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**SUBSTITUTE HOUSE BILL 2426**

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**State of Washington**

**60th Legislature**

**2008 Regular Session**

**By** House Technology, Energy & Communications (originally sponsored by Representatives Chase, Williams, Morrell, Hasegawa, Hudgins, Campbell, Kagi, and Upthegrove)

READ FIRST TIME 01/30/08.

1       AN ACT Relating to use of high-efficiency lighting in state  
2 government; amending RCW 43.19.668 and 43.19.670; and adding a new  
3 section to chapter 43.19 RCW.

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

5       **Sec. 1.** RCW 43.19.668 and 2001 c 214 s 23 are each amended to read  
6 as follows:

7       The legislature finds and declares that the buildings, facilities,  
8 equipment, and vehicles owned or leased by state government consume  
9 significant amounts of energy and that energy conservation actions,  
10 including energy management systems, to provide for efficient energy  
11 use in these buildings, facilities, equipment, and vehicles will reduce  
12 the costs of state government. In order for the operations of state  
13 government to provide the citizens of this state an example of energy  
14 use efficiency, the legislature further finds and declares that state  
15 government should undertake an aggressive program designed to reduce  
16 energy use in state buildings, facilities, equipment, and vehicles  
17 within a reasonable period of time. The use of appropriate tree  
18 plantings for energy conservation is encouraged as part of this

1 program. The use of high-efficiency lighting in facilities owned or  
2 leased by state government is also strongly encouraged.

3 **Sec. 2.** RCW 43.19.670 and 2001 c 214 s 25 are each amended to read  
4 as follows:

5 As used in RCW 43.19.670 through 43.19.685, the following terms  
6 have the meanings indicated unless the context clearly requires  
7 otherwise.

8 (1) "Energy audit" means a determination of the energy consumption  
9 characteristics of a facility which consists of the following elements:

10 (a) An energy consumption survey which identifies the type, amount,  
11 and rate of energy consumption of the facility and its major energy  
12 systems. This survey shall be made by the agency responsible for the  
13 facility.

14 (b) A walk-through survey which determines appropriate energy  
15 conservation maintenance and operating procedures and indicates the  
16 need, if any, for the acquisition and installation of energy  
17 conservation measures and energy management systems. This survey shall  
18 be made by the agency responsible for the facility if it has  
19 technically qualified personnel available. The director of general  
20 administration shall provide technically qualified personnel to the  
21 responsible agency if necessary.

22 (c) An investment grade audit, which is an intensive engineering  
23 analysis of energy conservation and management measures for the  
24 facility, net energy savings, and a cost-effectiveness determination.  
25 This element is required only for those facilities designated in the  
26 schedule adopted under RCW 43.19.680(2).

27 (2) "Cost-effective energy conservation measures" means energy  
28 conservation measures that the investment grade audit concludes will  
29 generate savings sufficient to finance project loans of not more than  
30 ten years.

31 (3) "Energy conservation measure" means an installation or  
32 modification of an installation in a facility which is primarily  
33 intended to reduce energy consumption or allow the use of an  
34 alternative energy source, including:

35 (a) Insulation of the facility structure and systems within the  
36 facility;

1 (b) Storm windows and doors, multiglazed windows and doors, heat  
2 absorbing or heat reflective glazed and coated windows and door  
3 systems, additional glazing, reductions in glass area, and other window  
4 and door system modifications;

5 (c) Automatic energy control systems;

6 (d) Equipment required to operate variable steam, hydraulic, and  
7 ventilating systems adjusted by automatic energy control systems;

8 (e) Solar space heating or cooling systems, solar electric  
9 generating systems, or any combination thereof;

10 (f) Solar water heating systems;

11 (g) Furnace or utility plant and distribution system modifications  
12 including replacement burners, furnaces, and boilers which  
13 substantially increase the energy efficiency of the heating system;  
14 devices for modifying flue openings which will increase the energy  
15 efficiency of the heating system; electrical or mechanical furnace  
16 ignitions systems which replace standing gas pilot lights; and utility  
17 plant system conversion measures including conversion of existing oil-  
18 and gas-fired boiler installations to alternative energy sources;

19 (h) Caulking and weatherstripping;

20 (i) Replacement or modification of lighting fixtures which increase  
21 the energy efficiency of the lighting system;

22 (j) Energy recovery systems;

23 (k) Energy management systems; and

24 (l) Such other measures as the director finds will save a  
25 substantial amount of energy.

26 (4) "Energy conservation maintenance and operating procedure" means  
27 modification or modifications in the maintenance and operations of a  
28 facility, and any installations within the facility, which are designed  
29 to reduce energy consumption in the facility and which require no  
30 significant expenditure of funds.

31 (5) "Energy management system" has the definition contained in RCW  
32 39.35.030.

33 (6) "Energy savings performance contracting" means the process  
34 authorized by chapter 39.35C RCW by which a company contracts with a  
35 state agency to conduct no-cost energy audits, guarantee savings from  
36 energy efficiency, provide financing for energy efficiency  
37 improvements, install or implement energy efficiency improvements, and

1 agree to be paid for its investment solely from savings resulting from  
2 the energy efficiency improvements installed or implemented.

3 (7) "Energy service company" means a company or contractor  
4 providing energy savings performance contracting services.

5 (8) "Facility" means a building, a group of buildings served by a  
6 central energy distribution system, or components of a central energy  
7 distribution system.

8 (9) "Fluorescent lamp" means a gas-discharge lamp that uses a  
9 magnetic, electronic, or other ballast and uses electricity to excite  
10 mercury vapor in argon or neon gas resulting in a plasma that produces  
11 short-wave ultraviolet light that causes a phosphor to fluoresce and  
12 produce visible light. "Fluorescent lamp" includes without limitation  
13 a compact fluorescent lamp.

14 (10) "High-efficiency lighting" means fluorescent lamp or solid-  
15 state lighting.

16 (11) "Implementation plan" means the annual tasks and budget  
17 required to complete all acquisitions and installations necessary to  
18 satisfy the recommendations of the energy audit.

19 (12) "Solid-state lighting" means a light device that uses light-  
20 emitting diodes, organic light-emitting diodes, or polymer light-  
21 emitting diodes as sources of illumination rather than electrical  
22 filaments or gas.

23 (13) "Technically feasible" means the technology is compatible and  
24 appropriate for the current appliance and use.

25 NEW SECTION. Sec. 3. A new section is added to chapter 43.19 RCW  
26 to read as follows:

27 (1) Whenever a state agency purchases or requires a bid for the  
28 purchase of an indoor lamp, a preference for solid-state lighting shall  
29 be exercised if the use of solid-state lighting is technically feasible  
30 and the price is competitive with consideration given to the long-term  
31 cost-effectiveness and savings of solid-state lighting. If solid-state  
32 lighting is not technically feasible or cost-effective for a particular  
33 application, then a preference for using a fluorescent lamp shall be  
34 exercised if the use of a fluorescent lamp is technically feasible and  
35 the price is competitive with consideration given to the long-term  
36 cost-effectiveness and savings of fluorescent lamps.

1           (2) The goal of state agencies for the percentage of purchased  
2 indoor lamps that are high-efficiency lighting shall be one hundred  
3 percent by January 1, 2010.

4           (3) The department of general administration shall prepare an  
5 annual report to the legislature on the state's progress in meeting the  
6 goals for the purchase of high-efficiency lighting.

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