
SECOND SUBSTITUTE SENATE BILL 5224

State of Washington

53rd Legislature

1994 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 01/28/94.

1 AN ACT Relating to international capital projects; adding new
2 sections to chapter 43.330 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 community, trade, and economic development, the
5 office of capital projects. The office shall:

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

8 (2) Assist businesses in the formation of consortiums, when
9 appropriate, that have the range of services and technical skills to
10 compete for capital projects;

11 (3) Assist consortiums and businesses to market their services and
12 products in international markets;

13 (4) Compile information on capital project opportunities for
14 consortiums and businesses including:

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

17 (b) Identifying the type of capital projects and international
18 markets that have the greatest potential for consortiums and businesses
19 to provide products and services;

20 (5) Provide information to consortiums and businesses on the
21 purpose and services of the office of capital projects;

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

26 (7) Provide information to consortiums and businesses on trade
27 tariffs, quotas, government regulations, or other trade restrictions.

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

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

33 (2) May receive such gifts, grants, and endowments from private or
34 public sources as may be made available in trust or otherwise for the
35 use and benefit of the office of capital projects, and expend the same,
36 or any income therefrom, according to the terms of gifts, grants, or
37 endowments;

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

7 (4) May actively seek cooperation and funding from the private
8 sector.

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

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

16 NEW SECTION. **Sec. 7.** The office of capital projects shall take
17 whatever steps are necessary to provide its services, if requested, to
18 the states of Oregon, Idaho, Montana, and Alaska, and the Canadian
19 provinces of British Columbia and Alberta. The provision of services
20 may be temporary and subject to the payment of fees, or each state may
21 request permanent services contingent upon a level of permanent funding
22 adequate for services provided. Temporary services and fees may be
23 negotiated by the office of capital projects.

24 NEW SECTION. **Sec. 8.** The review pursuant to section 11 of this
25 act shall provide information on any costs to the state resulting from
26 the operation of the program as well as any employment growth,
27 increased business sales, and increased revenue attributable directly
28 or indirectly to the program.

29 The review under section 11 of this act shall address: The number
30 of firms assisted; the type of assistance provided to each firm; the
31 types of businesses assisted as classified by the standard industrial
32 classification manual; the size and the age of each firm assisted; the
33 number of minority and women-owned businesses assisted; the number of
34 assisted firms in distressed areas of the state; the number of jobs
35 created or retained in each firm as a result of the programs

1 assistance; the wage rates of jobs retained or new jobs created as a
2 result of the program; the results of client satisfaction surveys
3 completed by firms assisted by the program; and sales volume trends for
4 each firm assisted by the program.

5 NEW SECTION. **Sec. 9.** The department of community, trade, and
6 economic development, the international business division of the
7 department of agriculture, and the Washington state export assistance
8 center shall actively promote and support the efforts of the office of
9 capital projects to achieve the goals of section 3 of this act.

10 NEW SECTION. **Sec. 10.** Sections 1 through 9 of this act are each
11 added to chapter 43.330 RCW.

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

14 The office of capital projects and its powers and duties shall be
15 terminated on June 30, 1999, as provided in section 12 of this act.

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

18 The following acts or parts of acts, as now existing or hereafter
19 amended, are each repealed, effective June 30, 2000:

- 20 (1) RCW 43.330.--- and 1994 c . . . s 1 (section 1 of this act);
- 21 (2) RCW 43.330.--- and 1994 c . . . s 2 (section 2 of this act);
- 22 (3) RCW 43.330.--- and 1994 c . . . s 3 (section 3 of this act);
- 23 (4) RCW 43.330.--- and 1994 c . . . s 4 (section 4 of this act);
- 24 (5) RCW 43.330.--- and 1994 c . . . s 5 (section 5 of this act);
- 25 (6) RCW 43.330.--- and 1994 c . . . s 6 (section 6 of this act);
- 26 (7) RCW 43.330.--- and 1994 c . . . s 7 (section 7 of this act);
- 27 (8) RCW 43.330.--- and 1994 c . . . s 8 (section 8 of this act; and
- 28 (9) RCW 43.330.--- and 1994 c . . . s 9 (section 9 of this act).

29 NEW SECTION. **Sec. 13.** The sum of one hundred thousand dollars, or
30 as much thereof as may be necessary, is appropriated for the biennium
31 ending June 30, 1995, from the general fund to the department of
32 community, trade, and economic development for the purposes of this
33 act.

1 NEW SECTION. **Sec. 14.** If any provision of this act or its
2 application to any person or circumstance is held invalid, the
3 remainder of the act or the application of the provision to other
4 persons or circumstances is not affected.

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