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SENATE BILL 5325

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State of Washington

62nd Legislature

2011 Regular Session

By Senators Shin, Hobbs, Nelson, and Sheldon

Read first time 01/20/11. Referred to Committee on Economic Development, Trade & Innovation.

1 AN ACT Relating to trade promotion; amending RCW 53.08.245,  
2 43.31.805, 43.31.810, 43.31.820, 43.31.830, 43.31.832, 43.31.840, and  
3 43.31.850; and repealing RCW 43.31.833 and 43.31.834.

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

5 **Sec. 1.** RCW 53.08.245 and 2010 c 195 s 1 are each amended to read  
6 as follows:

7 (1) It (~~(shall be)~~) is in the public purpose for all port districts  
8 to engage in economic development and trade promotion programs. In  
9 addition, port districts may contract with nonprofit corporations in  
10 furtherance of this and other acts relating to economic development and  
11 trade promotion.

12 (2)(a) Economic development programs may include those programs for  
13 job training and placement, preapprenticeship training or educational  
14 programs associated with port tenants, customers, and local economic  
15 development related to port activities that are sponsored by a port,  
16 operated by a nonprofit entity and are in existence on June 10, 2010.

17 (b) As a contract condition, a sponsoring port must require any  
18 nonprofit entity that operates programs such as those described in (a)  
19 of this subsection to submit annually quantitative information on

1 program outcomes including: The number of workers trained, recruited,  
2 and placed in jobs; the types of jobs and range of compensation; the  
3 number and types of businesses that are served; and any other tangible  
4 benefits realized by the port, the workers, businesses, and the public.

5 (3) Trade promotion efforts are to include, but not be limited to,  
6 support for international trade fairs. Port districts must deposit  
7 into the state international trade fair fund created under RCW  
8 43.31.805 an amount equal to the amount which would be raised by a levy  
9 of one quarter of one cent per thousand dollars of assessed value  
10 against the taxable property within the port district.

11 **Sec. 2.** RCW 43.31.805 and 1998 c 345 s 3 are each amended to read  
12 as follows:

13 (1) The state international trade fair fund is created in the  
14 custody of the state treasury. All moneys received by the department  
15 of ((community, trade, and economic development)) commerce for the  
16 purposes of this fund ((shall)) must be deposited into the fund. All  
17 moneys raised pursuant to RCW 53.08.245 shall be deposited into the  
18 fund. Expenditures from the fund may be used only for the purpose of  
19 ((assisting state)) promoting participation in international trade  
20 fairs as specified in RCW 43.31.810. Only the director of ((community,  
21 trade, and economic development)) commerce or the director's designee,  
22 in conjunction with the executive director of the Washington public  
23 ports association, may authorize expenditures from the fund. The fund  
24 is subject to allotment procedures under chapter 43.88 RCW, but no  
25 appropriation is required for expenditures.

26 (2) The director of commerce or the director's designee may solicit  
27 charitable donations, gifts, or grants from private or public sources  
28 for deposit into the state international trade fair fund.

29 **Sec. 3.** RCW 43.31.810 and 1987 c 195 s 5 are each amended to read  
30 as follows:

31 For the purposes of RCW ((43.31.790)) 43.31.805 through 43.31.850  
32 ((and 67.16.100, as now or hereafter amended)), state international  
33 trade fair ((organizations, to be eligible for state financial aid  
34 hereunder (1) must have had at least two or more years of experience in  
35 the presentation of or)) funds are to be made available as grants to  
36 operate, or promote and facilitate participation in ((state)),

1 international trade fairs, whether held in this state, another state or  
2 territory of the United States or a foreign country(~~(, however these~~  
3 ~~need not be consecutive years; (2) must be able to provide, from its~~  
4 ~~own resources derived from general admission or otherwise, funds~~  
5 ~~sufficient to)). Grant recipients must match at least one-half the  
6 amount of (~~(state financial aid allotted)~~) the grant.~~

7 **Sec. 4.** RCW 43.31.820 and 1987 c 195 s 6 are each amended to read  
8 as follows:

9 (~~The board of trustees of any state international trade fair~~  
10 ~~sponsored by any public agency, qualifying under the provisions of RCW~~  
11 ~~43.31.790 through 43.31.850 and 67.16.100, as now or hereafter~~  
12 ~~amended,)) Any port district, chamber of commerce, industry or cluster  
13 association, international trade fair organization, or other not-for-  
14 profit organization may apply to the director for moneys (~~(to carry on~~  
15 ~~the continued development as well as the operation of said fair, said~~  
16 ~~money to be appropriated)) from the state international trade fair fund  
17 as provided for in RCW (~~(67.16.100, as now or hereafter amended)~~)  
18 43.31.805, to:~~~~

- 19 (1) Solicit the participation of Washington businesses in  
20 international trade fairs;  
21 (2) Develop and operate a state international trade fair; or  
22 (3) Provide support to those wishing to participate in  
23 international trade fairs.

24 **Sec. 5.** RCW 43.31.830 and 1993 c 280 s 53 are each amended to read  
25 as follows:

26 (1) It (~~(shall be))~~ is the duty of the director of (~~(community,~~  
27 ~~trade, and economic development)) commerce to certify, from the  
28 applications received, the (~~(state international trade fair or fairs))~~  
29 grant applicants qualified and entitled to receive state international  
30 trade fair funds under (~~(RCW 67.16.100, and under rules))~~ criteria  
31 established by the director in conjunction with the executive director  
32 of the Washington public ports association.~~

33 (2) The director (~~(shall))~~ must make annual allotments to (~~(state~~  
34 ~~international trade fairs determined))~~ qualified (~~(to be entitled to~~  
35 ~~participate in the state trade fair fund))~~ applicants and (~~(shall))~~  
36 must fix times for the division of and payment from the state

1 international trade fair fund(~~(+ PROVIDED, That)~~). However, total  
2 payment to any one state international trade fair (~~shall~~) may not  
3 exceed (~~sixty~~) one hundred fifty thousand dollars in any one year(~~(,~~  
4 ~~where participation or presentation occurs within the United States,~~  
5 ~~and eighty thousand dollars in any one year, where participation or~~  
6 ~~presentation occurs outside the United States: PROVIDED FURTHER, That~~  
7 ~~a state international trade fair may qualify for the full allotment of~~  
8 ~~funds under either category)~~). Upon certification of the allotment and  
9 division of state international trade fair funds by the director the  
10 treasurer (~~shall~~) must proceed to pay the same to carry out the  
11 purposes of RCW (~~(67.16.100)~~) 53.08.245, 43.31.805, 43.31.810,  
12 43.31.820, 43.31.830, 43.31.832, 43.31.840, and 43.31.850.

13 **Sec. 6.** RCW 43.31.832 and 1985 c 466 s 34 are each amended to read  
14 as follows:

15 Funds determined to be surplus funds by the director may be  
16 transferred from the state international trade fair fund to the general  
17 fund upon the recommendation of the director and the state treasurer(~~(+~~  
18 ~~PROVIDED, That)~~). Notwithstanding any existing provision of law to the  
19 contrary, the director may also elect to expend up to one million  
20 dollars of (~~such~~) the surplus on foreign trade related activities,  
21 including, but not limited to, promotion of investment, tourism, and  
22 foreign trade.

23 **Sec. 7.** RCW 43.31.840 and 1993 c 280 s 54 are each amended to read  
24 as follows:

25 (1) The director of (~~community, trade, and economic development~~  
26 ~~shall~~) commerce must at the end of each year for which an annual  
27 allotment has been made, conduct a post audit of all of the books and  
28 records of each grantee receiving state international trade fair  
29 (~~participating in the state trade fair fund~~) moneys. The purpose of  
30 such post audit (~~shall~~) must be to determine how and to what extent  
31 each (~~participating state international trade fair~~) grantee has  
32 expended all of its funds.

33 (2) The audit required by this section (~~shall~~) must be a  
34 condition to future allotments of money from the state international  
35 trade fair fund, and the director (~~shall~~) must make a report of the

1 findings of each post audit and (~~shall~~) must use such report as a  
2 consideration in an application for any future allocations.

3 **Sec. 8.** RCW 43.31.850 and 1987 c 195 s 9 are each amended to read  
4 as follows:

5 (~~State~~) "International trade fair," (~~as used in RCW 43.31.790~~)  
6 for the purposes of RCW 43.31.805 through 43.31.840 (~~and 67.16.100, as~~  
7 ~~now or hereafter amended, shall~~), means a fair (~~supported by public~~  
8 ~~agencies basically~~) conducted for the purpose of introducing and  
9 promoting the sale of manufactured or cultural products and services of  
10 a given area, whether presented in this state, the United States or its  
11 territories, or in a foreign country.

12 NEW SECTION. **Sec. 9.** The following acts or parts of acts are each  
13 repealed:

14 (1) RCW 43.31.833 (State trade fairs--Transfer of surplus funds in  
15 state trade fair fund to general fund--Construction) and 1987 c 195 s  
16 8, 1985 c 466 s 35, & 1972 ex.s. c 93 s 3; and

17 (2) RCW 43.31.834 (State trade fairs--Transfer of surplus funds in  
18 state trade fair fund to general fund--Construction) and 1985 c 466 s  
19 36 & 1972 ex.s. c 93 s 4.

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