
HOUSE BILL 2141

State of Washington

59th Legislature

2005 Regular Session

By Representative Miloscia

Read first time 02/21/2005. Referred to Committee on State Government Operations & Accountability.

1 AN ACT Relating to the determination of "vendors in good standing"
2 by the governor's committee on disability issues and employment;
3 amending RCW 50.40.065 and 50.40.066; and providing expiration dates.

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

5 **Sec. 1.** RCW 50.40.065 and 2003 c 136 s 7 are each amended to read
6 as follows:

7 (1) No less frequently than once each year, the governor's
8 committee on disability issues and employment shall determine whether
9 entities seeking to qualify as vendors in good standing, pursuant to
10 this section and RCW 43.19.531, have achieved, or continue to work
11 towards, the goal of enhancing opportunities for persons of
12 disabilities to maximize their employment and career advancement, and
13 increase the number employed and their wages.

14 (2) In making the determination provided for in subsection (1) of
15 this section, the governor's committee on disability issues and
16 employment shall appoint and, except in the case of malfeasance or
17 misfeasance, shall rely upon the conclusions of an advisory
18 subcommittee consisting of: (a) Three members chosen from among those
19 current or former clients of a community rehabilitation program who

1 have nominated themselves, at least one of whom must be a person with
2 a developmental disability; (b) one member chosen from among those
3 guardians, parents, or other relatives of a current client or employee
4 of a community rehabilitation program who have nominated themselves;
5 (c) one member chosen from among those who have been nominated by a
6 community rehabilitation program; (d) one member chosen from among
7 those owners of a business owned and operated by persons with
8 disabilities who have nominated themselves; (e) one member who is
9 designated by the developmental disabilities council; (f) one member
10 who is a member of and selected by the governor's committee on
11 disability issues and employment; (g) one member who is designated by
12 the secretary of the department of social and health services; and (h)
13 one member who is designated by the director of the department of
14 services for the blind.

15 (3) The advisory subcommittee appointed by the governor's committee
16 on disability issues and employment shall conclude that entities
17 seeking to qualify, pursuant to this section and RCW 43.19.531, as
18 vendors in good standing, have achieved, or continue to work towards,
19 the goal of enhancing opportunities for persons of disabilities to
20 maximize their employment and career advancement, and increase the
21 number employed and their wages if, and only if, the entity provides
22 reasonably conclusive evidence that, during the twelve-month period
23 immediately preceding the entity's application, at least one-half of
24 the following measurement categories applicable to the entity have been
25 either achieved, pursuant to rules established under subsection (4) of
26 this section, or have been improved as compared to the entity's
27 condition with respect to that measurement category one year ago:

28 (a) The number of people with disabilities in the entity's total
29 work force who are working in integrated settings;

30 (b) The percentage of the people with disabilities in the entity's
31 total work force who are working in integrated settings;

32 (c) The number of people with disabilities in the entity's total
33 work force who are working in individual supported employment settings;

34 (d) The percentage of the people with disabilities in the entity's
35 total work force who are working in individual supported employment
36 settings;

37 (e) The number of people with disabilities in the entity's total

1 work force who, during the last twelve months, have transitioned to
2 less restrictive employment settings either within the entity or with
3 other community employers;

4 (f) The number of people with disabilities in the entity's total
5 work force who are earning at least the state minimum wage;

6 (g) The percentage of the people with disabilities in the entity's
7 total work force who are earning at least the state minimum wage;

8 (h) The number of people with disabilities serving in supervisory
9 capacities within the entity;

10 (i) The percentage of supervisory positions within the entity that
11 are occupied by people with disabilities;

12 (j) The number of people with disabilities serving in an ownership
13 capacity or on the governing board of the entity;

14 (k) The ratio of the total amount paid by the entity in wages,
15 salaries, and related employment benefits to people with disabilities,
16 as compared to the amount paid by the entity in wages, salaries, and
17 related employment benefits paid by the entity to persons without
18 disabilities during the previous year; and

19 (l) The percentage of people with disabilities in the entity's
20 total work force for whom the entity has developed a reasonable,
21 achievable, and written career plan.

22 (4) The commissioner shall consult with the advisory subcommittee
23 established in subsection (2) of this section to develop and adopt
24 rules establishing the measurement at which it is deemed that the
25 measurement categories identified in subsection (3)(b), (d), (e), (g),
26 (h), (j), (k), and (l) of this section have been achieved.

27 (5) This section expires December 31, (~~2007~~) 2009.

28 **Sec. 2.** RCW 50.40.066 and 2003 c 136 s 8 are each amended to read
29 as follows:

30 (1) The commissioner is authorized to adopt rules to implement RCW
31 50.40.065, including but not limited to authority to establish (a) a
32 nonrefundable application fee of not more than five hundred dollars to
33 be paid by each entity seeking to establish or renew qualification as
34 a vendor in good standing, pursuant to RCW 43.19.531 and 50.40.065; (b)
35 a fee of not more than two percent of the face amount of any contract
36 awarded under chapter 136, Laws of 2003; or (c) both fees identified in
37 (a) and (b) of this subsection.

1 (2) The fee or fees established pursuant to subsection (1) of this
2 section must set a level of revenue sufficient to recover costs
3 incurred by the department of general administration in fulfilling the
4 duties identified in RCW 43.19.531 and the governor's committee on
5 disability issues and employment in fulfilling the duties identified in
6 RCW 50.40.065.

7 (3) The vendors in good standing account is created in the custody
8 of the state treasurer. All receipts from the fee or fees established
9 pursuant to subsection (1) of this section must be deposited into the
10 account. Expenditures from the account may be used only for the
11 purpose described in subsection (2) of this section. Expenditures from
12 the account may be authorized only upon the approval of both the
13 director of the department of general administration and the
14 commissioner, or their respective designees. The account is subject to
15 allotment procedures under chapter 43.88 RCW, but an appropriation is
16 not required for expenditures.

17 (4) This section expires December 31, ((2007)) 2009, and any
18 unencumbered funds remaining in the vendors in good standing account on
19 that date shall revert to the general fund.

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