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HOUSE BILL 2212

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State of Washington

57th Legislature

2001 Regular Session

By Representatives Mitchell and Mastin

Read first time . Referred to Committee on .

1 AN ACT Relating to contracting out functions performed by  
2 transportation department personnel; amending RCW 41.06.380; and  
3 creating new sections.

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

5 NEW SECTION. **Sec. 1.** The legislature finds that providing the  
6 citizens of Washington with the most safe, efficient, and effective  
7 transportation system requires that the state be able to take advantage  
8 of contracting out of services currently provided by the department of  
9 transportation. The legislature finds that only a truly competitive  
10 environment can provide the greatest value for Washington's citizens,  
11 because a competitive environment will spur innovation in these  
12 activities, resulting in greater efficiency.

13 The legislature finds that the statutory measures prohibiting such  
14 competitive activities must be removed, and that, before seeking  
15 additional tax revenues to fund transportation improvements, all  
16 opportunities for possible savings within existing funding schemes must  
17 be implemented.

1 The legislature directs the department of transportation to examine  
2 all the available options inherent in this act in order to perform its  
3 work on behalf of the people of Washington state.

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

6 (1) Nothing contained in this chapter ((shall)) prohibits any  
7 department, as defined in RCW 41.06.020, from purchasing services by  
8 contract with individuals or business entities if such services were  
9 regularly purchased by valid contract by such department prior to April  
10 23, 1979( (:— PROVIDED, That no such)).

11 (2) No contract referred to in subsection (1) of this section may  
12 be executed or renewed if it would have the effect of terminating  
13 classified employees or classified employee positions existing at the  
14 time of the execution or renewal of the contract except as provided in  
15 subsection (3) of this section.

16 (3) This chapter does not prohibit the department of transportation  
17 from purchasing services, including services that have customarily and  
18 historically been provided by employees in the classified service under  
19 this chapter, by contracting with individuals, nonprofit organizations,  
20 businesses, or other entities.

21 NEW SECTION. **Sec. 3.** Provisions of a collective bargaining  
22 agreement adopted under chapter 41.06 RCW that are in effect on the  
23 effective date of this act and that conflict with RCW 41.06.380, as  
24 amended by section 2 of this act, will continue in effect until  
25 contract expiration, unless a superseding agreement resolving the  
26 conflict is executed by the parties before expiration. After  
27 expiration, any new agreement executed between the parties must be  
28 consistent with RCW 41.06.380.

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