
HOUSE BILL 2994

State of Washington 60th Legislature 2008 Regular Session

By Representatives Takko, Crouse, Hasegawa, VanDeWege, Roberts,
Hankins, and Haler

Read first time 01/21/08. Referred to Committee on Technology,
Energy & Communications.

1 AN ACT Relating to promoting renewable energy in Washington; and
2 adding a new chapter to Title 80 RCW.

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

4 NEW SECTION. **Sec. 1.** The legislature finds and declares that the
5 potential for meeting future energy needs and promoting energy
6 independence in the state and the Pacific Northwest region through the
7 generation of electricity from renewable energy facilities may not be
8 realized without incentives to consumer-owned utilities.
9 Not-for-profit entities, including consumer-owned utilities, are not
10 eligible for federal tax credits available to for-profit owners of
11 renewable energy projects. Although the federal government offers
12 incentives to certain not-for-profit entities under the federal
13 renewable energy production incentive program there are insufficient
14 funds to fully realize the potential benefit of this incentive for
15 public power systems and other not-for-profit utilities. Given the
16 emphasis and recognized need for renewable energy resources under
17 chapter 1, Laws of 2007 and other state laws, the legislature therefore
18 finds and declares that incentives by state government to promote the
19 use of renewable resources would be of great benefit to the citizens of

1 this state by encouraging a reliable and diverse supply of energy based
2 upon renewable energy resources, by providing economic benefits for
3 Washington citizens by creating high-quality jobs, and by positioning
4 Washington state as a national leader in renewable energy technologies.

5 NEW SECTION. **Sec. 2.** The definition in this section applies
6 throughout this chapter unless the context clearly requires otherwise.
7 "Qualified renewable energy facility" means a qualified renewable
8 energy facility that is eligible for the renewable energy production
9 incentive under 42 U.S.C. Sec. 13317 as of January 3, 2005.

10 NEW SECTION. **Sec. 3.** The state shall make payments to the owner
11 of any qualified renewable energy facility as provided under section 4
12 of this act. The payments must be made for a period not to exceed ten
13 fiscal years.

14 NEW SECTION. **Sec. 4.** (1) Payments made by the state under this
15 chapter to the owner of any qualified renewable energy facility must be
16 based on the number of kilowatt hours of electricity generated by the
17 facility during the payment period referred to under section 3 of this
18 act. For any facility, the amount of such a payment is one and one-
19 half cents per kilowatt hour adjusted for inflation as provided under
20 42 U.S.C. Sec. 13317 as of January 3, 2005.

21 (2) If funds are received from the federal government under 42
22 U.S.C. Sec. 13317 as of January 3, 2005, for an eligible facility
23 applicable to a specified time period, then that amount must be repaid
24 by the recipient to the state, without interest, up to a maximum of the
25 amount received from the state for that project for the same time
26 period, to further create incentives for additional renewable energy
27 facilities.

28 (3) The department of community, trade, and economic development,
29 after consultation with the owner of a renewable energy project, shall
30 determine the eligibility of such a project for payments under this
31 chapter, provided that the federal government determination of
32 eligibility of any project for the renewable energy production
33 incentive under 42 U.S.C. Sec. 13317 as of January 3, 2005, is
34 conclusive as to eligibility for state incentives under this chapter.

1 NEW SECTION. **Sec. 5.** If any provision of this act or its
2 application to any person or circumstance is held invalid, the
3 remainder of the act or the application of the provision to other
4 persons or circumstances is not affected.

5 NEW SECTION. **Sec. 6.** This act may be known and cited as the
6 renewable energy incentive act.

7 NEW SECTION. **Sec. 7.** Sections 1 through 6 of this act constitute
8 a new chapter in Title 80 RCW.

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