
SUBSTITUTE HOUSE BILL 2411

State of Washington

65th Legislature

2018 Regular Session

By House Environment (originally sponsored by Representatives Doglio, Slatter, Macri, Appleton, and Gregerson)

1 AN ACT Relating to reducing wasted food in order to fight hunger
2 and reduce environmental impacts; amending RCW 70.93.030, 70.93.180,
3 70.93.180, 70.93.200, 70.93.250, and 70.95.090; adding a new section
4 to chapter 70.93 RCW; creating a new section; providing an effective
5 date; and providing an expiration date.

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

7 NEW SECTION. **Sec. 1.** (1) The legislature finds that the wasting
8 of food represents a misuse of resources, including the water, land,
9 energy, labor, and capital that go into growing, harvesting,
10 processing, transporting, and retailing food for human consumption.
11 Wasting edible food occurs all along the food production supply
12 chain, and reducing the waste of edible food is a goal that can be
13 achieved only with the collective efforts of growers, processors,
14 distributors, retailers, and consumers of food. Inedible food waste
15 can be managed in ways that reduce negative environmental impacts and
16 provide beneficial results to the land, air, soil, and energy
17 infrastructure. Efforts to reduce the waste of food and expand the
18 diversion of food waste to beneficial end uses will also require the
19 mindful support of government policies that shape the behavior and
20 waste-reduction opportunities of each of those participants in the
21 food supply chain.

1 (2) Food waste represents an oft-overlooked human tragedy in a
2 world where millions of people go hungry on a daily basis. Worldwide,
3 the United Nations food and agriculture organization has estimated
4 that if one-fourth of the food lost or wasted globally could be
5 saved, it would be enough to feed eight hundred seventy million
6 hungry people. Recent data from the department of ecology indicate
7 that Washington is not immune to food waste problems, and recent
8 estimates indicate that seventeen percent of all garbage sent to
9 Washington disposal facilities is food waste, and eight percent of
10 all garbage is food that was determined to be edible at the time of
11 disposal. In recognition of the widespread benefits that would accrue
12 from reductions in food waste, in 2015, the administrator of the
13 United States environmental protection agency and the secretary of
14 the United States department of agriculture announced a national goal
15 of reducing food waste by fifty percent by 2030.

16 (3) By establishing state food waste reduction goals and
17 developing a state food waste reduction strategy, it is the intent of
18 the legislature to continue its national leadership in solid waste
19 reduction efforts by:

20 (a) Fighting hunger by more efficiently diverting surplus food to
21 feed hungry individuals and families in need;

22 (b) Reducing the cradle-to-grave greenhouse gas emissions
23 associated with wasted food; and

24 (c) Making more efficient use of the state's food waste
25 management infrastructure by reducing the volumes of food waste that
26 flow through those facilities.

27 NEW SECTION. **Sec. 2.** A new section is added to chapter 70.93
28 RCW to read as follows:

29 (1) A goal is established for the state to reduce by fifty
30 percent the amount of wasted food generated annually by 2030,
31 relative to 2017 levels.

32 (2) The department may estimate 2017 levels of wasted food in
33 Washington using any combination of solid waste reporting data
34 obtained under this chapter and surveys and studies measuring wasted
35 food and food waste in other jurisdictions. For purposes of measuring
36 progress towards the goal in subsection (1) of this section, the
37 department must adopt standardized metrics and processes for
38 measuring or estimating volumes of wasted food and food waste
39 generated in the state.

1 (3) By October 1, 2020, the department, in consultation with the
2 department of agriculture and the department of health, must develop
3 and adopt a state wasted food reduction and food waste diversion plan
4 designed to achieve the goal established in subsection (1) of this
5 section.

6 (a) The wasted food reduction and food waste diversion plan must
7 include strategies, in descending order of priority, to:

8 (i) Reduce the wasting of edible food by residents and
9 businesses;

10 (ii) Help match edible food that would otherwise be wasted with
11 food banks and other distributors that will ensure the food reaches
12 those who need it; and

13 (iii) Support productive uses of inedible food materials,
14 including using it for animal feed, energy production, or other
15 commercial uses, and for industrial or on-site compost production.

16 (b) The wasted food reduction and food waste diversion plan must
17 include suggested best practices that local governments may
18 incorporate into solid waste management plans developed under RCW
19 70.95.080.

20 (c) The department must solicit feedback from the public and
21 interested stakeholders throughout the process of developing and
22 adopting the wasted food reduction and food waste diversion plan. To
23 assist with its food waste reduction plan development
24 responsibilities, the department may designate a stakeholder advisory
25 panel. If the department designates a stakeholder advisory panel, it
26 must consist of representatives of, at minimum: Local government
27 health departments, local government solid waste departments, food
28 banks, hunger-focused nonprofit organizations, and food businesses or
29 food business associations.

30 (d) In conjunction with the development of the wasted food
31 reduction and food waste diversion plan, the department must consider
32 recommending changes to state law in order to achieve the goal
33 established in subsection (1) of this section. Any such
34 recommendations must be explained via a report to the legislature
35 submitted consistent with RCW 43.01.036 by December 1, 2020.

36 **Sec. 3.** RCW 70.93.030 and 2007 c 244 s 1 are each amended to
37 read as follows:

38 The definitions in this section apply throughout this chapter
39 unless the context clearly requires otherwise.

- 1 (1) "Conveyance" means a boat, airplane, or vehicle.
- 2 (2) "Department" means the department of ecology.
- 3 (3) "Director" means the director of the department of ecology.
- 4 (4) "Disposable package or container" means all packages or
5 containers defined as such by rules adopted by the department of
6 ecology.
- 7 (5) "Junk vehicle" has the same meaning as defined in RCW
8 46.55.010.
- 9 (6) "Litter" means all waste material including but not limited
10 to disposable packages or containers thrown or deposited as herein
11 prohibited and solid waste that is illegally dumped, but not
12 including the wastes of the primary processes of mining, logging,
13 sawmilling, farming, or manufacturing. "Litter" includes the material
14 described in subsection (11) of this section as "potentially
15 dangerous litter."
- 16 (7) "Litter bag" means a bag, sack, or other container made of
17 any material which is large enough to serve as a receptacle for
18 litter inside the vehicle or watercraft of any person. It is not
19 necessarily limited to the state approved litter bag but must be
20 similar in size and capacity.
- 21 (8) "Litter receptacle" means those containers adopted by the
22 department of ecology and which may be standardized as to size,
23 shape, capacity, and color and which shall bear the state anti-litter
24 symbol, as well as any other receptacles suitable for the depositing
25 of litter.
- 26 (9) "Official gathering" means an event where authorization to
27 hold the event is approved, recognized, or issued by a government,
28 public body, or authority, including but not limited to fairs,
29 musical concerts, athletic games, festivals, tournaments, or any
30 other formal or ceremonial event, during which beverages are sold by
31 a vendor or vendors in single-use aluminum, glass, or plastic bottles
32 or cans.
- 33 (10) "Person" means any political subdivision, government agency,
34 municipality, industry, public or private corporation, copartnership,
35 association, firm, individual, or other entity whatsoever.
- 36 (11) "Potentially dangerous litter" means litter that is likely
37 to injure a person or cause damage to a vehicle or other property.
38 "Potentially dangerous litter" means:
- 39 (a) Cigarettes, cigars, or other tobacco products that are
40 capable of starting a fire;

1 (b) Glass;

2 (c) A container or other product made predominantly or entirely
3 of glass;

4 (d) A hypodermic needle or other medical instrument designed to
5 cut or pierce;

6 (e) Raw human waste, including soiled baby diapers, regardless of
7 whether or not the waste is in a container of any sort; and

8 (f) Nails or tacks.

9 (12) "Public place" means any area that is used or held out for
10 use by the public whether owned or operated by public or private
11 interests.

12 (13) "Recycling" means transforming or remanufacturing waste
13 materials into a finished product for use other than landfill
14 disposal or incineration.

15 (14) "Recycling center" means a central collection point for
16 recyclable materials.

17 (15) "Sports facility" means an outdoor recreational sports
18 facility, including but not limited to athletic fields and ballparks,
19 at which beverages are sold by a vendor or vendors in single-use
20 aluminum, glass, or plastic bottles or cans.

21 (16) "To litter" means a single or cumulative act of disposing of
22 litter.

23 (17) "Vehicle" includes every device capable of being moved upon
24 a public highway and in, upon, or by which any persons or property is
25 or may be transported or drawn upon a public highway, excepting
26 devices moved by human or animal power or used exclusively upon
27 stationary rails or tracks.

28 (18) "Waste reduction" means reducing the amount or toxicity of
29 waste generated or reusing materials.

30 (19) "Watercraft" means any boat, ship, vessel, barge, or other
31 floating craft.

32 (20) "Food waste" means landfilled, incinerated, or otherwise
33 discarded inedible organic material that spoiled or was produced as a
34 by-product of organic material that was intended for human
35 consumption.

36 (21) "Wasted food" means landfilled, incinerated, or otherwise
37 discarded edible food that was intended for human consumption.

38 **Sec. 4.** RCW 70.93.180 and 2015 c 15 s 2 are each amended to read
39 as follows:

1 (1) There is hereby created an account within the state treasury
2 to be known as the waste reduction, recycling, and litter control
3 account. Moneys in the account may be spent only after appropriation.
4 Expenditures from the waste reduction, recycling, and litter control
5 account shall be used as follows:

6 (a) Fifty percent to the department of ecology, for use by the
7 departments of ecology, natural resources, revenue, transportation,
8 and corrections, and the parks and recreation commission, for use in
9 litter collection programs, to be distributed under RCW 70.93.220.
10 The amount to the department of ecology shall also be used for a
11 central coordination function for litter control efforts statewide;
12 for statewide public awareness programs under RCW 70.93.200(7); and
13 to support employment of youth in litter cleanup as intended in RCW
14 70.93.020, and for litter pick up using other authorized agencies.
15 The amount to the department shall also be used to defray the costs
16 of administering the funding, coordination, and oversight of local
17 government programs for waste reduction, wasted food reduction, food
18 waste diversion, litter control, recycling, and composting, so that
19 local governments can apply one hundred percent of their funding to
20 achieving program goals. The amount to the department of revenue
21 shall be used to enforce compliance with the litter tax imposed in
22 chapter 82.19 RCW;

23 (b)(i) Twenty percent to the department for local government
24 funding programs for waste reduction, wasted food reduction, food
25 waste diversion, litter control, recycling activities, and composting
26 activities by cities and counties under RCW 70.93.250, to be
27 administered by the department of ecology; (ii) any unspent funds
28 under (b)(i) of this subsection may be used to create and pay for a
29 matching fund competitive grant program to provide funding to
30 qualified local governments and nonprofit organizations for local or
31 statewide education programs designed to help the public with litter
32 control, waste reduction, wasted food reduction, food waste
33 diversion, recycling, and composting of primarily the products taxed
34 under chapter 82.19 RCW. Grants must adhere to the following
35 requirements: (A) No grant may exceed sixty thousand dollars; (B)
36 grant recipients shall match the grant funding allocated by the
37 department by an amount equal to twenty-five percent of eligible
38 expenses. A local government's share of these costs may be met by
39 cash or contributed services; (C) the obligation of the department to
40 make grant payments is contingent upon the availability of the amount

1 of money appropriated for this subsection (1)(b); and (D) grants are
2 managed under the guidelines for existing grant programs; and

3 (c) Thirty percent to the department of ecology to: (i) Implement
4 activities under RCW 70.93.200 for waste reduction, wasted food
5 reduction, food waste diversion, recycling, and composting efforts;
6 (ii) provide technical assistance to local governments for commercial
7 business and residential recycling and composting programs primarily
8 for the products taxed under chapter 82.19 RCW designed to educate
9 the public about waste reduction, wasted food reduction, food waste
10 diversion, litter control, and recyclable and compostable products
11 and programs; and (iii) increase access to waste reduction, wasted
12 food reduction, food waste diversion, composting, and recycling
13 programs, particularly for food packaging and plastic bags and
14 appropriate composting techniques.

15 (2) All moneys directed to the waste reduction, recycling, and
16 litter control account under RCW 82.19.040 and fines and bail
17 forfeitures collected or received pursuant to this chapter shall be
18 deposited in the account and used for the programs under subsection
19 (1) of this section.

20 (3) Not less than five percent and no more than ten percent of
21 the amount appropriated into the waste reduction, recycling, and
22 litter control account every biennium shall be reserved for capital
23 needs, including the purchase of vehicles for transporting crews and
24 for collecting litter and solid waste. Capital funds shall be
25 distributed among state agencies and local governments according to
26 the same criteria provided in RCW 70.93.220 for the remainder of the
27 funds, so that the most effective waste reduction, wasted food
28 reduction, food waste diversion, litter control, recycling, and
29 composting programs receive the most funding. The intent of this
30 subsection is to provide funds for the purchase of equipment that
31 will enable the department to account for the greatest return on
32 investment in terms of reaching a zero litter goal.

33 (4) Funds in the waste reduction, recycling, and litter control
34 account, collected under chapter 82.19 RCW, must be prioritized for
35 the products identified under RCW 82.19.020 solely for the purposes
36 of waste reduction, wasted food reduction, food waste diversion,
37 recycling, composting, and litter collection, reduction, and control
38 programs.

1 **Sec. 5.** RCW 70.93.180 and 2015 c 15 s 3 are each amended to read
2 as follows:

3 (1) There is hereby created an account within the state treasury
4 to be known as the waste reduction, recycling, and litter control
5 account. Moneys in the account may be spent only after appropriation.
6 Expenditures from the waste reduction, recycling, and litter control
7 account shall be used as follows:

8 (a) Fifty percent to the department of ecology, for use by the
9 departments of ecology, natural resources, revenue, transportation,
10 and corrections, and the parks and recreation commission, for use in
11 litter collection programs, to be distributed under RCW 70.93.220.
12 The amount to the department of ecology shall also be used for a
13 central coordination function for litter control efforts statewide;
14 for statewide public awareness programs under RCW 70.93.200(7); and
15 to support employment of youth in litter cleanup as intended in RCW
16 70.93.020, and for litter pick up using other authorized agencies.
17 The amount to the department shall also be used to defray the costs
18 of administering the funding, coordination, and oversight of local
19 government programs for waste reduction, wasted food reduction, food
20 waste diversion, litter control, recycling, and composting so that
21 local governments can apply one hundred percent of their funding to
22 achieving program goals. The amount to the department of revenue
23 shall be used to enforce compliance with the litter tax imposed in
24 chapter 82.19 RCW;

25 (b)(i) Twenty percent to the department for local government
26 funding programs for waste reduction, wasted food reduction, food
27 waste diversion, litter control, recycling activities, and composting
28 activities by cities and counties under RCW 70.93.250, to be
29 administered by the department of ecology; (ii) any unspent funds
30 under (b)(i) of this subsection may be used to create and pay for a
31 matching fund competitive grant program to be used by local
32 governments and nonprofit organizations for local or statewide
33 education programs designed to help the public with litter control,
34 waste reduction, wasted food reduction, food waste diversion,
35 recycling, and composting of primarily the products taxed under
36 chapter 82.19 RCW. Grants must adhere to the following requirements:
37 (A) No grant may exceed sixty thousand dollars; (B) grant recipients
38 shall match the grant funding allocated by the department by an
39 amount equal to twenty-five percent of eligible expenses. A local
40 government's share of these costs may be met by cash or contributed

1 services; (C) the obligation of the department to make grant payments
2 is contingent upon the availability of the amount of money
3 appropriated for this subsection (1)(b); and (D) grants are managed
4 under the guidelines for existing grant programs; and

5 (c) Thirty percent to the department of ecology to: (i) Implement
6 activities under RCW 70.93.200 for waste reduction, wasted food
7 reduction, food waste diversion, recycling, and composting efforts;
8 (ii) provide technical assistance to local governments for commercial
9 business and residential recycling programs primarily for the
10 products taxed under chapter 82.19 RCW designed to educate citizens
11 about waste reduction, wasted food reduction, food waste diversion,
12 litter control, and recyclable and compostable products and programs;
13 and (iii) increase access to waste reduction, wasted food reduction,
14 food waste diversion, composting, and recycling programs,
15 particularly for food packaging and plastic bags and appropriate
16 composting techniques.

17 (2) All taxes imposed in RCW 82.19.010 and fines and bail
18 forfeitures collected or received pursuant to this chapter shall be
19 deposited in the waste reduction, recycling, and litter control
20 account and used for the programs under subsection (1) of this
21 section.

22 (3) Not less than five percent and no more than ten percent of
23 the amount appropriated into the waste reduction, recycling, and
24 litter control account every biennium shall be reserved for capital
25 needs, including the purchase of vehicles for transporting crews and
26 for collecting litter and solid waste. Capital funds shall be
27 distributed among state agencies and local governments according to
28 the same criteria provided in RCW 70.93.220 for the remainder of the
29 funds, so that the most effective waste reduction, wasted food
30 reduction, food waste diversion, litter control, recycling, and
31 composting programs receive the most funding. The intent of this
32 subsection is to provide funds for the purchase of equipment that
33 will enable the department to account for the greatest return on
34 investment in terms of reaching a zero litter goal.

35 (4) Funds in the waste reduction, recycling, and litter control
36 account, collected under chapter 82.19 RCW, must be prioritized for
37 the products identified under RCW 82.19.020 solely for the purposes
38 of recycling, wasted food reduction, food waste diversion,
39 composting, and litter collection, reduction, and control programs.

1 **Sec. 6.** RCW 70.93.200 and 2015 c 15 s 4 are each amended to read
2 as follows:

3 In addition to the foregoing, the department of ecology shall use
4 the moneys from RCW 70.93.180 of the waste reduction, recycling, and
5 litter control account to:

6 (1) Serve as the coordinating agency between the various industry
7 organizations seeking to aid in the waste reduction, wasted food
8 reduction, food waste diversion, anti-litter, recycling, and
9 composting efforts;

10 (2) Serve as the coordinating and administrating agency for all
11 state agencies and local governments receiving funds for waste
12 reduction, wasted food reduction, food waste diversion, litter
13 control, recycling, and composting under this chapter;

14 (3) Recommend to the governing bodies of all local governments
15 that they adopt ordinances similar to the provisions of this chapter;

16 (4) Cooperate with all local governments to accomplish
17 coordination of local waste reduction, wasted food reduction, food
18 waste diversion, anti-litter, recycling, and composting efforts;

19 (5) Encourage, organize, and coordinate all voluntary local waste
20 reduction, wasted food reduction, food waste diversion, anti-litter,
21 and recycling campaigns seeking to focus the attention of the public
22 on the programs of this state to reduce waste, to reduce wasted food
23 and divert food waste to productive uses, control and remove litter,
24 and foster recycling and composting;

25 (6) Investigate the availability of, and apply for funds
26 available from any private or public source to be used in the program
27 outlined in this chapter;

28 (7) Develop statewide programs by working with local governments,
29 payers of the waste reduction, recycling, and litter control tax, and
30 industry organizations that are active in waste reduction, wasted
31 food reduction, food waste diversion, anti-litter, recycling, and
32 composting efforts to:

33 (a) Increase public awareness of and participation in recycling,
34 wasted food reduction, food waste diversion, and composting; and

35 (b) Stimulate and encourage local private recycling and
36 composting centers, public participation in recycling and composting,
37 and research and development in the field of litter control, wasted
38 food reduction, food waste diversion, and recycling, removal, and
39 disposal of litter-related recycling materials, and composting; and

1 (8) Provide on the department's web site a summary of all waste
2 reduction, wasted food reduction, food waste diversion, litter
3 control, recycling, and composting efforts statewide including those
4 of the department and other state agencies and local governments
5 funded for such programs under this chapter.

6 **Sec. 7.** RCW 70.93.250 and 2014 c 76 s 4 are each amended to read
7 as follows:

8 (1) The department shall provide funding to local units of
9 government to establish, conduct, and evaluate community restitution
10 and other programs for waste reduction, wasted food reduction, food
11 waste diversion, litter and illegal dump cleanup, and recycling.
12 Programs eligible for funding under this section shall include, but
13 not be limited to, programs established pursuant to RCW 72.09.260.

14 (2) Funds may be offered for costs associated with community
15 waste reduction, wasted food reduction, food waste diversion, litter
16 cleanup and prevention, and recycling activities. The funding program
17 must be flexible, allowing local governments to use funds broadly to
18 meet their needs to reduce waste, reduce wasted food, divert food
19 waste, control litter and illegal dumping, and promote recycling.
20 Local governments are required to contribute resources or in-kind
21 services. The department shall evaluate funding requests from local
22 government according to the same criteria as those developed in RCW
23 70.93.220, provide funds according to the effectiveness and
24 efficiency of local government litter control programs, and monitor
25 the results of all local government programs under this section.

26 (3) Local governments shall report information as requested by
27 the department in funding agreements entered into by the department
28 and a local government.

29 **Sec. 8.** RCW 70.95.090 and 1991 c 298 s 3 are each amended to
30 read as follows:

31 Each county and city comprehensive solid waste management plan
32 shall include the following:

33 (1) A detailed inventory and description of all existing solid
34 waste handling facilities including an inventory of any deficiencies
35 in meeting current solid waste handling needs.

36 (2) The estimated long-range needs for solid waste handling
37 facilities projected twenty years into the future.

1 (3) A program for the orderly development of solid waste handling
2 facilities in a manner consistent with the plans for the entire
3 county which shall:

4 (a) Meet the minimum functional standards for solid waste
5 handling adopted by the department and all laws and regulations
6 relating to air and water pollution, fire prevention, flood control,
7 and protection of public health;

8 (b) Take into account the comprehensive land use plan of each
9 jurisdiction;

10 (c) Contain a six year construction and capital acquisition
11 program for solid waste handling facilities; and

12 (d) Contain a plan for financing both capital costs and
13 operational expenditures of the proposed solid waste management
14 system.

15 (4) A program for surveillance and control.

16 (5) A current inventory and description of solid waste collection
17 needs and operations within each respective jurisdiction which shall
18 include:

19 (a) Any franchise for solid waste collection granted by the
20 utilities and transportation commission in the respective
21 jurisdictions including the name of the holder of the franchise and
22 the address of his or her place of business and the area covered by
23 the franchise;

24 (b) Any city solid waste operation within the county and the
25 boundaries of such operation;

26 (c) The population density of each area serviced by a city
27 operation or by a franchised operation within the respective
28 jurisdictions;

29 (d) The projected solid waste collection needs for the respective
30 jurisdictions for the next six years.

31 (6) A comprehensive waste reduction and recycling element that,
32 in accordance with the priorities established in RCW 70.95.010,
33 provides programs that (a) reduce the amount of waste generated, (b)
34 provide incentives and mechanisms for source separation, and (c)
35 establish recycling opportunities for the source separated waste.

36 (7) The waste reduction and recycling element shall include the
37 following:

38 (a) Waste reduction strategies, which may include strategies to
39 reduce wasted food and food waste that are designed to achieve the

1 goals established in section 2(1) of this act and that are consistent
2 with the plan developed in section 2(3) of this act;

3 (b) Source separation strategies, including:

4 (i) Programs for the collection of source separated materials
5 from residences in urban and rural areas. In urban areas, these
6 programs shall include collection of source separated recyclable
7 materials from single and multiple-family residences, unless the
8 department approves an alternative program, according to the criteria
9 in the planning guidelines. Such criteria shall include: Anticipated
10 recovery rates and levels of public participation, availability of
11 environmentally sound disposal capacity, access to markets for
12 recyclable materials, unreasonable cost impacts on the ratepayer over
13 the six-year planning period, utilization of environmentally sound
14 waste reduction and recycling technologies, and other factors as
15 appropriate. In rural areas, these programs shall include but not be
16 limited to drop-off boxes, buy-back centers, or a combination of
17 both, at each solid waste transfer, processing, or disposal site, or
18 at locations convenient to the residents of the county. The drop-off
19 boxes and buy-back centers may be owned or operated by public,
20 nonprofit, or private persons;

21 (ii) Programs to monitor the collection of source separated waste
22 at nonresidential sites where there is sufficient density to sustain
23 a program;

24 (iii) Programs to collect yard waste and food waste, if the
25 county or city submitting the plan finds that there are adequate
26 markets or capacity for composted yard waste and food waste within or
27 near the service area to consume the majority of the material
28 collected; and

29 (iv) Programs to educate and promote the concepts of waste
30 reduction and recycling;

31 (c) Recycling strategies, including a description of markets for
32 recyclables, a review of waste generation trends, a description of
33 waste composition, a discussion and description of existing programs
34 and any additional programs needed to assist public and private
35 sector recycling, and an implementation schedule for the designation
36 of specific materials to be collected for recycling, and for the
37 provision of recycling collection services;

38 (d) Other information the county or city submitting the plan
39 determines is necessary.

1 (8) An assessment of the plan's impact on the costs of solid
2 waste collection. The assessment shall be prepared in conformance
3 with guidelines established by the utilities and transportation
4 commission. The commission shall cooperate with the Washington state
5 association of counties and the association of Washington cities in
6 establishing such guidelines.

7 (9) A review of potential areas that meet the criteria as
8 outlined in RCW 70.95.165.

9 NEW SECTION. **Sec. 9.** Section 4 of this act expires June 30,
10 2019.

11 NEW SECTION. **Sec. 10.** Section 5 of this act takes effect June
12 30, 2019.

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