
SENATE BILL 6236

State of Washington

61st Legislature

2010 Regular Session

By Senators Hargrove, Jacobsen, Morton, Schoesler, Swecker, Marr, Fraser, and Parlette; by request of Commissioner of Public Lands

Read first time 01/11/10. Referred to Committee on Natural Resources, Ocean & Recreation.

1 AN ACT Relating to the department of natural resources authority to
2 enter into forest biomass supply agreements; amending RCW 79.02.010,
3 43.30.020, 76.04.465, 76.06.180, 79.15.100, 79.15.220, 79.15.510, and
4 79.15.510; adding a new chapter to Title 79 RCW; 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.** The legislature finds that the utilization
8 of forest biomass materials located on state lands will assist in
9 achieving the purposes of the forest biomass energy demonstration
10 project under RCW 43.30.835, facilitate and support the emerging forest
11 biomass market and clean energy economy, and enable the department to
12 encourage biomass energy development on state trust lands for the trust
13 land's potential long-term benefits to trust beneficiaries.

14 NEW SECTION. **Sec. 2.** The department may maintain a list of all
15 potential sources of forest biomass on state lands for the purposes of
16 identifying and making forest biomass available for sale, exploration,
17 collection, processing, storage, stockpiling, and conversion into
18 energy, biofuels, for use in a biorefinery, or any other similar use.

1 The department may utilize the list to establish available supply
2 limitations to limit the sale of forest biomass under biomass supply
3 contracts authorized under this act when the department finds the
4 overall supply of forest biomass in a region or watershed is depleted
5 such that further exploration and collection of forest biomass may not
6 be sustainable or might otherwise threaten long-term forest health.

7 NEW SECTION. **Sec. 3.** (1) The department is authorized to enter
8 forest biomass supply contracts on terms and conditions acceptable to
9 the department for terms of up to five years for the purpose of
10 providing a supply of forest biomass during the term of the contract
11 except as the term of the contract may be limited under subsection (2)
12 of this section, provided that such a contract must terminate
13 automatically upon the removal of the agreed volume of biomass and the
14 completion of other conditions of the contract.

15 (2) The department may authorize the sale of forest biomass in a
16 contract for the sale of valuable materials under chapter 79.15 RCW
17 provided that the department complies with the provisions of this
18 chapter and: (a) Requires a separate bid and selects an apparent
19 highest bidder for the forest biomass separately from the sale of
20 valuable materials; (b) expressly includes forest biomass as an element
21 of the sale of the valuable materials to be sold in the sales contract;
22 or (c) a combination of (a) and (b) of this subsection. The term of
23 the contract for the removal of biomass, if the sale is made in
24 conformance with this subsection, must not exceed the term of the
25 contract for valuable materials sold under chapter 79.15 RCW.

26 (3) The department may: (a) Enter into direct sales contracts for
27 forest biomass, without public auction, based upon procedures adopted
28 by the board to ensure competitive market prices and accountability; or
29 (b) enter into contracts for forest biomass at public auction or by
30 sealed bid to the highest bidder in a manner consistent with the sale
31 procedures established for the sale of valuable materials in chapter
32 79.15 RCW or as may be adopted by the board.

33 (4) The department must specify in each contract an annual
34 volumetric limit of the total cubic volume or tons of forest biomass to
35 be supplied from a specific unit, geographically delineated area, or
36 region within a watershed or watersheds based upon the department's
37 determination of forest biomass available in that unit, area, region,

1 or watershed or watersheds on a sustainable basis. The department may
2 unilaterally amend the volume to be supplied by providing the
3 contracting party with a minimum of six months notice prior to reducing
4 the contract volume to be supplied if the department determines, under
5 section 2 of this act, that the available supply has been depleted such
6 that further removal of forest biomass may not be sustainable or may
7 adversely affect long-term forest health.

8 (5) At the expiration of the contract term, the department may
9 renew the contract for up to three additional five year periods on
10 terms and conditions acceptable to the department, if the department
11 finds: (a) A sustainable supply of forest biomass is available for the
12 term of the contract; (b) the payment under the contract represents the
13 fair market value at the time of the renewal; and (c) the purchaser
14 agrees to the estimated amount of biomass material available.

15 NEW SECTION. **Sec. 4.** The department is authorized to lease state
16 lands for the purpose of the sale, exploration, collection, processing,
17 storage, stockpiling, and conversion of biomass into energy or
18 biofuels, the development of a biorefinery, or for any other resource
19 use derived from biomass if the department is able to obtain a fair
20 market rental return to the state or the appropriate constitutional or
21 statutory trust and if the lease is in the best interest of the state
22 and the affected trust, as follows:

23 (1) Leases authorized under this chapter may be entered into by
24 public auction, in accordance with the provisions of RCW 79.13.140, or
25 by negotiation.

26 (2) All leases must contain such terms and conditions as may be
27 prescribed by the rules adopted by the department in accordance with
28 the provision of this act. Leases authorized under this act may be for
29 a term of no more than fifty years.

30 (3) For leases that involve the development of biomass processing,
31 biofuel manufacturing, or biomass energy production facilities, the
32 department may include provisions for reduced rent until an approved
33 plan of development is completed and the facility is operational,
34 provided that provisions are included to require: (a) Adequate
35 assurances to protect the department's interest in a future rental
36 income stream; (b) the demonstration of reasonable progress consistent
37 with an approved plan of development; and (c) a lump sum payment to the

1 department in the amount of the difference between the fair market rent
2 and the reduced rent, if the approved plan of development is not
3 completed in the time required in the plan.

4 (4) The department may require the payment of production rent or
5 other compensation for the use of the land and biomass materials on the
6 land. If the department is not entering a supply contract under
7 section 3 of this act for any forest biomass to be supplied for the
8 lease purposes from the leased land, then the department must require
9 a royalty payment for the contribution to value of any product created
10 by the lessee that is associated with forest biomass removed from the
11 leased land in an amount fixed by the board.

12 **Sec. 5.** RCW 79.02.010 and 2004 c 199 s 201 are each amended to
13 read as follows:

14 The definitions in this section apply throughout this title unless
15 the context clearly requires otherwise.

16 (1) "Aquatic lands" means all state-owned tidelands, shorelands,
17 harbor areas, and the beds of navigable waters as defined in (~~chapter~~
18 ~~79.90~~) RCW 79.105.060 that are administered by the department.

19 (2) "Board" means the board of natural resources.

20 (3) "Commissioner" means the commissioner of public lands.

21 (4) "Community and technical college forest reserve lands" means
22 lands managed under RCW 79.02.420.

23 (5) "Department" means the department of natural resources.

24 (6) "Improvements" means anything considered a fixture in law
25 placed upon or attached to lands administered by the department that
26 has changed the value of the lands or any changes in the previous
27 condition of the fixtures that changes the value of the lands.

28 (7) "Land bank lands" means lands acquired under RCW 79.19.020.

29 (8) "Person" means an individual, partnership, corporation,
30 association, organization, cooperative, public or municipal
31 corporation, or agency of a federal, state, or local governmental unit,
32 however designated.

33 (9) "Public lands" means lands of the state of Washington
34 administered by the department including but not limited to state
35 lands, state forest lands, and aquatic lands.

36 (10) "State forest lands" means lands acquired under RCW 79.22.010,
37 79.22.040, and 79.22.020.

1 (11) "State lands" includes:
2 (a) School lands, that is, lands held in trust for the support of
3 the common schools;
4 (b) University lands, that is, lands held in trust for university
5 purposes;
6 (c) Agricultural college lands, that is, lands held in trust for
7 the use and support of agricultural colleges;
8 (d) Scientific school lands, that is, lands held in trust for the
9 establishment and maintenance of a scientific school;
10 (e) Normal school lands, that is, lands held in trust for state
11 normal schools;
12 (f) Capitol building lands, that is, lands held in trust for the
13 purpose of erecting public buildings at the state capital for
14 legislative, executive, and judicial purposes;
15 (g) Institutional lands, that is, lands held in trust for state
16 charitable, educational, penal, and reformatory institutions; and
17 (h) Land bank, escheat, donations, and all other lands, except
18 aquatic lands, administered by the department that are not devoted to
19 or reserved for a particular use by law.
20 (12) "Valuable materials" means any product or material on the
21 lands, such as forest products, forage or agricultural crops, stone,
22 gravel, sand, peat, and all other materials of value except: (a)
23 Mineral, coal, petroleum, and gas as provided for under chapter 79.14
24 RCW; and (b) forest biomass as provided for under chapter 79.-- RCW
25 (the new chapter created in section 13 of this act).
26 (13)(a) "Forest biomass" means the by-products of: Current forest
27 practices prescribed or permitted under chapter 76.09 RCW; current
28 forest protection treatments prescribed or permitted under chapter
29 76.04 RCW; or the by-products of forest health treatment prescribed or
30 permitted under chapter 76.06 RCW.
31 (b) "Forest biomass" does not include wood pieces that have been
32 treated with chemical preservatives such as: Creosote,
33 pentachlorophenol, or copper-chrome-arsenic; wood from old growth
34 forests, except wood removed for forest health treatments under chapter
35 76.06 RCW and RCW 79.15.540; wood required by chapter 76.09 RCW for
36 large woody debris recruitment; or municipal solid waste.

1 **Sec. 6.** RCW 43.30.020 and 2009 c 163 s 6 are each amended to read
2 as follows:

3 The definitions in this section apply throughout this chapter
4 unless the context clearly requires otherwise.

5 (1) "Administrator" means the administrator of the department of
6 natural resources.

7 (2) "Agency" and "state agency" means any branch, department, or
8 unit of the state government, however designated or constituted.

9 (3) "Board" means the board of natural resources.

10 (4) "Commissioner" means the commissioner of public lands.

11 (5) "Department" means the department of natural resources.

12 (6) (~~"Forest biomass" means the by products of: Current forest
13 practices prescribed or permitted under chapter 76.09 RCW; current
14 forest protection treatments prescribed or permitted under chapter
15 76.04 RCW; or the by products of forest health treatments prescribed or
16 permitted under chapter 76.06 RCW. "Forest biomass" does not include
17 wood pieces that have been treated with chemical preservatives such as:
18 Creosote, pentachlorophenol, or copper-chrome-arsenic; wood from old
19 growth forests, except wood removed for forest health treatments under
20 chapter 76.06 RCW and RCW 79.15.540; wood required by chapter 76.09 RCW
21 for large woody debris recruitment; or municipal solid waste.~~

22 (7)) "Supervisor" means the supervisor of natural resources.

23 **Sec. 7.** RCW 76.04.465 and 1986 c 100 s 30 are each amended to read
24 as follows:

25 Standing dead trees constitute a substantial deterrent to effective
26 fire control action in forest areas, but are also an important and
27 essential habitat for many species of wildlife. To ((insure)) ensure
28 continued existence of these wildlife species and continued forest
29 growth while minimizing the risk of destruction by conflagration, only
30 certain snags must be felled currently with the logging. The
31 department shall adopt rules relating to effective fire control action
32 to require that only certain snags be felled, taking into consideration
33 the need to protect the wildlife habitat. Snags felled for effective
34 fire control action under this section on land managed by the
35 department may be utilized by the department for purposes of providing
36 a supply of forest biomass as provided in chapter 79.-- RCW (the new

1 chapter created in section 13 of this act), subject to rules adopted
2 under this section.

3 **Sec. 8.** RCW 76.06.180 and 2007 c 480 s 7 are each amended to read
4 as follows:

5 (1) Prior to issuing a forest health hazard warning or forest
6 health hazard order, the commissioner shall consider the findings and
7 recommendations of the forest health technical advisory committee and
8 shall consult with county government officials, forest landowners and
9 forest land managers, consulting foresters, and other interested
10 parties to gather information on the threat, opportunities or
11 constraints on treatment options, and other information they may
12 provide. The commissioner, or a designee, shall conduct a public
13 hearing in a county within the geographical area being considered.

14 (2) The commissioner of public lands may issue a forest health
15 hazard warning when he or she deems such action is necessary to manage
16 the development of a threat to forest health or address an existing
17 threat to forest health. A decision to issue a forest health hazard
18 warning may be based on existing forest stand conditions and:

19 (a) The presence of an uncharacteristic insect or disease outbreak
20 that has or is likely to (i) spread to multiple forest ownerships and
21 cause extensive damage to forests; or (ii) significantly increase
22 forest fuel that is likely to further the spread of uncharacteristic
23 fire;

24 (b) When, due to extensive physical damage from wind or ice storm
25 or other cause, there are (i) insect populations building up to large
26 scale levels; or (ii) significantly increased forest fuels that are
27 likely to further the spread of uncharacteristic fire; or

28 (c) When otherwise determined by the commissioner to be
29 appropriate.

30 (3) The commissioner of public lands may issue a forest health
31 hazard order when he or she deems such action is necessary to address
32 a significant threat to forest health. A decision to issue a forest
33 health hazard order may be based on existing forest stand conditions
34 and:

35 (a) The presence of an uncharacteristic insect or disease outbreak
36 that has (i) spread to multiple forest ownerships and has caused and is

1 likely to continue to cause extensive damage to forests; or (ii)
2 significantly increased forest fuels that are likely to further the
3 spread of uncharacteristic fire;

4 (b) When, due to extensive physical damage from wind or ice storm
5 or other cause (i) insect populations are causing extensive damage to
6 forests; or (ii) significantly increased forest fuels are likely to
7 further the spread of uncharacteristic fire;

8 (c) Insufficient landowner action under a forest health hazard
9 warning; or

10 (d) When otherwise determined by the commissioner to be
11 appropriate.

12 (4) A forest health hazard warning or forest health hazard order
13 shall be issued by use of a commissioner's order. General notice of
14 the commissioner's order shall be published in a newspaper of general
15 circulation in each county within the area covered by the order and on
16 the department's web site. The order shall specify the boundaries of
17 the area affected, including federal and tribal lands, the forest stand
18 conditions that would make a parcel subject to the provisions of the
19 order, and the actions landowners or land managers should take to
20 reduce the hazard. If the forest health hazard warning or order
21 relates to land managed by the department, the warning or order may
22 also contain provisions for the department's utilization of any forest
23 biomass pursuant to chapter 79.-- RCW (the new chapter created in
24 section 13 of this act).

25 (5) Written notice of a forest health hazard warning or forest
26 health hazard order shall be provided to forest landowners of
27 specifically affected property.

28 (a) The notice shall set forth:

29 (i) The reasons for the action;

30 (ii) The boundaries of the area affected, including federal and
31 tribal lands;

32 (iii) Suggested actions that should be taken by the forest
33 landowner under a forest health hazard warning or the actions that must
34 be taken by a forest landowner under a forest health hazard order;

35 (iv) The time within which such actions should or must be taken;

36 (v) How to obtain information or technical assistance on forest
37 health conditions and treatment options;

1 (vi) The right to request mitigation under subsection (6) of this
2 section and appeal under subsection (7) of this section;

3 (vii) These requirements are advisory only for federal and tribal
4 lands.

5 (b) The notice shall be served by personal service or by mail to
6 the latest recorded real property owner, as shown by the records of the
7 county recording officer as defined in RCW 65.08.060. Service by mail
8 is effective on the date of mailing. Proof of service shall be by
9 affidavit or declaration under penalty of perjury.

10 (6) Forest landowners who have been issued a forest health hazard
11 order under subsection (5) of this section may apply to the department
12 for the remission or mitigation of such order. The application shall
13 be made to the department within fifteen days after notice of the order
14 has been served. Upon receipt of the application, the department may
15 remit or mitigate the order upon whatever terms the department in its
16 discretion deems proper, provided the department deems the remission or
17 mitigation to be in the best interests of carrying out the purposes of
18 this chapter. The department may ascertain the facts regarding all
19 such applications in such reasonable manner and under such rule as it
20 deems proper.

21 (7) Forest landowners who have been issued a forest health hazard
22 order under subsection (5) of this section may appeal the order to the
23 forest practices appeals board.

24 (a) The appeal shall be filed within thirty days after notice of
25 the order has been served, unless application for mitigation has been
26 made to the department. When such an application for mitigation is
27 made, such appeal shall be filed within thirty days after notice of the
28 disposition of the application for mitigation has been served.

29 (b) The appeal must set forth:

30 (i) The name and mailing address of the appellant;

31 (ii) The name and mailing address of the appellant's attorney, if
32 any;

33 (iii) A duplicate copy of the forest health hazard order;

34 (iv) A separate and concise statement of each error alleged to have
35 been committed;

36 (v) A concise statement of facts upon which the appellant relies to
37 sustain the statement of error; and

38 (vi) A statement of the relief requested.

1 (8) A forest health hazard order issued under subsection (5) of
2 this section is effective thirty days after date of service unless
3 application for remission or mitigation is made or an appeal is filed.
4 When an application for remission or mitigation is made, the order is
5 effective thirty days after notice setting forth the disposition of the
6 application is served unless an appeal is filed from such disposition.
7 Whenever an appeal of the order is filed, the order shall become
8 effective only upon completion of all administrative and judicial
9 review proceedings and the issuance of a final decision confirming the
10 order in whole or in part.

11 (9) Upon written request, the department may certify as adequate a
12 forest health management plan developed by a forest landowner, before
13 or in response to a forest health hazard warning or forest health
14 hazard order, if the plan is likely to achieve the desired result and
15 the terms of the plan are being diligently followed by the forest
16 landowner. The certification of adequacy shall be determined by the
17 department in its sole discretion, and be provided to the requestor in
18 writing.

19 **Sec. 9.** RCW 79.15.100 and 2004 c 177 s 5 are each amended to read
20 as follows:

21 (1) Valuable materials may be sold separately from the land as a
22 "lump sum sale" or as a "scale sale."

23 (a) "Lump sum sale" means any sale offered with a single total
24 price applying to all the material conveyed.

25 (b) "Scale sale" means any sale offered with per unit prices to be
26 applied to the material conveyed.

27 (2) Payment for lump sum sales must be made as follows:

28 (a) Lump sum sales under five thousand dollars appraised value
29 require full payment on the day of sale.

30 (b) Lump sum sales appraised at over five thousand dollars but
31 under one hundred thousand dollars may require full payment on the day
32 of sale.

33 (c) Lump sum sales requiring full payment on the day of sale may be
34 paid in cash or by certified check, cashier's check, bank draft, or
35 money order, all payable to the department.

36 (3) Except for sales paid in full on the day of sale or sales with

1 adequate bid bonds, an initial deposit not to exceed twenty-five
2 percent of the actual or projected purchase price shall be made on the
3 day of sale.

4 (a) Sales with bid bonds are subject to the day of sale payment and
5 replacement requirements prescribed by RCW 79.15.110.

6 (b) The initial deposit must be maintained until all contract
7 obligations of the purchaser are satisfied. However, all or a portion
8 of the initial deposit may be applied as the final payment for the
9 valuable materials in the event the department determines that adequate
10 security exists for the performance or fulfillment of any remaining
11 obligations of the purchaser under the sale contract.

12 (4) Advance payments or other adequate security acceptable to the
13 department is required for valuable materials sold on a scale sale
14 basis or a lump sum sale not requiring full payment on the day of sale.

15 (a) The purchaser must notify the department before any operation
16 takes place on the sale site.

17 (b) Upon notification as provided in (a) of this subsection, the
18 department must require advanced payment or may allow purchasers to
19 submit adequate security.

20 (c) The amount of advanced payments or security must be determined
21 by the department and must at all times equal or exceed the value of
22 timber cut and other valuable materials processed or removed until paid
23 for.

24 (d) Security may be bank letters of credit, payment bonds,
25 assignments of savings accounts, assignments of certificates of
26 deposit, or other methods acceptable to the department as adequate
27 security.

28 (5) All valuable material must be removed from the sale area within
29 the period specified in the contract.

30 (a) The specified period may not exceed five years from date of
31 purchase except for stone, sand, gravel, fill material, or building
32 stone.

33 (b) The specified period for stone, sand, gravel, fill material, or
34 building stone may not exceed thirty years.

35 (c) In all cases, any valuable material not removed from the land
36 within the period specified in the contract reverts to the state. The
37 department may utilize any remaining forest biomass in accordance with
38 chapter 79.-- RCW (the new chapter created in section 13 of this act).

1 (6) The department may extend a contract beyond the normal
2 termination date specified in the sale contract as the time for removal
3 of valuable materials when, in the department's judgment, the purchaser
4 is acting in good faith and endeavoring to remove the materials. The
5 extension is contingent upon payment of the fees specified below.

6 (a) The extended time for removal shall not exceed:

7 (i) Forty years from date of purchase for stone, sand, gravel, fill
8 material, or building stone;

9 (ii) A total of ten years beyond the original termination date for
10 all other valuable materials.

11 (b) An extension fee fixed by the department will be charged based
12 on the estimated loss of income per acre to the state resulting from
13 the granting of the extension plus interest on the unpaid portion of
14 the contract. The board must periodically fix and adopt by rule the
15 interest rate, which shall not be less than six percent per annum.

16 (c) The sale contract shall specify:

17 (i) The applicable rate of interest as fixed at the day of sale and
18 the maximum extension payment; and

19 (ii) The method for calculating the unpaid portion of the contract
20 upon which interest is paid.

21 (d) The minimum extension fee is fifty dollars per extension plus
22 interest on the unpaid portion of the contract.

23 (e) Moneys received for any extension must be credited to the same
24 fund in the state treasury as was credited the original purchase price
25 of the valuable material sold.

26 (7) The department may, in addition to any other securities,
27 require a performance security to guarantee compliance with all
28 contract requirements. The security is limited to those types listed
29 in subsection (4) of this section. The value of the performance
30 security will, at all times, equal or exceed the value of work
31 performed or to be performed by the purchaser.

32 (8) The department does not need to comply with the provisions of
33 this chapter for forest biomass except as described in the provisions
34 of chapter 70.-- RCW (the new chapter created in section 13 of this
35 act). Forest biomass may not be included in any sales contract
36 authorized under this chapter unless the department has complied with
37 the provisions of chapter 79.-- RCW (the new chapter created in section
38 13 of this act).

1 (9) The provisions of this section apply unless otherwise provided
2 by statute.

3 **Sec. 10.** RCW 79.15.220 and 2001 c 250 s 14 are each amended to
4 read as follows:

5 When the department finds valuable materials on state land that are
6 damaged by fire, wind, flood, or from any other cause, it shall
7 determine if the salvage of the damaged valuable materials is in the
8 best interest of the trust for which the land is held, which may
9 include the salvage of forest biomass under chapter 79.-- RCW (the new
10 chapter created in section 13 of this act). If salvaging the valuable
11 materials is in the best interest of the trust, the department shall
12 proceed to offer the valuable materials for sale. The valuable
13 materials, when offered for sale, must be sold in the most expeditious
14 and efficient manner as determined by the department. In determining
15 if the sale is in the best interest of the trust the department shall
16 consider the net value of the valuable materials and relevant elements
17 of the physical and social environment.

18 **Sec. 11.** RCW 79.15.510 and 2009 c 418 s 2 are each amended to read
19 as follows:

20 (1) The department may establish a contract harvesting program for
21 directly contracting for the removal of timber and other valuable
22 materials from state lands and for conducting silvicultural treatments
23 consistent with RCW 79.15.540.

24 (2) The contract requirements must be compatible with the office of
25 financial management's guide to public service contracts.

26 (3) The department may not use contract harvesting for more than
27 twenty percent of the total annual volume of timber offered for sale.
28 However, volume removed primarily to address an identified forest
29 health issue under RCW 79.15.540 may not be included in calculating the
30 ~~((ten [twenty] percent))~~ annual limit of contract harvesting sales.
31 Forest biomass resulting from harvesting to address an identified
32 forest health issue under RCW 79.15.540 may be utilized in accordance
33 with chapter 79.-- RCW (the new chapter created in section 13 of this
34 act).

1 **Sec. 12.** RCW 79.15.510 and 2004 c 218 s 6 are each amended to read
2 as follows:

3 (1) The department may establish a contract harvesting program for
4 directly contracting for the removal of timber and other valuable
5 materials from state lands and for conducting silvicultural treatments
6 consistent with RCW 79.15.540.

7 (2) The contract requirements must be compatible with the office of
8 financial management's guide to public service contracts.

9 (3) The department may not use contract harvesting for more than
10 ten percent of the total annual volume of timber offered for sale.
11 However, volume removed primarily to address an identified forest
12 health issue under RCW 79.15.540 may not be included in calculating the
13 ((ten percent)) annual limit of contract harvesting sales. Forest
14 biomass resulting from harvesting to address an identified forest
15 health issue under RCW 79.15.540 may be utilized in accordance with
16 chapter 79.-- RCW (the new chapter created in section 13 of this act).

17 NEW SECTION. **Sec. 13.** Sections 1 through 4 of this act constitute
18 a new chapter in Title 79 RCW.

19 NEW SECTION. **Sec. 14.** Section 11 of this act expires January 1,
20 2014.

21 NEW SECTION. **Sec. 15.** Section 12 of this act takes effect January
22 1, 2014.

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