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**SUBSTITUTE SENATE BILL 5224**

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**State of Washington**

**53rd Legislature**

**1993 Regular Session**

**By** Senate Committee on Trade, Technology & Economic Development  
(originally sponsored by Senators Skratek, Bluechel, Erwin, M.  
Rasmussen, Deccio and Winsley)

Read first time 02/11/93.

1 AN ACT Relating to international capital projects; adding new  
2 sections to chapter 43.31 RCW; adding new sections to chapter 43.131  
3 RCW; and making an appropriation.

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

5 NEW SECTION. **Sec. 1.** A large number of major urban and rural  
6 development projects, which are often referred to as capital projects  
7 are undertaken each year throughout the world. Certain of these  
8 projects are of such magnitude as to require the expertise and  
9 resources of a consortium of businesses. Additionally, initial  
10 government involvement is often advantageous for businesses attempting  
11 to secure contracts for capital projects.

12 NEW SECTION. **Sec. 2.** (1) "Capital project" means a major urban or  
13 rural economic development project including, but not limited to,  
14 highways, ports, public facilities, power plants, irrigation systems,  
15 resorts, and sewage systems.

16 (2) "Consortium" means a partnership, copartnership, joint venture,  
17 joint stock company, business trust, corporation, association, or any

1 group of businesses acting as a unit for the purpose of securing a  
2 capital project.

3 NEW SECTION. **Sec. 3.** There is established, as a project within  
4 the department of trade and economic development, the office of capital  
5 projects. The office shall:

6 (1) Assist Washington state businesses in obtaining international  
7 and domestic capital projects;

8 (2) Assist Washington state businesses in the formation of  
9 consortiums, when appropriate, that have the range of services and  
10 technical skills to compete for capital projects. Consortiums shall  
11 include at least one business with its principal place of business  
12 within Washington state;

13 (3) Assist consortiums and businesses in Washington state to market  
14 their services and products in international markets;

15 (4) Compile information on capital project opportunities for  
16 Washington state businesses including:

17 (a) Identifying those types of Washington businesses with the type  
18 and level of expertise to participate in various capital projects; and

19 (b) Identifying the type of capital projects and international  
20 markets that have the greatest potential for Washington state  
21 businesses to provide products and services;

22 (5) Provide information to Washington state businesses on the  
23 purpose and services of the office of capital projects;

24 (6) Provide initial assistance to consortiums in securing capital  
25 project contracts, including such intergovernmental contacts as  
26 considered appropriate with countries or regions where capital projects  
27 are proposed; and

28 (7) Provide information to businesses on trade tariffs, quotas,  
29 government regulations or other trade restrictions which may affect  
30 Washington state businesses.

31 NEW SECTION. **Sec. 4.** The department, through the office of  
32 capital projects:

33 (1) May receive funds, coordinate with other governmental agencies,  
34 and carry out such other duties as are deemed necessary to implement  
35 the provisions of section 3 of this act;

36 (2) May receive such gifts, grants, and endowments from private or  
37 public sources as may be made available in trust or otherwise for the

1 use and benefit of the office of capital projects, and expend the same,  
2 or any income therefrom, according to the terms of gifts, grants, or  
3 endowments;

4 (3) May charge reasonable fees or other appropriate charges for  
5 using the services of the office of capital projects, for attendance at  
6 workshops and conferences sponsored by the office, and for various  
7 publications, materials, and services of the office. These fees shall  
8 be charged to defray the costs of operation of the office of capital  
9 projects; and

10 (4) May actively seek cooperation and funding from the private  
11 sector.

12 NEW SECTION. **Sec. 5.** Contracts entered into by consortiums do not  
13 constitute a contract with the state of Washington, and do not incur a  
14 liability, obligation, pledge of faith, or credit of the state of  
15 Washington.

16 NEW SECTION. **Sec. 6.** The office of capital projects is prohibited  
17 from entering into any legal or otherwise binding contract with foreign  
18 governmental units or consortiums in relation to a capital project.

19 NEW SECTION. **Sec. 7.** The legislative budget committee shall, by  
20 January 1, 1996, conduct analyses of the operations of the capital  
21 projects program. The analyses shall provide information on any costs  
22 to the state resulting from the operation of the program as well as any  
23 employment growth, firm growth, and increased revenue attributable  
24 directly or indirectly to the program.

25 The analysis shall include a review of: The number of firms  
26 assisted; the dollar amount and type of assistance provided to each  
27 firm; the types of businesses assisted as classified by the standard  
28 industrial classification manual; the size and the age of each firm  
29 assisted; the number of minority and women-owned businesses assisted;  
30 the number of assisted firms in distressed areas of the state; the  
31 number of jobs created or retained in each firm as a result of the  
32 programs assistance; the wage rates of jobs retained or new jobs  
33 created as a result of the program; the results of client satisfaction  
34 surveys completed by firms assisted by the program; and sales volume  
35 trends for each firm assisted by the program.

1        NEW SECTION.    **Sec. 8.**    The department of trade and economic  
2 development, international business division of the department of  
3 agriculture, and the Washington state export assistance center shall  
4 actively promote and support the efforts of the office of capital  
5 projects to achieve the goals of section 3 of this act.

6        NEW SECTION.    **Sec. 9.**    Sections 1 through 8 of this act are each  
7 added to chapter 43.31 RCW.

8        NEW SECTION.    **Sec. 10.**    A new section is added to chapter 43.131  
9 RCW to read as follows:

10        The office of capital projects and its powers and duties shall be  
11 terminated on June 30, 1998, as provided in section 11 of this act.

12        NEW SECTION.    **Sec. 11.**    A new section is added to chapter 43.131  
13 RCW to read as follows:

14        The following acts or parts of acts, as now existing or hereafter  
15 amended, are each repealed, effective June 30, 1999:

- 16        (1) RCW 43.31.--- and 1993 c . . . s 1 (section 1 of this act);
- 17        (2) RCW 43.31.--- and 1993 c . . . s 2 (section 2 of this act);
- 18        (3) RCW 43.31.--- and 1993 c . . . s 3 (section 3 of this act);
- 19        (4) RCW 43.31.--- and 1993 c . . . s 4 (section 4 of this act);
- 20        (5) RCW 43.31.--- and 1993 c . . . s 5 (section 5 of this act);
- 21        (6) RCW 43.31.--- and 1993 c . . . s 6 (section 6 of this act); and
- 22        (7) RCW 43.31.--- and 1993 c . . . s 7 (section 7 of this act).

23        NEW SECTION.    **Sec. 12.**    The sum of two hundred thousand dollars, or  
24 as much thereof as may be necessary, is appropriated for the biennium  
25 ending June 30, 1995, from the general fund to the department of trade  
26 and economic development for the purposes of this act.

27        NEW SECTION.    **Sec. 13.**    If any provision of this act or its  
28 application to any person or circumstance is held invalid, the  
29 remainder of the act or the application of the provision to other  
30 persons or circumstances is not affected.

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