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HOUSE BILL 2776

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State of Washington

57th Legislature

2002 Regular Session

By Representatives Clements, Linville, Chandler, Grant, Hatfield,  
Casada and Barlean

Read first time 01/28/2002. Referred to Committee on State Government.

1 AN ACT Relating to increasing the purchase of Washington grown or  
2 raised agricultural products; adding a new chapter to Title 43 RCW; and  
3 prescribing penalties.

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

5 NEW SECTION. **Sec. 1.** It is the purpose of this chapter to:

6 (1) Substantially increase the procurement of Washington grown or  
7 raised agricultural products by all local and state governmental  
8 agencies and public schools, and encourage a comparable commitment by  
9 Washington state citizens and businesses in their purchasing practices;

10 (2) Target government procurement policies and goals toward those  
11 Washington grown or raised agricultural products for which there are  
12 significant market development needs or that may substantially  
13 contribute to increasing the economic viability of the state's  
14 agricultural industry;

15 (3) Provide the authority for all governmental agencies to adopt  
16 preferential purchasing policies for Washington grown or raised  
17 agricultural products;

1 (4) Direct state agencies to develop strategies to increase  
2 purchases of Washington grown or raised agricultural products, and  
3 provide specific goals for procurement of these products; and

4 (5) Provide guidance and direction for local governments and other  
5 public agencies to develop plans for increasing the procurement of  
6 Washington grown or raised agricultural products.

7 NEW SECTION. **Sec. 2.** The definitions in this section apply  
8 throughout this chapter unless the context clearly requires otherwise.

9 (1) "Agricultural products" means any horticultural, viticultural,  
10 dairy, livestock, fish, poultry, poultry product, bee, grain, and farm  
11 products that are grown or raised in Washington.

12 (2) "Department" means the department of general administration.

13 (3) "Director" means the director of the department of general  
14 administration.

15 (4) "Local government" means a city, town, county, special purpose  
16 district, school district, or other municipal corporation.

17 (5) "Procurement officer" means the person that has the primary  
18 responsibility for procurement of materials or products.

19 (6) "State agency" means all units of state government, including  
20 divisions of the governor's office, the legislature, the judiciary,  
21 state agencies and departments, correctional institutions, vocational-  
22 technical institutions, and universities and colleges.

23 NEW SECTION. **Sec. 3.** A state agency, when purchasing agricultural  
24 products:

25 (1) Must purchase products grown or raised in Washington state when  
26 the products are readily available and can be delivered in time for its  
27 intended purpose;

28 (2) May, when Washington state agricultural products are not  
29 available, buy agricultural products grown or raised in the United  
30 States; and

31 (3) May only purchase agricultural products grown or raised outside  
32 the United States when products grown, raised, or produced in  
33 Washington state or the United States are not available.

34 NEW SECTION. **Sec. 4.** (1) By July 1, 2003, state agencies must  
35 comply with section 3 of this act. State agencies that fail to comply  
36 shall be issued a warning by the department and provided ninety days to

1 bring their purchasing policies into compliance. After this warning,  
2 the department may issue a penalty of up to ten thousand dollars for  
3 each additional violation.

4 (2) The department shall develop a data base of available  
5 agricultural products grown or raised in Washington state, and vendors  
6 supplying those products.

7 NEW SECTION. **Sec. 5.** (1) By January 1, 2003, each local  
8 government shall review its existing procurement policies and  
9 specifications to determine whether Washington grown or raised  
10 agricultural products are excluded. The policies and specifications  
11 shall be revised to include those products.

12 (2) By January 1, 2004, each local government shall adopt a minimum  
13 purchasing goal for Washington grown or raised agricultural products as  
14 a percentage of the total dollar value of agricultural products  
15 purchased. To assist in achieving this goal, each local government  
16 shall adopt a strategy by January 1, 2003, and shall submit a  
17 description of the strategy to the department. All public agencies  
18 shall respond to requests for information from the department for the  
19 purpose of the reporting requirements under this section.

20 (3) Each local government shall designate a procurement officer who  
21 shall serve as the primary contact with the department for compliance  
22 with the requirements of this chapter.

23 (4) This section applies only to local governments with  
24 expenditures for supplies exceeding five hundred thousand dollars for  
25 fiscal year 1998. Expenditures for capital goods and for electricity,  
26 water, or gas for resale are not considered a supply expenditure.

27 NEW SECTION. **Sec. 6.** Each local government shall consider the  
28 adoption of policies, rules, or ordinances to provide for the  
29 preferential purchase of Washington grown or raised agricultural  
30 products. Any local government may adopt the preferential purchasing  
31 policy of the department, or portion of such policy, or another policy  
32 that provides a preference for Washington grown or raised agricultural  
33 products.

1        NEW SECTION.   **Sec. 7.**   Sections 1 through 6 of this act constitute  
2   a new chapter in Title 43 RCW.

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