

2 **SB 5468** - S AMD 000486

3 By Senator Bluechel

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5 On page 5, after line 25, insert the following:

6 "NEW SECTION. Sec. 9. (1) The competitive strategies task force  
7 is established for the purposes of developing strategies for reducing  
8 the cost of government services or other public sector activities;  
9 improving the quality of services, without increasing costs, that  
10 citizens require; and, minimizing the role of government where market  
11 competition is able to achieve the social good without significant  
12 government interference.

13 (2) The task force shall be composed of the following fifteen  
14 members: The executive director of the commission for efficiency and  
15 accountability in government or his or her designee, who shall serve as  
16 chair; the governor or the governor's designee; the director of the  
17 department of general administration or his or her designee; a  
18 representative from each caucus of the house of representatives to be  
19 appointed by the speaker of the house of representatives; a  
20 representative from each caucus of the senate to be appointed by the  
21 president of the senate; a representative from a major state-wide  
22 public employee union; two representatives from major state-wide  
23 private sector unions; three representatives from a major state-wide  
24 business organization that represents a cross section of private sector  
25 industry; and, two representatives from the general public.

26 (3) The task force shall:

27 (a) Perform a thorough review and inventory of all state services  
28 and other activities of state government.

29 (b) Identify various arrangements that the state government might  
30 implement as alternative methods to the purchase or delivery of  
31 necessary services including but not limited to the transfer of  
32 facility operation to a private sector management company; cooperative  
33 public-private finance and development plans, joint public-private  
34 operation of existing facilities, infrastructure and services; sale or  
35 lease of government-owned real estate assets; transfer of selected  
36 services to the private sector; sale or recapitalization of government-

1 owned companies; enhancement of cash management and debt restructuring;  
2 restructuring government organizations and management; use of leases  
3 and lease purchase arrangements for facilities and infrastructure;  
4 voucher-based programs; and intergovernmental agreements.

5 (c) Consider incentives to encourage the active use of the  
6 arrangements identified under (b) of this subsection by state agencies,  
7 departments, and institutions.

8 (d) Develop comprehensive guidelines or procedures for the  
9 implementation of arrangements identified under (b) of this subsection  
10 that ensure satisfactory accountability measures and protection of the  
11 public interest.

12 (e) Investigate efforts made by other states and nations to arrange  
13 for the use of competitive strategies.

14 (f) Report its final findings and recommendations to the  
15 legislature no later than December 15, 1993, including any legislation  
16 the task force finds necessary for the implementation of the findings  
17 and recommendations.

18 (4) The office of financial management shall provide the necessary  
19 staff support for the purposes of the task force.

20 NEW SECTION. **Sec. 10.** It is the intent of the legislature that:

21 (1) All agencies, departments, offices of elective or appointed  
22 state officers, state institutions, colleges, universities, community  
23 colleges, technical colleges, college districts, public school  
24 districts, the supreme court, the court of appeals and any other entity  
25 receiving appropriations from the legislature deliver high quality  
26 services to the people of the state of Washington in the most efficient  
27 and cost-effective manner possible.

28 (2) The director of general administration, through the state  
29 purchasing and material control director established in RCW 43.19.180,  
30 be provided the highest level of flexibility in the purchase of all  
31 materials, supplies, services, and equipment necessary for the  
32 efficient support, maintenance, repair, and use of all agencies and  
33 departments under RCW 43.19.190.

34 (3) Primary deliberation regarding the purchase or delivery of  
35 services by state agencies, departments, and institutions focus upon  
36 strategies that foster cost controls and increased quality or service  
37 levels through the use of free market enterprise competition.

1       **Sec. 11.** RCW 41.06.380 and 1979 ex.s. c 46 s 2 are each amended to  
2 read as follows:

3       (~~Nothing contained in this chapter shall prohibit any department~~)  
4 An agency, as defined in RCW 41.06.020, ((from purchasing services by  
5 ~~contract with individuals or business entities if such services were~~  
6 ~~regularly purchased by valid contract by such department prior to April~~  
7 ~~23, 1979: PROVIDED, That no such contract may be executed or renewed~~  
8 ~~if it would have the effect of terminating classified employees or~~  
9 ~~classified employee positions existing at the time of the execution or~~  
10 ~~renewal of the contract)) may purchase services or the delivery of  
11 services through contracts with individuals or business entities. The  
12 execution or renewal of the contract must be in compliance with the  
13 provisions of RCW 43.19.1906.~~

14       **Sec. 12.** RCW 28B.16.040 and 1990 c 60 s 201 are each amended to  
15 read as follows:

16       The following classifications, positions, and employees of  
17 institutions of higher education and related boards are hereby exempted  
18 from coverage of this chapter:

19       (1) Members of the governing board of each institution and related  
20 boards, all presidents, vice presidents and their confidential  
21 secretaries, administrative and personal assistants; deans, directors,  
22 and chairmen; academic personnel; and executive heads of major  
23 administrative or academic divisions employed by institutions of higher  
24 education; and any employee of a community college district whose place  
25 of work is one which is physically located outside the state of  
26 Washington and who is employed pursuant to RCW 28B.50.092 and assigned  
27 to an educational program operating outside of the state of Washington.

28       (2) Student, part time, or temporary employees, and part time  
29 professional consultants, as defined by the higher education personnel  
30 board, employed by institutions of higher education and related boards.

31       (3) The director, his or her confidential secretary, assistant  
32 directors, and professional education employees of the state board for  
33 community and technical colleges ((education)).

34       (4) The personnel director of the higher education personnel board  
35 and his or her confidential secretary.

36       (5) The governing board of each institution, and related boards,  
37 may also exempt from this chapter, subject to the employees right of  
38 appeal to the higher education personnel board, classifications

1 involving research activities, counseling of students, extension or  
2 continuing education activities, graphic arts or publications  
3 activities requiring prescribed academic preparation or special  
4 training, and principal assistants to executive heads of major  
5 administrative or academic divisions, as determined by the higher  
6 education personnel board(~~(: PROVIDED, That no nonacademic employee~~  
7 ~~engaged in office, clerical, maintenance, or food and trade services~~  
8 ~~may be exempted by the higher education personnel board under this~~  
9 ~~provision))~~).

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

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

17 **Sec. 13.** RCW 28B.16.240 and 1979 ex.s. c 46 s 1 are each amended  
18 to read as follows:

19 (~~Nothing contained in this chapter shall prohibit any~~) An  
20 institution of higher education, as defined in RCW 28B.10.016, or  
21 related board ((from purchasing services by contract with individuals  
22 or business entities if such services were regularly purchased by valid  
23 contract at such institution prior to April 23, 1979: PROVIDED, That  
24 no such contract may be executed or renewed if it would have the effect  
25 of terminating classified employees or classified employee positions  
26 existing at the time of the execution or renewal of the contract)) may  
27 purchase services or the delivery of services through contracts with  
28 individuals or business entities. The execution or renewal of the  
29 contract must be in compliance with the provisions of RCW 43.19.1906.

30 NEW SECTION. **Sec. 14.** A new section is added to chapter 28A.400  
31 RCW to read as follows:

32 Nothing in this chapter shall be construed as prohibiting the  
33 procurement or provision of nonacademic services. Directors of school  
34 districts may purchase services or the delivery of services through  
35 contracts with individuals or business entities. The execution or  
36 renewal of the contract must be in compliance with the provisions of  
37 RCW 43.19.1906."

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4 On page 1, beginning on line 2 of the title, after "assistance;"  
5 strike the remainder of the title and insert "amending RCW 41.06.380,  
6 28B.16.040, and 28B.16.240; adding a new section to chapter 28A.400  
7 RCW; adding a new chapter to Title 19 RCW; creating new sections; and  
8 providing an effective date."

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