
SENATE BILL 5700

State of Washington

56th Legislature

1999 Regular Session

By Senator Fairley

Read first time 02/03/1999. Referred to Committee on Labor & Workforce Development.

1 AN ACT Relating to limiting state use of long-term temporary or
2 leased employees; amending RCW 43.19.190; adding a new section to
3 chapter 39.29 RCW; adding a new section to chapter 43.19 RCW; and
4 creating new sections.

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

6 NEW SECTION. **Sec. 1.** The legislature finds that state agencies
7 use long-term temporary and leased employees in lieu of state employees
8 to fulfill statutory obligations and meet demands for public services.
9 These temporary and leased employees may earn lower wages and often
10 lack employment-based benefits. The legislature intends that staffing
11 levels in agencies be sufficient to fulfill statutory obligations and
12 to insure safe, timely, high quality, and effective provision of public
13 services. The legislature further intends that state agency use of
14 long-term temporary and leased employees be limited.

15 NEW SECTION. **Sec. 2.** A new section is added to chapter 39.29 RCW
16 to read as follows:

17 Neither personal services nor purchased services as defined in this
18 chapter may be procured through one or more temporary services

1 agencies, employee leasing agencies, or any other entities that are
2 responsible, under contract or in fact, for the payment of wages to
3 individuals in remuneration for personal services or purchased services
4 performed for, or for the benefit of, an agency for a period longer
5 than three months in any one fiscal year.

6 NEW SECTION. **Sec. 3.** A new section is added to chapter 43.19 RCW
7 to read as follows:

8 Services may not be procured through one or more temporary services
9 agencies, employee leasing agencies, or any other entities that are
10 responsible, under contract or in fact, for the payment of wages to
11 individuals in remuneration for services performed for, or for the
12 benefit of, an agency for a period longer than three months in any one
13 fiscal year.

14 **Sec. 4.** RCW 43.19.190 and 1995 c 269 s 1401 are each amended to
15 read as follows:

16 The director of general administration, through the state
17 purchasing and material control director, shall:

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

21 (2) Purchase all material, supplies, services, and equipment needed
22 for the support, maintenance, and use of all state institutions,
23 colleges, community colleges, technical colleges, college districts,
24 and universities, the offices of the elective state officers, the
25 supreme court, the court of appeals, the administrative and other
26 departments of state government, and the offices of all appointive
27 officers of the state: PROVIDED, That the provisions of RCW 43.19.190
28 through 43.19.1937 do not apply in any manner to the operation of the
29 state legislature except as requested by the legislature: PROVIDED,
30 That any agency may purchase material, supplies, services, and
31 equipment for which the agency has notified the purchasing and material
32 control director that it is more cost-effective for the agency to make
33 the purchase directly from the vendor: PROVIDED, That primary
34 authority for the purchase of specialized equipment, instructional, and
35 research material for their own use shall rest with the colleges,
36 community colleges, and universities: PROVIDED FURTHER, That
37 universities operating hospitals and the state purchasing and material

1 control director, as the agent for state hospitals as defined in RCW
2 72.23.010, and for health care programs provided in state correctional
3 institutions as defined in RCW 72.65.010(3) and veterans' institutions
4 as defined in RCW 72.36.010 and 72.36.070, may make purchases for
5 hospital operation by participating in contracts for materials,
6 supplies, and equipment entered into by nonprofit cooperative hospital
7 group purchasing organizations: PROVIDED FURTHER, That primary
8 authority for the purchase of materials, supplies, and equipment for
9 resale to other than public agencies shall rest with the state agency
10 concerned: PROVIDED FURTHER, That authority to purchase services as
11 included herein does not apply to personal services as defined in
12 chapter 39.29 RCW, unless such organization specifically requests
13 assistance from the division of purchasing in obtaining personal
14 services and resources are available within the division to provide
15 such assistance: PROVIDED FURTHER, That the authority for the purchase
16 of insurance and bonds shall rest with the risk manager under RCW
17 43.19.1935: PROVIDED FURTHER, That, except for the authority of the
18 risk manager to purchase insurance and bonds, the director is not
19 required to provide purchasing services for institutions of higher
20 education that choose to exercise independent purchasing authority
21 under RCW 28B.10.029;

22 (3) Have authority to delegate to state agencies authorization to
23 purchase or sell, which authorization shall specify restrictions as to
24 dollar amount or to specific types of material, equipment, services,
25 and supplies. Acceptance of the purchasing authorization by a state
26 agency does not relieve such agency from conformance with other
27 sections of RCW 43.19.190 through 43.19.1939 and section 2 of this act,
28 or from policies established by the director. Also, delegation of such
29 authorization to a state agency, including an educational institution
30 to which this section applies, to purchase or sell material, equipment,
31 services, and supplies shall not be granted, or otherwise continued
32 under a previous authorization, if such agency is not in substantial
33 compliance with overall state purchasing and material control policies
34 as established herein;

35 (4) Contract for the testing of material, supplies, and equipment
36 with public and private agencies as necessary and advisable to protect
37 the interests of the state;

38 (5) Prescribe the manner of inspecting all deliveries of supplies,
39 materials, and equipment purchased through the division;

1 (6) Prescribe the manner in which supplies, materials, and
2 equipment purchased through the division shall be delivered, stored,
3 and distributed;

4 (7) Provide for the maintenance of a catalogue library,
5 manufacturers' and wholesalers' lists, and current market information;

6 (8) Provide for a commodity classification system and may, in
7 addition, provide for the adoption of standard specifications;

8 (9) Provide for the maintenance of inventory records of supplies,
9 materials, and other property;

10 (10) Prepare rules and regulations governing the relationship and
11 procedures between the division of purchasing and state agencies and
12 vendors;

13 (11) Publish procedures and guidelines for compliance by all state
14 agencies, including those educational institutions to which this
15 section applies, which implement overall state purchasing and material
16 control policies;

17 (12) Advise state agencies, including educational institutions,
18 regarding compliance with established purchasing and material control
19 policies under existing statutes.

20 NEW SECTION. **Sec. 5.** Nothing in this act shall be construed to
21 alter the terms, conditions, or practices contained in any collective
22 bargaining agreement in effect at the time of the effective date of
23 this act until the expiration date of such agreement.

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