H-0358.1

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**HOUSE BILL 1194**

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**State of Washington 68th Legislature 2023 Regular Session**

**By** Representative Klicker

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

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

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

The legislature intends to establish a joint clean and renewable energy workforce training center (CREW center) to educate and train the workforce for the energy transition. The legislature intends to colocate in the vicinity of the CREW center a state-of-the-art visitor center with educational exhibits open to the general public. The first purpose of the visitor center is to inspire interest in careers in the clean energy economy and grow the pipeline of students who seek training at the CREW center. The second purpose of the visitor center is to equip citizens with knowledge about electricity generation, transmission, distribution, and storage that will help them participate in public policy issues surrounding the clean energy transition. This visitor center may be known as the secure power from American resources center (SPARC center).

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

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

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

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

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

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

(3) The powers of the joint centers are vested in and shall be exercised by a board of directors consisting of 13 voting members and a nonvoting chair appointed by the governor. Terms of the initial members must be staggered. The 13 voting members shall consist of the following:

(a) One member from the nuclear energy industry;

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

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

(d) One member representing linemen;

(e) One member representing plumbers and pipefitters;

(f) One member representing sheet metal workers;

(g) One member representing electricians;

(h) One member representing laborers;

(i) One member representing Washington State University;

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

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

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

(m) One member who is a civil engineer.

(4) The board shall:

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

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

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

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

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

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

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

(3) Any member of an operating agency may advance or contribute funds to an agency as may be agreed upon by the agency and the member, and the agency shall repay such advances or contributions from proceeds of revenue bonds, from operating revenues or from any other funds of the agency, together with interest not to exceed the maximum specified in RCW 43.52.395(1). The legislative body of any member may authorize and make such advances or contributions to an operating agency to assist in a plan for termination of a project or projects, whether or not such member is a participant in such project or projects. Any member who makes such advances or contributions for terminating a project or projects in which it is not a participant shall not assume any liability for any debts or obligations related to the terminated project or projects on account of such advance or contribution.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(a) Support tourism and economic development purposes;

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

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

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

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

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

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