

ESHB 1813 - S COMM AMD

By Committee on Early Learning & K-12 Education

NOT CONSIDERED 12/23/2019

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

3 "NEW SECTION. **Sec. 1.** The state of Washington recognizes that
4 school bus drivers play a crucial role in ensuring students' safe
5 passage to and from school, preventing absences, and extending a
6 positive school climate beyond the classroom. By delivering this
7 essential service, school bus drivers provide a significant time and
8 convenience benefit to thousands of Washington families, remove cars
9 from the road, reduce overall emissions, and increase traffic safety.
10 However, a recent national survey revealed that ninety-four percent
11 of bus contractors experience driver shortages, with twenty-one
12 percent reporting their shortages as severe. With this act, the state
13 of Washington intends to encourage the retention of bus drivers who
14 provide vital services to local communities.

15 **Sec. 2.** RCW 28A.160.140 and 1990 c 33 s 140 are each amended to
16 read as follows:

17 (1) As a condition of entering into a pupil transportation
18 services contract with a private nongovernmental entity, each school
19 district shall engage in an open competitive process at least once
20 every five years. This requirement shall not be construed to prohibit
21 a district from entering into a pupil transportation services
22 contract of less than five years in duration with a district option
23 to renew, extend, or terminate the contract, if the district engages
24 in an open competitive process at least once every five years after
25 July 26, 1987.

26 (2) Beginning the effective date of this section, and until
27 December 31, 2019, a school district may only enter into a pupil
28 transportation services contract with a nongovernmental entity that
29 provides the following to its employees:

30 (a) An employer health benefits contribution equal to the
31 allocation rate for school employees for the months between the

1 effective date of this section and January 1, 2020, less the retiree
2 remittance for the public employees' benefits board; and

3 (b) An amount equivalent to the total employer contribution rate
4 to the school employees' retirement system, multiplied by the
5 estimated salaries of the employees of the private nongovernmental
6 entity.

7 (3) Beginning January 1, 2020, a school district may only enter
8 into a pupil transportation services contract with a nongovernmental
9 entity that provides the following to its employees:

10 (a) An employer health benefits contribution equal to the monthly
11 school employer funding rate for the state health benefits program
12 for school employees, less the retiree remittance for the public
13 employees' benefits board; and

14 (b) An amount equivalent to the plans 2 and 3 normal cost
15 employer contribution rate of the school employees' retirement
16 system, multiplied by the estimated salaries of the employees of the
17 private nongovernmental entity.

18 (4) As used in this section:

19 ((1)) (a) "Employee" means an employee that is subject to a
20 collective bargaining agreement who works sufficient compensated
21 hours for the nongovernmental entity performing services on the
22 contract with the school district to meet the eligibility
23 requirements for the state health benefits program for school
24 employees if the employee was directly employed by the school
25 district;

26 (b) "Open competitive process" means either one of the following,
27 at the choice of the school district:

28 ((a)) (i) The solicitation of bids or quotations and the award
29 of contracts under RCW 28A.335.190; or

30 ((b)) (ii) The competitive solicitation of proposals and their
31 evaluation consistent with the process and criteria recommended or
32 required, as the case may be, by the office of financial management
33 for state agency acquisition of personal service contractors;

34 ((2)) (c) "Pupil transportation services contract" means a
35 contract for the operation of privately owned or school district
36 owned school buses, and the services of drivers or operators,
37 management and supervisory personnel, and their support personnel
38 such as secretaries, dispatchers, and mechanics, or any combination
39 thereof, to provide students with transportation to and from school
40 on a regular basis; and

1 (~~(3)~~) (d) "School bus" means a motor vehicle as defined in RCW
2 46.04.521 and under the rules of the superintendent of public
3 instruction."

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4 On page 1, line 2 of the title, after "transportation;" strike
5 the remainder of the title and insert "amending RCW 28A.160.140; and
6 creating a new section."

EFFECT: (1) Adds an intent section.

(2) Provides that school districts may only enter into pupil transportation service contracts with nongovernmental entities that provide health and retirement benefit contributions to their employees that are equivalent to those received by school employees.

(3) Limits the definition of employee to those that are subject to a collective bargaining agreement.

(4) Corrects a typo to reflect that the nongovernmental entity must provide an employer health contribution, rather than an employee health contribution, prior to January 1, 2020.

(5) Requires that the nongovernmental entity must provide an employer health contribution, rather than both an employee and employer health contribution, after January 1, 2020.

(6) Replaces references to the School Employees Benefits Board with a generic reference to the state health benefits program for school employees.

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