
SENATE BILL 6148

State of Washington 61st Legislature 2009 Regular Session

By Senators Prentice and Tom; by request of Office of Financial Management

Read first time 04/03/09. Referred to Committee on Ways & Means.

1 AN ACT Relating to reducing the administrative cost of state
2 government; amending 2009 c 5 ss 6, 7, 8, 9, and 10 (uncodified);
3 adding a new section to 2009 c 5 (uncodified); creating a new section;
4 and declaring an emergency.

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

6 **Sec. 1.** 2009 c 5 s 6 (uncodified) is amended to read as follows:

7 STATE EMPLOYMENT. (1) From February 18, 2009, until July 1, 2009,
8 and consistent with the governor's directive dated August 4, 2008,
9 state agencies of the legislative, executive, and judicial branches
10 shall not establish new staff positions or fill vacant existing staff
11 positions except as specifically authorized by this section.

12 (2) The following activities of state agencies are exempt from
13 subsection (1) of this section:

14 (a) Direct custody, supervision, and patient care in corrections,
15 juvenile rehabilitation, institutional care of veterans, the mentally
16 ill, developmentally disabled, state hospitals, the special commitment
17 center, and the schools for the blind and the deaf;

18 (b) Direct protective services to children and other vulnerable
19 populations in the department of social and health services;

1 (c) Washington state patrol investigative services and field
2 enforcement;

3 (d) Hazardous materials response and emergency cleanup;

4 (e) Emergency public health and patient safety response and the
5 public health laboratory;

6 (f) Military operations and emergency management within the
7 military department;

8 (g) Firefighting;

9 (h) Enforcement officers in the department of fish and wildlife,
10 the liquor control board, the gambling commission, and the department
11 of natural resources;

12 (i) Park rangers at the parks and recreation commission;

13 (j) Seasonal employment by natural resources agencies to the extent
14 that employment levels do not exceed the prior fiscal year;

15 (k) Seasonal employment in the department of transportation
16 maintenance programs to the extent that employment levels do not exceed
17 the prior fiscal year;

18 (l) Employees hired on a seasonal basis by the department of
19 agriculture for inspection and certification of agricultural products
20 and for insect detection;

21 (m) Activities directly related to tax and fee collection, revenue
22 generation, auditing, and recovery;

23 (n) In institutions of higher education, any positions directly
24 related to academic programs, (~~as well as~~) positions not funded from
25 state funds or tuition, positions that are filled by enrolled students
26 at their own institution as student workers, positions in campus police
27 and security, positions related to emergency management and response,
28 and positions related to student health care and counseling;

29 (o) Operations of the state lottery and liquor control board
30 business enterprises;

31 (p) The unemployment insurance program of the employment security
32 department; and

33 (q) Activities that are necessary to receive or maintain federal
34 funds by the state.

35 (3) The exemptions specified in subsection (2) of this section do
36 not require the establishment of new staff positions or the filling of
37 vacant existing staff positions in the activities specified.

1 (4) Exceptions to this section may be granted under section 10,
2 chapter 5, Laws of 2009 and section 5 of this act.

3 **Sec. 2.** 2009 c 5 s 7 (uncodified) is amended to read as follows:

4 PERSONAL SERVICES CONTRACTS. From February 18, 2009, until July 1,
5 2009, and consistent with the governor's directive dated August 4,
6 2008, state agencies of the legislative, executive, and judicial
7 branches shall not enter into any contracts or other agreements for the
8 acquisition of personal services not related to an emergency or other
9 catastrophic event that requires government action to protect life or
10 public safety. This section does not apply to personal services
11 contracts or other agreements for the acquisition of personal services
12 where the costs are funded exclusively from private or federal grants,
13 where the costs are for tax and fee collection, where the costs are for
14 revenue generation and auditing activities, where the costs are
15 necessary to receive or maintain federal funds by the state, or, in
16 institutions of higher education, where the costs are not funded from
17 state funds or tuition, or where costs are related to hearing officers,
18 where costs are related to real estate appraisals or habitat
19 assessments, where costs are related to carrying out a court order, or
20 where costs are related to information technology contracts related to
21 an information services board approved information technology project,
22 or where costs are related to judicial information system technology
23 projects. Exceptions to this section may be granted under section 10,
24 chapter 5, Laws of 2009 and section 5 of this act. This section does
25 not apply to the unemployment insurance program of the employment
26 security department.

27 **Sec. 3.** 2009 c 5 s 8 (uncodified) is amended to read as follows:

28 EQUIPMENT PURCHASES. From February 18, 2009, until July 1, 2009,
29 and consistent with the governor's directive dated August 4, 2008,
30 state agencies of the legislative, executive, and judicial branches
31 shall not enter into any contracts or other agreements for the
32 acquisition of any item of equipment the cost of which exceeds five
33 thousand dollars and is not related to an emergency or other
34 catastrophic event that requires government action to protect life or
35 public safety. This section does not apply to costs that are funded
36 exclusively from private or federal grants. Exceptions to this section

1 may be granted under section 10, chapter 5, Laws of 2009 and section 5
2 of this act. This section does not apply to the unemployment insurance
3 program of the employment security department, to costs that are for
4 tax and fee collection, for revenue generation and audit activities, or
5 for receiving or maintaining federal funds by the state, or, in
6 institutions of higher education, to costs not funded from state funds
7 or tuition, or for equipment necessary to complete a project funded in
8 the omnibus capital or transportation appropriation acts, or the
9 operational divisions of the department of information services, or
10 cost related to the continuation, renewal, or establishment of
11 maintenance for existing computer software licensing and existing
12 computer hardware, or for costs related to the judicial information
13 system.

14 **Sec. 4.** 2009 c 5 s 9 (uncodified) is amended to read as follows:
15 STATE EMPLOYEE TRAVEL AND TRAINING. Consistent with the governor's
16 directive dated August 4, 2008, state agencies of the legislative,
17 executive, and judicial branches shall not make expenditures for the
18 cost or reimbursement of out-of-state travel or out-of-state training
19 by state employees where the travel or training is not related to (1)
20 an emergency or other catastrophic event that requires government
21 action to protect life or public safety, or (2) direct service
22 delivery, and the travel or training occurs after February 18, 2009,
23 and before July 1, 2009. This section does not apply to travel
24 expenditures when the costs are funded exclusively from private or
25 federal grants. Exceptions to this section may be granted under
26 section 10, chapter 5, Laws of 2009 and section 5 of this act. This
27 section does not apply to the unemployment insurance program of the
28 employment security department, to costs that are for tax and fee
29 collection, for revenue generation and audit activities, or for
30 receiving or maintaining federal funds by the state, or, in
31 institutions of higher education, to costs not funded from state funds
32 or tuition, or to costs related to carrying out a court order or to
33 costs to travel by air into Washington state from any airport located
34 in a contiguous state of which the largest city is part of a
35 metropolitan statistical area with a city located in Washington state,
36 or to motor vehicle and parking costs for single day travel to a
37 contiguous state or British Columbia, Canada.

1 **Sec. 5.** 2009 c 5 s 10 (uncodified) is amended to read as follows:

2 EXCEPTIONS. (1) Exceptions to sections 6 through 9, chapter 5,
3 Laws of 2009 may be granted for the critically necessary work of an
4 agency as provided in this section.

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

19 (3) (~~Exceptions approved under subsection (2) of this section~~
20 ~~shall take effect no sooner than five business days following~~
21 ~~notification of the chair and ranking minority member of the ways and~~
22 ~~means committees in the house of representatives and the senate.)) The
23 person approving exceptions under subsection (2) of this section shall
24 send the exceptions to the legislature for consideration every
25 (~~thirty~~) five days from February 18, 2009, or earlier should volume
26 or circumstances so necessitate.~~

27 NEW SECTION. **Sec. 6.** A new section is added to 2009 c 5
28 (uncodified) to read as follows:

29 Notwithstanding sections 1 through 5, chapter 5, Laws of 2009,
30 institutions of higher education may grant a wage or salary increase to
31 critical academic personnel as needed for retention purposes, for
32 retention of critical personnel positions that are not funded from
33 state funds or tuition, or for additional academic responsibilities
34 during the summer quarter.

35 NEW SECTION. **Sec. 7.** If any provision of this act or its

1 application to any person or circumstance is held invalid, the
2 remainder of the act or the application of the provision to other
3 persons or circumstances is not affected.

4 NEW SECTION. **Sec. 8.** Captions used in this act are not any part
5 of the law.

6 NEW SECTION. **Sec. 9.** This act is necessary for the immediate
7 preservation of the public peace, health, or safety, or support of the
8 state government and its existing public institutions, and takes effect
9 immediately.

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