

CERTIFICATION OF ENROLLMENT

SUBSTITUTE SENATE BILL 6561

Chapter 47, Laws of 1994

(partial veto)

53rd Legislature
1994 Regular Session

MARKETPLACE PROGRAM CONTRACT AUTHORITY

EFFECTIVE DATE: 6/9/94

Passed by the Senate February 14, 1994
YEAS 48 NAYS 0

JOEL PRITCHARD

President of the Senate

Passed by the House March 1, 1994
YEAS 94 NAYS 0

BRIAN EBERSOLE

**Speaker of the
House of Representatives**

Approved March 21, 1994, with the
exception of sections 1, 3, and 4,
which are vetoed.

MIKE LOWRY

Governor of the State of Washington

CERTIFICATE

I, Marty Brown, Secretary of the
Senate of the State of Washington,
do hereby certify that the attached
is **SUBSTITUTE SENATE BILL 6561** as
passed by the Senate and the House
of Representatives on the dates
hereon set forth.

MARTY BROWN

Secretary

FILED

March 21, 1994 - 11:49 a.m.

**Secretary of State
State of Washington**

SUBSTITUTE SENATE BILL 6561

Passed Legislature - 1994 Regular Session

State of Washington 53rd Legislature 1994 Regular Session

By Senate Committee on Trade, Technology & Economic Development
(originally sponsored by Senators Skratek and Bluechel; by request of
Department of Trade and Economic Development)

Read first time 02/04/94.

1 AN ACT Relating to the marketplace program; and amending RCW
2 43.31.526 and 43.31.526; providing an effective date; and declaring an
3 emergency.

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

5 **Sec. 1. RCW 43.31.526 and 1990 c 57 s 4 are each amended to read*
6 *as follows:*

7 *(1) The department shall contract with governments, industry*
8 *associations, or local nonprofit organizations ((in at least three*
9 *economically distressed areas of the state that meet the criteria of an*
10 *"eligible area" as defined in RCW 82.60.020(3) to implement the*
11 *Washington marketplace program in these areas. The department, in*
12 *order)) to foster cooperation and linkages between distressed and*
13 *nondistressed areas and between urban and rural areas, and between*
14 *Washington and other Northwest states. The department may enter into*
15 *joint contracts with multiple nonprofit organizations. Contracts with*
16 *economic development organizations to foster cooperation and linkages*
17 *between distressed and nondistressed areas and urban and rural areas*
18 *shall be structured by the department and the distressed area*

1 marketplace programs. Contracts with economic development
2 organizations shall:

3 (a) Award contracts based on a competitive bidding process,
4 pursuant to chapter 43.19 RCW; and

5 ~~(b) ((Give preference to nonprofit organizations representing a
6 broad spectrum of community support; and~~

7 ~~(c))~~ Ensure that each location contain sufficient business
8 activity to permit effective program operation.

9 The department may require that contractors contribute at least
10 twenty percent local funding.

11 (2) The contracts with governments, industry associations, or local
12 nonprofit organizations shall be for, but not limited to, the
13 performance of the following services for the Washington marketplace
14 program:

15 (a) Contacting Washington state businesses to identify goods and
16 services they are currently buying or are planning in the future to buy
17 out-of-state and determine which of these goods and services could be
18 purchased on competitive terms within the state;

19 (b) Identifying locally sold goods and services which are currently
20 provided by out-of-state businesses;

21 (c) Determining, in consultation with local business, goods and
22 services for which the business is willing to make contract agreements;

23 (d) Advertising market opportunities described in (c) of this
24 subsection; ((and))

25 (e) Receiving bid responses from potential suppliers and sending
26 them to that business for final selection; and

27 (f) Establish linkages with federal, regional, and Northwest
28 governments and nonprofit organizations, to foster buying leads and
29 information benefiting Washington suppliers and industry and trade
30 associations.

31 (3) Contracts may include provisions for charging service fees of
32 businesses that ~~((profit as a result of participation))~~ participate in
33 the program.

34 (4) The center shall also perform the following activities in order
35 to promote the goals of the program:

36 (a) Prepare promotional materials or conduct seminars to inform
37 communities and organizations about the Washington marketplace program;

38 (b) Provide technical assistance to communities and organizations
39 interested in developing an import replacement program;

1 (c) Develop standardized procedures for operating the local
2 component of the Washington marketplace program;

3 (d) Provide continuing management and technical assistance to local
4 contractors; and

5 (e) Report by December 31 of each year to the senate economic
6 development and labor committee and to the house of representatives
7 trade and economic development committee describing the activities of
8 the Washington marketplace program.

9 *Sec. 1 was vetoed, see message at end of chapter.

10 **Sec. 2.** RCW 43.31.526 and 1993 c 280 s 48 are each amended to read
11 as follows:

12 (1) The department shall contract with governments, industry
13 associations, or local nonprofit organizations (~~((in distressed areas of~~
14 ~~the state that meet the criteria of an "eligible area" as defined in~~
15 ~~RCW 82.60.020(3) to implement the Washington marketplace program in~~
16 ~~these areas. The department, in order))~~ to foster cooperation and
17 linkages between distressed and nondistressed areas and between urban
18 and rural areas, and between Washington and other Northwest states.
19 The department may enter into joint contracts with multiple nonprofit
20 organizations. Contracts with economic development organizations to
21 foster cooperation and linkages between distressed and nondistressed
22 areas and urban and rural areas shall be structured by the department
23 and the distressed area marketplace programs. Contracts with economic
24 development organizations shall:

25 (a) Award contracts based on a competitive bidding process,
26 pursuant to chapter 43.19 RCW; and

27 (b) (~~((Give preference to nonprofit organizations representing a~~
28 ~~broad spectrum of community support; and~~

29 ~~(c))~~) Ensure that each location contain sufficient business
30 activity to permit effective program operation.

31 The department may require that contractors contribute at least
32 twenty percent local funding.

33 (2) The contracts with governments, industry associations, or local
34 nonprofit organizations shall be for, but not limited to, the
35 performance of the following services for the Washington marketplace
36 program:

37 (a) Contacting Washington state businesses to identify goods and
38 services they are currently buying or are planning in the future to buy

1 out-of-state and determine which of these goods and services could be
2 purchased on competitive terms within the state;

3 (b) Identifying locally sold goods and services which are currently
4 provided by out-of-state businesses;

5 (c) Determining, in consultation with local business, goods and
6 services for which the business is willing to make contract agreements;

7 (d) Advertising market opportunities described in (c) of this
8 subsection; ((and))

9 (e) Receiving bid responses from potential suppliers and sending
10 them to that business for final selection; and

11 (f) Establish linkages with federal, regional, and Northwest
12 governments, industry associations, and nonprofit organizations to
13 foster buying leads and information benefiting Washington suppliers and
14 industry and trade associations.

15 (3) Contracts may include provisions for charging service fees of
16 businesses that ((profit as a result of participation)) participate in
17 the program.

18 (4) The center shall also perform the following activities in order
19 to promote the goals of the program:

20 (a) Prepare promotional materials or conduct seminars to inform
21 communities and organizations about the Washington marketplace program;

22 (b) Provide technical assistance to communities and organizations
23 interested in developing an import replacement program;

24 (c) Develop standardized procedures for operating the local
25 component of the Washington marketplace program;

26 (d) Provide continuing management and technical assistance to local
27 contractors; and

28 (e) Report by December 31 of each year to the appropriate economic
29 development committees of the senate and the house of representatives
30 describing the activities of the Washington marketplace program.

31 ****NEW SECTION. Sec. 3. Section 1 of this act is necessary for the***
32 ***immediate preservation of the public peace, health, or safety, or***
33 ***support of the state government and its existing public institutions,***
34 ***and shall take effect immediately.***

35 ****Sec. 3 was vetoed, see message at end of chapter.***

1 **NEW SECTION. Sec. 4. Section 2 of this act shall take effect*
2 *July 1, 1994.*

3 **Sec. 4 was vetoed, see message at end of chapter.*

Passed the Senate February 14, 1994.

Passed the House March 1, 1994.

Approved by the Governor March 21, 1994, with the exception of
certain items which were vetoed.

Filed in Office of Secretary of State March 21, 1994.

Note: Governor's explanation of partial veto is as follows:

"I am returning herewith, without my approval as to sections 1, 3
and 4, Substitute Senate Bill No. 6561 entitled:

"AN ACT Relating to the marketplace program;"

Substitute Senate Bill No. 6561 makes two separate amendments to
RCW 43.31.526, section 1 to be effective immediately and section 2 to
be effective on July 1, 1994. The purpose of this dual amendment was
to make the bill conform with the scheduled merger of the Departments
of Fisheries and Wildlife. At the time that Substitute Senate Bill No.
6561 was passed, the merger of these agencies was scheduled to occur on
July 1, 1994. With the passage of Senate Bill No. 6346, the merger of
these agencies was moved up to March 1, 1994. Therefore, the
provisions of section 1 and the related effective dates in sections 3
and 4 are no longer necessary, and for these reasons, I am vetoing
sections 1, 3 and 4 of Substitute Senate Bill No. 6561.

With the exception of sections 1, 3 and 4, Substitute Senate Bill
No. 6561 is approved."