

CERTIFICATION OF ENROLLMENT

**HOUSE BILL 1184**

Chapter 416, Laws of 2009

61st Legislature  
2009 Regular Session

CONSERVATION PROJECTS--LOAN REPAYMENT PERIODS

EFFECTIVE DATE: 07/26/09

Passed by the House April 18, 2009  
Yeas 94 Nays 3

FRANK CHOPP

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**Speaker of the House of Representatives**

Passed by the Senate April 14, 2009  
Yeas 42 Nays 0

BRAD OWEN

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**President of the Senate**

Approved May 8, 2009, 10:51 a.m.

CHRISTINE GREGOIRE

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**Governor of the State of Washington**

CERTIFICATE

I, Barbara Baker, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 1184** as passed by the House of Representatives and the Senate on the dates hereon set forth.

BARBARA BAKER

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**Chief Clerk**

FILED

May 11, 2009

**Secretary of State  
State of Washington**

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HOUSE BILL 1184

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AS AMENDED BY THE SENATE

Passed Legislature - 2009 Regular Session

State of Washington

61st Legislature

2009 Regular Session

By Representative Chase

Read first time 01/14/09. Referred to Committee on Technology,  
Energy & Communications.

1 AN ACT Relating to modifying the loan repayment period for  
2 conservation projects funded by municipal utilities and public utility  
3 districts; and amending RCW 35.92.360 and 54.16.032.

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

5 **Sec. 1.** RCW 35.92.360 and 2002 c 276 s 2 are each amended to read  
6 as follows:

7 (1) Any city or town engaged in the generation, sale, or  
8 distribution of energy is hereby authorized, within limits established  
9 by the Constitution of the state of Washington, to assist the owners of  
10 structures or equipment in financing the acquisition and installation  
11 of materials and equipment, for compensation or otherwise, for the  
12 conservation or more efficient use of energy in such structures or  
13 equipment pursuant to an energy conservation plan adopted by the city  
14 or town if the cost per unit of energy saved or produced by the use of  
15 such materials and equipment is less than the cost per unit of energy  
16 produced by the next least costly new energy resource which the city or  
17 town could acquire to meet future demand. Any financing authorized  
18 under this chapter shall only be used for conservation purposes in  
19 existing structures, and such financing shall not be used for any

1 purpose which results in a conversion from one energy source to  
2 another. For the purposes of this section, "conservation purposes in  
3 existing structures" may include projects to allow a municipal electric  
4 utility's customers to generate all or a portion of their own  
5 electricity through the on-site installation of a distributed  
6 electricity generation system that uses as its fuel solar, wind,  
7 geothermal, or hydropower, or other renewable resource that is  
8 available on-site and not from a commercial source. Such projects  
9 shall not be considered "a conversion from one energy source to  
10 another" which is limited to the change or substitution of one  
11 commercial energy supplier for another commercial energy supplier.  
12 Except where otherwise authorized, such assistance shall be limited to:

13 ((+1)) (a) Providing an inspection of the structure or equipment,  
14 either directly or through one or more inspectors under contract, to  
15 determine and inform the owner of the estimated cost of purchasing and  
16 installing conservation materials and equipment for which financial  
17 assistance will be approved and the estimated life cycle savings in  
18 energy costs that are likely to result from the installation of such  
19 materials or equipment;

20 ((+2)) (b) Providing a list of businesses who sell and install  
21 such materials and equipment within or in close proximity to the  
22 service area of the city or town, each of which businesses shall have  
23 requested to be included and shall have the ability to provide the  
24 products in a workmanlike manner and to utilize such materials in  
25 accordance with the prevailing national standards((-));

26 ((+3)) (c) Arranging to have approved conservation materials and  
27 equipment installed by a private contractor whose bid is acceptable to  
28 the owner of the residential structure and verifying such installation;  
29 and

30 ((+4)) (d) Arranging or providing financing for the purchase and  
31 installation of approved conservation materials and equipment. Such  
32 materials and equipment shall be purchased from a private business and  
33 shall be installed by a private business or the owner.

34 ((+5)) (2) Pay back shall be in the form of incremental additions  
35 to the utility bill, billed either together with use charge or  
36 separately. Loans shall not exceed (~~one hundred twenty~~) two hundred  
37 forty months in length.

1       **Sec. 2.** RCW 54.16.032 and 1989 c 421 s 4 are each amended to read  
2 as follows:

3       Any district is hereby authorized, within limits established by the  
4 Constitution of the state of Washington, to assist the owners of  
5 structures in financing the acquisition and installation of fixtures,  
6 systems, and equipment, for compensation or otherwise, for the  
7 conservation or more efficient use of water in the structures under a  
8 water conservation plan adopted by the district if the cost per unit of  
9 water saved or conserved by the use of the fixtures, systems, and  
10 equipment is less than the cost per unit of water supplied by the next  
11 least costly new water source available to the district to meet future  
12 demand. Except where otherwise authorized, assistance shall be limited  
13 to:

14       (1) Providing an inspection of the structure, either directly or  
15 through one or more inspectors under contract, to determine and inform  
16 the owner of the estimated cost of purchasing and installing  
17 conservation fixtures, systems, and equipment for which financial  
18 assistance will be approved and the estimated life cycle savings to the  
19 water system and the consumer that are likely to result from the  
20 installation of the fixtures, systems, or equipment;

21       (2) Providing a list of businesses that sell and install the  
22 fixtures, systems, and equipment within or in close proximity to the  
23 service area of the city or town, each of which businesses shall have  
24 requested to be included and shall have the ability to provide the  
25 products in a workmanlike manner and to utilize the fixtures, systems,  
26 and equipment in accordance with the prevailing national standards;

27       (3) Arranging to have approved conservation fixtures, systems, and  
28 equipment installed by a private contractor whose bid is acceptable to  
29 the owner of the structure and verifying the installation; and

30       (4) Arranging or providing financing for the purchase and  
31 installation of approved conservation fixtures, systems, and equipment.  
32 The fixtures, systems, and equipment shall be purchased or installed by  
33 a private business, the owner, or the utility.

34       Pay back shall be in the form of incremental additions to the  
35 utility bill, billed either together with use charge or separately.  
36 Loans shall not exceed (~~one~~) two hundred (~~twenty~~) forty months in

1 length.

Passed by the House April 18, 2009.

Passed by the Senate April 14, 2009.

Approved by the Governor May 8, 2009.

Filed in Office of Secretary of State May 11, 2009.