
SENATE BILL 5359

State of Washington 53rd Legislature 1993 Regular Session

By Senators Skratek, Erwin and M. Rasmussen

Read first time 01/25/93. Referred to Committee on Higher Education.

1 AN ACT Relating to the Spokane research and technology institute;
2 amending RCW 28B.10.060 and 28B.25.020; adding new sections to chapter
3 28B.10 RCW; adding new sections to chapter 43.131 RCW; and creating a
4 new section.

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

6 NEW SECTION. **Sec. 1.** (1) The legislature finds:

7 (a) The growth and development of new and existing technology-based
8 businesses in this state are necessary to ensure the economic health of
9 the state and its citizens;

10 (b) The development and commercialization of new technology plays
11 a vital role in the growth and development of technology-based
12 businesses;

13 (c) The majority of businesses in the state are small or medium-
14 sized businesses that lack the resources necessary to identify and
15 develop new products or processes on their own; and

16 (d) The state can play a significant role in supporting applied
17 research and development initiatives that benefit small and medium-
18 sized businesses in the state.

1 (2) It is the intent of the legislature to replace the Spokane
2 intercollegiate research and technology center with a nonprofit,
3 technology transfer program in eastern Washington that will assist in
4 the development of new products and technologies for small and medium-
5 sized businesses in this state.

6 **Sec. 2.** RCW 28B.10.060 and 1991 c 205 s 1 are each amended to read
7 as follows:

8 ~~((1))~~ A nonprofit corporation, to be known as the Spokane
9 ~~((intercollegiate))~~ research and technology institute ((is hereby))
10 shall be created under chapter 24.03 RCW. The mission of the Spokane
11 research and technology institute is to perform and commercialize
12 research that benefits small and medium-sized technology-based
13 businesses. The areas in which research shall be conducted include,
14 but are not limited to: Environmental technology and environmental
15 restoration; biotechnology; computer software; and manufacturing.

16 ~~((2) The institute shall be operated and administered as a multi-~~
17 ~~institutional education and research center, housing appropriate~~
18 ~~programs conducted in Spokane under the authority of Washington State~~
19 ~~University, Eastern Washington University, and the community colleges~~
20 ~~of Spokane. Gonzaga University and Whitworth College may participate~~
21 ~~as full partners in any academic and research activities of the~~
22 ~~institute.~~

23 ~~(3) The institute shall house education and research programs~~
24 ~~specifically designed to meet the needs of the greater Spokane area.~~

25 ~~(4) The coordination of programs and activities at the institute~~
26 ~~shall be subject to the authority of the joint center for higher~~
27 ~~education under RCW 28B.25.020. The institute shall be administered by~~
28 ~~the joint center.~~

29 ~~(5) The establishment of any education or research programs at the~~
30 ~~institute and the lease, purchase, or construction of any site or~~
31 ~~facility for the institute shall be subject to the approval of the~~
32 ~~higher education coordinating board pursuant to RCW 28B.80.340.~~

33 ~~(6) All cabinets, furniture, office equipment, other tangible~~
34 ~~property acquired by Washington State University for the institute, all~~
35 ~~funds, credits, or other assets held by Washington State University for~~
36 ~~the institute shall be assigned to the joint center for higher~~
37 ~~education.))~~

1 NEW SECTION. **Sec. 3.** The primary duties of the Spokane research
2 and technology institute include:

3 (1) Performing applied research of vital interest to Washington's
4 technology-based businesses;

5 (2) Assisting small and medium-sized businesses to commercialize
6 research results of the Spokane research and technology institute into
7 products and processes;

8 (3) Providing small and medium-sized businesses access to
9 specialized test equipment and design tools located at the Spokane
10 research and technology institute;

11 (4) Providing small and medium-sized businesses it assists with
12 information about federal, state, and local business assistance
13 programs and services; and

14 (5) When possible, conducting collaborative research with other
15 state technology transfer programs, state universities and colleges,
16 federal laboratories and agencies, or private laboratories in this
17 state.

18 The Spokane research and technology institute shall aggressively
19 seek nonstate funds for its continued operation.

20 NEW SECTION. **Sec. 4.** The Spokane research and technology
21 institute shall have the following powers:

22 (1) To solicit and accept grants, contributions, and any other
23 financial assistance from the federal government, federal agencies, and
24 any other sources to carry out its purposes;

25 (2) To receive such gifts, grants, and endowments from public or
26 private sources as may be made from time to time in trust or otherwise
27 for the use and benefit of the purposes of the Spokane research and
28 technology institute and expend the same or any income therefrom
29 according to the terms of the gifts, grants, or endowments;

30 (3) To retain the patent rights for all products developed at the
31 Spokane research and technology institute but may sell licensing rights
32 for products to small and medium-sized businesses; and

33 (4) To charge fees to businesses for the services provided by the
34 Spokane research and technology institute.

35 NEW SECTION. **Sec. 5.** (1) The Spokane research and technology
36 institute shall be administered by the board of directors.

37 (2) The board shall consist of the following members:

1 (a) Ten members from among individuals who are associated with or
2 employed by small or medium-sized technology-based businesses. These
3 individuals shall have broad business experience and an understanding
4 of high technology industries or manufacturing;

5 (b) One member employed or associated with each of the following
6 industries: Biotechnology, environmental technology, computer
7 software, and medical technology;

8 (c) One member from each of the following universities: Washington
9 State University, Gonzaga University, and Eastern Washington
10 University;

11 (d) One member from each of the Spokane-area community colleges;

12 (e) One member representing the federal laboratories;

13 (f) The executive director of the Washington technology center or
14 the executive director's designee; and

15 (g) The director of the state department of trade and economic
16 development or the director's designee.

17 (3) The term of office for each board member, excluding the
18 representative of the federal laboratories, the director of the
19 Washington technology center, and the director of the state department
20 of trade and economic development, shall be three years.

21 (4) The executive director of the Spokane research and technology
22 institute shall be an ex officio, nonvoting member of the board.

23 (5) The board shall meet at least quarterly.

24 (6) Board members shall be appointed by the governor and confirmed
25 by the senate. The governor shall stagger the terms of the first group
26 of appointees to ensure the long-term continuity of the board.

27 (7) The duties of the board include:

28 (a) Developing the general operating policies for the Spokane
29 research and technology institute;

30 (b) Appointing the executive director who shall have broad business
31 and technology transfer experience and an understanding of high
32 technology industries;

33 (c) Approving the hiring and salaries of all staff;

34 (d) Approving the annual operating budget;

35 (e) Establishing priorities for the selection and funding of
36 research projects supported by state or federal funds that guarantee
37 the greatest potential return on the public's investment;

38 (f) Approving and allocating state or federal funds for research
39 projects conducted by the Spokane research and technology institute,

1 based on the recommendations of advisory committees established for
2 specific research areas;

3 (g) Reviewing annual progress reports on state or federally funded
4 research projects that are prepared by the advisory committees
5 established to oversee each of the research areas;

6 (h) In cooperation with the department of trade and economic
7 development, developing a biennial work plan for the Spokane research
8 and technology institute that shall be updated on an annual basis;

9 (i) In cooperation with the department of trade and economic
10 development, developing a five-year strategic plan for the Spokane
11 research and technology institute, the first draft of which shall be
12 completed by July 1, 1994;

13 (j) Coordinating state or federally funded research efforts with
14 the Washington technology center, state universities and community
15 colleges, and federal laboratories involved in technology research and
16 development to prevent duplication of efforts;

17 (k) Providing an annual report to the governor and the legislature
18 detailing the activities of the Spokane research and technology
19 institute;

20 (l) Submitting annually to the department of trade and economic
21 development, an updated work plan and a statement of performance
22 measured against the mission, roles, and contractual obligations of the
23 Spokane research and technology institute; and

24 (m) Conducting a biennial performance assessment of the Spokane
25 research and technology institute's performance that shall include but
26 not be limited to measuring the following: The number of new jobs
27 created; the number of new businesses created; the number of patents
28 applied for; the number of patents issued; the number of licensing
29 agreements signed with industry; revenue generated from licensing
30 agreements with industry; the number of industry agreements and
31 contracts signed; and the number and dollar amount of federal grants
32 and contracts. A report on the performance assessment shall be
33 provided to the governor and the legislature on a biennial basis.

34 NEW SECTION. **Sec. 6.** The department of trade and economic
35 development shall contract with the Spokane research and technology
36 institute for the expenditure of state-appropriated funds designated
37 for the operation of the Spokane research and technology institute.
38 The department of trade and economic development shall provide guidance

1 to the institute regarding the expenditure of state-appropriated funds
2 and the development of the institute's strategic plan. The department
3 of trade and economic development shall not withhold funds appropriated
4 for the Spokane research and technology institute.

5 NEW SECTION. **Sec. 7.** The Spokane research and technology
6 institute fund is created in the custody of the state treasurer.
7 Expenditures from the fund may be used only for the purposes of funding
8 the programs and services of the Spokane research and technology
9 institute. Fees collected from businesses for the provision of
10 services by the Spokane research and technology institute shall be
11 deposited in this fund. Expenditures from the fund shall be made by
12 the executive director of the Spokane research and technology institute
13 with the approval of the board of directors. The fund is subject to
14 allotment procedures under chapter 43.88 RCW, but no appropriation is
15 required for expenditures from this fund.

16 NEW SECTION. **Sec. 8.** The Spokane research and technology
17 institute may contract with the joint center for higher education for
18 the use of facilities at the Spokane higher education park.

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

21 The Spokane research and technology institute and its powers and
22 duties shall be terminated June 30, 1996, as provided in section 10 of
23 this act.

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

26 The following acts or parts of acts, as now existing or hereafter
27 amended, are each repealed, effective June 30, 1997:

- 28 (1) RCW 28B.10.--- and 1993 c --- s 3 (section 3 of this act);
- 29 (2) RCW 28B.10.--- and 1993 c --- s 4 (section 4 of this act);
- 30 (3) RCW 28B.10.--- and 1993 c --- s 5 (section 5 of this act);
- 31 (4) RCW 28B.10.--- and 1993 c --- s 6 (section 6 of this act);
- 32 (5) RCW 28B.10.--- and 1993 c --- s 7 (section 7 of this act); and
- 33 (6) RCW 28B.10.--- and 1993 c --- s 8 (section 8 of this act).

1 **Sec. 11.** RCW 28B.25.020 and 1991 c 205 s 3 are each amended to
2 read as follows:

3 (1) The joint center shall have authority over all fiscal
4 activities related to the land and facilities known as the Spokane
5 higher education park subject to the approval of the higher education
6 coordinating board pursuant to RCW 28B.80.330 through 28B.80.350.

7 (2) The joint center for higher education shall coordinate all
8 baccalaureate and graduate degree programs, and all other courses and
9 programs offered in the Spokane area by Washington State University and
10 by Eastern Washington University outside of its Cheney campus. The
11 joint center for higher education shall not coordinate the
12 intercollegiate center for nursing.

13 (3) The joint center for higher education shall coordinate the
14 following higher education activities in the Spokane area outside of
15 the Eastern Washington University Cheney campus:

16 (a) Articulation between lower division and upper division
17 programs;

18 (b) The participation of Washington State University and Eastern
19 Washington University in joint programs with Gonzaga University and
20 Whitworth College and in joint programs with each other; and

21 (c) All contractual negotiations between public and independent
22 colleges and universities(~~(; and~~

23 ~~(d) Programs offered through the intercollegiate research and
24 technology institute created by RCW 28B.10.060)).~~

25 (4) The participating institutions in the joint center for higher
26 education shall maintain jurisdiction over the content of the course
27 offerings and the entitlement to degrees. However, before any degree
28 is authorized under this section it shall be subject to review and
29 approval of the higher education coordinating board.

30 (5) The joint center shall develop a master plan for the Spokane
31 higher education park. The plan shall be developed in cooperation with
32 the participating institutions and submitted to the higher education
33 coordinating board, legislature, and office of financial management.

34 (6) The joint center shall contract with the Spokane research and
35 technology institute for the use of the facilities located at the
36 Spokane higher education park.

37 (7) The joint center shall adopt rules as necessary to implement
38 this chapter.

1 (~~(7)~~) (8) Title to or all interest in real estate and other
2 assets, including but not limited to assignable contracts, cash,
3 equipment, buildings, facilities, and appurtenances thereto held as of
4 July 1, 1991, shall vest in the joint center for higher education.

5 NEW SECTION. **Sec. 12.** Sections 3 through 8 of this act are each
6 added to chapter 28B.10 RCW.

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