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**HOUSE BILL 1194**

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**State of Washington**

**68th Legislature**

**2023 Regular Session**

**By** Representative Klicker

1 AN ACT Relating to training, educating, and inspiring the next  
2 generation of the clean and renewable energy workforce; amending RCW  
3 43.52.391; adding a new chapter to Title 82 RCW; creating new  
4 sections; repealing RCW 82.08.962 and 82.12.962; and providing an  
5 effective date.

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

7 NEW SECTION. **Sec. 1.** The legislature finds that there is a  
8 great need to train and educate a clean energy workforce that is  
9 sufficient to achieve the projected deployment levels of clean energy  
10 technologies that are needed to achieve a low emissions economy like  
11 solar, wind, nuclear, battery storage, and energy efficiency. There  
12 is also a need to inspire people to seek out those career  
13 opportunities. Therefore, it is the intent of the legislature to  
14 empower public-private partnerships that will help our state to build  
15 workforce capacity in these areas at sufficient scale and speed.

16 The legislature intends to establish a joint clean and renewable  
17 energy workforce training center (CREW center) to educate and train  
18 the workforce for the energy transition. The legislature intends to  
19 collocate in the vicinity of the CREW center a state-of-the-art  
20 visitor center with educational exhibits open to the general public.  
21 The first purpose of the visitor center is to inspire interest in

1 careers in the clean energy economy and grow the pipeline of students  
2 who seek training at the CREW center. The second purpose of the  
3 visitor center is to equip citizens with knowledge about electricity  
4 generation, transmission, distribution, and storage that will help  
5 them participate in public policy issues surrounding the clean energy  
6 transition. This visitor center may be known as the secure power from  
7 American resources center (SPARC center).

8 The legislature finds that the Tri-Cities region is ideally  
9 situated to host these facilities, because of its abundance of  
10 nonemitting electricity generating resources, the presence of a  
11 national laboratory working on electric grid resilience, and  
12 excellent academic and technical faculty.

13 NEW SECTION. **Sec. 2.** (1) A clean and renewable energy workforce  
14 training center must be established jointly with a secure power from  
15 American resources center in the Tri-Cities area to do the following:

16 (a) Provide workforce training for employees pursuing careers in  
17 clean and renewable energy through on-site training and undergraduate  
18 and graduate internships;

19 (b) Provide clean and renewable energy educational learning  
20 experiences for visitors of all ages through interactive exhibits;  
21 and

22 (c) Provide informational exhibits exploring the various aspects  
23 of careers and educational opportunities in clean and renewable  
24 energy.

25 (2) The clean and renewable energy workforce training center and  
26 the secure power from American resources center may be operated and  
27 administered jointly as an education, training, and research center  
28 providing clean energy job training, career education, and research  
29 under the authority of Washington State University Tri-Cities and a  
30 joint operating agency pursuant to chapter 43.52 RCW. The joint clean  
31 and renewable energy workforce training and secure power from  
32 American resources centers may be made available to all four-year  
33 institutions of higher education as defined in RCW 28B.10.016 and all  
34 community and technical colleges as defined in RCW 28B.50.030.  
35 Resources for career training may include internships, on-the-job  
36 training, and research opportunities for undergraduate and graduate  
37 students and faculty.

38 (3) The powers of the joint centers are vested in and shall be  
39 exercised by a board of directors consisting of 13 voting members and

1 a nonvoting chair appointed by the governor. Terms of the initial  
2 members must be staggered. The 13 voting members shall consist of the  
3 following:

4 (a) One member from the nuclear energy industry;

5 (b) One member from the renewable electricity generation  
6 industry;

7 (c) One member from the army corps of engineers;

8 (d) One member representing linemen;

9 (e) One member representing plumbers and pipefitters;

10 (f) One member representing sheet metal workers;

11 (g) One member representing electricians;

12 (h) One member representing laborers;

13 (i) One member representing Washington State University;

14 (j) One member representing a community and technical college in  
15 the Tri-Cities area;

16 (k) One member who is an energy data analyst;

17 (l) One member who is a technical engineer; and

18 (m) One member who is a civil engineer.

19 (4) The board shall:

20 (a) Work with clean and renewable energy industry members to  
21 develop internships, on-the-job training, research, and other  
22 opportunities to provide undergraduate and graduate students enrolled  
23 in programs for clean and renewable energy-related curriculum with  
24 direct experience in the industry and to provide career and skills  
25 training applicable to the industry;

26 (b) Develop and strengthen university-industry relationships  
27 through promotion of faculty collaboration with industry and sponsor  
28 at least one annual symposium focusing on clean and renewable energy  
29 research and deployment in the state of Washington;

30 (c) Encourage a full range of projects from small research  
31 projects that meet the specific needs of a smaller company to large  
32 scale, multipartner projects; and

33 (d) Work with partners to effectively market career opportunities  
34 in clean and renewable energy in Washington state, and in particular  
35 to diversify the workforce, and educate the public on the pathways to  
36 success in these career fields.

37 **Sec. 3.** RCW 43.52.391 and 1982 c 1 s 1 are each amended to read  
38 as follows:

1       (1) Except as otherwise provided in this section, a joint  
2 operating agency shall have all powers now or hereafter granted  
3 public utility districts under the laws of this state. It shall not  
4 acquire nor operate any electric distribution properties nor condemn  
5 any properties owned by a public utility which are operated for the  
6 generation and transmission of electric power and energy or are being  
7 developed for such purposes with due diligence under a valid license  
8 or permit, nor purchase or acquire any operating hydroelectric  
9 generating plant owned by any city or district on June 11, 1953, or  
10 which may be acquired by any city or district by condemnation on or  
11 after January 1, 1957, nor levy taxes, issue general obligation  
12 bonds, or create subdistricts. It may enter into any contracts,  
13 leases or other undertakings deemed necessary or proper and acquire  
14 by purchase or condemnation any real or personal property used or  
15 useful for its corporate purposes. Actions in eminent domain may be  
16 instituted in the superior court of any county in which any of the  
17 property sought to be condemned is located and the court in any such  
18 action shall have jurisdiction to condemn property wherever located  
19 within the state; otherwise such actions shall be governed by the  
20 same procedure as now or hereafter provided by law for public utility  
21 districts. An operating agency may sell steam or water not required  
22 by it for the generation of power and may construct or acquire any  
23 facilities it deems necessary for that purpose.

24       (2) An operating agency may make contracts for any term relating  
25 to the purchase, sale, interchange or wheeling of power with the  
26 government of the United States or any agency thereof and with any  
27 municipal corporation or public utility, within or without the state,  
28 and may purchase or deliver power anywhere pursuant to any such  
29 contract. An operating agency may acquire any coal-bearing lands for  
30 the purpose of assuring a long-term, adequate supply of coal to  
31 supply its needs, both actual and prospective, for the generation of  
32 power and may make such contracts with respect to the extraction,  
33 sale or disposal of coal that it deems proper.

34       (3) Any member of an operating agency may advance or contribute  
35 funds to an agency as may be agreed upon by the agency and the  
36 member, and the agency shall repay such advances or contributions  
37 from proceeds of revenue bonds, from operating revenues or from any  
38 other funds of the agency, together with interest not to exceed the  
39 maximum specified in RCW 43.52.395(1). The legislative body of any  
40 member may authorize and make such advances or contributions to an

1 operating agency to assist in a plan for termination of a project or  
2 projects, whether or not such member is a participant in such project  
3 or projects. Any member who makes such advances or contributions for  
4 terminating a project or projects in which it is not a participant  
5 shall not assume any liability for any debts or obligations related  
6 to the terminated project or projects on account of such advance or  
7 contribution.

8 (4) An operating agency may own and operate educational training  
9 facilities and public visitor centers designed to provide education  
10 enrichment experiences.

11 NEW SECTION. Sec. 4. The following acts or parts of acts are  
12 each repealed:

13 (1) RCW 82.08.962 (Exemptions—Sales of machinery and equipment  
14 used in generating electricity) and 2019 c 288 s 18, 2018 c 164 s 5,  
15 2017 3rd sp.s. c 36 s 14, 2013 2nd sp.s. c 13 s 1502, & 2009 c 469 s  
16 101; and

17 (2) RCW 82.12.962 (Exemptions—Use of machinery and equipment in  
18 generating electricity) and 2019 c 288 s 19, 2018 c 164 s 7, 2017 3rd  
19 sp.s. c 36 s 16, 2013 2nd sp.s. c 13 s 1505, & 2009 c 469 s 102.

20 NEW SECTION. Sec. 5. DEFINITIONS. The definitions in this  
21 section apply throughout sections 6 and 7 of this act unless the  
22 context clearly requires otherwise.

23 (1) "Qualified utility-scale facility" means a solar or wind farm  
24 that generates five megawatts or more.

25 (2) "Solar farm" means a facility that generates electricity  
26 using sun as the principal source of power.

27 (3) "Wind farm" means a facility that generates electricity using  
28 wind as the principal source of power.

29 NEW SECTION. Sec. 6. STATE EXCISE TAX. (1) A statewide clean  
30 energy workforce investment tax is imposed on the production from a  
31 qualified utility-scale facility. The amount of the tax is \$1 per  
32 megawatt hour.

33 (2) The tax imposed under subsection (1) of this section must be  
34 remitted to the department by all taxpayers operating a qualified  
35 utility-scale facility on a return provided by the department.

1        NEW SECTION.    **Sec. 7.**    LOCAL OPTION COUNTY EXCISE TAX. (1) The  
2 legislative authority of any county may submit an authorizing  
3 proposition to the voters at a special or general election and, if  
4 the proposition is approved by a majority of the persons voting, may  
5 impose a tax in accordance with this chapter and subject to the  
6 restrictions of this section. The title of each ballot measure must  
7 clearly state the purposes for which the proposed tax may be used.

8        (2) The rate of this tax may not exceed \$1 per megawatt hour on  
9 the production from a qualified utility-scale facility located in the  
10 county or immediately offshore of that county.

11        (3) The tax imposed under this section expires no later than 30  
12 years after the date the tax was first imposed, at the discretion of  
13 the county and submitted as part of the authorizing proposition, and  
14 must be resubmitted to the voters for continuation.

15        (4) The tax must be used by the county to do the following:

16        (a) Support tourism and economic development purposes;

17        (b) Mitigate any negative impacts to touring from the siting of  
18 energy infrastructure; and

19        (c) Education, workforce, and skill center initiatives.

20        NEW SECTION.    **Sec. 8.**    ACCOUNT. The clean and renewable energy  
21 workforce capital account is created in the state treasury. It is the  
22 intent of the legislature that an amount equal to the revenues  
23 generated as a result of repealing RCW 82.08.962 and 82.12.962 be  
24 deposited into the account. Moneys in the account may only be spent  
25 after appropriation. Expenditures for the account may only be used  
26 for the purposes of this act.

27        NEW SECTION.    **Sec. 9.**    Sections 5 through 8 of this act  
28 constitute a new chapter in Title 82 RCW.

29        NEW SECTION.    **Sec. 10.**    Sections 4 through 8 of this act take  
30 effect January 1, 2024.

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