

SHB 2921 - H AMD 1009

By Representative Ericks

ADOPTED 1/22/2010

1 On page 95, line 7, after "shall" strike "report any" and insert
2 "not establish"

3 On page 95, line 7, after "or" insert "fill"

4 On page 95, line 8, after "positions" strike "filled by the
5 agency" and insert "except as specifically authorized by this section"

6 On page 95, line 8, after "agency" strike all material through
7 "site" on line 12

8 On page 96, line 10, after "tuition" insert ", positions that are
9 filled by enrolled students at their own institution as student
10 workers, positions in campus police and security, positions related to
11 emergency management and response, and positions related to student
12 health care and counseling"

13 On page 96, after line 16, insert the following:

14 "(3) The exemptions specified in subsection (2) of this section do
15 not require the establishment of new staff positions or the filling of
16 vacant staff positions in the activities specified.

17 (4) Exceptions to this section may be granted under section 605 of
18 this act."

19 On page 96, line 21, after "shall" strike "report" and insert "not
20 enter into"

21 On page 96, after line 24, strike lines 25 through 28

22 On page 96, line 36, after "tuition" insert ". This section also
23 does not apply where costs are related to hearing officers, where
24 costs are related to real estate appraisals or habitat assessments,
25 where costs are related to carrying out a court order, or where costs
26 are related to information technology contracts related to an
27 information services board approved information technology project, or

1 where costs are related to judicial information system technology
2 projects"

3 On page 96, after line 36, insert the following:

4 "(3) Exceptions to this section may be granted under section 605
5 of this act."

6 On page 97, line 5, after "shall" strike "report" and insert "not
7 enter into"

8 On page 97, line 9, after "safety" strike all material through
9 "site" on line 12

10 On page 97, line 18, after "tuition" insert ". This section also
11 does not apply to costs that are funded exclusively from private or
12 federal grants, or for equipment necessary to complete a project
13 funded in the omnibus capital or transportation appropriation acts, or
14 the operational divisions of the department of information services,
15 or cost related to the continuation, renewal, or establishment of
16 maintenance for existing computer software licensing and existing
17 computer hardware, or for costs related to the judicial information
18 system"

19 On page 97, after line 18, insert the following:

20 "(3) Exceptions to this section may be granted under section 605
21 of this act."

22 On page 97, line 22, after "shall" strike "report" and insert "not
23 make expenditures for"

24 On page 97, line 28, after "2011" strike all material through
25 "site" on line 31

26 On page 98, line 3, after "tuition" insert ". This section also
27 does not apply to costs related to carrying out a court order or to
28 costs to travel by air into Washington state from any airport located
29 in a contiguous state of which the largest city is part of a
30 metropolitan statistical area with a city located in Washington state,
31 or to motor vehicle and parking costs for single day travel to a
32 contiguous state or British Columbia, Canada"

33 On page 98, after line 3, insert the following:

34

1 "(3) Exceptions to this section may be granted under section 605
2 of this act."

3

4 On page 98, after line 3, insert the following:

5 "NEW SECTION. Sec. 605. EXCEPTIONS. A new section is added to
6 2009 c 564 (uncodified) to read as follows:

7 (1) Exceptions to sections 601 through 604 of this act may be
8 granted for the critically necessary work of an agency as provided
9 in this section.

10 (2) For agencies of the executive branch, the exceptions shall
11 be subject to approval by the director of financial management. For
12 agencies of the judicial branch, the exceptions shall be subject to
13 approval of the chief justice of the supreme court. For the house of
14 representatives and the senate, the exceptions shall be subject to
15 approval of the chief clerk of the house of representatives and the
16 secretary of the senate, respectively, under the direction of the
17 senate committee on facilities and operations and the executive
18 rules committee of the house of representatives. For other
19 legislative agencies, the exceptions shall be subject to approval of
20 both the chief clerk of the house of representatives and the
21 secretary of the senate under the direction of the senate committee
22 on facilities and operations and the executive rules committee of
23 the house of representatives.

24 (3) Exceptions approved under subsection (2) of this section
25 shall take effect no sooner than five business days following
26 notification of the chair and ranking minority member of the ways
27 and means committees in the house of representatives and the senate.
28 The person approving exceptions under subsection (2) of this section
29 shall send the exceptions to the legislature for consideration every
30 thirty days from the effective date of this section, or earlier
31 should volume or circumstances so necessitate.

32 (4) Exceptions approved and taking effect under this section
33 shall be published electronically at least quarterly by the office
34 of financial management on the state fiscal web site.

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2 NEW SECTION. Sec. 606. If any provision of this act or its
3 application to any person or circumstance is held invalid, the
4 remainder of the act or the application of the provision to other
5 persons or circumstances is not affected."

6 On page 98, line 7, after "immediately" insert ", except for
7 sections 601 through 605 of this act which take effect thirty days
8 after the effective date of this act"

9 Renumber remaining sections consecutively, correct internal
10 references accordingly, and correct captions for sections 601
11 through 604 by striking "REPORTING"

12

EFFECT: Rather than requiring state agencies to report all new hires, personal service contracts, equipment purchases over \$5,000, and out-of-state travel for the rest of the biennium, agencies are prohibited from doing these activities for the remainder of the biennium except for specified exemptions. A number of exemptions are added such as hiring security and emergency management positions at higher education institutions, personal service contracts for real estate appraisals, carrying out a court order, or related to approved information technology projects, and equipment necessary to complete a project funded in the capital or transportation budgets.

An exception process is established for critically necessary work of an agency when approved by the director of the Office of Financial Management for non-judicial and non-legislative agencies, the Chief Justice of the Supreme Court for judicial agencies, and the Secretary of the Senate and Chief Clerk of the House of Representatives for legislative agencies. Authorized exceptions must be published electronically at least quarterly on the state fiscal website.

The provisions prohibiting hiring, personal service contracts, equipment purchases over \$5,000, and out-of-state travel, with a number of exemptions, along with the exception process, take effect thirty days after the effective date of the act.

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