
Capital Budget Committee

HB 1726

Brief Description: Prioritizing lumber procured from Washington state lumber mills for the purpose of public works projects.

Sponsors: Representatives Waters, Couture, Simmons, Springer, Kloba, Reed, Ormsby, Hill and Scott.

Brief Summary of Bill
<ul style="list-style-type: none">Requires public agencies contracting for public works projects receiving more than \$500,000 in state capital funding to require that lumber used in the project be procured from Washington, Oregon, and the United States, in descending order of priority, unless otherwise exempted.

Hearing Date: 2/13/25

Staff: Ingrid Lewis (786-7293).

Background:

Public works.

Public works include all work, construction, alterations, repairs, or improvements, other than ordinary maintenance, executed at the cost of the state or of any municipality. A competitive bidding process is required for most public works projects. State law generally requires agencies to award public works contracts to a responsible bidder with the lowest responsive bid. Typical materials used in these projects may include concrete, steel, lumber, and other materials.

Summary of Bill:

Lumber Requirements for Public Works Projects.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

The state, a school district, or a municipality entering into a contract for the construction, reconstruction, alteration, repair, improvement, or maintenance of a public building or other public works project receiving more than \$500,000 of state funds in a state capital budget or financed through a financing contract must require that the lumber used or supplied in the performance of the contract or any subcontract be procured from Washington, Oregon, and the United States, in descending order of priority.

Requirements may be waived by the Director of the Office of Financial Management on behalf of the state, by a school district superintendent on behalf of a school district, or by the executive head of a municipality on behalf of a municipality, if he or she determines that:

- meeting the requirements would be inconsistent with the public interest;
- lumber is not available in the priority locations in sufficient or reasonably available quantities and of satisfactory quality; or
- meeting the requirement would increase the cost of milled wood products by 10 percent .

Prior to issuing a waiver, the director, superintendent, or executive head must provide public notice on the agency website of the proposed waiver and an opportunity for public comment on the proposal for at least 30 days before making a final determination. The public notice must include information used in making the decision to propose a waiver and the public must be given the opportunity to provide comments electronically. The director, superintendent, or executive head must publish, on the agency website, a detailed justification of the decision made that addresses the public comments received. The publication must take place prior to the waiver taking effect.

Severability.

If any part of the bill is found to be in conflict with federal requirements that are a prescribed condition to the allocation of federal funds to the state, the conflicting part is inoperative solely to the extent of the conflict and with respect to the agencies directly affected, and such finding does not affect the operation of the remainder of the bill in its application to the agencies concerned.

Appropriation: None.

Fiscal Note: Requested on February 6, 2025.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.