of  
14 information services or by private printer, upon specifications  
15 formulated under the authority of RCW 1.08.037, and upon such basis as  
16 the committee deems to be most expeditious and economical. Any such  
17 contract may be upon such terms as the committee deems to be most  
18 advantageous to the state and to potential purchasers of such  
19 publications. The committee shall fix terms and prices for such  
20 publications.

21 **Sec. 18.** RCW 15.24.085 and 2002 c 313 s 121 are each amended to  
22 read as follows:

23 The restrictive provisions (~~of chapter 43.78~~) relating to public  
24 printing in chapter 43.105 RCW shall not apply to promotional printing  
25 and literature for the Washington apple commission, the Washington  
26 state fruit commission, or the Washington state dairy products  
27 commission.

28 **Sec. 19.** RCW 15.62.190 and 1989 c 5 s 19 are each amended to read  
29 as follows:

30 The restrictive provisions (~~of chapter 43.78~~) relating to public  
31 printing in chapter 43.105 RCW shall not apply to promotional printing  
32 and literature for the Washington state honey bee commission.

33 **Sec. 20.** RCW 16.67.170 and 1969 c 133 s 16 are each amended to  
34 read as follows:



1 (6) To file all papers, reports and public documents transmitted to  
2 the superintendent by the school officials of the several counties or  
3 districts of the state, each year separately. Copies of all papers  
4 filed in the superintendent's office, and the superintendent's official  
5 acts, may, or upon request, shall be certified by the superintendent  
6 and attested by the superintendent's official seal, and when so  
7 certified shall be evidence of the papers or acts so certified to;

8 (7) To require annually, on or before the 15th day of August, of  
9 the president, manager, or principal of every educational institution  
10 in this state, a report as required by the superintendent of public  
11 instruction; and it is the duty of every president, manager, or  
12 principal, to complete and return such forms within such time as the  
13 superintendent of public instruction shall direct;

14 (8) To keep in the superintendent's office a record of all teachers  
15 receiving certificates to teach in the common schools of this state;

16 (9) To issue certificates as provided by law;

17 (10) To keep in the superintendent's office at the capital of the  
18 state, all books and papers pertaining to the business of the  
19 superintendent's office, and to keep and preserve in the  
20 superintendent's office a complete record of statistics, as well as a  
21 record of the meetings of the state board of education;

22 (11) With the assistance of the office of the attorney general, to  
23 decide all points of law which may be submitted to the superintendent  
24 in writing by any educational service district superintendent, or that  
25 may be submitted to the superintendent by any other person, upon appeal  
26 from the decision of any educational service district superintendent;  
27 and the superintendent shall publish his or her rulings and decisions  
28 from time to time for the information of school officials and teachers;  
29 and the superintendent's decision shall be final unless set aside by a  
30 court of competent jurisdiction;

31 (12) To administer oaths and affirmations in the discharge of the  
32 superintendent's official duties;

33 (13) To deliver to his or her successor, at the expiration of the  
34 superintendent's term of office, all records, books, maps, documents  
35 and papers of whatever kind belonging to the superintendent's office or  
36 which may have been received by the superintendent's for the use of the  
37 superintendent's office;

1 (14) To administer family services and programs to promote the  
2 state's policy as provided in RCW 74.14A.025;

3 (15) To promote the adoption of school-based curricula and policies  
4 that provide quality, daily physical education for all students, and to  
5 encourage policies that provide all students with opportunities for  
6 physical activity outside of formal physical education classes;

7 (16) To perform such other duties as may be required by law.

8 **Sec. 22.** RCW 28B.10.029 and 2004 c 167 s 10 are each amended to  
9 read as follows:

10 (1) An institution of higher education may exercise independently  
11 those powers otherwise granted to the director of general  
12 administration in chapter 43.19 RCW in connection with the purchase and  
13 disposition of all material, supplies, services, and equipment needed  
14 for the support, maintenance, and use of the respective institution of  
15 higher education. Property disposition policies followed by  
16 institutions of higher education shall be consistent with policies  
17 followed by the department of general administration. Purchasing  
18 policies and procedures followed by institutions of higher education  
19 shall be in compliance with chapters 39.19, 39.29, and 43.03 RCW, and  
20 RCW 43.19.1901, 43.19.1906, 43.19.1911, 43.19.1917, 43.19.1937,  
21 43.19.534, 43.19.685, 43.19.700 through 43.19.704, and 43.19.560  
22 through 43.19.637. The community and technical colleges shall comply  
23 with RCW 43.19.450. Except for the University of Washington,  
24 institutions of higher education shall comply with RCW 43.41.310,  
25 43.41.290, and 43.41.350. If an institution of higher education can  
26 satisfactorily demonstrate to the director of the office of financial  
27 management that the cost of compliance is greater than the value of  
28 benefits from any of the following statutes, then it shall be exempt  
29 from them: RCW 43.19.685; 43.19.534; and 43.19.637. Any institution  
30 of higher education that chooses to exercise independent purchasing  
31 authority for a commodity or group of commodities shall notify the  
32 director of general administration. Thereafter the director of general  
33 administration shall not be required to provide those services for that  
34 institution for the duration of the general administration contract  
35 term for that commodity or group of commodities.

36 (2) The council of presidents and the state board for community and

1 technical colleges shall convene its correctional industries business  
2 development advisory committee, and work collaboratively with  
3 correctional industries, to:

4 (a) Reaffirm purchasing criteria and ensure that quality, service,  
5 and timely delivery result in the best value for expenditure of state  
6 dollars;

7 (b) Update the approved list of correctional industries products  
8 from which higher education shall purchase; and

9 (c) Develop recommendations on ways to continue to build  
10 correctional industries' business with institutions of higher  
11 education.

12 (3) Higher education and correctional industries shall develop a  
13 plan to build higher education business with correctional industries to  
14 increase higher education purchases of correctional industries  
15 products, based upon the criteria established in subsection (2) of this  
16 section. The plan shall include the correctional industries'  
17 production and sales goals for higher education and an approved list of  
18 products from which higher education institutions shall purchase, based  
19 on the criteria established in subsection (2) of this section. Higher  
20 education and correctional industries shall report to the legislature  
21 regarding the plan and its implementation no later than January 30,  
22 2005.

23 (4) Institutions of higher education shall set as a target to  
24 contract, beginning not later than June 30, 2006, to purchase one  
25 percent of the total goods and services required by the institutions  
26 each year produced or provided in whole or in part from class II inmate  
27 work programs operated by the department of corrections. Institutions  
28 of higher education shall set as a target to contract, beginning not  
29 later than June 30, 2008, to purchase two percent of the total goods  
30 and services required by the institutions each year produced or  
31 provided in whole or in part from class II inmate work programs  
32 operated by the department of corrections.

33 (5) An institution of higher education may exercise independently  
34 those powers otherwise granted to the (~~public printer~~) department of  
35 information services in chapter (~~(43.78)~~) 43.105 RCW in connection with  
36 the production or purchase of any printing and binding needed by the  
37 respective institution of higher education. Purchasing policies and  
38 procedures followed by institutions of higher education shall be in

1 compliance with chapters 39.19 and 43.105 RCW. Any institution of  
2 higher education that chooses to exercise independent printing  
3 production or purchasing authority shall notify the ((~~public printer~~))  
4 department of information services. Thereafter the ((~~public printer~~))  
5 department of information services shall not be required to provide  
6 those services for that institution.

7 **Sec. 23.** RCW 40.04.030 and 1995 c 24 s 1 are each amended to read  
8 as follows:

9 The ((~~public printer~~)) department of information services shall  
10 deliver to the statute law committee all bound volumes of the session  
11 laws. The ((~~public printer~~)) department of information services shall  
12 deliver the house and senate journals as they are published to the  
13 chief clerk of the house of representatives and the secretary of the  
14 senate, as appropriate. The publisher of the supreme court reports and  
15 the court of appeals reports of the state of Washington shall deliver  
16 the copies that are purchased by the supreme court for the use of the  
17 state to the state law librarian.

18 **Sec. 24.** RCW 40.06.030 and 2006 c 199 s 5 are each amended to read  
19 as follows:

20 (1) Every state agency shall promptly submit to the state library  
21 copies of published information that are state publications.

22 (a) For state publications available only in print format, each  
23 state agency shall deposit, at a minimum, two copies of each of its  
24 publications with the state library. For the purposes of broad public  
25 access, state agencies may deposit additional copies with the state  
26 library for distribution to additional depository libraries.

27 (b) For state publications available only in electronic format,  
28 each state agency shall deposit one copy of each of its publications  
29 with the state library.

30 (c) For state publications available in both print and electronic  
31 format, each state agency shall deposit two print copies and one  
32 electronic copy of the publication with the state library.

33 (2) Annually, each state agency shall provide the state library  
34 with a listing of all its publications made available to state  
35 government and the public during the preceding year, including those

1 published in electronic form. The secretary of state shall, by rule,  
2 establish the annual date by which state agencies must provide the list  
3 of its publications to the state library.

4 (3) In the interest of economy and efficiency, the state librarian  
5 may specifically or by general rule exempt a given state publication or  
6 class of publications from the requirements of this section in full or  
7 in part.

8 (4) Upon consent of the issuing state agency, such state  
9 publications as are printed by the (~~public printer~~) department of  
10 information services shall be delivered directly to the center.

11 **Sec. 25.** RCW 40.07.050 and 1986 c 158 s 5 are each amended to read  
12 as follows:

13 Neither the (~~public printer~~) department of information services  
14 nor any state agency shall print or authorize for printing any state  
15 publication that has been determined by the director to be inconsistent  
16 with RCW 40.07.030 except to the extent this requirement may conflict  
17 with the laws of the United States or any rules or regulations lawfully  
18 promulgated under those laws. A copy of any state publication printed  
19 without the approval of the director under the exceptions authorized in  
20 this section shall be filed with the director with a letter of  
21 transmittal citing the federal statute, rule, or regulation requiring  
22 the publication.

23 **Sec. 26.** RCW 41.06.070 and 2009 c 33 s 36 and 2009 c 5 s 1 are  
24 each reenacted and amended to read as follows:

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

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

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

35 (c) Officers, academic personnel, and employees of technical  
36 colleges;

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

2 (e) Elective officers of the state;

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

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

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

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

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

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

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

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

29 (j) Assistant attorneys general;

30 (k) Commissioned and enlisted personnel in the military service of  
31 the state;

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

35 (m) (~~The public printer or to any employees of or positions in the~~  
36 ~~state printing plant~~) Printing craft employees in positions in the  
37 department of information services whose positions are transferred from

1 the public printer to the department of information services pursuant  
2 to section 30 of this act;

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

5 (o) Officers and employees of the Washington apple commission;

6 (p) Officers and employees of the Washington state dairy products  
7 commission;

8 (q) Officers and employees of the Washington tree fruit research  
9 commission;

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

11 (s) Officers and employees of the Washington grain commission;

12 (t) Officers and employees of any commission formed under chapter  
13 15.66 RCW;

14 (u) Officers and employees of agricultural commissions formed under  
15 chapter 15.65 RCW;

16 (v) Officers and employees of the nonprofit corporation formed  
17 under chapter 67.40 RCW;

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

24 (x) In each agency with fifty or more employees: Deputy agency  
25 heads, assistant directors or division directors, and not more than  
26 three principal policy assistants who report directly to the agency  
27 head or deputy agency heads;

28 (y) All employees of the marine employees' commission;

29 (z) Staff employed by the department of (~~community, trade, and~~  
30 ~~economic development~~) commerce to administer energy policy functions  
31 and manage energy site evaluation council activities under RCW  
32 43.21F.045(2)(m);

33 (aa) Staff employed by Washington State University to administer  
34 energy education, applied research, and technology transfer programs  
35 under RCW 43.21F.045 as provided in RCW 28B.30.900(5).

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

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

19 (b) The governing board of each institution, and related boards,  
20 may also exempt from this chapter classifications involving research  
21 activities, counseling of students, extension or continuing education  
22 activities, graphic arts or publications activities requiring  
23 prescribed academic preparation or special training as determined by  
24 the board: PROVIDED, That no nonacademic employee engaged in office,  
25 clerical, maintenance, or food and trade services may be exempted by  
26 the board under this provision;

27 (c) Printing craft employees in the department of printing at the  
28 University of Washington.

29 (3) In addition to the exemptions specifically provided by this  
30 chapter, the director of personnel may provide for further exemptions  
31 pursuant to the following procedures. The governor or other  
32 appropriate elected official may submit requests for exemption to the  
33 director of personnel stating the reasons for requesting such  
34 exemptions. The director of personnel shall hold a public hearing,  
35 after proper notice, on requests submitted pursuant to this subsection.  
36 If the director determines that the position for which exemption is  
37 requested is one involving substantial responsibility for the  
38 formulation of basic agency or executive policy or one involving

1 directing and controlling program operations of an agency or a major  
2 administrative division thereof, the director of personnel shall grant  
3 the request and such determination shall be final as to any decision  
4 made before July 1, 1993. The total number of additional exemptions  
5 permitted under this subsection shall not exceed one percent of the  
6 number of employees in the classified service not including employees  
7 of institutions of higher education and related boards for those  
8 agencies not directly under the authority of any elected public  
9 official other than the governor, and shall not exceed a total of  
10 twenty-five for all agencies under the authority of elected public  
11 officials other than the governor.

12 The salary and fringe benefits of all positions presently or  
13 hereafter exempted except for the chief executive officer of each  
14 agency, full-time members of boards and commissions, administrative  
15 assistants and confidential secretaries in the immediate office of an  
16 elected state official, and the personnel listed in subsections (1)(j)  
17 through (v) and (y) and (2) of this section, shall be determined by the  
18 director of personnel. Changes to the classification plan affecting  
19 exempt salaries must meet the same provisions for classified salary  
20 increases resulting from adjustments to the classification plan as  
21 outlined in RCW 41.06.152.

22 For the twelve months following February 18, 2009, a salary or wage  
23 increase shall not be granted to any position exempt from  
24 classification under this chapter.

25 Any person holding a classified position subject to the provisions  
26 of this chapter shall, when and if such position is subsequently  
27 exempted from the application of this chapter, be afforded the  
28 following rights: If such person previously held permanent status in  
29 another classified position, such person shall have a right of  
30 reversion to the highest class of position previously held, or to a  
31 position of similar nature and salary.

32 Any classified employee having civil service status in a classified  
33 position who accepts an appointment in an exempt position shall have  
34 the right of reversion to the highest class of position previously  
35 held, or to a position of similar nature and salary.

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

1       **Sec. 27.** RCW 43.08.061 and 1993 c 38 s 1 are each amended to read  
2 as follows:

3       The ((~~public printer~~)) department of information services shall  
4 print all state treasury warrants for distribution as directed by the  
5 state treasurer. All warrants redeemed by the state treasurer shall be  
6 retained for a period of one year, following their redemption, after  
7 which they may be destroyed without regard to the requirements imposed  
8 for their destruction by chapter 40.14 RCW.

9       NEW SECTION. **Sec. 28.** The following acts or parts of acts, as now  
10 or hereafter amended, are each repealed:

11       (1) RCW 43.78.010 (Appointment of public printer) and 2009 c 549 s  
12 5146, 1981 c 338 s 6, & 1965 c 8 s 43.78.010;

13       (2) RCW 43.78.020 (Bond) and 2009 c 549 s 5147 & 1965 c 8 s  
14 43.78.020;

15       (3) RCW 43.78.040 (Requisitions) and 1965 c 8 s 43.78.040;

16       (4) RCW 43.78.050 (Itemized statement of charges) and 1965 c 8 s  
17 43.78.050; and

18       (5) RCW 43.78.080 (Printing specifications) and 1972 ex.s. c 1 s 1,  
19 1969 c 6 s 7, & 1965 c 8 s 43.78.080.

20       NEW SECTION. **Sec. 29.** The following sections are each recodified  
21 as sections in chapter 43.105 RCW:

22       RCW 43.78.030

23       RCW 43.78.070

24       RCW 43.78.090

25       RCW 43.78.100

26       RCW 43.78.105

27       RCW 43.78.110

28       RCW 43.78.130

29       RCW 43.78.140

30       RCW 43.78.150

31       RCW 43.78.160

32       RCW 43.78.170

33       NEW SECTION. **Sec. 30.** (1) The powers, duties, and functions of  
34 the public printer are hereby transferred to the department of

1 information services. All references to the public printer in the  
2 Revised Code of Washington shall be construed to mean the director or  
3 the department of information services.

4 (2)(a) All reports, documents, surveys, books, records, files,  
5 papers, or written material in the possession of the public printer  
6 shall be delivered to the custody of the department of information  
7 services. All cabinets, furniture, office equipment, motor vehicles,  
8 and other tangible property employed by the public printer shall be  
9 made available to the department of information services. All funds,  
10 credits, or other assets held by the public printer shall be assigned  
11 to the department of information services.

12 (b) Any appropriations made to the public printer shall, on the  
13 effective date of this section, be transferred and credited to the  
14 department of information services.

15 (c) If any question arises as to the transfer of any personnel,  
16 funds, books, documents, records, papers, files, equipment, or other  
17 tangible property used or held in the exercise of the powers and the  
18 performance of the duties and functions transferred, the director of  
19 financial management shall make a determination as to the proper  
20 allocation and certify the same to the state agencies concerned.

21 (3) All rules and all pending business before the public printer  
22 shall be continued and acted upon by the department of information  
23 services. All existing contracts and obligations shall remain in full  
24 force and shall be performed by the department of information services.

25 (4) The transfer of the powers, duties, functions, and personnel of  
26 the public printer shall not affect the validity of any act performed  
27 before the effective date of this section.

28 (5) If apportionments of budgeted funds are required because of the  
29 transfers directed by this section, the director of financial  
30 management shall certify the apportionments to the agencies affected,  
31 the state auditor, and the state treasurer. Each of these shall make  
32 the appropriate transfer and adjustments in funds and appropriation  
33 accounts and equipment records in accordance with the certification.

34 (6) All employees of the public printer engaged in performing the  
35 powers, functions, and duties transferred to the department of  
36 information services, are transferred to the department of information  
37 services.

1 (a) The commercial agreement between the graphic communications  
2 conference of the international brotherhood of teamsters, local 767M  
3 and the department of printing-bindery that became effective July 1,  
4 2007, shall remain in effect during its duration. Upon expiration of  
5 the commercial agreement, chapter 41.56 RCW shall apply to the  
6 department of information services with respect to employees in  
7 positions formerly covered under the expired commercial agreement.

8 (b) The commercial agreement between the graphic communications  
9 conference of the international brotherhood of teamsters, local 767M  
10 and the department of printing-litho that became effective July 1,  
11 2007, shall remain in effect during its duration. Upon expiration of  
12 the commercial agreement, chapter 41.56 RCW shall apply to the  
13 department of information services with respect to the employees in  
14 positions formerly covered under the expired commercial agreement.

15 (c) The typographical contract between the communications workers  
16 of America, the newspaper guild, local 37082, and the department of  
17 printing-typographical that became effective July 1, 2007, shall remain  
18 in effect during its duration. Upon expiration of the typographical  
19 contract, chapter 41.56 RCW shall apply to the department of  
20 information services with respect to the employees in positions  
21 formerly covered under the expired typographical contract.

22 (d) All other employees not covered by the contracts and agreements  
23 specified in (a) through (c) of this subsection shall be exempt from  
24 chapter 41.06 RCW until July 1, 2011, at which time these employees  
25 shall be subject to chapter 41.06 RCW, unless otherwise deemed exempt  
26 in accordance with that chapter.

27 NEW SECTION. **Sec. 31.** A new section is added to chapter 41.56 RCW  
28 to read as follows:

29 (1) The legislature recognizes that, over more than fifty years,  
30 the public printer and representatives of its printing craft employees  
31 have achieved harmonious and cooperative labor relations. In  
32 transferring the powers, duties, and functions of the public printer to  
33 the department of information services, the legislature intends to  
34 maintain the agreements, processes, and relationships critical to  
35 continuing such relations.

36 (2) In addition to the entities listed in RCW 41.56.020, this  
37 chapter applies to the department of information services with respect

1 to the printing craft employees in positions in the department who are  
2 engaged in performing the powers, functions, and duties transferred  
3 from the public printer or the state printing plant to the department  
4 pursuant to section 30 of this act.

5 (3) This chapter governs the collective bargaining relationship  
6 between the department of information services and the printing craft  
7 employees, except as follows:

8 (a) The department shall be represented by the governor or  
9 governor's designee in collective bargaining.

10 (b) The following bargaining units of printing craft employees  
11 existing on the effective date of this section shall be considered  
12 appropriate units under this chapter:

13 (i) Printing craft employees in the positions covered by the  
14 commercial agreement referenced in section 30(6)(a) of this act;

15 (ii) Printing craft employees in the positions covered by the  
16 commercial agreement referenced in section 30(6)(b) of this act; and

17 (iii) Printing craft employees in the positions covered by the  
18 typographical contract referenced in section 30(6)(c) of this act.

19 (c) The exclusive bargaining representatives recognized as  
20 representing the bargaining units of printing craft employees covered  
21 by this chapter existing on the effective date of this section shall  
22 continue as the exclusive collective bargaining representative without  
23 the necessity of an election.

24 (d) The mediation and interest arbitration provisions of RCW  
25 41.56.430 through 41.56.470 and 41.56.480 do not apply.

26 (e) The state is prohibited from negotiating any matters related to  
27 health care benefits or other employee insurance benefits. The  
28 department shall provide contributions to insurance and health care  
29 plans for printing craft employees and dependents, as determined by the  
30 state health care authority, under chapter 41.05 RCW.

31 (f) The state is prohibited from negotiating any matters related to  
32 retirement benefits, except that the parties may continue to include in  
33 subsequent collective bargaining agreements any retirement benefits  
34 contained in the collective bargaining agreements that became effective  
35 on July 1, 2007.

36 (4) For the purposes of this section, "printing craft employees"  
37 means employees who are covered under the agreements and contract

1 referenced in section 30(6) (a) through (c) of this act that are in  
2 positions that are transferred from the public printer or the state  
3 printing plant to the department pursuant to section 30 of this act.

4 NEW SECTION. **Sec. 32.** Sections 1 through 25 and 27 through 31 of  
5 this act take effect July 1, 2010.

6 NEW SECTION. **Sec. 33.** Section 26 of this act takes effect July 1,  
7 2011.

8 NEW SECTION. **Sec. 34.** If specific funding for the purposes of  
9 this act, referencing this act by bill or chapter number, is not  
10 provided by June 30, 2010, in the omnibus appropriations act, this act  
11 is null and void."

**EHB 2969** - S COMM AMD  
By Committee on Ways & Means

**NOT CONSIDERED 04/12/2010**

12 On page 1, line 2 of the title, after "printer;" strike the  
13 remainder of the title and insert "amending RCW 43.78.080, 43.78.030,  
14 43.78.070, 43.78.090, 43.78.100, 43.78.105, 43.78.110, 43.78.170,  
15 43.105.041, 1.08.039, 15.24.085, 15.62.190, 16.67.170, 28A.300.040,  
16 28B.10.029, 40.04.030, 40.06.030, 40.07.050, and 43.08.061; reenacting  
17 and amending RCW 43.105.020 and 41.06.070; adding new sections to  
18 chapter 43.105 RCW; adding a new section to chapter 41.56 RCW; creating  
19 new sections; recodifying RCW 43.78.030, 43.78.070, 43.78.090,  
20 43.78.100, 43.78.105, 43.78.110, 43.78.130, 43.78.140, 43.78.150,  
21 43.78.160, and 43.78.170; repealing RCW 43.78.010, 43.78.020,  
22 43.78.040, 43.78.050, and 43.78.080; and providing effective dates."

--- END ---