

CERTIFICATION OF ENROLLMENT
SECOND SUBSTITUTE SENATE BILL 5370

Chapter 427, Laws of 2005

59th Legislature
2005 Regular Session

ECONOMIC DEVELOPMENT STRATEGIC RESERVE ACCOUNT

EFFECTIVE DATE: 7/24/05

Passed by the Senate April 22, 2005
YEAS 41 NAYS 4

BRAD OWEN

President of the Senate

Passed by the House April 22, 2005
YEAS 58 NAYS 40

FRANK CHOPP

Speaker of the House of Representatives

Approved May 13, 2005.

CHRISTINE GREGOIRE

Governor of the State of Washington

CERTIFICATE

I, Thomas Hoemann, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SECOND SUBSTITUTE SENATE BILL 5370** as passed by the Senate and the House of Representatives on the dates hereon set forth.

THOMAS HOEMANN

Secretary

FILED

May 13, 2005 - 9:20 a.m.

**Secretary of State
State of Washington**

SECOND SUBSTITUTE SENATE BILL 5370

AS RECOMMENDED BY THE CONFERENCE COMMITTEE

Passed Legislature - 2005 Regular Session

State of Washington 59th Legislature 2005 Regular Session

By Senate Committee on Ways & Means (originally sponsored by Senators Brown, Benson, Shin, Sheldon, Eide, Kohl-Welles and McAuliffe)

READ FIRST TIME 03/08/05.

1 AN ACT Relating to the economic development strategic reserve
2 account; amending RCW 67.70.190; and adding a new section to chapter
3 43.330 RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 43.330 RCW
6 to read as follows:

7 (1) The economic development strategic reserve account is created
8 in the state treasury to be used only for the purposes of this section.

9 (2) Only the governor, with the recommendation of the director of
10 the department of community, trade, and economic development and the
11 economic development commission, may authorize expenditures from the
12 account.

13 (3) Expenditures from the account shall be made in an amount
14 sufficient to fund a minimum of one staff position for the economic
15 development commission and to cover any other operational costs of the
16 commission.

17 (4) Expenditures from the account may be made to prevent closure of
18 a business or facility, to prevent relocation of a business or facility

1 in the state to a location outside the state, or to recruit a business
2 or facility to the state. Expenditures may be authorized for:

3 (a) Work force development;

4 (b) Public infrastructure needed to support or sustain the
5 operations of the business or facility; and

6 (c) Other lawfully provided assistance, including, but not limited
7 to, technical assistance, environmental analysis, relocation
8 assistance, and planning assistance. Funding may be provided for such
9 assistance only when it is in the public interest and may only be
10 provided under a contractual arrangement ensuring that the state will
11 receive appropriate consideration, such as an assurance of job creation
12 or retention.

13 (5) The funds shall not be expended from the account unless:

14 (a) The circumstances are such that time does not permit the
15 director of the department of community, trade, and economic
16 development or the business or facility to secure funding from other
17 state sources;

18 (b) The business or facility produces or will produce significant
19 long-term economic benefits to the state, a region of the state, or a
20 particular community in the state;

21 (c) The business or facility does not require continuing state
22 support;

23 (d) The expenditure will result in new jobs, job retention, or
24 higher incomes for citizens of the state;

25 (e) The expenditure will not supplant private investment; and

26 (f) The expenditure is accompanied by private investment.

27 (6) No more than three million dollars per year may be expended
28 from the account for the purpose of assisting an individual business or
29 facility pursuant to the authority specified in this section.

30 (7) If the account balance in the strategic reserve account exceeds
31 fifteen million dollars at any time, the amount in excess of fifteen
32 million dollars shall be transferred to the education construction
33 account.

34 **Sec. 2.** RCW 67.70.190 and 1994 c 218 s 5 are each amended to read
35 as follows:

36 Unclaimed prizes shall be retained in the state lottery account for
37 the person entitled thereto for one hundred eighty days after the

1 drawing in which the prize is won, or after the official end of the
2 game for instant prizes. If no claim is made for the prize within this
3 time, all rights to the prize shall be extinguished, and the prize
4 shall be retained in the state lottery fund for further use as prizes,
5 ~~((and all rights to the prize shall be extinguished))~~ except that one-
6 third of all unclaimed prize money shall be deposited in the economic
7 development strategic reserve account created in section 1 of this act.

Passed by the Senate April 22, 2005.

Passed by the House April 22, 2005.

Approved by the Governor May 13, 2005.

Filed in Office of Secretary of State May 13, 2005.