
SUBSTITUTE SENATE BILL 5325

State of Washington

62nd Legislature

2011 Regular Session

By Senate Economic Development, Trade & Innovation (originally sponsored by Senators Shin, Hobbs, Nelson, and Sheldon)

READ FIRST TIME 02/14/11.

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

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

20 (2) The director of commerce or the director's designee and the
21 executive director of the Washington public ports association or the
22 executive director's designee must solicit charitable donations, gifts,
23 or grants from private or public sources for deposit into the state
24 international trade fair fund.

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

27 For the purposes of RCW ~~((43.31.790))~~ 43.31.805 through 43.31.850
28 ~~((and 67.16.100, as now or hereafter amended)),~~ state international
29 trade fair ~~((organizations, to be eligible for state financial aid~~
30 ~~hereunder (1) must have had at least two or more years of experience in~~
31 ~~the presentation of or))~~ funds are to be made available as grants to
32 operate, or promote and facilitate participation in ~~((state)),~~
33 international trade fairs, whether held in this state, another state or
34 territory of the United States or a foreign country~~((, however these~~
35 ~~need not be consecutive years; (2) must be able to provide, from its~~

1 ~~own resources derived from general admission or otherwise, funds~~
2 ~~sufficient to)). Grant recipients must match at least one-half the~~
3 ~~amount of ((state financial aid allotted)) the grant.~~

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

6 ~~((The board of trustees of any state international trade fair~~
7 ~~sponsored by any public agency, qualifying under the provisions of RCW~~
8 ~~43.31.790 through 43.31.850 and 67.16.100, as now or hereafter~~
9 ~~amended,)) Any port district, chamber of commerce, industry or cluster
10 association, international trade fair organization, or other not-for-
11 profit organization may apply to the director for moneys ~~((to carry on~~
12 ~~the continued development as well as the operation of said fair, said~~
13 ~~money to be appropriated)) from the state international trade fair fund~~
14 ~~as provided for in RCW ((67.16.100, as now or hereafter amended))~~
15 43.31.805, to:~~

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

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

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

30 (2) The director ~~((shall))~~ must make annual allotments to ~~((state~~
31 ~~international trade fairs determined))~~ qualified ~~((to be entitled to~~
32 ~~participate in the state trade fair fund))~~ applicants and ~~((shall))~~
33 must fix times for the division of and payment from the state
34 international trade fair fund~~((÷ PROVIDED, That)).~~ However, total
35 payment to any one state international trade fair ~~((shall))~~ may not
36 exceed ~~((sixty))~~ one hundred fifty thousand dollars in any one year~~((÷~~

1 ~~where participation or presentation occurs within the United States,~~
2 ~~and eighty thousand dollars in any one year, where participation or~~
3 ~~presentation occurs outside the United States: PROVIDED FURTHER, That~~
4 ~~a state international trade fair may qualify for the full allotment of~~
5 ~~funds under either category)).~~ Upon certification of the allotment and
6 division of state international trade fair funds by the director the
7 treasurer (~~shall~~) must proceed to pay the same to carry out the
8 purposes of RCW (~~67.16.100~~) 53.08.245, 43.31.805, 43.31.810,
9 43.31.820, 43.31.830, 43.31.832, 43.31.840, and 43.31.850.

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

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

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

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

30 (2) The audit required by this section (~~shall~~) must be a
31 condition to future allotments of money from the state international
32 trade fair fund, and the director (~~shall~~) must make a report of the
33 findings of each post audit and (~~shall~~) must use such report as a
34 consideration in an application for any future allocations.

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

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

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

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

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

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