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**SENATE BILL 5569**

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**State of Washington**

**54th Legislature**

**1995 Regular Session**

**By** Senators Fraser, Newhouse, Franklin, Swecker, C. Anderson and Sheldon

Read first time 01/26/95. Referred to Committee on Labor, Commerce & Trade.

1 AN ACT Relating to international development and capital projects;  
2 adding new sections to chapter 43.330 RCW; adding new sections to  
3 chapter 43.131 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. Many capital projects  
8 are a vital component of a nation's economic development strategy, and  
9 certain of these projects are of such magnitude as to require the  
10 expertise and resources of a consortium of businesses. Additionally,  
11 initial government involvement is often advantageous for businesses  
12 attempting to secure contracts for capital projects.

13 Washington state, due to its diversified economy, comprehensive  
14 service and public sectors, and internationally renowned institutions  
15 of higher education is uniquely situated to assist in the orderly and  
16 effective development of other nations. It is the intent of the  
17 legislature in assisting foreign nations in their economic development  
18 initiatives to build long-term, mutually beneficial trade  
19 relationships.

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

5        (2) "Consortium" means a partnership, copartnership, joint venture,  
6 joint stock company, business trust, corporation, association, or any  
7 group of businesses acting as a unit for the purpose of securing a  
8 capital project.

9        NEW SECTION.    **Sec. 3.**    The office of capital projects is  
10 established as a project within the department. The office shall:

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

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

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

18        (4) Compile information on capital project opportunities for  
19 consortiums and businesses including:

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

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

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

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

31        (7) Provide information to consortiums and businesses on trade  
32 tariffs, quotas, government regulations, or other trade restrictions;

33        (8) Provide foreign nations or their units of government  
34 information on public and private sector policies and practices to  
35 enhance economic development, manage natural resources, and improve the  
36 environment and quality of life for their citizens, and on other  
37 related matters deemed appropriate by the director; and

1 (9) Cooperate with other state agencies in facilitating  
2 informational tours and exchange programs in order to develop economic,  
3 social, and public sector relationships.

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

6 (1) May receive funds, coordinate with other governmental agencies,  
7 and carry out such other duties as are deemed necessary to implement  
8 section 3 of this act;

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

14 (3) May charge reasonable fees or other appropriate charges for  
15 using the services of the office of capital projects, for attendance at  
16 workshops and conferences sponsored by the office, and for various  
17 publications, materials, and services of the office. These fees shall  
18 be charged to defray the costs of operation of the office of capital  
19 projects; and

20 (4) May actively seek cooperation and funding from the private  
21 sector.

22 NEW SECTION. **Sec. 5.** Contracts entered into by consortiums do not  
23 constitute a contract with the state of Washington, and do not incur a  
24 liability, obligation, pledge of faith, or credit of the state of  
25 Washington.

26 NEW SECTION. **Sec. 6.** The office of capital projects is prohibited  
27 from entering into any legal or otherwise binding contract with foreign  
28 governmental units or consortiums in relation to a capital project.  
29 The office shall ensure to the greatest extent possible that all  
30 businesses in the state of Washington are granted access to the  
31 programs services.

32 NEW SECTION. **Sec. 7.** The office of capital projects shall take  
33 whatever steps are necessary to provide its services, if requested, to  
34 the states of Oregon, Idaho, Montana, and Alaska, and the Canadian  
35 provinces of British Columbia and Alberta. The provision of services

1 may be temporary and subject to the payment of fees, or each state may  
2 request permanent services contingent upon a level of permanent funding  
3 adequate for services provided. Temporary services and fees may be  
4 negotiated by the office of capital projects.

5 NEW SECTION. **Sec. 8.** The review under section 11 of this act  
6 shall provide information on any costs to the state resulting from the  
7 operation of the program as well as any employment growth, increased  
8 business sales, and increased revenue attributable directly or  
9 indirectly to the program, along with any other program impacts.

10 The review under section 11 of this act shall address: The number  
11 of firms assisted; the type of assistance provided to each firm; the  
12 types of businesses assisted as classified by the standard industrial  
13 classification manual; the size and the age of each firm assisted; the  
14 number of minority and women-owned businesses assisted; the number of  
15 assisted firms in distressed areas of the state; the number of jobs  
16 created or retained in each firm as a result of the program's  
17 assistance; the wage rates of jobs retained or new jobs created as a  
18 result of the program; the results of client satisfaction surveys  
19 completed by firms assisted by the program; and sales volume trends for  
20 each firm assisted by the program.

21 NEW SECTION. **Sec. 9.** The department, the international business  
22 division of the department of agriculture, and the Washington state  
23 export assistance center shall actively promote and support the efforts  
24 of the office of capital projects to achieve the goals of section 3 of  
25 this act.

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

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

30 The office of capital projects and its powers and duties shall be  
31 terminated on June 30, 2001, as provided in section 12 of this act.

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

1 The following acts or parts of acts, as now existing or hereafter  
2 amended, are each repealed, effective June 30, 2002:

- 3 (1) RCW 43.330.--- and 1995 c . . . s 1 (section 1 of this act);
- 4 (2) RCW 43.330.--- and 1995 c . . . s 2 (section 2 of this act);
- 5 (3) RCW 43.330.--- and 1995 c . . . s 3 (section 3 of this act);
- 6 (4) RCW 43.330.--- and 1995 c . . . s 4 (section 4 of this act);
- 7 (5) RCW 43.330.--- and 1995 c . . . s 5 (section 5 of this act);
- 8 (6) RCW 43.330.--- and 1995 c . . . s 6 (section 6 of this act);
- 9 (7) RCW 43.330.--- and 1995 c . . . s 7 (section 7 of this act);
- 10 (8) RCW 43.330.--- and 1995 c . . . s 8 (section 8 of this act);
- 11 and
- 12 (9) RCW 43.330.--- and 1995 c . . . s 9 (section 9 of this act).

13 NEW SECTION. **Sec. 13.** The sum of one hundred thousand dollars, or  
14 as much thereof as may be necessary, is appropriated for the biennium  
15 ending June 30, 1997, from the general fund to the department of  
16 community, trade, and economic development for the purposes of this  
17 act.

18 NEW SECTION. **Sec. 14.** If any provision of this act or its  
19 application to any person or circumstance is held invalid, the  
20 remainder of the act or the application of the provision to other  
21 persons or circumstances is not affected.

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