

SENATE BILL REPORT

SB 5758

As Passed Senate, March 15, 1995

Title: An act relating to inmate work programs.

Brief Description: Removing statutory restrictions on class II inmate work programs.

Sponsors: Senators Pelz, Hargrove and Long.

Brief History:

Committee Activity: Labor, Commerce & Trade: 2/21/95, 2/22/95 [DP].
Passed Senate, 3/15/95, 49-0.

SENATE COMMITTEE ON LABOR, COMMERCE & TRADE

Majority Report: Do pass.

Signed by Senators Pelz, Chair; Heavey, Vice Chair; Deccio, Franklin, Hale, Newhouse, Palmer and Wojahn.

Staff: Jonathan Seib (786-7427)

Background: The Department of Corrections (DOC) Division of Correctional Industries is required to develop and implement work programs that provide jobs, work experience and training to inmates, and reduce a portion of the financial burden of incarceration. The department operates five classes of work programs. Class II industries is state-owned and managed directly by DOC to reduce the costs of goods and services for tax supported agencies and for nonprofit corporations. In 1993, the law was changed to require state agencies and the Legislature to purchase goods and services from DOC Correctional II programs if the goods and services would otherwise be purchased from outside the state.

Prior to the change in the law in 1993, installation of some of the goods purchased from out-of-state firms was subcontracted to in-state firms. Since these contracts are now awarded to Correctional Industries, the installation work is done by inmates who are supervised by DOC employees. The Department of Corrections believes that the subcontracting of the work would thus violate the general state prohibition on contracting-out. This has prevented some in-state businesses from competing with Correctional Industries for public contracts.

Summary of Bill: The current statutory provision prohibiting the contracting out of work performed by classified employees is inapplicable to contracts with Washington State businesses entered into by the Department of Corrections through class II prison industries.

Appropriation: None.

Fiscal Note: Requested on February 17, 1995

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: The current law has detrimental effects on small business. When the corrections industries law was changed in 1993, it shifted a major source of work away from private sector small businesses. The bill is needed to allow the partnering between the state and private sectors.

Testimony Against: This bill is not needed. Correction Industries could subcontract for the installation of the goods it manufactures without violating the states contracting-out provisions.

Testified: Janeen Wadsworth, Director of Correctional Industries; PRO: Ted Daniels, Midland Interiors; Kathie Roberts Pfau, Correctional Industries Board of Directors; CON: Eugene St. John, Washington Public Employees Association .