

CERTIFICATION OF ENROLLMENT

HOUSE BILL 2811

Chapter 138, Laws of 1994

53rd Legislature
1994 Regular Session

STATE PROCUREMENT PRACTICES--OBSOLETE PROVISIONS REPEALED

EFFECTIVE DATE: 6/9/94

Passed by the House February 11, 1994
Yeas 97 Nays 0

BRIAN EBERSOLE

**Speaker of the
House of Representatives**

Passed by the Senate March 3, 1994
Yeas 46 Nays 0

JOEL PRITCHARD

President of the Senate

Approved March 28, 1994

MIKE LOWRY

Governor of the State of Washington

CERTIFICATE

I, Marilyn Showalter, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 2811** as passed by the House of Representatives and the Senate on the dates hereon set forth.

MARILYN SHOWALTER

Chief Clerk

FILED

March 28, 1994 - 11:44 a.m.

**Secretary of State
State of Washington**

HOUSE BILL 2811

Passed Legislature - 1994 Regular Session

State of Washington 53rd Legislature 1994 Regular Session

By Representatives Caver, Anderson, Wolfe, Reams, Ballard, Pruitt, Jones, Dunshee, Quall, Karahalios and Springer; by request of Department of General Administration

Read first time 01/24/94. Referred to Committee on State Government.

1 AN ACT Relating to elimination of obsolete state procurement
2 practices; reenacting and amending RCW 43.19.190; and repealing RCW
3 39.24.020, 39.24.030, 39.24.040, 39.25.010, 39.25.020, 39.25.030,
4 43.19.504, 43.19.506, and 43.19.510.

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

6 **Sec. 1.** RCW 43.19.190 and 1993 sp.s. c 10 s 2 and 1993 c 379 s 102
7 are each reenacted and amended to read as follows:

8 The director of general administration, through the state
9 purchasing and material control director, shall:

10 (1) Establish and staff such administrative organizational units
11 within the division of purchasing as may be necessary for effective
12 administration of the provisions of RCW 43.19.190 through 43.19.1939;

13 (2) Purchase all material, supplies, services, and equipment needed
14 for the support, maintenance, and use of all state institutions,
15 colleges, community colleges, technical colleges, college districts,
16 and universities, the offices of the elective state officers, the
17 supreme court, the court of appeals, the administrative and other
18 departments of state government, and the offices of all appointive
19 officers of the state: PROVIDED, That the provisions of RCW 43.19.190

1 through 43.19.1937 do not apply in any manner to the operation of the
2 state legislature except as requested by the legislature: PROVIDED,
3 That any agency may purchase material, supplies, services, and
4 equipment for which the agency has notified the purchasing and material
5 control director that it is more cost-effective for the agency to make
6 the purchase directly from the vendor: PROVIDED, That primary
7 authority for the purchase of specialized equipment, instructional, and
8 research material for their own use shall rest with the colleges,
9 community colleges, and universities: PROVIDED FURTHER, That
10 universities operating hospitals and the state purchasing and material
11 control director, as the agent for state hospitals as defined in RCW
12 72.23.010, and for health care programs provided in state correctional
13 institutions as defined in RCW 72.65.010(3) and veterans' institutions
14 as defined in RCW 72.36.010 and 72.36.070, may make purchases for
15 hospital operation by participating in contracts for materials,
16 supplies, and equipment entered into by nonprofit cooperative hospital
17 group purchasing organizations: PROVIDED FURTHER, That primary
18 authority for the purchase of materials, supplies, and equipment for
19 resale to other than public agencies shall rest with the state agency
20 concerned: PROVIDED FURTHER, That authority to purchase services as
21 included herein does not apply to personal services as defined in
22 chapter 39.29 RCW, unless such organization specifically requests
23 assistance from the division of purchasing in obtaining personal
24 services and resources are available within the division to provide
25 such assistance: PROVIDED FURTHER, That the authority for the purchase
26 of insurance and bonds shall rest with the risk manager under RCW
27 43.19.1935: PROVIDED FURTHER, That, except for the authority of the
28 risk manager to purchase insurance and bonds, the director is not
29 required to provide purchasing services for institutions of higher
30 education that choose to exercise independent purchasing authority
31 under RCW 28B.10.029;

32 (3) Provide the required staff assistance for the state supply
33 management advisory board through the division of purchasing;

34 (4) Have authority to delegate to state agencies authorization to
35 purchase or sell, which authorization shall specify restrictions as to
36 dollar amount or to specific types of material, equipment, services,
37 and supplies: PROVIDED, That acceptance of the purchasing
38 authorization by a state agency does not relieve such agency from
39 conformance with other sections of RCW 43.19.190 through 43.19.1939, or

1 from policies established by the director after consultation with the
2 state supply management advisory board: PROVIDED FURTHER, That
3 delegation of such authorization to a state agency, including an
4 educational institution to which this section applies, to purchase or
5 sell material, equipment, services, and supplies shall not be granted,
6 or otherwise continued under a previous authorization, if such agency
7 is not in substantial compliance with overall state purchasing and
8 material control policies as established herein;

9 (5) Contract for the testing of material, supplies, and equipment
10 with public and private agencies as necessary and advisable to protect
11 the interests of the state;

12 (6) Prescribe the manner of inspecting all deliveries of supplies,
13 materials, and equipment purchased through the division;

14 (7) Prescribe the manner in which supplies, materials, and
15 equipment purchased through the division shall be delivered, stored,
16 and distributed;

17 (8) Provide for the maintenance of a catalogue library,
18 manufacturers' and wholesalers' lists, and current market information;

19 (9) Provide for a commodity classification system and may, in
20 addition, provide for the adoption of standard specifications after
21 receiving the recommendation of the supply management advisory board;

22 (10) Provide for the maintenance of inventory records of supplies,
23 materials, and other property;

24 (11) Prepare rules and regulations governing the relationship and
25 procedures between the division of purchasing and state agencies and
26 vendors;

27 (12) Publish procedures and guidelines for compliance by all state
28 agencies, including those educational institutions to which this
29 section applies, which implement overall state purchasing and material
30 control policies;

31 (13) ~~((Conduct periodic visits to))~~ Advise state agencies,
32 including ~~((those))~~ educational institutions ~~((to which this section~~
33 ~~applies, to determine if statutory provisions and supporting purchasing~~
34 ~~and material control policies are being fully implemented, and based~~
35 ~~upon such visits, take corrective action to achieve)), regarding~~
36 compliance with established purchasing and material control policies
37 under existing statutes ~~((when required))~~.

1 NEW SECTION. **Sec. 2.** The following acts or parts of acts are each
2 repealed:

3 (1) RCW 39.24.020 and 1937 c 164 s 1 & 1933 c 179 s 1;

4 (2) RCW 39.24.030 and 1933 c 179 s 2;

5 (3) RCW 39.24.040 and 1933 c 179 s 3;

6 (4) RCW 39.25.010 and 1967 c 139 s 1;

7 (5) RCW 39.25.020 and 1967 c 139 s 2;

8 (6) RCW 39.25.030 and 1967 c 139 s 3;

9 (7) RCW 43.19.504 and 1981 c 32 s 1;

10 (8) RCW 43.19.506 and 1981 c 32 s 2; and

11 (9) RCW 43.19.510 and 1981 c 32 s 3 & 1973 c 13 s 1.

Passed the House February 11, 1994.

Passed the Senate March 3, 1994.

Approved by the Governor March 28, 1994.

Filed in Office of Secretary of State March 28, 1994.