

2 SSB 6414 - S AMD
3 By Senator West

4 On page 1, after line 4, strike all materials through and including
5 "process." on page 2, line 4 and insert the following:

6 "NEW SECTION. **Sec. 1.** A new section is added to chapter 43.08 RCW
7 to read as follows:

8 (1) Except as provided in subsection (3) of this section, the state
9 treasurer may not enter into an agreement or contract for the services
10 of an underwriter or service provider that has made a contribution
11 reportable under chapter 42.17 RCW to a candidate for the office of
12 state treasurer during the two-year period immediately preceding the
13 effective date of such agreement or contract.

14 (2) Except as provided in subsection (3) of this section, the state
15 treasurer may not enter into an agreement or contract for the services
16 of an underwriter or service provider that will not, as a condition of
17 entry to the agreement or contract, certify that it will not make a
18 contribution reportable under chapter 42.17 RCW to a candidate for the
19 office of state treasurer during the two-year period beginning on the
20 date of entry into the agreement or contract and ending one year after
21 the date the agreement or contract has been revoked or otherwise become
22 inoperative.

23 (3) This section does not apply to agreements or contracts entered
24 into through competitive solicitation or with respect to any reportable
25 contribution made before January 1, 1995.

26 (4) As used in this section:

27 (a) "Competitive solicitation" means a documented formal process
28 providing an equal and open opportunity to qualified parties and
29 culminating in a selection based on criteria that may include such
30 factors as the service provider or underwriter's fees or costs,
31 ability, capacity, experience, reputation, responsiveness to time
32 limitations, responsiveness to solicitation requirements, quality of
33 previous performance, and compliance with statutes and rules relating
34 to contracts or services.

35 (b) "Service provider" means an individual or firm that provides
36 legal or financial advisory assistance to the state or to another

1 service provider or underwriter, for compensation. The term includes
2 agents, officers, principals, and professional employees of the service
3 provider, but only from the date the individual or firm becomes
4 employed or is retained by a service provider as an agent, officer,
5 principal, or professional employee.

6 (c) "Underwriter" means an individual or firm that initially
7 purchases an issue of bonds from the state by a negotiated sale. The
8 term includes agents, officers, principals, and professional employees
9 of the underwriter, but only from the date the individual or firm
10 becomes employed or is retained by the underwriter as an agent,
11 officer, principal, or professional employee.

12 NEW SECTION. **Sec. 2.** A new section is added to chapter 43.33 RCW
13 to read as follows:

14 (1) Except as provided in subsection (3) of this section, the state
15 finance committee may not enter into an agreement or contract for the
16 services of an underwriter or service provider that has made a
17 contribution reportable under chapter 42.17 RCW to a candidate for the
18 office of governor, lieutenant governor, or state treasurer during the
19 two-year period immediately preceding the effective date of such
20 agreement or contract.

21 (2) Except as provided in subsection (3) of this section, the state
22 finance committee may not enter into an agreement or contract for the
23 services of an underwriter or service provider that will not, as a
24 condition of entry to the agreement or contract, certify that it will
25 not make a contribution reportable under chapter 42.17 RCW to a
26 candidate for the office of governor, lieutenant governor, or state
27 treasurer during the period beginning on the date of entry into the
28 agreement or contract and ending one year after the date the agreement
29 or contract has been revoked or otherwise become inoperative.

30 (3) This section does not apply to agreements or contracts entered
31 into through competitive solicitation or with respect to any reportable
32 contribution made before January 1, 1995.

33 (4) As used in this section:

34 (a) "Competitive solicitation" means a documented formal process
35 providing an equal and open opportunity to qualified parties and
36 culminating in a selection based on criteria that may include such
37 factors as the service provider or underwriter's fees or costs,
38 ability, capacity, experience, reputation, responsiveness to time

1 limitations, responsiveness to solicitation requirements, quality of
2 previous performance, and compliance with statutes and rules relating
3 to contracts or services.

4 (b) "Service provider" means an individual or firm that provides
5 legal or financial advisory assistance to the state or to another
6 service provider or underwriter, for compensation. The term includes
7 agents, officers, principals, and professional employees of the service
8 provider, but only from the date the individual or firm becomes
9 employed or is retained by the service provider as an agent, officer,
10 principal, or professional employee.

11 (c) "Underwriter" means an individual or firm that initially
12 purchases an issue of bonds from the state by a negotiated sale. The
13 term includes agents, officers, principals, and professional employees
14 of the underwriter, but only from the date the individual or firm
15 becomes employed or is retained by the underwriter as an agent,
16 officer, principal, or professional employee.

17 NEW SECTION. **Sec. 3.** A new section is added to chapter 43.33A RCW
18 to read as follows:

19 (1) Except as provided in subsection (3) of this section, the state
20 investment board may not enter into an agreement or contract for the
21 services of a service provider that has made a contribution reportable
22 under chapter 42.17 RCW to a candidate for the office of state
23 treasurer during the two-year period immediately preceding the
24 effective date of such agreement or contract.

25 (2) Except as provided in subsection (3) of this section, the state
26 investment board may not enter into an agreement or contract for the
27 services of a service provider that will not, as a condition of entry
28 to the agreement or contract, certify that it will not make a
29 contribution reportable under chapter 42.17 RCW to a candidate for the
30 office of state treasurer during the period beginning on the date of
31 entry into the agreement or contract and ending one year after the date
32 the agreement or contract has been revoked or otherwise become
33 inoperative.

34 (3) The state investment board may not enter into any partnership
35 agreement with any person who has made a contribution reportable under
36 chapter 42.17 RCW to a candidate for the office of state treasurer
37 during the two-year period immediately preceding the effective date of
38 such agreement.

1 (4) The state investment board may not enter into a partnership
2 agreement with any person who will not, as a condition of entry to the
3 agreement, certify that the person will not make a contribution
4 reportable under chapter 42.17 RCW to a candidate for state office
5 during the period beginning on the date of entry into the agreement and
6 ending one year after the date the agreement or contract has been
7 revoked or otherwise become inoperative.

8 (5) This section does not apply to agreements or contracts entered
9 into through competitive solicitation or with respect to any reportable
10 contribution made before January 1, 1995.

11 (6) As used in this section:

12 (a) "Competitive solicitation" means a documented formal process
13 providing an equal and open opportunity to qualified parties and
14 culminating in a selection based on criteria that may include such
15 factors as the service provider or underwriter's fees or costs,
16 ability, capacity, experience, reputation, responsiveness to time
17 limitations, responsiveness to solicitation requirements, quality of
18 previous performance, and compliance with statutes and rules relating
19 to contracts or services.

20 (b) "Person" includes an individual, partnership, joint venture,
21 public or private corporation, association, or other group of persons,
22 however organized. The term includes agents, officers, principals, and
23 professional employees of such person, but only from the date the
24 individual or firm becomes employed or is retained by the person as an
25 agent, officer, principal, or professional employee.

26 (c) "Service provider" means an individual or firm that provides
27 legal or financial advisory assistance to the state or to another
28 service provider or underwriter, for compensation. The term includes
29 agents, officers, principals, and professional employees of the service
30 provider, but only from the date the individual or firm becomes
31 employed or is retained by the service provider as an agent, officer,
32 principal, or professional employee."

33 Renumber remaining sections accordingly.

34 **SSB 6414** - S AMD
35 By Senator

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1 On page 1, line 2 of the title, after "42.17.2401;" strike the
2 remainder of the title and insert "adding new sections to chapter 43.08
3 RCW; adding a new section to chapter 43.33 RCW; and adding a new
4 section to chapter 43.33A RCW."

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